# YOUTH
# &POLICY

SPECIAL ISSUE:
**Sexual Trafficking And
Young People**

**Edited by Jenny J. Pearce
and Margaret Melrose**

# Editorial Group

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*Youth and Policy* Journal was founded in 1982 to offer a critical space for the discussion of youth policy and youth work theory and practice.

The editorial group have subsequently expanded activities to include the organisation of related conferences, research and book publication. Regular activities include the bi-annual 'History of Community and Youth Work' and the 'Thinking Seriously' conferences.

The *Youth and Policy* editorial group works in partnership with a range of local and national voluntary and statutory organisations who have complementary purposes. These have included UK Youth, YMCA, Muslim Youth Council and Durham University.

All members of the *Youth and Policy* editorial group are involved in education, professional practice and research in the field of informal education, community work and youth work. The journal is run on a not-for-profit basis. Editors and Associate Editors all work in a voluntary and unpaid capacity.

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**Special Edition: Sexual Trafficking And Young People**

**Edited by Jenny J. Pearce and Margaret Melrose**

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Introductory Article

# Safeguarding young people from sexual exploitation and from being trafficked: tensions within contemporary policy and practice.

Jenny J. Pearce

I have divided this article into three sections. First I introduce the special edition by identifying some of the key themes within it.

Second, I look at why it is both so important, and yet so hard, for those engaged in developing practice and policy to discuss many of the tensions emerging from questions about definition and delivery of service. I do this by looking at tensions within four areas of work: definitions of sexual exploitation; thresholds of intervention; developing child participation; and maintaining a child centred perspective for all trafficked children and young people.

Third, and finally, I argue that a conceptual shift needs to take place in current practice to safeguard vulnerable older children and young people. This shift recognises that the current focus on child protection concentrates on safeguarding babies and younger children from emotional, physical and sexual abuse and neglect in the home. This focus does not extend easily to safeguarding vulnerable teenagers. This is both because work is led by a conceptual understanding of childhood which excludes adolescence, and because child protection services are overstretched, struggling to meet basic requirements of protecting young children at risk of abuse within their families and home. Neither of these reasons should be accepted as excuses for inaction. I argue that we need a conceptual shift to recognise both the different problems experienced by vulnerable young people and the different issues that they present to local safeguarding boards. This reminds us that Local safeguarding Children Boards have a remit to safeguard all young people, including the older age groups up to 18 years.

## Key themes and tensions raised in the different articles within this special edition

This collection of articles explores tensions in contemporary debates about the sexual exploitation and the trafficking of children and young people in the UK. They touch on contentious and challenging propositions. For example, both Melrose and Phoenix propose that the current discourse of sexual

exploitation is limited as it locates children and young people exclusively as victims of abuse. This, they argue, restricts awareness of the young people as active agents capable of making some decisions about their future. As Phoenix argued in 2002, poverty and deprivation can be one of the main reasons for young people entering prostitution (Phoenix 2002). Melrose looks at contemporary youth poverty and at the increasingly limited and limiting employment opportunities available to many young people. These limited opportunities lead to constrained choice restricting their transition into the formal economy and diverting them into prostitution (for more on constrained choices – see Chase and Statham 2005 for more information on this). Following on, Phoenix asks us to question the impact that the 'sex for pleasure', 'sex for leisure' cultures have on young people. She challenges the hypocrisy of conflicting child care policies which care for those who fall victim of these cultures but penalise those who become actors within them.

Then, referring to the need to both protect children and young people from sexual exploitation and to prosecute abusers (a need established by the DH in 2000 and endorsed in recent government guidance DCSF 2009) Jago asks why we still have so few effective systems for disrupting and prosecuting abusers and why, despite some dedicated police operations, abusers continue to slip through the criminal justice net? She highlights the need for earlier interventions to identify and prevent exploitation with clear procedures on how to gather evidence that can later be used in cases against alleged abusers. She questions what the barriers are that prevent full use of the legislation available to us to protect children and young people from sexual exploitation? While the DCSF 2009 guidance is a step forward, further work is needed to ensure that all Local Safeguarding Children Boards have an intervention programme that looks at both identification of the problem, methods of engaging with the child, processes for disrupting abuse and finally procedures for prosecuting abusers.

Continuing to refer to the DCSF guidance 2009, Warrington asks why there was no consultation with young people in its development, despite its recognition that child participation is an important component to the development and delivery of policy and practice. This is a central question to which I return for further discussion below as the importance of young people's participation is increasingly recognised in practice.

Finally, the remaining two articles by Bovarnick and Hynes ask if there is genuine central and local government commitment to preventing the harm caused by the trafficking of children and young people into and within the UK? Despite there being one or two acknowledged areas of excellent practice, their research questions levels of training and awareness, suggesting that there is little common understanding between practitioners of what 'trafficking' actually is? They ask whether the 'culture of disbelief' that permeates much practice and perpetuates a 'wall of silence' about the issues can be challenged if we do not have a shared understanding of what a trafficked child is. Indeed, are multi agency interventions between police, health, education and child protection services all working from a child centred perspective? Hynes asks whether our interventions will ever be

effective if they are not 'joined up' with assessment of the impact of global inequalities; inequalities which make children, young people and their families want to move from poverty, war and abuse and that open opportunities for organised crime in the informal economy to exploit human labour?

## Why it is both important, and yet hard, to discuss these tensions

These questions are important and have ongoing implications for our work in protecting young people from abuse. However, they are often avoided as they can create strong feelings in practitioners, policy makers and researchers. They can touch on deeply held political and professional principles.

### Tensions in the definition of Child sexual exploitation

For example, some strands of feminist social work theory position sexual exploitation as an arm of patriarchal domination that is perpetuated through violence against women (see Kelly et al 2007, O'Connell Davidson 1998, O'Neill 1997 for further debate on the validity of this position). Although these theoretical positions will acknowledge some aspects of 'agency' amongst young people, they may be resistant to considering that entry to prostitution can be free from violence and abuse and/or involve informed choice. They question whether this view of entry to prostitution can apply to young people who are, in their view, abused by adults.

Similarly, many young people themselves, their parents and families, practitioners and policy campaign groups have fought long and hard for sexually exploited young people to be understood as victims of abuse rather than young people involved in prostitution. Indeed, as identified by work from the Campaign for the Removal of Pimping (CROP), parents and carers voices have invariably been overlooked and dismissed in efforts to challenge the sexual exploitation of children and young people (see www.cropuk.org.uk for more details). These campaigners are, with Melrose and Phoenix, aware that policy remains contradictory in that it allows, as a last resort, children and young people to be prosecuted for offences relating to prostitution. Efforts are focused on removing this last association with prostitution from the statute books. These practitioners are understandably guarded against 'prostitution' slipping back into the hard won discourse of sexual exploitation which is now informing and guiding practice (see Swann and Balding 2002, Chase and Statham 2005, Scott and Skidmore 2006, and the definition of sexual exploitation in DCSF 2009 and www.nationalworkinggroup.co.uk).

However, these strong feelings that emerge to defend specific theoretical positions and established policy interventions should not silence debate. Of course, neither Melrose nor Phoenix are condoning violence, abuse or harm against young people or arguing for anything other than support to vulnerable young people. Indeed, they are offended by the assumption that asking about the relationship between discourses of prostitution and youth is in itself suggested to be colluding with the abuse of young people. In defence, they confirm that they are committed to work that protects children and young people from abuse.

To clarify this point further, it may be helpful to consider my own position which is located in a discourse that identifies young people first and foremost as victims of sexual exploitation but that is open to listening and understanding about situations where young people understand themselves to be involved in prostitution. I argue that the harms caused by sexual exploitation need addressing in the full range of generic and targeted child care interventions that position the young person as a victim of child abuse. However, with this established, I recognise that there are numerous levels at which the sexual exploitation discourse overlaps and intertwines with discourses of adult prostitution, domestic violence and child protection. I do not advocate any one dominant model to be seen as the 'real' manifestation of sexual exploitation. For example, the grooming model is currently advocated by many as the way to understand how sexual exploitation works. I worry that this 'one explanation fits all' approach can undermine awareness of the full range of processes taking place for different young women and young men, including those in the 16 to 18 age group who may be displaced from permanent accommodation, education or employment and engaged in the informal economy as a means of survival.

I ask that, even if uncomfortable, we feel able to listen to work that does put young people and prostitution together in the same sentence to understand the relationship between the two. This needs to happen in the same way that we debate the relationship between sexual exploitation and child abuse. We need to allow ourselves time to consider, for example, what form prostitution takes in contemporary society where the 'sex for leisure' and 'sex for pleasure' cultures dominate and where the sex industry has proliferated offering income for many living in poverty. We need to consider whether prostitution is understood by some young people to be a route into money and survival, and whether, in their experience, this route does necessarily always involve abuse, violence and harm? We also need better understanding of how we respond to young people who may be both victims and perpetrators of sexual offences. As emerging practice reveals that some young people may be responsible for enticing or encouraging others into exploitative situations; and as we become more aware about the impact of previous abuse on current sexual offenders, we need more sophisticated interventions that see the possibility for both behaviours to be related and interconnected.

In summary, it is essential that the impact of current local, national and international economies on young people's lives inform how, when and why interventions for boys and young men as well as girls and young women, can be helpful. This need not undermine the focus of existing policy definitions of sexual exploitation, but can aid awareness of the different influences of our dominant commercialised sexualised cultures and the increasing impoverisation of youth (see Melrose and Phoenix in this edition for further elaboration on these points).

*Tensions in the threshold for intervention: safeguarding children whilst challenging and prosecuting the abuser.*

The core to the above debate is in the argument for a flexible and aware child centred practice that is versatile enough to reach out to all children and young people who need support.

Jago argues that early intervention to prevent the escalation of sexual exploitation is not only advantageous as a strategy to safeguard children and young people but is integral to a strategy focused on gathering evidence against abusers. In short, those who are working with children and young people to prevent abuse are the ones who see the early warning signs that identify where the threats and dangers are. It is carers, parents and project workers who will see the mood swings of the young person and be able to place them in context with details of going missing behaviour, truanting from school or with developing health problems. They will be the ones who may identify a car number plate or be able to provide some details of a problematic relationship with a 'boyfriend' or 'peer'.

Supporting these parents, carers and practitioners by equipping them with knowledge about what to look for and how to record intelligence that can be used as evidence means developing practice informed not only by interventions advancing the welfare of the child but also by criminal justice interventions aiming to bring cases against alleged abusers to court.

The imposition of this dual task may be resented by specialist projects, carers, teachers or youth workers who are already stretched providing basic services to the vulnerable and often difficult young people with whom they work. However, Jago suggests that the most effective process for meeting the dual aim of the DCSF 2009 guidance (i.e safeguarding children and prosecuting abusers) is through genuine multi agency work in dedicated teams where different professionals from welfare and justice agencies are co located and sharing case work.

This is possible and has been shown to be effective (see for example The Awaken Project at www.blackpool.gov.uk) . There are various ways that it can be put into practice. For example, a specialist sexual exploitation project that is working directly with young people need not be physically located with police. The essential issue is that practitioners working in these services are directly 'joined up' with police and also have regular access to the Crown Prosecution Service and vice versa. Such partnership work develops ongoing and meaningful dialogue about what intelligence is credible, how it may be recorded and when and where a police operation may be developed.

For joined up work to be effective, there needs to be shared consensus of an agreed threshold for intervention with resources to support it. Jago notes concern that the Common Assessment framework (CAF) which underpins statutory child protection procedures has too high a threshold to justify early intervention targeted at preventing the escalation of abuse and gathering of evidence against abusers. Her, and others' concern is that this higher threshold for intervention as defined by CAF diverts resources from the essential needs within 'hidden' exploitative relationships and if facilitates intervention at all, does so at too late a stage in the exploitative trajectory.

*Tensions within the Participation Agenda: how can it work for sexually exploited children and young people?*

The central theme within many of the debates outlined above is the need to be receptive to the full range of children's and young people's stories. This means listening to the child or young person and offering opportunity for them to define when and how a service can helpfully intervene. Warrington explores this within her article, touching on why genuine participation can be seen to be difficult and is often avoided by service providers. She raises questions that need addressing if sexual exploitation services are to embrace the increasingly celebrated recognition that genuine participation extends opportunities for children and young people to build personal confidence and ensures that their needs are represented in those services advocating and providing for them. I argue that this takes us to the important questions of what participation is. Is it a political activity (with a small p) that encourages children and young people to become advocates for their own rights, is it a therapeutic intervention or is it primarily a tool for educating young people. Maybe, looking in more detail at Warrington's exploration in this edition, it may aim to be each of these things. What is clear is that when developing a participation agenda within services for sexually exploited children and young people, clarity is needed from the outset about the agenda's aims and objectives and the associated resources that are needed to achieve these aims.

The damage, as explored by Warrington, is caused when participation is experienced as 'lip service' by agencies or young people themselves. The worry is that as more funders expect an element of participation to be taking place within the services that they support, it is 'added on' to existing service delivery. Instead, the service should undergo fundamental changes that are needed for participation to be fully integrated and appropriately resourced. As experience of organising participatory activities within sexual exploitation services emerge, and as services work to implement participatory methods at the top level of Hart's model of the participation ladder (see Warrington in this edition for further details) the more the long term funding implications are recognised. A fully integrated and genuine participation model is expensive. It cannot be affected as a temporary add on to an established service.

In addition, returning to the debate raised by Melrose and Phoenix, further open minded and balanced consideration is required to ensure that the full range of sexually exploited young people are participating. The worry might be that only those who conform to a definition of themselves as victims of exploitation may be included in participation work with sexual exploitation projects, excluding those young men and young women who define themselves differently.

As already noted and explored in more detail by Warrington in this edition, many young people may not understand their behaviour, or their engagement with a sexual exploitation project to result from victimisation or exploitation. They may genuinely feel that they are 'in love' with someone or some

people. Alternatively, they may define their behaviour as 'survival' rather than as 'exploitation' and resent the victim label, wanting, through participation, to change the approach that the service takes to defining its aims and objectives. In addition, the young person may be advocating for practical support on sexual health or other related practical problems from the service provider but refute any idea that they are 'in need' of emotional or therapeutic support. Indeed, some of these young people, many of whom will have had disrupted care histories, may be hostile and angry at any thought that they should offer their time to services which they find hard to distinguish from previous statutory or voluntary services who they felt had let them down when they were younger. Indeed, as Warrington points out, these very young people may be cynical about a request to support their rights through participation when they are simultaneously being restricted by anti social behaviour legislation. Exposing this argument about who participates, when, how and why reaches to the core debate about agency and victimhood in child centred interventions.

### *Tensions in the definition of Child trafficking*
Other questions raised in the journal are equally challenging and important, creating similar conflicts that need airing. For example, although legislation and policy note that trafficked children and young people under the age of 18 are first and foremost victims of abuse, and that they cannot consent to being trafficked (see DCSF 2007) Bovarnick, Hynes question whether this is enacted in practice. Such questions are continued within debates taking place through research in the use of the National Referral Mechanism carried out by a consortium of charities with involvement from 'End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes' (ECPAT UK see www.ecpat.org.uk for more details) Examples of suspicion and doubt are inherent within many practice interventions when the child's accounts are disbelieved or contested and where their status as trafficked is misunderstood.

Nowhere is this as apparent as within the current tensions about age disputed children (see http://www.archrights.org.uk/issues/uasc.htm for a recent debate about problems with age assessments) and about who should hold status as a 'competent authority' for defining a child as trafficked. The concern, explored further in work undertaken by the Refugee Council and ECPAT UK, is that as the UK Boarder Agency (UKBA) is currently responsible for recording cases of children who have been trafficked, the child may be put through unnecessary scrutiny and child protection issues may be overlooked. Has too much control been given to policing and immigration agencies and does this undermine the need for care and protection for the child? Inherent within this debate and others raised by Bovarnick and Hynes, is the question of whether we are complying with the UN Convention of the Rights of the Child and affording children from abroad the same levels of child protection as expected for UK nationals.

Although not developed in the articles in this edition, I am concerned that same question is arising in the way that the Sexual Offences Act 2003 is being advocated as protection to children and young

people from internal trafficking for the purpose of sexual exploitation. I have started to try to explore some of the genuine concerns that the increasing proliferation of the definition of Internal trafficking as outlined in the Sexual Offences Act 2003 may hijack attention from the needs of children and young people internally trafficked within this country after being brought in from abroad (see Pearce 2010 forthcoming).

This leads to concern that a competition for resources may emerge between those working with UK citizens who are internally trafficked for sexual exploitation and those working with children trafficked from abroad for a number of different forms of exploitation. Such divisions could inadvertently create a hierarchy of concern privileging 'our' UK nationals and 'other' children from abroad. This emerging tension is dangerous and damaging as it results from the scarcity of, and therefore competition for, resources for any work in this field. It needs to be spoken about to prevent a divide and rule strategy setting one group of practitioners or policy makers against another. The related fear is that there may be an inherent racism within attempts to protect children who are UK citizens from internal trafficking for sexual exploitation orchestrated by adults who, in some cases, are identified as 'other' (be that other adults of Asian, Kurdish or African or Caribbean origin) at the expense of planned and coordinated child protection interventions targeted at all abusers.

Both of these fears are difficult to explore when staff are struggling to find funding for their work, are defending young people who may be misunderstood, judged or ignored and when heavy case load allocation means that time is pressurised. They are also difficult to explore where a political climate silences open debate about what is or is not racist, and where each local authority maintains a rearguard action to protect itself from becoming the next location to fall foul of public scrutiny for poor or inadequate practice. Further work is needed to create a safe environment for parents, carers, practitioners and policy makers to engage in offender profiling so that a better picture emerges about who is trafficking children and young people (both internationally and internally for sexual exploitation and other forms of abuse) and about how, when and if this is linked into organised criminal networks operating at local, national and international levels.

As the collection of articles in this edition suggest, if we are to improve services to children and young people protecting them from sexual exploitation and from being trafficked, these are the very debates that need to be at the heart of training and at the centre of developing and implementing practice in the field.

## Why are sexually exploited and trafficked children and young people invisible in statutory 'safeguarding' policy and practice?

In the sections above I have summarised some of the main themes that are raised in this special edition, noting the importance of a continuing and open debate about perspectives that may challenge

our assumed body of knowledge about sexual exploitation and trafficking. There is one central theme throughout that is touched upon by each author in this issue which, I believe, goes to the heart of many of the problems and tensions identified. That is the disjuncture between safeguarding rhetoric and the needs of vulnerable older children and young people.

Child protection services were, in the main, established to safeguard babies and young children from abuse in the home (see www.safeguardingchildrenea.co.uk for more information on this) The plethora of child abuse enquiries that follow tragic incidents of the abuse and murder of babies and children in the home fuel the continued focus on safeguarding as an issue that is first and foremost about protecting young children. The fear of being the next local authority to be opened to public scrutiny may also mean that doors close, rather than open, to exploration of resource allocation (see Stanley and Manthorpe 2004 for further consideration of the fear of blame). Directing limited safeguarding resources towards protecting young children is understandable. It is without doubt that babies and younger children are extremely vulnerable as they have few, if any resources or capacities to protect themselves. Popular interpretations of the teenage years can, on the other hand, suggest that the perceived provocative and delinquent behaviour of adolescents can invite risk, harm and abuse (Pitts 2008, Coleman 2010). These factors combine to discriminate against vulnerable young people, be they victims or perpetrators of sexual exploitation. Good safeguarding practice would recognise the needs of all age groups, rather than rendering some invisible while targeting others.

In summary, however understandable the focus on safeguarding younger children may be, it serves to render older children and teenagers as invisible and worst still, often tries to justify this by assuming that they have invited abuse open themselves and are therefore culpable in some way. The feminist press have long argued against judgemental assumptions that rape and violent sexual abuse can be invited by the way women dress or by the time of night that they are out on the street (Dobash and Dobash 1979). In the same vein, I am concerned that attempts to relieve pressurised case loads are justified by assuming that difficult teenagers are purposefully tempting danger and therefore not suitable for victim based interventions. The fact that Safeguarding Children services are overstretched is not a justifiable reason for overlooking the safeguarding needs of young people and teenagers. There needs to be a conceptual shift that acknowledges older young people's vulnerability to abuse and that develops appropriate ways to intervene to protect them.

This argument is emerging, albeit slowly. The December 09 issue of *Children and Young People Now* magazine noted a report from The National Youth Agency which identified that most safeguarding boards

> fail to recognise that young people need to be treated separately to younger children' that
> they 'fail to grasp that the issues pertaining to safeguarding adolescents are particular and
> different to those pertaining to children' and that 'current policies are skewed towards children

*and "shockingly" focus on young people as perpetrators of abuse rather than the victims of it'* (Cook 2009:14)

In the same article, Cook quotes Kim Bromley-Derry, chair of the Children's Inter-Agency Group (CIAG) and president of the Association of Directors of Children's Services. He is reported as saying:

*adolescents are a high risk group…there is a danger that we focus too much on the risk to babies and very young children. We need to ensure that teenagers are seen in the same light …*

and goes on to argue that services for young people tend to come into effect 'after the horse has bolted' (Cook 2009:14)

The reasons for this may be seen to be obvious: teenagers can be seen as difficult to engage; they may be demonised as 'monsters' better punished than cared for; they may be unrewarding to work with; it may be considered too late in their childhood trajectory for intervention to have any impact. We are increasingly faced with calls to penalise young people who are 'anti-social' rather than to support them through their troublesome adolescence. If the same amount of effort was put into arguing for and resourcing proper outreach, detached youth work as is put into blaming police for failing to protect communities, the problems of anti –social behaviour may be better understood and worked with.

There is no credible justification for turning services away from protecting vulnerable young people who have mental, physical and sexual health needs, who are unable to manage living at home or in care and who are entrapped in violent and abusive relationships that exploit them. Intervention with these young people can prevent escalation of abuse, can empower them to develop their own informed decisions, and has re-integrated them into education and employment (Scott and Skidmore 2006).

## Conclusion

Sexually exploited and trafficked children and young people need safeguarding whether they are internally trafficked for sexual exploitation as per the Sexual Offences Act 2003, or whether they are children and young people trafficked from abroad for sexual exploitation, criminality, domestic servitude or all of these forms of exploitation. We have extensive and thorough guidelines on how this should happen. The DCSF 2007 guidelines on Safeguarding Trafficked Children and Young People and the 2009 guidelines on Safeguarding Children and Young People from Sexual Exploitation are available to all safeguarding children boards across the country. In the main, these either go unnoticed or sit on a shelf for show. Our current safeguarding systems do not safeguard vulnerable young people who are sexually exploited or trafficked into the UK. We need a conceptual shift that puts safeguarding young people on as high a priority as safeguarding babies and young children in the home. Neither group should be in competition with each other for resources. The Children's Rights

agenda clarifies the need for the state to intervene to protect vulnerable children and young people who are under 18 years of age. If this special edition does anything at all, I hope that it adds fuel to a developing urgency for a review of safeguarding provision for vulnerable older children and young people, including those who are trafficked and /or sexually exploited.

## References

Chase, E., Statham, J. (2005) 'Commercial Sexual Exploitation of Children and Young People in the UK – A Review'. *Child Abuse Review*, 14: 4-25

Coleman, J (2010 in press) *The Nature of Adolescence (fourth edition)* London: Routledge

Cook, B (2009) 'Teenagers need safeguarding too' in *Children and Young People Now* 3-9th December: 14

Department of Health/Department for Education and Employment/Home Office/National Assembly for Wales (2000) *Safeguarding Children Involved in Prostitution: Supplementary Guidance to Working Together to Safeguard Children*. London: HMSO

Department for Children, Schools and Families (2007) *Safeguarding Children and Young People who may have been trafficked* London: HMSO

Department for Children, Schools and Families (2009) *Safeguarding Children and young people from Sexual Exploitation*. London: HMSO

Dobash, R. E., and Dobash, R. (1979). *Violence against wives: A case against the patriarchy* New York: Free Press.

Kelly, L with M Coy and M Horvath (2007) *It's Just like going to the supermarket: Men Buying Sex in East London* (CWASU) http://www.cwasu.org/publication_display.asp?type=1&pageid=PAPERS&pagekey=44

O'Connell-Davidson, J. (1998) *Prostitution, Power and Freedom*, Cambridge, Polity Press

O'Neill, M. (1997) 'Prostitute Women Now', in G. Scambler and A. Scambler (eds.) *Rethinking Prostitution: Purchasing Sex in the 1990s*, London, Routledge

Pearce, J. (2009) *Young People and Sexual Exploitation: It's not hidden, you just aren't looking*. London: Routledge

Pearce, J (2010 submitted for publication) 'Breaking the wall of silence: a study of practitioners responses to trafficked young people' available on request from Jenny.Pearce@beds.ac.uk

Phoenix, J. (2002) 'In the Name of Protection: Youth Prostitution Policy Reforms in England and Wales', *Critical Social Policy*, Vol. 22 (2) pp.353-375

Pitts, J. (2008) *Reluctant Gangsters*, Devon, Willan Publishing

Scott, S., Skidmore, P. (2006) *Reducing the risk: Barnardo's support for sexually exploited young people*. London: Barnardo's

Stanley, N. and Manthorpe, J. (eds) (2004) *The Age of the Inquiry: Learning and Blaming in Health and Social Care*, Routledge, London

Swann, S., Balding, V. (2002) *Safeguarding Children Involved in Prostitution: Guidance Review*. London: Department of Health

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# What's Love Got To Do With It? Theorising Young People's Involvement in Prostitution

Margaret Melrose

**Abstract**

*This article critically considers dominant explanations of young people's involvement in prostitution, focusing particularly on young adults, in the light of neo-liberal policy developments and the workfare state. It argues that these explanations are limited by the fact that they fail to take into account the underlying conditions that make involvement a viable option. By taking account of these conditions, and the ways in which young people may exercise agency within them, the article offers a more nuanced account of young people's involvement in prostitution.*

**Key Words**: young people; agency; prostitution; workfare; informal economy.

> *When I first went into care when I was 15, nearly 16, with me only being in voluntary care the local authority was not prepared to give me any money to survive because I was in voluntary care. I wasn't on a court order or anything like that so I had to get money in my own way. So that's how I got into it (prostitution)* (Susan, a 24 year-old who had become involved in prostitution at 15 and who was still involved at time of interview) (Melrose et al, 1999:27-28).

This article is mainly concerned with the socio-economic conditions and biographical experiences that may account for the involvement of young adults (16-25) in prostitution. Its primary concern is with the ways in which neo-liberal social and economic policies have impacted on young people as they make their transition to adulthood and with the ways in which young people might exercise agency within these conditions. By exploring this question the article highlights the limitations of theoretical constructions that currently dominate thinking, policy and practice in relation to young people's involvement in prostitution as well as the limitations of the language in which those constructions are expressed.

The article begins with a discussion of the terminology that currently dominates debates about young people's involvement in prostitution. The discussion unashamedly, and even provocatively,

employs the term 'prostitution' rather than the preferred term of 'sexual exploitation' which has come to dominate in discussions of young people's involvement in prostitution. By using the term 'prostitution' to describe the action of selling or swapping sex I am not suggesting that young people are not necessarily abused through their involvement in this activity. Rather, I am deliberately intending to refer attention to an historical *institution,* and the conditions of its existence, rather than the actions of young people or abusive adults.

The institution of prostitution relies on a very specific set of social relations and is constituted by discourses of sexuality which have their own particular histories and conditions of existence (Scambler and Scambler, 1997). This institution is predicated upon unequal social, sexual, economic and power relations between men and women (O'Connell-Davidson, 1998; O'Neill, 1997) and adults and children (Hearn, 1988). It is an institution which allows people 'to secure temporarily certain powers of sexual command' over other people and, as I shall argue, 'people only elect to "hire out" any kind of property in their person in the absence of any better alternative means of subsistence' (O'Connell-Davidson, 1995:9).

The discussion then moves on to examine critically the limitations of currently dominant theoretical constructions of young people's involvement in prostitution. I suggest that these constructions overlook the material conditions that make involvement possible and instead provide individualised explanations that focus on the role of predatory and/or abusive adults (usually men) and which are removed from the social conditions in which the problem arises.

Subsequently the article considers neo-liberal economic and social policy developments that have served to undermine young people's position in the labour market and their right to welfare support in times of hardship. It suggests that these policy developments have fundamentally altered the conditions in which young people make their transition to adulthood. In this paper I argue that diminished social rights associated with the workfare state, combined with a marginalised position in the labour market, may provide an incentive for disadvantaged young people to seek alternative opportunities in the informal economy – in this case in the sex industry. In conclusion the paper argues that if we are properly to protect young people who may be vulnerable to involvement in prostitution it is to the neo-liberal conditions that shape their path to adulthood, as well as their vulnerability at an individual level to predatory adults, that we must turn our attention.

## Change the language and avoid the problem

Until the beginning of the twenty first century Home Office recommendations suggested that young women involved in prostitution should be treated as offenders and no distinction was made in law between young women (sometimes as young as ten) and adults. In 2000, however, largely as a result of lobbying by major children's charities, new government guidance was introduced. This

recognised that those under 18 who were involved in commercial sex markets were 'potentially victims' of sexual abuse and in need of protection rather than punishment (Department of Health, 2000). This effectively reconstructed young people's involvement in the sex industry as a child protection matter rather than a concern of the criminal justice system or a question of social welfare (Phoenix, 2002; Pearce, 2009). This may have 'potentially devastating effects' on the young people this policy development was designed to 'help' (Phoenix, 2002:353).

The guidance of 2000 allowed for a 'double construction' of young people (Phoenix, 2002:366). They were initially to be regarded as 'victims' of abuse and provided with a child protection response but if they 'persistently and voluntarily' returned to prostitution after 'reasonable' attempts at diversion had failed they would be treated as 'villains' and processed through the criminal justice system in the way that other young offenders were (Department of Health, 2000). The new guidance (DCSF, 2009a:74-5) also reminds us that 'it remains legally possible for a child aged 10 years and over to be charged with the offence of loitering or soliciting for the purpose of prostitution' while at the same time cautioning that 'the criminal law is rarely an effective or appropriate response' and that ASBOs 'should be used only as a last resort'.

In spite of this Janus-faced construction recent policy developments have noticeably allowed for young people's involvement in prostitution to be clearly demarcated from that of adults (Department of Health, 2000; DSCF, 2009a). It is important to signify this difference not because young people occupy a 'niche market' that is separated off from the rest of the prostitution market but because young people who become involved are vulnerable in ways that adults are not (O'Connell-Davidson, 1998). However, while acknowledging this difference it is also important to recognise that the material basis that underpins engagement in prostitution may be the same for both adults and young people.

One consequence of distinguishing young people's involvement from adults' has been to expunge all traces of the word 'prostitution' from discussion of young people's involvement in commercial sex markets. Thus 'prostitution' has been re-branded as 'sexual exploitation' for those aged under 18. As Phoenix (2002:353) has argued, this 're-branding' 'occludes the material and social realities that structure youth prostitution'. Nevertheless, this terminology has become so firmly fixed in policy and practice that it has, I propose, become virtually impossible to speak of 'young people' and 'prostitution' in the same sentence. Thus the language of 'sexual exploitation' has become constitutive of policy and practice. This language renders *all* young people involved in prostitution 'victims' (of individual predatory men) whether or not the young people concerned consider themselves to be 'exploited' and whether or not they consider themselves to be 'victims' (Harding and Hamilton, 2008; Phoenix, 2002).

While clearly demarcating young people's involvement from that of adults the language of 'sexual

exploitation' also distinguishes 'sexual exploitation' from other forms of child sexual abuse which is not necessarily helpful in terms of attracting resources for this area of practice (Jago, this volume). Furthermore, the language of 'sexual exploitation' fails to direct our attention to the institutionalised and structural inequalities of class, gender, age and ethnicity that underlie the institution of prostitution. Rather, it directs our attention away from those inequalities and towards the actions and morality of individuals (usually men) in relation to other individuals (vulnerable children and young people).

For the reasons outlined above I do not use the language of 'sexual exploitation' in this discussion; instead I refer to young people's involvement in 'prostitution': that is, their involvement in an historical institution that is founded on a bedrock of unequal power relations based on class, gender, ethnicity and age. This does not mean that I am characterising those involved as 'prostitutes' because this is a stigmatising term steeped in repressive history. What I am doing is distinguishing between the institution and the individuals who become involved in it. By doing this I am not suggesting that the young people concerned are not 'exploited' or abused by their involvement in this institution.

The following section of the discussion considers explanations that have to date been used to account for young people's involvement in prostitution and highlights their limitations.

## Drifting into prostitution

The 'drift' model of entry to, and involvement in, prostitution was a commonly accepted explanatory paradigm prior to the introduction of the 2000 guidance. This paradigm, drawing on the work of David Matza (1964), suggested that young people (particularly young women) become involved in prostitution largely as a result of peer group networks and the peer influences to which they were exposed (Jesson, 1993; Green, 1997; Crosby and Barrett, 1999; Melrose et al, 1999; Pearce et al, 2002). From within this paradigm, young people were said to 'drift' into prostitution because the 'social networks that might ordinarily prevent their drift into self-destructive behaviour are absent and to this extent they are socially isolated' (Pitts, 1997:149). The model of 'drift' was important in suggesting that not only could one 'drift in' to prostitution but one could also 'drift out'. More recently, however, this paradigm has been usurped by a model suggesting that when young people (especially young women) become involved in prostitution it is because they are 'groomed' by a predatory or abusive adult to do so.

## What's love got to do with it?

For some years now theoretical, policy and practice debates have employed a proposed 'pimping and grooming' model, referred to as 'the prostitution triangle' (Barnardos, 1998), to explain

young women's involvement in commercial sex markets. In the 'prostitution triangle' the young person (usually a young woman) is positioned between a 'groomer' (the pimp – usually male) and the 'abusive adult' (the punter – usually male). The model is invoked primarily to explain the involvement of girls and young women and, since its introduction, has assumed hegemonic proportions to the extent that other possible explanations are seldom heard.

In the 'grooming' process a predatory adult (usually male) allegedly masquerades as the young woman's boyfriend and the young woman believes she is in a loving 'relationship'. The 'grooming' process is said to involve a number of stages: it begins with the girl or young woman being separated from her family and friends and culminates with her 'boyfriend's' complete control over her. In this process the young woman may be 'plied' with alcohol and/or drugs. The 'grooming' method ensures that the girl or young woman becomes isolated from other forms of support until her complete emotional dependency on the 'boyfriend' is established. By this time she may also be dependent on drugs/alcohol. When he asks her, or forces her, to sleep with other men to earn him money (or to pay for drugs for him or both of them) she agrees to do so because she is hopelessly in love with him (and possibly dependent on drugs/alcohol herself) and intimidated by actual or potential violence against her. From within this paradigm, therefore, 'love' has everything to do with 'it' (young women's involvement in prostitution) because it is the young woman's 'love' for her 'boyfriend' that leads her directly to involvement and to becoming a victim of sexual, physical and emotional violence.

## Victimology

Central to the 'pimping and grooming' model is a discourse of childhood that originated in the nineteenth century and which currently dominates in Western thought about children and childhood. This discourse constructs children in binary opposition to adults. That is, children and young people are discursively positioned as innocent, asexual, passive and dependent (O'Connell-Davidson, 2007). Liberal philosophers have long held that because they have not developed the capacity for reason children and young people are unable to exercise freedom and are thus incapable of making choices (O'Connell-Davidson, 2007). It therefore follows that because they are unable to exercise freedom or make choices children and young people could not voluntarily be involved in prostitution.

The assumption that young people (and increasingly adult women) involved in prostitution are un-free 'victims' is central to the explanatory power of the 'pimping and grooming' model. If they are not directly identified as 'victims' of predatory and abusive men the adults and young women concerned are constructed as 'victims' of drug addiction (Home Office, 2006; Melrose, 2009). Even when they are identified as 'victims' of addiction, however, their 'victimhood' at the hands of men does not disappear. Men re-appear in this construction as drug pushers from whom those

involved in prostitution need to be 'set free' (Home Office, 2006:43). Rather than men as 'pimps', it is men as 'drug pushers' fuelling drug addictions 'that constantly forces them back onto the street' (Home Office, 2006: 43). In this construction, drugs (especially crack cocaine) are characterised as the new 'pimp' (see e.g. Inciardi et al, 1993; May and Hunter, 2006).

While it is true that some women and young people become involved in prostitution to support their and/or their partner's drug use this is not the case for *all* those who become involved. Some women or young adults may become involved in drug use *after* they have become involved in prostitution and not all of those who are involved in prostitution are 'enslaved' by their drug use. Some may use drugs recreationally, some may not use drugs at all (Bernstein, 1999; Melrose, 2009; 2007).

As the idea that young women, and increasingly adult women, are 'innocent victims' of predatory men and/or ruthless drug dealers has gathered force the difficulty of understanding involvement in prostitution outside of the 'victim' category has increased significantly (Harding and Hamilton, 2008). As the mythology of 'victimhood' has come to dominate the debate the meaning of involvement in prostitution has become virtually unshakeable: women and young people are seen as involved in prostitution because they are 'victims' and because they are 'victims' they remain trapped in prostitution (Phoenix and Oerton, 2005). This tautological reasoning closes down the theoretical space in which we may conceive of those involved in sex work as exercising agency and making decisions for themselves – albeit decisions taken within a severely constrained set of socio-economic circumstances.

## Limitations of these models

The 'pimping and grooming' model provides a tidy and clear cut story. It identifies the 'good guys' and the 'bad guys' for us and at the same time identifies the 'victim'. It tells us who is worthy of our condemnation and punishment and who is worthy of our sympathy and support. The utterances in this discourse focus our attention on the individual morality of predatory men while the silences conveniently side step 'complicated questions about the global political and economic order, or about inequalities of age, class, gender, race or ethnicity within nations' (O'Connell-Davidson, 2007:44). This paradigm provides us with a partial, ahistorical and decontextualised explanation which masquerades as a universal 'truth' and which pretends to explain the involvement of *all* young people at *all* times and in *all* places. Furthermore, this model suggests that the young women concerned are suffering from some form of 'false consciousness' because they believe they are in a loving relationship whereas those working with them can see through this and know that they are being duped by their exploitative/abusive boyfriend. While the young women concerned are blinded (by 'love') to the 'real' intentions of the 'boyfriend', these 'real' intentions are evident to practitioners and policy makers. Moreover this model abstracts those concerned from the real historical and socio-economic circumstances of their lives and thus transforms them from concrete,

historical, subjects to abstract categories. Thus what this model does not provide is a means to understand the often messy, complex, realities that underpin the lives of those who become involved. Neither does it provide a means to understand the involvement of boys, young men, transgendered or transsexual young people involved in prostitution.

The 'drift' model, on the other hand, while taking account of social relations, is also limited. Both these models seem to assume that young people are incapable of acting under their own volition. In the 'drift' model social circumstances allow young people to be pulled into prostitution by friends and peer associations. In the 'grooming' model, by contrast, young people are pushed into prostitution by an abusive other. This model would suggest that young people do not 'make their own history' – rather, their history is 'made' for them by a predatory/abusive male. In both models the young person is 'overdetermined' (Phoenix, 2001:37) and their capacity to exercise agency has vanished.

This article, however, is keen to assert that, when they become involved in prostitution, young people can and do exercise agency and do make decisions for themselves albeit in circumstances 'not of their own choosing' (Phoenix, 2001:37). In what follows this article attempts to open up the theoretical space in which we may be able to conceive of entry into prostitution as a result of young people exercising agency and making decisions for themselves within highly constrained socio-economic conditions. It is important here to distinguish between a 'choice' and a 'decision': 'while a decision may involve 'choice'' the available choices are not determined by the person making the decision (Jones, 1997:109). Young people who become involved in prostitution may have 'choices' but they do not have 'choices over choices' (Willis, 1990:159 cited in Craine, 1997:137). Rather, their 'choices' are highly structured or constrained (Pettiway, 1997) and the decision to enter prostitution is 'determined by past negative experiences and reduced circumstances' (Pitts, 1997:152).

The following section discusses the ways in which neo-liberal socio-economic policies and the workfare state have narrowed the choices available to young people in the transition to adulthood.

## Post-Welfare in the Age of Global Capitalism

It has been argued that the neo-liberal social and economic policies 'unleashed by globalisation's economic compulsions' (Vij, 2007:1) have resulted, over the past thirty years, in radical changes to the British labour market and the British welfare state. Such changes have been necessary to ensure global competitiveness and trans-national capital accumulation (Vij, 2007; Jordan 2003; Brenner and Theodore, 2002; Peck, 2001; Robinson, 1996). The transition from a manufacturing (Fordist) to a service (post-Fordist) based economy entailed a shift from 'full-employment' and a welfare system based on entitlements to a 'flexible', low-paid and insecure labour market and a workfare

system based on obligations. To achieve this change the Keynsian welfare state has been assaulted by neo-liberal social and economic policies over the past thirty years resulting in a transformation to what Jessop (1994, 2007) describes as the 'Schumpetarian Workfare State (SWS); what Peck (2001) describes as the 'Workfare State' (WS) and what Bauman (2007) describes as the 'post-welfare' state (PWS).

In the SWS/WS/PWS the state is 'hollowed out' (Jessop 1994) and social policy concerns are secondary to the concern for competitiveness in global markets and crime control or 'community safety'. The neo-liberal policy thrust entails a shift away from concern with social policies that might promote the welfare of citizens towards a concern with the 'politics of behaviour' (Rodger, 2008:6) and the 'responsibilisation' of citizens (Bauman, 2007). Neo-liberal political regimes thus stress the independence and responsibilities of state subjects while at the same time emphasising 'the residual duty of government to provide for those in genuine need' (Jordan, 2003:202). This, as Jones (2002:117) acknowledges, 'has dire consequences for anyone dependent on state welfare to survive'. It is widely accepted that these 'dire consequences' are felt most acutely by young people in the transition to adulthood (Fahmy, 2006; Furlong and Cartmel, 2006; Macdonald et al, 2005; Webster et al, 2004).

Below I examine the New Deal for Young People (NDYP) to explore the material support this programme might provide for young adults such as those who become involved in prostitution. This is important because this programme was and remains a major plank of New Labour's 'welfare to work' programme (Field and White 2007) and was presented to the electorate as a means to tackle the unemployment (especially long-term) and social exclusion experienced by those aged 18-24.

## The New Deal for Young People

New Labour came to power in 1997 securely wedded to the values of neo-liberalism it had inherited from its predecessors. The government was committed to ending what it (and its predecessors) had identified as a 'problem' of 'welfare dependency'. It imagined the 'solution' to this 'problem' lay in the development of neo-liberal, welfare-to-work policies. These firmly coupled the 'right' to receive welfare support to the 'obligation' to 'actively' seek work (Blair, 1997 cited in Theodore and Peck, 1999:486). Thus the New Deal for Young People (NDYP) was introduced in 1998 to tackle high (and unprecedented) levels of youth unemployment as well as the high number of young adults who were not engaged in employment, education or training (NEETs).

NDYP is a compulsory programme aimed at 18-24 year olds who have been unemployed and claiming Job Seekers' Allowance (JSA) for six months. (The right of 16-17 year olds to receive any form of unemployment benefit had already been abolished by the previous Conservative administration). The programme was designed to 're-orientate' young people to the labour market

and intended to ensure that a so-called 'fifth option' (remaining on benefit) was eradicated. By employing an individual deficit model the NDYP programme enabled the government to transfer 'the burden of providing appropriate and necessary services from the tax payer as social responsibility' to 'failing families' or individuals as 'individual responsibility' (Davis and Bourhill, 1997:32).

The NDYP increased and strengthened the 'disciplinary effect' of the benefit system by extending the element of compulsion introduced by the Conservatives in the 1980s with the Job Seekers Allowance. It introduced a further range of possible penalties for those who 'refuse to take up the opportunities' provided by the programme (Brown, 1997 cited in Field and White, 2007:7; Blackmore, 2001). Thus participation in a fragmented, hyper-casualised and low-paid labour market was ensured through coercive techniques such as the threat of withdrawal of benefits (Schram, 2007, Peck, 2001). By adopting these measures New Labour has been bolder, and gone further, than its predecessors 'in enforcing work requirements on the unemployed' (Peck, 2001:5).

## A Neat Solution?

When NDYP began, there were 877,000 young people (aged 16-25) who were NEET status. Between 1998 and 2001 this number fell by almost 100,000 (Field and White, 2007). However, by winter 2006-2007, there were 1,043,000 young people of NEET status (Field and White, 2007:20). By 2009, approximately 11 per cent (233,000) of 16-18 year olds were classified as NEET (DCSF, 2009b) as were 13 per cent of all 16-24 year olds (ONS, 2009). Since the Connexions service came into operation in 2001 (with the aim of reducing the number of young adults with NEET status) an average of 638 16 and 17 year olds have joined the NEET group per month (Field and White, 2007:25). Moreover, the number of young people classified as NEET but who are *not* claiming JSA or taking part in NDYP is rising and in 2007 was 21,000 higher than the level inherited by New Labour from the Conservatives (Field and White, 2007:21).

Studies suggest that when young people do engage in NDYP many are unemployed again after their six month placement. The employer is under no obligation to offer the young person permanent employment at the end of their placement and in theory there is nothing to stop the employer from following one period of subsidised employment with another by employing another 'New Dealer' (Working Brief, October 1997 cited in Holden, 1999). It is hardly surprising therefore that only a third of young people leaving NDYP moved into sustained (meaning longer than 13 weeks), unsubsidised, employment (Field and White, 2007:18). New Labour's welfare-to-work programme seems to have created a pattern of cyclical unemployment followed by low-paid work on serial NDYP programmes for working class young people (e.g. Field and White, 2007; Webster et al, 2004; Furlong and Cartmel, 2004).

Research suggests that NDYP has enhanced young people's employability by under 5 per cent (De Giorgio, 2005) and the programme raises important questions about its ability to 'lift the most marginalised groups out of exclusion' (Fergusson, 2002:173). It has been suggested that the New Deal programme generally has succeeded in getting into the labour market those who are the easiest to help but it has been 'less good at dealing with multiple problems and needs' (Millar, 2000:iv cited in Dean et al, 2003:1). That is, it has been less successful in securing employment for young people such as those who are not in education, employment or training (NEET) and who may be most likely to become involved in informal economic activities such as prostitution.

The outcomes from NDYP are broadly similar for young men and young women. When other factors are controlled for gender does not appear to be a determinant of long term success (Beale et al, 2008). It is local labour market conditions that influence longer term outcomes from NDYP rather than the qualities of the young people participating in them.

## Poverty and Unemployment amongst Young People

At 20 per cent, the unemployment rate amongst young adults (under 25) is approximately four times that of older adults (Palmer et al, 2008). Economic activity rates for this age group are now lower (at 74.4 per cent) than they were in 1992 (at 77.6 per cent) (Field and White, 2007). While unemployment rates amongst 16-24 year olds with no dependent children tend to be higher for males than for females (22 per cent and 9 per cent respectively) more young women in this age group are classified as 'economically inactive' (36 per cent female, 17 per cent male). 16 per cent of young women aged 16-24 (without dependent children) are considered to have incomes that are too low to provide basic necessities compared to 5 per cent of young men. Young women in this age group with dependent children are much more likely than young men with dependent children to have incomes that are insufficient to provide basic necessities (30 per cent and 4 per cent respectively) and are much more likely to live in workless households (Pantazis and Ruspini, 2006).

Almost half (48 per cent) of young women in the 16-24 age group who have dependent children are considered to be living in poverty compared to 23 per cent of men in the same age group with children. For those without children the gender gap is reduced somewhat – 33 per cent of females and 30 per cent of males in the 16-24 age group are considered to be in poverty (Pantazis and Ruspini, 2006:384-85).

It is of course essential to pay attention to the ways in which poverty affects young people's transitions to adulthood (France, 2008) and it is clear that NDYP has done little to address the poverty experienced by so many in this transitional period. Indeed the 'poor work' to which the NDYP so often leads contributes to the poverty experienced by those aged 16-24. In 2008, for

example, 70 per cent of young people in the 18-21 age group who were in work were paid less than £7.00 per hour (www.poverty.org.uk).

Moreover, the low rate of benefit (£47.95 per week in 2008 for young people up to 25 years old) and/or benefit sanctions for non-compliance with NDYP requirements is itself a factor associated with young adults' poverty and social exclusion. Lack of income provides 'a strong incentive for young people to engage in crime or the informal economy' (Furlong et al, 2003:iii; q.v. Pitts, 2008; Sanders, 2005). Many do not have access to forms of social capital that might enable them to escape from situations of poverty or social exclusion (Furlong and Cartmel, 2006) but their social networks tend to provide access to 'alternative careers' (Craine, 1997) in the 'informal', 'shadow' and/or criminal economy (Pitts, 2008; Abel and Fitzgerald, 2008; Sanders, 2008; Sanders, 2005; Jordan, 2003; Bourgois, 1996). For those who are without family support 'crime may offer the only viable route for survival' (Novak, 2002:71).

## Informal Economy and Street-level Economic Activity

'Informal economy' is a term that encompasses a range of activities. It is a broad term that is described in a variety of ways by different commentators (e.g. Losby et al, 2002; Fleming et al, 2000; Frey and Schneider , 2000; Feige, 1990). It has, for example, been variously described as 'the shadow economy', the 'underground economy' and the 'hidden economy' amongst other terms (Thomas, 1992; Henry, 1981). The informal economy encompasses a whole range of licit, illicit and quasi-illicit activities and can refer to both monetary and non-monetary exchanges (Mingione, 1991 cited in Burroni and Crouch, 2008; Schneider, 2000; Fleming et al, 2000). Although in her work Madeleine Leonard (1998:154) excludes consideration of illegal activities as part of the informal economy, she concludes that informal economic activity 'is central rather than marginal to the operation of advanced capitalism'.

Andreas (2004:642) argues that while there is a substantial body of literature on the informal economy 'this literature is least developed in the most criminalised and transnationalised sectors of the informal economy'. However, some work has begun to address these aspects (e.g. Pitts, 2008; Sanders, 2008; Sanders, 2005; Cross and Johnson, 2000) and particularly to locate engagement in the sex industry in that economy (Coontz and Griebel, 2008; Sanders, 2008). Coontz and Griebel (2008:200), for example, argue that because 'female heavy drug users are marginalised within the formal and underground economies, their criminal opportunities are limited to petty income-generating offences like prostitution, shoplifting, theft, credit card scams and drug selling'. Similarly, Mullins (2008:71) suggests that women's marginalisation 'from other underground economic activities' results in a subsequent 'push into sex work'. Sanders (2008:710), identifying a continuum between legal sex markets in the formal economy and illegal sex markets in the 'shadow' economy, suggests that 'women, men who sell sex to other men and transgendered sex

workers, take on sexual and emotional labour for monetary exchange in economies that are easy to enter into, require minimum skills and limited resources'.

A study conducted in the 1990s concluded that it was 'social policy failure' that accounted for young adults' increasing involvement in 'street-level economic activity' in the form of begging (Dean,1999). This study found that young adults had resorted to begging in order to avoid the troublesome regulatory and disciplinary regime of the benefit system or to supplement the meagre incomes they derived from that system (Dean and Melrose, 1999).

As O'Connell-Davidson (1998:71) has observed, the 'prostitution labour market' in the UK is populated by those groups for whom 'welfare benefits are hopelessly inadequate or completely non-existent'. During the 1990s as youth unemployment rose and young people's welfare entitlements were increasingly diminished youth workers and other commentators noticed an increased propensity for economically marginalised young women to 'vote with their feet' and take to the streets to engage in prostitution (e.g. Green, 1997; Abel and Fitzgerald, 2008; Harding and Hamilton, 2008; Pearce, 2009).

## New Dealers in the Informal Economy

The failure of the NDYP to provide young people with secure or well-paid employment; the levels of poverty and unemployment that many young people continue to experience; the experience of benefit sanctions and the disciplinary effect of the workfare regime might together provide a powerful incentive for seeking alternative opportunities away from the formal labour market and/or the disciplinary effects of the workfare system (Mullins, 2008; Sanders, 2008; Abel and Fitzgerald, 2008).

This is not to suggest that poverty or material deprivation is a necessary or sufficient condition for entry into prostitution (not all young people who are poor engage in sex work and at the 'higher end' of commercial sex markets not all those involved are necessarily poor). It is, however, to suggest that neo-liberal policy responses to poverty may be important in funnelling the options available to economically marginalised young people and shaping the pathways they take.

That is, 'against a background of social, economic and emotional vulnerability' young people may exercise constrained choice (Harper and Scott, 2005:3). By engaging in prostitution in the shadow or informal economy it is possible that young people are exercising a degree of agency within severely constrained socio-economic circumstances and attempting to circumvent the formal limitations imposed by those circumstances. In pursuing these alternative opportunities young people might be said to be carving out a path for themselves in the space between the state, the

family and the formal economy (Collison, 1996) and in the 'hollowed out' space of the workfare state (Jessop, 1994).

Engagement in prostitution may represent for these young people the 'best' opportunity to exploit the form of capital to which they have abundant and easy access – their bodily capital (Bernstein, 1999). There is a premium on 'young flesh' in commercial sex markets (Melrose et al, 1999) and engagement in them provides access to incomes that could not hope to be achieved in the formal economy or through the benefit system (Coontz and Griebel, 2008, c.f. Phoenix, 2001). As Dawn, a 24 year old heroin addict who had become involved in prostitution at 15, said:

> *What job pays £60, £100 a night? Sometimes you can earn £100 in an hour if it's busy. You know where you're well off don't you?* (Melrose et al, 1999:51)

The accounts of young women like Dawn and Susan (whose quote began this piece) would suggest that when young adults become involved in prostitution it has little to do with 'love' (for predatory boyfriends) and much more to do with the concrete, historical, political and socio-economic conditions in which disadvantaged young people experience their transition to adulthood.

## Conclusions

This article has argued that the language of 'sexual exploitation' directs our attention towards the actions and morality of individuals and by doing so obscures the structural relations that make involvement in prostitution possible. It has further argued that the 'grooming' paradigm that currently dominates thinking, policy and practice in relation to young people's involvement in prostitution is inadequate to fully conceptualise the phenomenon. This is primarily because it fails to account for those structural factors that impinge on young people's lives as they make their transition to adulthood. The narrow focus of this discourse directs our attention away from wider questions relating to young people's social welfare and the poverty and deprivation they experience. By neglecting these questions this discourse addresses a de-contextualised social problem and then offers individualised explanations of, and solutions for, young people's involvement in prostitution (Phoenix, 2002). This model thus reflects wider 'individualising' tendencies in social theory (Brannen and Nilsen, 2005) and social policy more generally (Rodger, 2008; Bauman, 2007; Fawcett et al, 2004; Jordan, 2003, Colley and Hodkinson, 2001). These tendencies involve a shift away from 'concern about the structural causes of social problems' (Rodger, 2008:6) towards what Deacon has described as a fixation with 'choices, lifestyle and the culture of the poor themselves' (Deacon, 2004 cited in Rodger 2008:6).

The article has shown that neo-liberal social and economic policies associated with the workfare state have rendered many young people economically vulnerable and made it much more difficult

for them to become financially secure as they make their transition to adulthood. It has suggested that in these circumstances young people may exercise a very constrained agency and deliberately opt for alternative 'careers' in the informal economy as the best available 'survival strategy'.

The discussion has thus suggested that young people who may be vulnerable to involvement in prostitution need protection not just from predatory men and abusive adults: in addition to this these young people need protection from the structural forces that, in particular circumstances, make prostitution a viable option. That is, they need what I term 'protecturation'.

In order to achieve 'protecturation' for young people we must protect them from abusive adults but we must also attend to, and make provisions to meet adequately, their social welfare needs in the form of housing, training and educational needs and their need for adequate incomes from the state in the form of welfare benefits or from stable work opportunities and decent incomes in the formal economy. Policies such as NDYP are inadequate to meet these needs or to tackle the poverty and social exclusion experienced by many of these young people. On the contrary, this chapter has suggested that these policies may provide incentives for disadvantaged young people to avoid engagement with the workfare regime and insecure, temporary, low-paid work in the formal economy and take their chances in the informal economy of the sex industry.

## References

Abel, M. and Fitzgerald, J. (2008) 'On a fast-track to adulthood: An exploration of transitions into adulthood for street based sex workers in New Zealand', *Journal of Youth Studies*, **11** (4).

Andreas, P. (2004) 'Illicit International Political Economy: The Clandestine Side of Globalisation', *Review of International Political Economy*, **11** (3) pp. 641-52.

Barnardo's (1998) *Whose Daughter Next? Children Abused through Prostitution*, Essex: Barnardo's.

Bauman, Z. (2007) *Liquid Times: Living in an Age of Uncertainty*, Cambridge: Polity Press.

Beale, I., Bloss, C. and Thomas, A. (2008) *The Longer Term Impact of the New Deal for Young People*, London: Department for Work and Pensions, Working Paper No. 23.

Bernstein, E. (1999) 'What's Wrong with Prostitution, What's Right with Sex Work? Comparing Markets in Female Sexual Labour', *Hastings Women's Law Journal*, **10** (1) pp. 91-117.

Blackmore, M. (2001) 'Mind the Gap: Exploring the Implementation Deficit in the Administration of the Stricter Benefits Regime', *Social Policy and Administration*, **35** (2).

Bourgois, P. (1996) *In Search of Respect: Selling Crack in El Barrio*, Cambridge: Cambridge University Press.

Brannen, J. and Nilsen, A. (2005) 'Individualisation, choice and structure: a discussion of current trends in sociological analysis', *The Sociological Review.*

Brenner, N. and Theodore, N. (2002) (eds.) *Spaces of Neoliberalism: Urban Restructuring in*

*North America and Western Europe*, Oxford: Blackwell Publishing.

Burroni, L. and Crouch, C. (2008) 'The territorial governance of the shadow economy', *Environment and Planning*, **26** pp.455-470.

Colley, K. and Hodkinson, P. (2001) 'Problems with *Bridging the Gap*: The reversal of structure and agency in addressing social exclusion', *Critical Social Policy*, **21** (3).

Collison, M. (1996) 'In Search of the High Life: Drugs, Crime, Masculinities and Consumption', *British Journal of Criminology* **36** (3).

Coontz, P. and Greibel, C. (2008) 'Drug Use, Prostitution and Globalisation: A modest proposal for re-thinking policy', in Anderson, T. (ed.) *Neither Villain Nor Victim: Empowerment and Agency Among Women Substance Abusers*, New Jersey: Rutgers University Press.

Craine, S. (1997) 'The 'Black Magic Roundabout': Cyclical transitions, social exclusion and alternative careers', Macdonald, R. (ed.) *Youth, the 'Underclass' and Social Exclusion*, London: Routledge.

Crosby, S. and Barrett, D. (1999) 'Poverty, Drugs and Youth Prostitution: A case study of service providers' practical responses', in A. Marlow and G. Pearson (eds.) *Young People, Drugs and Community Safety*, Lyme Regis: Russell House.

Cross, J. and Johnson, B. (2000) 'Expanding Dual Labour Market Theory: Crack Dealers in the Informal Sector', *International Journal of Sociology and Social Policy*, 20 (1-2) pp.98-136.

Davis, H. and Bourhill, M. (1997) "Crisis': The demonisation of children and young people', Scraton, P. (ed.) *Childhood in Crisis*, London: UCL Press.

DCSF (2009a) *Safeguarding Children and Young People from Sexual Exploitation*, London: DCSF.

DCSF (2009b) 14-19 Reform at: www.dcsf.gov.uk/14-19/index.cfm?go=site.home&sid=42&pid=343&ctype=none&ptype=contents (November, 2009).

Dean, H.(1999) (ed.) *Begging Questions: Street Level Economic Activity and Social Policy Failure*, Bristol: The Policy Press.

Dean, H. and Melrose, M. (1999) 'Easy Pickings or Hard Profession? Begging as an Economic Activity', in Dean, H. (ed) ibid.

Dean, H., MacNeil, V. and Melrose, M. (2003) 'Ready to Work? Understanding the Experiences of People with Multiple Problems and Needs', *Benefits*, **11** (1).

De Giorgi, G. (2005) *Long Term Effects of a Mandatory Multi-Stage Programme: The New Deal for Young People in the UK*, London, Institute for Fiscal Studies WP05/08 at: www.ifs.org.uk/wps/wp0508.pdf.

Department of Health (2000) *Guidance on Protecting Young People Involved in Prostitution*, London: Department of Health/Home Office.

Fahmy, E. (2006) 'Youth, Poverty and Social Exclusion', Pantazis, C., Gordon, D. and Levitas, R. (eds.) *Poverty and Social Exclusion in Britain: The millennium survey*, Bristol: The Policy Press.

Fawcett, B., Featherstone, B. and Goddard, J. (2004) *Contemporary Childcare Policy and*

*Practice*, Basingstoke: Palgrave, Macmillan.

Feige, E. (1990) 'Defining and Estimating Underground and Informal Economies: The New Institutional Economics Approach', *World Development*, **18** (7).

Fergusson, R. (2002) 'Rethinking Youth Transitions: Policy Transfer and New Exclusions in New Labour's New Deal', Policy Studies, **23** (3).

Field, F. and White, P. (2007) *Welfare isn't working: The New Deal for Young People*, London: Reform.

Fleming, M., Roman, J. and Farrell, G. (2000) 'The Shadow Economy', *Journal of International Affairs,* **53** (2).

France, A. (2008) 'From Being to Becoming: The Importance of Tackling Youth Poverty in the Transition to Adulthood', *Social Policy and Society*, **7.**

Frey, B. and Schneider, F. (2000) 'Informal and Underground Economy', Ashenfelter, O. International Encyclopaedia of Social and Behavioural *Science*, Bd. 12, Economics, Amsterdam: Elsevier Science Publishing Company.

Furlong, A. and Cartmel, F. (2004) *Vulnerable Young Men in Fragile Labour Markets: Employment, Unemployment and the Search for Long-Term Security*, York: Joseph Rowntree Foundation.

Furlong, A. and Cartmel, F. (2006) *Young People and Social Change*, McGraw-Hill International (2nd edition).

Furlong, A., Cartmel, F., Biggart, A., Sweeting, H. and West, P. (2003) *Youth Transitions: Patterns of Vulnerability and Processes of Inclusion*, Edinburgh, Scottish Executive Social Research.

Green, J. (1997) 'Young People and Prostitution from a Youth Service Perspective', Barrett, D. (ed.) *Young People and Prostitution: Dilemmas and Practical Responses*, London:The Children's Society.

Harding, R. and Hamilton, P. (2008) 'Working Girls: Abuse or Choice in Street-Level Sex Work? A Study of Homeless Women in Nottingham', *British Journal of Social Work,* **38** (1).

Harper, Z. and Scott, S. (2005) *Meeting the Needs of Sexually Exploited Young People in London*, Barkingside: Barnardo's.

Henry, S. (1981) *Can I Have it in Cash?* London: Astragal Books.

Holden, C. (1999) 'Globalisation, Social Exclusion and Labour's New Work Ethic', *Critical Social Policy*, **19** (4) pp.529-538.

Home Office (2006) *A Co-ordinated Prostitution Strategy and Responses to Paying the Price*, London: Home Office.

Hearn, J. (1988) 'Commentary: Child Abuse: Violences and Sexualities towards Young People, *Sociology*, **22.**

Inciardi, J., Lockwood, D. and Pottieger, A. (1993) *Women and Crack Cocaine*, New York: Macmillan.

Jesson, J. (1993) 'Understanding Adolescent Female Prostitution: A Literature Review', *British*

*Journal of Social Work* 23 (5) pp. 517-30.

Jessop, B. (1994) 'Post-Fordism and the State', Amin, A. (ed.) *Post-Fordism: A Reader,* Oxford: Blackwell.

Jessop, B. (2007) 'Towards a Schumpeterian Workfare State? Preliminary Remarks on Post-Fordist Political Economy', Vij, R. (ed.) *Globalisation and Welfare: A Critical Reader,* Basingstoke: Palgrave Macmillan.

Jones, G. (2002) *The Youth Divide*, York: Joseph Rowntree Foundation.

Jones, G. (1997) 'Youth Homelessness and the Underclass', in Macdonald, R. (ed.) op. cit.

Jordan, B. (1999) "Begging': The global context and international comparisons', Dean, H. (ed.) *Begging Questions: Street Level Economic Activity and Social Policy Failure*, Bristol: The Policy Press.

Jordan, B. (2003) 'Criminal Justice, Social Exclusion and the Social Contract', *Probation Journal*, **50** (3) pp. 198-210.

Leonard, M. (1998) *Invisible Work, Invisible Workers: The Informal Economy in Europe and the USA*, Basingstoke: Macmillan Press.

Losby, J., Else, J., Kingslow, M., Edgcomb, E., Malm, E. and Kao, V. (2002) *Informal Economy Literature Review*, Washington: The Aspen Institute.

Macdonald, R., Schildrick, T., Webster, C. and Simpson, D. (2005) 'Growing Up in Poor Neighbourhoods: The Significance of Class and Place in the Extended Transitions of 'Socially Excluded' Young Adults', *Sociology*, **39** (5).

Matza, D. (1964) *Delinquency and Drift*, New York: George Wiley.

May, T. and Hunter, G. (2006) 'Sex Work and Problem Drug Use in the UK', Campbell, R. and O'Neill, M. (eds.) *Sex Work Now*, Devon: Willan Publishing.

Melrose, M., Barrett, D. and Brodie, I. (1999) *One Way Street? Retrospectives on Childhood Prostitution*, London: The Children's Society.

Melrose, M. (2007) 'The Government's New Prostitution Strategy: A Cheap Fix for Drug Using Sex Workers?' Community Safety Journal, **6** (1).

Melrose, M. (2009) 'Out on the Streets and Out of Control? The Government's New Prostitution Strategy and Drug Using Sex Workers', Phoenix, J. (ed) *Regulating Sex for Sale*, Bristol: Policy Press.

Mullins, C. (2008) 'Negotiating the Streets: Women, Power and Resistance in Street-Life Social Networks', Anderson, T. (ed.) op. cit.

Novak, T. (2002) 'Rich Children, Poor Children', Goldson, B., Lavalette, M. and McKechnie, J. (eds.) *Children, Welfare and the State*, London: Sage.

O'Connell-Davidson, J. (1995) 'The anatomy of 'free choice' prostitution', Gender, Work and Organisation, **2** (1).

O'Connell-Davidson, J. (1998) *Prostitution, Power and Freedom*, Cambridge: Polity Press.

O'Connell-Davidson, J. (2007) *Children in the Global Sex Trade*, Cambridge: Polity Press.

O'Neill, M. (1997) 'Prostitute Women Now', in G. Scambler and A. Scambler (eds.) *Rethinking*

*Prostitution: Purchasing Sex in the 1990s*, London: Routledge.

ONS (2009) '*NEETs' More Likely to be from Workless Homes: Economic and Labour Market Review,* Cardiff, Office for National Statistics, April 2009.

Palmer, G., MacInnes, T. and Kenway, P. (2008) *Monitoring Poverty and Social Exclusion 2008*, York: Joseph Rowntree Foundation.

Pantazis, C. and Ruspini, E. (2006) 'Gender, Poverty and Social Exclusion', in Pantazis, C., Gordon, G. and Levitas, R. (eds.) op. cit.

Pearce, J. (2009) 'Beyond Child Protection: Young People, social exclusion and sexual exploitation', Phoenix, J. (ed.) *Prostitution and Public Policy*, Devon: Willan Publishing.

Pearce, J., Williams, M. and Galvin, C. (2002) *'It's Someone Taking a Part of You': A study of young women and sexual exploitation*, London: National Children's Bureau on behalf of Joseph Rowntree Foundation.

Peck, J. (2001) *Workfare States*, London: The Guildford Press.

Peck, J. (2007) 'Political Economies of Scale: Fast Policy, Interscalar Relations, and Neo-liberal Workfare', Vij, R. (ed.) *Globalisation and Welfare: A Critical Reader*, New York: Palgrave Macmillan.

Pettiway, L. (1997) *Workin' It: Women Living Through Drugs and Crime*, Philadelphia: Temple University Press.

Phoenix, J. (2001) *Making Sense of Prostitution*, London: Palgrave.

Phoenix, J. (2002) 'In the Name of Protection: Youth Prostitution Policy Reforms in England and Wales', *Critical Social Policy*, Vol. 22 (2) pp. 353-375.

Phoenix, J. and Oerton, S. (2005) *Illicit and Illegal: Sex, Regulation and Social Control,* Devon: Willan Publishing.

Pitts, J. (1997) 'Causes of youth prostitution, new forms of practice and political responses', in D. Barrett (ed.) *Youth Prostitution in Britain: Dilemmas and Practical Responses*, London:The Children's Society.

Pitts, J. (2008) *Reluctant Gangsters*, Devon: Willan Publishing.

Robinson, W. (1996) 'Globalisation: Nine Theses on Our Epoch', *Race and Class*, **38** (2) pp.13-31.

Rodger, J. (2008) *Criminalising Social Policy: Anti-Social Behaviour and Welfare in a De-Civilised Society*, Devon: Willan Publishing.

Sanders, B. (2005) *Youth Crime and Youth Culture in the Inner City*, London: Routledge.

Sanders, T. (2008) 'Selling Sex in the Shadow Economy', *International Journal of Social Economics*, **35** (10).

Scambler, G. and Scambler, A. (1997) (eds.) 'Introduction', *Rethinking Prostitution: Purchasing Sex in the 1990s*, London: Routledge.

Schneider, F. (2000) *The Size and Development of the Shadow Economies of 22 Transition and 21 OECD Countries*, IZA Discussion Paper No. 154, Bonn, Institute for the Study of Labour at: www.fem.uniag.sk/ksov/predmety/kvantitativna_makro/StMaterial/shadow.pdf.

Schram, S. (2007) 'Complaint Subjects for a New World Order: Globalisation and the Behaviour Modification Regime of Welfare Reform', Vij. R. (ed.) op.cit.

Theodore, N. and Peck, J. (1999) 'Welfare-to-Work: National problems, local solutions?' *Critical Social Policy*, **19** (4).

Thomas, J. (1992) *Informal Economic Activity*, Hemel Hempstead: Harvester Wheatsheaf.

Vij, R. (2007) (ed.) *Globalisation and Welfare: A Critical Reader*, Basingstoke, Palgrave: Macmillan.

Webster, C., Simpson, D., Macdonald, R., Abbas, A., Cieslik, M., Shildrick, T. and Simpson, M. (2004) *Poor Transitions*, Bristol: The Policy Press.

# History of Youth Work

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# Thinking Seriously about ...

Look out for publicity about the next Thinking Seriously Conference to be held in March 2012 at Hinsley Hall, Leeds. This is part of a series of conferences which have so far explored Thinking Seriously about Youth Work and Work With Young People and Thinking Seriously about Work with Girls and Young Women.

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# Living and Working on the Cusp of Contradictions: Consumerism, Justice and Closed Discourses

Jo Phoenix

**Abstract**

*The article argues that the struggles practitioners face to have the complex welfare needs of sexually exploited young people recognised are likely to continue into the future. The argument is made by examining three profound tensions shaping the context which both young people and practitioners inhabit. These tensions are between the, broadly, protectionist agenda of policy development on sexual exploitation and: firstly, socio-cultural changes in respect of consumption, sex and identities; secondly political changes and punitive youth justice system expansionism; and, finally, the closed and moralist rhetoric justifying recent policy changes. In the final analysis, young people and practitioners get caught in these contradictions in ways that foreclose critical examination of policy development and recognition of the complexities of the issues involved.*

**Key words**: consumerism; identities; youth justice; system expansionism; discourse.

This article offers a sociological reflection on the struggles faced by young people in prostitution and the practitioners working with them. The starting point for the article is a continued curiosity about the contradiction that lies at the heart of the governmental response and encapsulated in *Safeguarding Children in Prostitution* (DOH/HO, 2000) and *Safeguarding Children and Young People from Sexual Exploitation* (DCFS, 2009)[1]. Despite the rhetoric framing those guidelines (i.e. that children and young people in prostitution are always and already exploited and thereby should be afforded protection from abuse) New Labour has continued to sanction criminal justice prosecution of those aged 10-18 years old for prostitution-related offences. In other words, policy has been framed on the assumption that whilst young people's involvement in prostitution is abusive and harmful, in some instances it is appropriate to hold those same children and young people responsible and thereby punishable for their involvement in prostitution. The second starting point for this article is the recognition that despite the very strong policy trajectory (i.e. towards treating young people in prostitution as victims of child abuse), practitioners nevertheless struggle to have the needs of this group of young people (and indeed the abuses they can and do suffer) recognised and struggle to access appropriate resources for these young people.

The argument of this article is that these struggles are likely to continue into the future without abatement. The rest of this article sets out the socio-cultural, political and discursive conditions which are the reasons for my gloomy prediction. The first two sections address what I see as two sets of countervailing forces: (i) socio-cultural changes to sex, sexual regulation and consumption witnessed in the last 50 years, and (ii) socio-political changes to how England and Wales deals with young people in conflict with the law. The third section unpicks the way that the rhetoric of 'sexual exploitation' operates at once to create a moral imperative to act whilst simultaneously setting in place the conditions for system expansionism in the governance of youthful sexual relationships without necessarily addressing the question of sexual exploitation. The article is polemical in nature and does not delve into the particularities of practice or provision. Many of these particularities have been discussed in other contributions to this special edition. In other places, I have provided references to published work that provides a more empirically grounded analysis.

## Pulling them in the opposite direction: sex and consumerism in late modernity

When placed in the broader context of how sex is regulated or governed, there is a curious paradox about the trajectory of prostitution policy reform, seeking as it does to specify a wider range of sexual activities – or at the least sexual relationships – that are seen as being abusive or outright criminal. *Safeguarding Children and Young People from Sexual Exploitation* (DCFS, 2009) makes it clear that what is being regulated are unequal, exploitative (and commercial) sexual activities involving young people. The paradox is this: at the point that our society is marked by increasing levels of 'sexual freedoms', there emerge a set of policies which seek to regulate a wider range of sexual activities and more closely govern sex, itself[2]. Policies on prostitution are at the focal point of this paradox. There has long since existed a framework of law and policy dealing with, policing, regulating and intervening in non-consensual sexual encounters – from sexual assault to rape, from child sexual abuse to the abuse of trust – recently reformed in the Sexual Offences Act 2003. One of the intrigues of the trajectory of youth prostitution policy is precisely that laws to deal with the sexual abuse of children and young people do already exist – at least in principle if not in practice. The question then arises: what is it about how prostitution is understood that justifies extra governmental attention and specific guidance and/or policy? It is the conjunction of sex and money that shapes potential abuse and exploitation and thereby defines the sexual activities as problematic and/or harmful.

The following section outlines some of the broader socio-cultural changes of the last five decades and in so doing provides a description of an important countervailing force pulling young people towards commercial sex and shaping the sexual lives and decisions of today's young people (both in and out of prostitution). This countervailing force also provides an important backdrop to the political and economic choices made in the allocation of resources for young people in prostitution. Put simply, a shift towards seeing sex not in relation to biology or morality but as pleasure and leisure, combined with the links now forged between identity, consumerism and sex, function to undermine, or render

somehow less urgent, the needs of young people in prostitution. This is most especially the case if the struggle for resources takes place within the field of child protection.

How sex is experienced by individuals and how it is regulated has, in the last fifty years, dramatically changed across most Western industrial societies. With the advent of moderately safe and reliable contraception, 'sex' in late modernity has become unhooked from the traditional constraints and controls of biology, family and to a lesser extent religion. As a set of embodied experiences, it has also been unhooked from traditional relationships and particularly from courtship rituals and marriage. Normative ideologies of gendered sex have also changed. Stereotypes of gender which constitute male sexuality as aggressive, active, in need of expression and/or as a biological drive which , if frustrated, leads to rape, sexual assault and violence may have once found favour in academic discourse, but few people would now openly subscribe to this view. Similarly, stereotypes of female sexuality as passive no longer inflect public discourses. Instead, public discourses on sex focus on 'good' sex and how to have it, how much sex is too much and how many partners are too few or too many. Satellite television stations provide an endless series of programmes dedicated to helping the viewer enjoy their sex life just as confessional television programmes have become increasingly sexual in their tone. Sex has become so visible in late modern cultures that it has prompted some to speculate about the democratisation (or pornographification) of culture (Attwood, 2006). The argument runs like this: contemporary, late modern cultures are increasingly preoccupied with sexual values, practices and identities, are marked by more permissive sexual attitudes, new forms of sexual experiences and expressions and have witnessed a shift or 'breakdown' of the rules, regulations and rituals that have operated to exclude that which once was considered 'obscene' from the everyday (Attwood, 2006). There has been also an extension of sexual consumerism in which sexual products (and services) are increasingly available to a wider and wider range of consumers (McNair, 2002).

Outside these normative and cultural shifts, the last five decades has also been marked by progressive legal reforms connoting an increase in sexual tolerance. The Sexual Offences Act 1967 decriminalised homosexual acts. In November 2003, Section 28 of the Local Government (1988) was repealed – the Act had made it illegal for the local authority to 'promote' homosexuality intentionally, or for any local authority maintained school to 'promote' or teach the acceptability of homosexuality as a 'pretended' family relationship. December 2003 witnessed the introduction of provisions making it illegal to discriminate in employment on the grounds of sexual orientation. The Sexual Offences (2003) Act effectively gender-neutralised all sexual offences. The introduction of Civil Partnerships in December 2005 gave lesbian and gay relationships a legal standing. The same time period saw a significant liberalisation of licensing laws in the UK for 'adult entertainment'. In short, these social and legal changes amount to a significant shift away from proscriptive regulation of sexual relationships towards liberal governance i.e. one based on tolerance and the *licit* expansion of industries based on sex as leisure and sex as pleasure.

Underpinning this process of sexual liberalisation has been a significant shift in the links between sex and consumption. So for instance, Giddens (1993), Plummer (2003) and Bauman (2003) have all noted in varying ways the degree to which sex saturates consumer cultures and particularly the media. Researchers in the area of prostitution picked up on this expansion of 'sex-as-leisure' and 'sex-as-pleasure' (or to put it another way, an ethic of sexual consumption) and sought to understand what it signifies about the organisation of social life as well as the organisation of prostitution. So, for instance, Bernstein (2001:84) noted that one of the features of late modern societies is the reconfiguration of erotic life 'from a relational model of sex to a recreational model of sex' in which pursuit of sexual intimacy and 'fun' is not hindered by the expansion of a marketplace for sex but is facilitated by it – or rather by the ways that the erotic in the new sexual marketplace is not infused with ambiguity or hypocrisy of intimate emotional relationships (see also Prasad, 1999).

Taking a slightly different approach to thinking about prostitution, sex and consumption, Brents and Hausbeck (2007) examined the local practices of organisation in the legal brothels of Nevada. They argued that the local practices were not only shaped by the same, or similar forces as those shaping global tourist markets, but that the 'sex market' generally is becoming more integrated in formal global economies. Closer to home and in an examination of men who purchase sex, Sanders (2008) has speculated about the degree to which sex, as an embodied experience, has become a product of mass consumption in a mass market, globalised society. Through these empirical studies, and through the theoretical literature, the argument being made is that it is not *just* connotations of sex that helps sell other products. Nor it is *just* that prostitution is another, if less than legitimate, market. Rather, the argument being made is that whereas once the experiences of sex were 'confined' within religion and family, now the experiences of sex have become part of our consumer society. In relation to adults and prostitution, the argument has tended to stop there, that is, that many of our (and our young people's) experiences as consumers are bound up with sex and that sex has become one – among many – commodities in our consumerist society. Some more detailed implications of what this might mean in relation to young people and prostitution are explored below. In order to do so, a fuller understanding of what the shift to a consumer society means is needed.

Bauman (1998) used the term 'consumer society' to indicate a significant, if subtle shift in the social processes that integrate individual motives and desires and the systematic reproduction of a particular formation of society. A consumer society is one in which consumption (rather than production) becomes a principle means of organising human behaviour and by which social actors are able to form and express their identities. Using industrial capitalism as a counterpoint, Bauman claimed that the work ethic, the moral commitment to work, functioned to supply the new factories and industries with labour in part by creating new social identities based on the individual's productive role, ie. their job or career. The work ethic was the lynchpin to modern social organisation (and regulation). Within a consumer society, Bauman argued, there was a shift from the work ethic to an aesthetic of consumption in which human social actions are organised around consumption and in which individuals are trained

and groomed into a constant state of desire in order to feed continuous consuming activities. Against this, the market produces an almost endless variety of new experiences, new pleasures and new products to purchase. At the heart of being a consumer, Bauman argued, is not the consumption of a product, but rather the compulsion to feed that desire and to make choices between the objects to consume. In this context, the drive to consume appears as the exercise of free will and self-expression. Bauman extends the argument by claiming that the objects of consumption become little more than the extension of our identities. To make the point clearer, identities themselves are possessed and appropriated. Unlike identities in a society of producers however, identities in a consumer society are by definition transient. They are consumed and when used up, discarded or replaced by something new. And, as Bauman (1998) emphasised, the point is not that identities or items *can* be consumed: the key shift in a consumer society is the celebration of the continuously stoked, never quite satiated, desire underpinning the choices made in how we express our identities. Therefore, to recognise that sex is now part of our consumer society is to recognise that sexual activities, and 'the sexual', become one of many (consumer) means by which individuals form and express their unique, transient identity in the face of the recognition (and desire) to engage with the 'immense matrix of possibilities, of intense and ever more intense sensations and experiences' (Bauman, 1998:26). To put it another way, for modern social actors, our identities and subjectivities are constituted, at least in part, through the consumption of sex-as-pleasure and sex-as-leisure.

In practice, these socio-cultural shifts will impact directly on the experiences and expectations young people have about sex. More than anything else, they impact on what sex, sexual activities and sexual relationships mean for young people. It is not just that young people take part in the increasing sexualisation of social life. One important ramification for many young people is that the normative structures and institutional constraints simply do not operate as they once did. But there is another link between consumption, desire and identity to note. Within criminology, detailed ethnographic research with young lawbreakers is beginning to raise questions about how consumerism is shaping young people's sense of identity and their less than law-abiding actions. The argument is that through consumption an individual can become 'someone to be reckoned with' (Hall, Winlow and Ancrum, 2009). This is not an oppositional, excluded, marginalised or even 'criminal' identity, but one wholly in line with consumer and celebrity culture. In short, the desire to consume and for that consumption to be witnessed by others is one of the structuring principles for how *we all* live and that this is expressed in less than law-abiding ways for some young people and indeed, in highly risky ways for others (i.e. involvement in prostitution). At the risk of repetition, it may be that identities based on consumption factor into the types of choices that young people make about exchanging sex for money. Put crudely, the desire to wear the latest trends, to be seen taking part in the latest local activities, to be associated with the men who have 'the bling' become 'pull' factors in the drift into prostitution (see also Phoenix [2001] for a discussion of how patterns of superfast consumption also created a motivation for many women to stay involved in prostitution even with its risks of violence and exploitation).

The argument that I am making moves well beyond the rather simplistic notion that contemporary British society sexualises children and young people, or that in 21ˢᵗ century Britain, society has 'discovered' the commercial power of sex. Instead, the argument is that sexually exploited young people are living on the cusp of the contradiction between policies aiming to protect them from commercial sex and wider socio-cultural changes in which their own consumer identities are shaped in relation to notions of sex-as-leisure and sex-as-pleasure. To put it more simply: sex and consumption form a fundamental framework by which *all* young people in society come to understand themselves, and construct and express their own unique social identities. How they resolve the contradiction between the protectionist policies and the links between sex and consumerism will depend on what 'sex' comes to mean to them and the resources that they have to cope with being excluded from the consumer society by virtue of their educational, economic or social marginalisation (see Melrose in this volume for a fuller discussion of the economic and social realities structuring the lives of many young people in prostitution).

It may be that for some of these young people, the choice to enter into a sexual marketplace may well be one way of resolving that contradiction. For practitioners, the implications are very different. On the one hand, the trajectory policies on young people in prostitution make them and the statutory and voluntary organisations they work within liable for safeguarding these young people's well-being and protecting them from acts which are defined in policy as abusive. On the other hand, the increasing normalisation of sex-as-leisure, sex-as-pleasure and more than anything else, the commodification of sex can act to undermine the recognition of the *needs* of young people in prostitution. Where these two forces are likely to find their most profound expression is not in the struggle to get young people recognised as sexually exploited, but rather in the struggle to get resources to deal with sexual exploitation. The socio-cultural changes identified in this section provide an important if subtle backdrop that can, and probably does, shape political and economic decisions about resource allocation – especially within statutory agencies dealing with child protection in the face of limited resources. Put simply: if sex, sexual exchanges and consuming sex is normalised within society, the urgency of finding resources for dealing with young people at the sharp end of commercial sex diminishes in the face of cases of younger children that more closely mirror traditional child abuse (i.e. physical and sexual abuse and emotional and physical neglect in families).

## Dealing with young people in prostitution in other ways: the expansion of youth justice and punishment

There are another set of socio-political changes that have taken place in the last couple of decades that also impact upon practitioners and the lives of young people in prostitution. These are changes that pertain to criminal justice policy and practice with young people. Since the turn of the millennium, there have been two clear trends in England and Wales with regard to young people and criminal justice. There has been a significant rise in the total number of young people coming

into the justice system and a concomitant rise in the numbers of young people sentenced to custody. These increases in the criminalization and incarceration of young lawbreakers have been explained most recently as a response to the 'Offences Brought to Justice' performance target in which children and young people are seen as an 'easy target' (Morgan, 2007). But other explanations include the continuing, almost rabid, demonisation of the young – or more particularly working class young people (Goldson, 1999; 2006, Scraton, 1997) and the complex, at times contradictory, shift of policies on youth crime which have resulted in what has been called a 'stubborn blindness' to welfare principles (Fionda, 1998).

First amongst these has been the drive to make individuals, families and communities 'responsible' for both the crime problem and its solutions. This drive to make young people responsible for crime has two (contradictory) expressions. On the one hand, there has been the introduction of benign initiatives such as restorative justice programmes. Underpinning these is a notion that the individual is held responsible for their misdeeds through a process of atonement, or to put it another way, to be confronted by their behaviour and helped to develop a sense of personal responsibility. But that benign ethos and practice is also matched by the more punitive interpretation of 'responsible' i.e. as an individual worthy of (harsh) punishment. Witness the abolition of *doli incapax*, the introduction of Detention and Training Orders, the ever expanding youth penal and secure estate to accommodate the pushing down of the age thresholds for penal incarceration, the expansion of the use of restraint in the secure and penal estate, electronic monitoring of 10 – 15 year old offenders and the introduction and enthusiastic use of anti-social behaviour orders. Muncie (1999) called the total package of youth justice reforms that came with the Crime and Disorder Act 1998 'institutionalised intolerance' to young people and their misdeeds. A decade ago, the message from the New Labour government was clear and unequivocal: young people *should* be held to account regardless of their youth or their welfare and material circumstances. Since then, a number of related developments have bolstered the 'new' youth justice system. It would be naïve to assume that this increased emphasis on making young people individually responsible for their misdeeds has happened in isolation of other social changes. Critical criminologists have been discussing the shift to a new punitiveness in cultures of punishment for nearly two decades[3]. Bolstering the increased emphasis on individual responsibility and blameworthiness has been an expansion of hybrid types of quasi-criminal justice regulation that sit alongside the formal criminal justice system. Witness anti-social behaviour orders and other civil preventative orders, the widespread use of CCTV and other systems for monitoring and tracking individuals and the introduction of the *Mosquito* device to prohibit young people from gathering in public places (such as shopping malls). But, perhaps more worryingly, in addition to the policy drive expanding both formal and quasi-criminal justice regulation of young people's lives has been the expansion of summary justice in relation to young people (i.e. offences which are dealt with without recourse to the courts, usually by way of fixed penalty notice and/or fine). In 2004, 3,797 penalty notices for disorder were issued against 16-17 year olds in England and Wales. In 2007, this figure had increased to 19,246 for the same age group (DCSF Statistical Notice, 31 July 2009).

There is one other shift in youth justice that is worthy of note: the 'remoralisation' of youth crime. Here, the type of policies that make individuals and communities responsible for crime sanction a deepening of state intervention to combat what is perceived to be one of the central problems causing youth crime: a break-down in the moral fabric of society and in particular poor parental control, family breakdown, poor child-rearing and so on (see for instance the Conservative Party leader, David Cameron's, comments on 'broken-Britain'). The solution it seems is simple: greater levels of monitoring, surveillance and regulation aimed at problematic individuals, families and communities. What makes contemporary efforts to hold problematic populations responsible for crime and other threats to social order is that more and more (non-criminal justice) agencies are bound into a system that identifies and targets *potentially* criminal young people, i.e. those whose background conforms with the 'risk factors' established from 'evidence-based practice and research'. Deeper reaching surveillance and regulation of these young people and their families is thereby warranted in the name of identifying those 'at risk', of being 'at risk' of offending, and/or preventing future re-offending. Witness the introduction of acceptable behaviour contracts, parenting orders and the plethora of new policy initiatives and programmes aimed at crime prevention for young people ranging from programmes dealing with specific crime, such as gun and knife crime, to more general programmes aimed at keeping young people 'out of trouble'. All of these programmes are predicated on identifying a population of young people, not yet in conflict with the law, but who *might* one day be.

The argument that has been made about changes to youth justice and to civil regulation is that there has been an expansion of the system such that more and more young people are coming into the ambit of criminal justice – even if only at the margins. This has important implications for practitioners as well as young people in prostitution. The drive to hold individual young people, families and communities responsible for crime, anti-social behaviour, social disorder and other social problems means that, in the context of young people in prostitution, radical non-intervention is simply not an option. For many young people their involvement in prostitution is punctuated with other criminogenic activities (e.g. drug and alcohol abuse, anti-social behaviour, shoplifting). Failure to identify these young people as 'sexually exploited' potentially results in success in the identification of these young people as young offenders and leaves them vulnerable to increasingly punitive criminal justice sanctions – not for their prostituting activities but for their other offending behaviour. Hence, there exists a policy context which exponentially widens the net of surveillance and regulation over young people in prostitution – in part in the name of protection and in part in the name of preventing crime. Just as young people are caught in a cross-tide of the socio-cultural and regulatory liberalisation of sex and the illiberal surveillance and monitoring of their less than law abiding activities, criminal justice and statutory welfare agencies are becoming more responsible for dealing with a wider range of young people's relationships, behaviours and activities ( from at risk of offending or sexual exploitation to anti-social behaviour and sexually inappropriate relationship to crime and prostitution).

### Rhetoric, the question of evidence and yet more system expansionism: what happens when questions of welfare and morality are conflated

This section of the article goes in a very different direction. It examines the way that the rhetoric of 'sexual exploitation' operates. To be rhetorical is to use language to persuade and the rhetoric of 'sexual exploitation' is powerfully persuasive – especially when coupled with policy development. It is very difficult to persuasively argue against extending to young people in prostitution the right to be recognised as a victim. However, one of the curiosities of the development of policy in this area is this has not necessarily given practitioners the platform upon which appropriate services can be built up and delivered (see Melrose in this volume for the details of this). This section analyses questions of how meanings are constructed and in particular how the contemporary meaning of 'sexual exploitation' is constituted. The starting point is the recognition that one of the difficulties facing scholars and campaigners as well as those working with young people in prostitution is the 'closed' way in which the rhetoric operates. Specifically, and as will be argued below, the rhetoric of the sexual exploitation of young people is largely a moral rhetoric – but one with particular effects in terms of practice. The key question I identify here is the expansion of the remit of statutory agencies' responsibilities for monitoring and intervening in a wider range of young people's sexual activities and relationships whilst not expanding the resources to deal with 'the problems' that are identified. In order to make this argument, this section examines the social construction of 'sexual exploitation' as a rhetoric that conflates the issue of sexual morality with questions of young people's welfare. The following describes how combined with the impossibility of establishing any 'evidence' base about the nature, extent, prevalence or experiences of sexual exploitation and young people, the rhetoric conditions a set of governmental responses which expand the responsibilities of statutory agencies for young people's sexual relationships.

The argument that 'sexual exploitation of young people' is a social construct is not a particularly new argument (cf Ost, 2009), but I make the argument in relation to two important ramifications of the way in which the category is currently constituted. The first ramification is something I shall call 'discursive closure'. By this I mean that the category is constructed in such as way as to close the possibility of challenging the taken-for-granted assumptions that frame the category i.e. that the involvement of young people in prostitution is *inherently* and *essentially* harmful and that it is a problem which requires a child protection governmental response. 'Sexual exploitation' is a social construct made possible at a socio-cultural level by specific lines of demarcation drawn between other categories. Chief amongst these other categories are: childhood, youth and adulthood; sexual maturity and sexual immaturity and innocence. The ways in which these wider categories are constructed operate to locate sex oppositionally to childhood and innocence. In other words, sex is seen as being a set of behaviours that are associated with a lack of innocence and adulthood. Childhood and youth are increasingly seen as social categories defined in part through the absence of 'the sexual', or at the very least the absence of 'sexual maturity'. The taken-for-granted nature of these assumptions is founded

partly through the way in which childhood, youth, innocence and adult sexual maturity are defined in relation to characteristics that are linked with biological development i.e. age. In this way, one of the reasons that young people's involvement in prostitution becomes a clouded or fuzzy issue is because youth, by definition, is transitional between childhood (immaturity) and adulthood (maturity). It is seen as being neither one nor the other, but in part both childhood AND adulthood. What makes the issue even cloudier it that constitutive of the category 'sexual exploitation' are a set of normative, or value-based, expectations about what is considered 'normal' and/or 'good' in relation to sex and sexual development. To illustrate this argument, I juxtapose policy development in relation to young people and sex with empirical evidence about young people's biological sexual development. From there, I address the question of whether the evidence exists for policy makers to so definitively define young people's involvement in prostitution as sexual exploitation.

One of the embedded assumptions framing current policy and legislative attempts to address the sexual exploitation is that to be sexually exploited is damaging to young people's ordinary social and sexual development and, indeed, their capacity to lead 'normal', sexually fulfilled lives in the future. The argument is partly based on the notion that sexual maturity comes with age-related biological development. As easy as an assumption this is to make, there is a body of empirical evidence which calls into question the biological basis of the assumption. Highlighting the changes to the average age of puberty helps to illustrate this argument. The age of puberty in many Western societies has been decreasing over time. Research from John Hopkins University in the mid 1990s indicates that in North America, the average age of first menarche in girls has fallen by three to four months every decade since 1850. The average age of first menarche in girls from some developing countries has fallen at the even faster rate. So for instance, in Kenya the average age fell from 14 years and 4 months to 12 years and 9 months in the decade of the 1970s. The point here is that at the level of mere biology, young people are becoming sexually mature at ages much younger than stipulated in many of our laws and policies on sex and young people. Indeed, many of the laws and regulations in the UK have moved in the opposite direction over similar periods of time. The Sexual Amendment Act 1885 raised the age of sexual consent for girls from 13 to 16. Provisions within the Sexual Offences Act 2003 as well as *Safeguarding Children in Prostitution* (2000) and its updated version criminalise many sexual activities with someone under the age of 18 (see Phoenix and Oerton, 2005 for a full discussion of the meaning of 'sexual activity' as outlined in the Sexual Offences Act 2003).

The construction of 'sexual exploitation of young people' relies on the articulation of biological (and psychological) factors with social factors, and particularly with historically specific meanings of 'sex' (such as the meanings of 'appropriate' and 'normal' sex) and 'age'. The point is this: there is more to the construction of 'sexual exploitation' than the taken-for-granted assumption that it is *ipso facto* harmful because of its impact on the sexual development of young individuals. Instead, the category is constructed as it is because it offends other deeply held, yet historically specific, cultural and moral norms. 'Sexual exploitation' is constituted as being harmful because it is symbolically understood as

being, in essence, morally wrong for young people to be involved in sexual relationships based on economic exchange and wherein young people become little more than objects of sexual consumption for sexually mature, if predatory, men. It is important to note, here, that what is being discussed is *not* the question of the empirical realities of harm, abuse of exploitation, but rather the meanings underpinning the rhetoric and how it operates. However, because the rhetoric of sexual exploitation is also shaped by the discourse of child abuse, these issues of morality are transposed into issues of welfare and protection. With that, any discussion about young people's sexual autonomy and their 'right' to make decisions – no matter how troubling those decisions – are seen as 'unthinkable' and 'unspeakable'.

To be more specific, moral discourse operates in binary terms: something is either moral or not. More, it invokes specific responses: one is either 'for' or 'against' whatever is identified as moral (or not). Take for instance, public discourse on the death penalty. Ultimately, regardless of the empirical evidence supporting (or not) the case that capital punishment has any particular effect on the extent or nature of crimes committed, the state-sanctioned taking of a life is a moral issue. To extend this logic, and in relation to the issue of young people's involvement in prostitution, because the moral dimension of the rhetoric is couched in the language of child protection, to argue against the policy position now taken is to be seen to be arguing *for* the (sexual) abuse of children. Such conditions mean that it is very difficult for practitioners and academics to challenge the trajectory of policy, or to suggest that other (non child protection) methods of working might also be effective, or further still to suggest that in some instances, for some young people, involvement in prostitution comes to make sense and practitioners should find ways of working with that truth.

One of the difficulties of unpicking the rhetoric of sexual exploitation is that there is little evidence that can either confirm or challenge the rhetoric. For this to happen, there would have to exist a body of empirical data that could either establish (i) that in relation to those over the age of sexual consent, some young people's involvement in prostitution is without exploitation; or (ii) that exploitation is an *essential* characteristic of all commercial sexual exchanges involving young people. But, the evidence does not exist because it is not possible to collect the type of evidence that would verify or falsify either of those two statements, in much the same way as it will never be possible to obtain an 'accurate' figure or characterisation of 'crime' in the UK. Indeed, there is even *less* known about the nature, extent, prevalence and quality of the hidden figure of sexual exploitation than the hidden figure of crime. So for instance, the argument is made that sexual offences are reported (and therefore recorded and evidenced) at a much lower rate than offences which might involve an individual making a claim against their insurance companies (such as burglary). In this instance, it is possible to triangulate 'official' knowledge of the nature, extent, prevalence and quality of crime with self-report studies or victimisation studies comprised of very large random samples. This then provides an evidence base from which we can speculate about the hidden figure of crime. There is no such triangulation of evidence possible for young people involved in prostitution. Instead the evidence

base is comprised of either small scale qualitative studies or studies which use gatekeepers (i.e. social services, police and so on) to provide 'best estimates' of extent and prevalence or anecdotal accounts of the character and experiences of young people[4]. These studies are extremely important because, unlike the policy guidance, they establish a picture of complexity in which young people are not either exploited or not but rather in which young people in prostitution are both victimised and also able to make choices.

More than this, however, *Safeguarding* (2009) makes the claim that a substantial proportion of the sexual exploitation of young people is hidden from sight i.e. that young people are not necessarily present in brothels, saunas or the streets. Instead, the argument contained within *Safeguarding* (2009) is that the sexual exploitation of young people can occur at any time and anywhere from any private location. By logical extension, the extent, prevalence, nature and quality of this hidden figure, is therefore, unknowable. Instead, what becomes necessary are methods of working which are attuned to the possibility that anywhere where young people are, there is the possibility of sexual exploitation. Combined with the powerful rhetoric of sexual exploitation, an imperative for practice is created. Put simply, the policy imperative is to guide practitioners, statutory agencies and voluntary organisations to be ever vigilant and to have systems that are capable for proactively responding to concerns raised about young people's wider social and sexual relationships. In this way, the rhetoric has created a type of system expansionism. For if the sexual exploitation of young people *can,* at least in principle, take place anywhere and if it cannot be established that some young people's involvement in prostitution is *not* exploitative, then the necessary governmental position must be to have processes, procedures and systems in place to ensure that no one individual young person slips through the net. In this way, in the name of protecting those young people who undoubtedly experience exploitation and violence in the course of exchanging sex for money, all young people's sexual relationships are called into question (see also Phoenix, 2002a and 2002b). With that, the central government expands the breadth and remit of statutory and voluntary agencies responsibilities to ensure that young people's relationships, including those over the age of sexual consent, are not just not abusive (in the traditional sense) but are not exploitative and are appropriate. In practice, this means that local agencies and organisations need to prioritise their efforts and scarce resources when dealing with those individuals at risk of sexual exploitation, marginally exploited (e.g. the 15 year old girl whose promiscuity is shaped by the desire to gain 'cred' by being seen with a particular group of lads) and those 17 year old young women who are selling sex from the streets, through contact magazines or websites and so on. The issue is not just that more and more young people's sexual activities are being monitored or questioned, but that local agencies and organisation are being made more and more responsible for 'doing something about' a wider range of youthful sexual activities.

## Conclusion

As the above has sought to show, the issue of dealing with young people in prostitution is far more complex than it might, at first sight, appear. On one level, it would appear to be a more or less simple matter of ensuring that social services and criminal justice agencies work in a concerted and coherent fashion to refer young people into the appropriate welfare services and not deal with them through prosecution and punishment. However, things in the social world are seldom so simple. Thinking about young people and commercial sex in relation to the major socio-cultural shifts around sex, consumption and identity raises some very awkward questions. Chief amongst these is whether it is appropriate to think of young people's involvement in prostitution as being somehow separate, distinct, or occurring at a distance from ordinary, routine, everyday social practices. To make the point clearer, it is not that uncommon to find consumer items (which operate to express and shape identities) for young girls inscribed with the Play-Boy bunny. Manufacturers have started marketing make-up specifically aimed at little girls. As Bauman's argument would suggest, these are not *just* items for consumption: they are items that help to express, shape, form and constitute identities. The desire of younger and younger girls to take part in consumption, in a world in which sex as leisure and pleasure are intimately integral to the marketplace, is not something pathological but part of everyday life. It is not that predatory men exist *out there* whose specific aim is to target the vulnerable (although, without doubt, such men do exist). It is rather that the very nature of modern consumer societies creates the conditions for both the young people's engagement with sexual marketplaces and their ultimate consumption as objects. In such a context of normalisation, it is difficult if not impossible for practitioners to get young people in prostitution recognised as being 'the same type' of victim as those other more-easy-to-identify-as-abused-young-people (i.e. the victims of abuse in families). The struggles of practitioners do not end there. As argued above, there has been a massive expansion in the criminal justice system of regulating young people: this is a system poised and ready to pull into its ambit, through formal prosecution or informal civil orders, those who offend. In this context, the struggle for the practitioner then is the struggle to ensure that young people in prostitution are not identified as offending. Finally, because the rhetoric of sexual exploitation operates as it does, statutory and welfare organisations find themselves responsible for policing and monitoring the full range of young people's sexual relationships and activities – or at the very least being prepared to keep a watchful eye so as to be ready to act. The catch, of course, is that once a practitioner identifies a young person as involved in prostitution or being sexually exploited the struggle for recognition for resources begins again. Hence, the gloomy prediction made at the beginning of this article. Perhaps the real trick for practitioners will be to remove the issue of sexual exploitation from the field of child protection altogether and relocate it in another forum – one that is more amenable to recognising the countervailing forces within which they and their young charges exist.

## Notes

1   This article does not provide a detailed description of these sets of guidance or the changes to policy that have occurred in the last ten years. For a full description, please see the other contributions to this edition or Phoenix (2002).

2   Phoenix and Oerton (2005) explored this argument in detail across a range of regulatory contexts including law, professional codes of ethic, governmental guidances, corporate and business codes of conduct and so on.

3   See Pratt et al (2005) for a comprehensive series of essays which provide both empirical analysis and theoretical exposition on the question of punitiveness in Western democracies. See also Muncie (2008) for international comparisons of punitiveness towards young people.

4   Please see Phoenix's (2009) discussion of the sort of methodological sleight of hand that often occurs when trying to establish the prevalence or extent of various types of commercial sex.

## References

Attwood, F. (2006) 'Sexed Up: Theorising the Sexualisation of Culture', *Sexualities,* 9(1) 77-94.

Bauman, Z. (1998) *Work: Consumerism and the New Poor*, Milton Keynes: The Open University Press.

Bauman, Z. (2003) *Liquid Love: On the Frailty of Human Bonds*. Cambridge: Polity Press.

Bernstein, E. (2001) 'The Meaning of the Purchase: Desire, Demand and the Commerce of Sex', *Ethnography* 2(3), 389-420.

Brents, B. and Hausbeck, G. (2007) 'Marketing Sex: US Legal Brothels and Late Capitalist Consumption', *Sexualities* 10(4), 425-439.

Department of Children and Family Services (2009) *Safeguarding Children and Young People from Sexual Exploitation,* London: The Stationary Office.

Department of Health / Home Office (2000) *Safeguarding Children in Prostitution*, London: The Stationary Office.

Fionda, J. (1998) 'The age of innocence? The concept of childhood in the punishment of young offenders', *Child and Family Law Quarterly* 47(2), 311-330..

Giddens, A. (1992) *The Transformation of Intimacy: Sexuality, Love and Eroticism in Modern Societies*. Cambridge: Polity Press.

Goldson, B. (1999) 'Youth (in)justice: contemporary developments in policy and practice in Goldson, B. (ed.) *Youth Justice: Contemporary Policy and Practice* Aldershot: Ashgate.

Goldson, B. (2006) 'Penal custody: intolerance, irrationality and indifference' in Goldson, B and Muncie, J. (eds.) *Youth Crime and Justice* London: Sage..

Hall, S., Winlow, S. and Ancrum, C. (2009) Criminal Identities and Consumer Culture: Crime, Exclusion and the New Culture of Narcissism, Portland, Oregan: Willan.

McNair, B. (2002) *Striptease Culture: Sex, Media and the Democratization of Desire*. London and New York: Routledge.

Morgan, R. (2007) 'They drink, they smoke, they behave badly. Will we never learn', *The Independent*, September 16.

Muncie, J. (1999) 'Institutionalised Intolerance: Youth Justice and the 1998 Crime and Disorder Act', *Critical Social Policy*, 19(2), 147-75.

Muncie, J. (2008) 'The 'Punitive Turn' in Juvenile Justice: Cultures of Control and Rights Compliance in Western Europe and the USA' *Youth Justice,* 8(2), 107-121.

Ost, S. (2009) *Child Pornography and Sexual Grooming: legal and societal responses*, Cambridge: Cambridge University Press.

Phoenix, J. (2001) *Making Sense of Prostitution* London: Palgrave.

Phoenix, J. (2002a) 'In the Name of Protection: youth prostitution policy reforms in England and Wales' *Critical Social Policy*, 22(2), 353-375.

Phoenix, J. (2002b) 'Youth Prostitution Policy Reform: new discourse, same old story' in Carlen, P. (ed.) *Women and Punishment: the struggle for justice* Collumpton, Devon: Willan Publishing.

Phoenix, J. (2009) *Regulating Sex for Sale: Prostitution Policy Reform in England and Wales* Bristol: Policy Press.

Phoenix, J. and Oerton, S. (2005) *Illicit and Illegal: Sex Regulation and Social Control*, Collumpton, Devon: Willan Publishing.

Plummer, K. (2003) 'Introduction, Re-presenting Sexualities in the Media', *Sexualities* 6(3–4): 275–6.

Prasad, Monica (1999) 'The Morality of Market Exchange: Love, Money and Contractual Judstice' *Sociological Perspectives*, 42(2), 181-215.

Pratt, J., Brown, D., Brown, M., Hallsworth, S. and Morrison, W. (eds.) (2005) *The New Punitiveness: Trends, Theories and Perspectives*, Collumpton, Devon: Willan Publishing.

Sanders, T. (2008) *Paying for Pleasure: Men Who Buy Sex*, Collumpton, Devon: Willan Publishing.

Scraton, P. (ed.) (1997) *Childhood in 'Crisis'*, London: UCL Press.
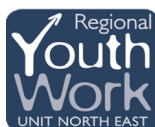
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# Safeguarding future generations: challenging and prosecuting perpetrators

Sue Jago

**Abstract**

*Child sexual exploitation is a neglected area of child abuse. This has a number of repercussions but, in particular, means that methods of disrupting and prosecuting offenders are poorly developed. This article considers why this might be, and looks at the resulting impact of such negligence on young people at risk of sexual exploitation. It is based on findings from a scoping exercise which explored ways in which local partnerships gather evidence of child sexual exploitation and examines those findings in the context of contemporary research into experiences of children and young people at risk. Attitudes to child sexual exploitation are explored and the wider policy context considered to assess the potential for increased identification and an improved criminal justice response.*

**Key words:** children; criminal justice; prostitution; trafficking; sexual exploitation; young people.

In November 2009 the government published a strategy on violence against women and girls. This has been widely welcomed as an 'integrated approach to tackling this problem and supporting the victims across the three key areas of prevention, provision and protection' (HMG, 2009: 4). But how will this new strategy impact on the particular form of violence characterised as child sexual exploitation?

Child sexual exploitation is a particularly challenging area of abuse for practitioners, parents and carers, and civil society to address. Often described as a 'hidden problem' it is an issue that requires a pro-active approach to identify how and where it is happening and to ensure that those at risk receive an appropriate child protection response which includes bringing abusers to justice. Government guidance (Department of Health, 2000; DCSF, 2009) has promoted a dual aim of protecting victims and pro-actively investigating their abusers. Following pioneering work by children's charities, notably Barnardo's (1998; Palmer, 2001), there has been an increased awareness of modern-day models of child sexual exploitation (Swann et al, 1998; Pearce et al, 2002). This has led to the development and evaluation of the work of specialist projects with children and young people to reduce their vulnerability to sexual exploitation and to support them to move on from a risky situation or an exploitative relationship (Scott and Harper, 2006; Scott and Skidmore, 2006). However, there are few projects providing such specialist support. Furthermore, there has been

little exploration of effective investigative practice to support the disruption and prosecution of offenders. A review of the 2000 guidance (Swann and Balding, 2002) found that few areas – less than ten per cent – considered themselves to be meeting the dual aims promoted within it.

A focus on child sexual exploitation has all but disappeared from recent policy initiatives – a lost opportunity for the young victims of this form of child abuse who suffer fear and intimidation and emotional abuse, as well as serious sexual and physical violence. The Every Child Matters agenda should have been an important spur to action to support children and young people to 'stay safe'. The *Staying Safe Action Plan* (DCSF, 2008) was promoted as the first ever government strategy for improving the safety of children and young people, and was underpinned by a *Public Service Agreement* (PSA) (HM Treasury, 2009). The Action Plan promoted a vision of the safety of children as the responsibility of everyone, dependant on local agencies working in partnership through Local Children Safeguarding Boards (LSCBs). Yet although the Action Plan highlighted sexual exploitation as a issue of concern, it included no mechanism to monitor progress in this area against the objective of PSA 13 to improve the safety of children and young people. As a result the Action Plan has had limited success in developing the concept that all agencies have a role to play and there have been no significant developments in health, education or in the youth service to address sexual exploitation, although there are examples of localised good practice in each of these agencies. In other areas there continue to be difficulties in drawing those same agencies into the multi-agency partnerships developed to tackle sexual exploitation (Jago and Pearce, 2008: 20).

There has also been a disappointing response to potentially significant criminal justice initiatives. The Sexual Offences Act 2003 included a raft of new offences and severe penalties to address different models of child sexual exploitation, including grooming, coercion and exploitation over the internet and trafficking. The *Coordinated Prostitution Strategy* (Home Office, 2006) promoted 'prosecution' as well as 'prevention' and 'protection' to address the abuse of children through prostitution. Yet the number of convictions in respect of these new offences is disappointingly low. The *Tackling Violence Action Plan* (Home Office, 2008) prioritised improvements to local partnership working, to improving care for victims, and to increasing action to improve the conviction rate against the perpetrators of violent crime, including sexual violence. But, as with the latest initiative – the Violence Against Women and Girls (VAWG) strategy – there was barely an acknowledgement of child sexual exploitation as an issue, and no recognition of the particular challenges it presents for practitioners, including those in the criminal justice system.

It is important to consider the influences that may be acting against the increased knowledge and understanding of child sexual exploitation and the policy initiatives that might have supported a more robust response to it. For example there is a significant discourse around the gender issues that affect the perception of victims of sexual crimes. In 1993 Jesson explored the attitudes of care home staff to prostitution, and found that their perception of prostitution as immoral influenced

their views of the young people in their care who were involved in prostitution, so that they appeared to them to be immoral rather than victims of abuse. Subsequently a particularly important research finding has also identified a high number of young people in care involved in prostitution (Chase and Statham, 2005).

As this article will show, there continue to be difficulties in the recognition of sexually exploited young people as victims of abuse, with the perception of blame on the part of the young people increasing as they grow older so that 16 and 17 year olds are rarely recognised as deserving of a child protection response, and action rarely taken against their abusers (Harris and Robinson, 2007).

There are also difficulties with the identification of child sexual exploitation that go beyond gender. Sexually exploited young people generally do not exhibit behaviour typically associated with victims. Exploiters are often sophisticated in the way young people are targeted increasing their disassociation from service providers, family or carers and friends. Their influence can result in young people going missing from home or care, truanting from school, and becoming involved in anti-social behaviour and sometimes serious criminality. The irony is that the same risky behaviours that leave young people vulnerable to sexual exploitation also lead them to be described as "sassy", streetwise and fiercely independent' (Wellard, 1999).

The counter-intuitive behaviour of young victims of sexual exploitation results from the manipulation they experience which is so often part of the process of exploitation. Frequently young people are blind to the exploitative nature of their own relationships and, even if frightened or concerned by their partner's behaviour, may be reluctant to leave a relationship that seems to provide something otherwise lacking in their lives. Exploitation also frequently involves violence, or threats of violence, against the young person and their families. That the resulting 'challenging' behaviour is sometimes addressed through anti-social behaviour orders, a reprimand or final warning, or even prosecution, means that it is the victim, rather than the perpetrator, who is penalised. This can further obscure the reality of the exploitative relationships from the young person and from practitioners. The perception of young people as troublesome rather than troubled is reinforced by the fact that they rarely seek help, indeed can be fiercely resistant to offers of support, particularly where they feel they have been let down in the past by those who should have been protecting them (Chase and Statham, 2005).

There is a very real danger that, instead of safeguarding the young person, the criminal justice response reinforces the perception that they are complicit. It is not so long ago that young people were routinely criminalised for their involvement in prostitution. It was as recently as 2000 when government guidance suggested for the first time that young people should be treated as victims of abuse. While criminalisation has now become a rare occurrence it is still possible for

young 'victims of abuse' to be arrested for loitering or soliciting 'as a last resort' (Department of Health, 2000). This confusion between innocent victims of abuse and the persistently immoral, re-victimises young people and enables abusers to act with impunity.

## The scoping study

A poor criminal justice response, illustrated by a low number of prosecutions under the Sexual offences Act 2003, led the government to commission a scoping exercise to identify ways of gathering evidence of child sexual exploitation and to explore the barriers and challenges to greater use of the new legislation. This short project was intended to provide a glimpse of the activity taking place across the country as a basis for future targeted work. The project's advisory group, comprising key policy and practice leads, concluded that the scoping study should be based on interviews with key practitioners in selected areas. Access to practitioners was achieved through contact with LSCBs where responsibility lies for the coordination of a local response to child sexual exploitation. Every LSCB in England was asked to complete a short questionnaire to provide information on basic levels of activity to address child sexual exploitation. Of the 144 LSCBs contacted 30 completed questionnaires were received. Following analysis of the data, 20 LSCBs were assessed to be the most active and selected as interview sites.

The scoping exercise was given ethical approval by the University of Bedfordshire Research Ethics Committee. Interviews were conducted with at least two practitioners in each area. They were carried out on a voluntary basis and the identity of the interviewees and the area in which they were working remains confidential. Of the 40 practitioners interviewed, 29 came from the police and statutory children's services (n=29), with the remainder being from specialist sexual exploitation projects (n=5), youth offending teams (n=2), health (n=1), education (n=1), a Community Safety Officer (n=1) and a Crown Prosecutor (n=1). It was understood that the numbers interviewed could not represent all perspectives from the range of professions involved, but would provide useful insight from some of the most experienced staff into the issues impeding the gathering of evidence. The interviews were semi-structured to enable variations in practice to be explored. The initial focus was on the disruption and prosecution of offenders in child sexual exploitation cases. However, in many areas practitioners reported that they were 'just starting out' to develop a criminal justice response and so the interviews focused on the barriers and challenges to this area of work.

Following the interviews with practitioners the Chairs of the 20 LSCBs involved were invited to comment on the emerging themes so that the study could benefit from the perspective of those with a strategic focus and a responsibility for delivering priorities within the local safeguarding agenda. The emerging themes were also considered in a wider context through discussions with police leads for this area; with Crown Prosecution Service (CPS) policy leads; representatives of key national children's charities; and with the umbrella group for professionals in this area

of practice: and the National Working Group for Sexually Exploited Children and Young People (NWG). Consideration at this stage also included the circulation of a written document to the project advisory group, providing summary themes from the scoping exercise with an invitation to offer comment and feedback. Through this process access was made to the many agencies represented by the project advisory group's membership.

Given the way in which the sites were selected it was important to ensure that the study findings reflected the fact that the data obtained largely represented activity in areas with the greatest level of involvement and expertise in child sexual exploitation. While examples of good practice were found in these areas few of them had undertaken activity in respect of the proactive investigation of those suspected of exploitation. That areas selected as the most 'advanced' showed such a lack of progress in gathering evidence was a particular cause for concern. The key findings related to partnership working; to the identification of young people at risk of sexual exploitation; to early engagement with those young people; as well as to practice in relation to disruption plans and the investigation of perpetrators. Each of these key areas is explored in turn and considered in the context of findings from wider related research.

### The findings – working together?

The DH 2000 guidance on 'Safeguarding Children involved in Prostitution', revised and updated in 2009 as 'Safeguarding Children and Young People from Sexual Exploitation', promoted an inter-agency approach to tackling child sexual exploitation. The strength of this approach was found to vary enormously across the 20 areas and this, in turn, had a significant impact on the ability to both protect young people from sexual exploitation and to challenge their abusers. The most robust model in terms of effective partnership work was the 'dedicated unit'. Its success was judged on the numbers of young people receiving a child protection response, the frequency of disclosures made by young people and the number of convictions secured. In dedicated units staff from key agencies were located in the same premises, all sharing the aim of providing a service that responds to the child protection and practical needs of young people at risk of, or involved in, child sexual exploitation, and at the same time pro-actively investigating those suspected to be their abusers. This way of working directly responds to the 'dual approach' set out in government guidance DH 2000 and DCSF 2009. Specific protocols or unit guidelines were in place to support an approach based on pro-active investigation achieved by means of early intervention.

Two of the 20 areas had set up such units. In four other areas staff from key agencies continued to work in their own premises but co-ordinated their work so that they operated as a 'virtual team'. In both models (the dedicated and the virtual teams) coordination was the key factor for success strengthening the ability to deliver the dual approach of safeguarding young people and pro-actively investigating their abusers. Effective coordination was achieved through the provision of identified

points of contact in each agency and a clearly signposted focal point for reporting concerns about young people who were victims and information about those believed to be their abusers. The close working relationship that was engendered between agencies enabled practitioners to develop a valuable understanding of the capabilities, capacity and working practices of their partners. This increased the ability of police officers to adopt a 'softer' approach to their inter-actions with children and young people and helped staff from children's services to develop a more robust approach to gathering evidence.

Dedicated units and virtual teams were also able to have an impact on resources, a challenge for all areas. This was primarily because their initial activity included an exercise to scope the nature and prevalence of child sexual exploitation locally and the development of a process to monitor the progress of cases. The resulting data could be used successfully to inform and support bids for the resources needed to meet the complex needs of young victims and their families, and the particular challenges of investigating abuse that involves the coercion and manipulation of young people. It also became clear that sharing aims, sharing data and, in the case of the two dedicated units, sharing work space contributed positively to the resource issue in that it allowed cost-effective working practices to develop. For example, it enabled one area to

> *use the team flexibly … if a child goes missing, they will be diverted into finding that child. We then work with our partners to tackle the cause … and try to reduce their vulnerability to sexual exploitation.* (Jago and Pearce, 2008: 13)

By contrast, those areas who were *'just starting out'* to challenge offenders were struggling to develop effective inter-agency cooperation and still experiencing serious difficulties in terms of accessing resources and training. The scoping exercise found that 13 of the 20 areas were still struggling to access awareness raising and training (Jago and Pearce, 2008: 44).

## The findings – recognising the risks

The explanation proffered for a lack of progress in developing an effective local response to child sexual exploitation was often that it was a *'hidden problem'*. Yet the complex issues faced by many victims of child sexual exploitation mean that they are often already known to a range of agencies. It seems to be that the process of exploitation is difficult to see unless practitioners – including those not involved directly in child protection but in close contact with young people – have access to training or awareness-raising sessions to help them to understand the range of risk factors and the different ways in which young people are coerced and manipulated by abusers (Melrose, 2004; Coy, 2007). At a session run by a specialist project aimed at raising awareness of models of child sexual exploitation uniformed police officers in the audience commented that they recognised the cases as ones they had dealt with but had not understood what was happening (Jago and Pearce, 2008).

The scoping study found that exploitation is particularly hard to recognise where victims are older teenagers. One practitioner was concerned that *'there is always the danger that it is just perceived as poor behaviour'* (p. 29). Another reported a tendency for practitioners to think that *'issues of consent are not relevant to those over 16 so [they] do not see them as victims of crime'* (p. 20). This assumption that some practitioners hold about older teenagers being in control of their lives and exercising free choice, albeit a choice that may be widely disapproved, can hinder both protection and prosecution. Yet recent research for NSPCC (Barter et al, 2009) suggests that a relationship with an older partner (generally defined by the young women interviewed to be someone at least two years older than themselves) can be associated with experiences of high levels of victimisation. In their study 75 per cent of girls with a 'much older' partner experienced physical violence, three quarters experienced sexual violence and 80 per cent experienced emotional violence. The age differential greatly increased inequalities between partners in a relationship and the dynamic was found to be similar to those found in Pearce's research (2002) which focussed specifically on the sexual exploitation of girls and young women. Sexual exploitation can be based on other inequalities, including physical or financial inequalities, and/or on coercion, through substance addiction or other methods that increase the dependency of a victim on an abuser (Melrose et al, 2004). Nevertheless the NSPCC research concluded that the level of exploitation and violence in relationships with 'much older' partners was so pronounced that girls and young women in that situation should be viewed as a child in need (Barter et al, 2009).

To address the perception of culpability Pearce (2009) points to the need to distinguish between the sexual activity itself and the abusive behaviour of the sexual partner. As the experience of successful dedicated units has shown practitioners must look beyond the behaviour of young people to consider the actions of those abusing them in order to recognise them as victims of serious violent and sexual crime. This can then prompt action to be taken to protect young people, and to disrupt and prosecute their abusers.

### The findings – the value of early intervention

Recent research has demonstrated that there are three stages of risk; characterised as sexualised risk taking, 'swapping' sexual favours and entrenchment in an exploitative relationship (Pearce et al, 2002). These stages were set out in the recent revised government guidance on *Safeguarding Children and Young People from Sexual Exploitation* (DCSF, 2009). Raised awareness of these levels of risk, and the indicators of each stage of risk, enables practitioners to intervene from the earliest stage. Early intervention can be a sound investment if it can prevent a young person from moving from the earliest stage of sexualised risk taking to involvement in an exploitative relationship. Where early intervention techniques are in place it is widely believed to have resulted in a drop in the numbers of young people involved in formal prostitution. If that is the case it will have contributed significantly to a reduction in the long-term

burden on a range of agencies, including CAMHS services, sexual health services and drug and alcohol teams.

Pearce (2009) promotes the value of intervention through the provision of therapeutic outreach to support young people to recognise and build up resilience to the risk of sexual exploitation. Therapeutic outreach is characterised as 'holding young people in mind' – working with young people in a flexible way, recognising that they may feel excluded from a more traditional place and time to access support. It requires a confident and persistent approach to stick with young people regardless of their attempts to reject the support offered. One model of therapeutic outreach, developed by Barnardo's (Scott and Skidmore, 2006) is built around the 4 'A's: Access (offering support in a way that most enables young people to accept it); Attention (focussing on what is important to young people); Assertive outreach (persistently maintaining contact); and Advocacy (ensuring that young people can access other services when they need them). In this way practical support is provided to address health issues, facilitate a return to education and ensure that the young person has somewhere safe to live. It also ensures that young people feel supported and, with the help of consistent advice and guidance, can come to understand the physical and emotional dangers of their situation.

Early intervention can be easier for specialist projects to achieve for a number of reasons. It requires expertise to address the complex needs of sexually exploited young people. It also requires flexibility about when and how to intervene, a flexibility that is rarely supported by the thresholds set for generic services. The scoping exercise found that specialist services are more likely than generic services to be able to provide support from the point of initial identification as at risk; through to disclosure; and on through any judicial process and beyond to safeguard the young person from re-victimisation. Given the length of time required to work with young people with complex needs, and the slow progress of criminal investigations, this often means continuing to work with young people after they have turned 18, a further challenge for generic services (Jago and Pearce, 2008: 17).

There are particular advantages for specialist services run within the voluntary rather than the statutory sector. It was noted that many of the young people concerned had a history of contested contact with statutory services leaving them reluctant to engage again in the future. The scoping study found that

> specialist agencies, particularly if seen to be non-statutory, are well placed to build trusting relationships with young people and their parents and carers. (Jago and Pearce, 2008: 17)

However many areas have no access to specialist projects or to any practitioners offering access to therapeutic outreach.

## The findings – disrupting and prosecuting offenders

The scoping study found that some practitioners placed no value on disruption tactics considering that they represented a poor substitute for prosecuting offenders. However, both disruption and prosecution are crucial elements of an effective strategy. A number of areas reported significant success in terms of deterring exploiters although the study found scope for greater use of police powers and court orders. By far the most common approach was the use of the Child Abduction Act 1984. It was reported that serving abduction notices was often enough to warn off potential exploiters. Other tactics were also reported, involving a number of agencies to curtail different aspects of an abuser's activity through use of licensing legislation and other routes.

### *Disrupting abuse*

Practitioners were also clear about the positive impact of disruption plans on the young people involved. If the disruption plan is successful it can put an end to abuse or remove the risk. But it also has a more indirect effect. Disengaging a young person from an abusive relationship can take a very long time. The scoping study reported the view that

> *if we don't do this it appears that nothing is happening. That means the young person continues to feel complicit. Disruption activity makes them start to think that perhaps something wrong was going on.* (ibid p. 22)

Disruption can be an important part of the process of empowering parents and others supporting a young person, and helping a young person to recognise exploitation. Seeing that they are supported and not held to blame, it becomes possible for young people to build resilience for the future. Studies of resilience have found that 'being there' for young people, as in the models of therapeutic outreach described, can enable a caring and supportive adult – in most cases, a key worker – to counter previous exposure to risk and help young people to develop protective behaviours (Coleman and Hagel, 2007; Luthar, 2003).

The scoping exercise found that the role of the key worker is crucial to building sufficient trust for a young person to make a formal disclosure. A success factor for dedicated units and teams was the recognition that the primary contact with children and young people at risk must be children's services, while police and other criminal justice agencies focus on the activities of their abusers. The scoping exercise found that it was far more common for disclosures to be made to practitioners offering practical and emotional support than to criminal justice agencies, although there was evidence of information given to 'trusted' police officers, including sexual exploitation or missing person coordinators (Jago and Pearce, 2008: 16).

Through establishing a relationship with the child or young person a key worker can note and

record small pieces of information, apparently insignificant on their own which can be crucial to a prosecution case. This can include details about the young person's behaviour, including running away, returning distressed, dishevelled or drunk, and other examples that could indicate the young person being at risk of abuse from exploitative adults. It can also include information about those suspected of exploitation. Much of this information is more likely to be provided by those in close contact with the young person, including their carers and their key workers. However, it was suggested that many agencies have yet to recognise that they have a role to play in this process. The scoping exercise heard from a police officer who was frustrated that *'the police must rely on information from all our partner agencies if we are to bring cases against perpetrators. I'm afraid this is a new idea to them'* (p. 16). Agencies need help and advice if traditional boundaries are to be altered, particularly to ensure the accurate and consistent recording of information, so that it may be used as evidence. Equally crucial is for the information shared by agencies to be properly recorded. The scoping study found that those areas that have developed effective recording systems have found that they not only support individual investigations but also enable areas to develop an overview of local activity: for example identifying the links between locations, behaviours of victims and suspected abusers. This enables investigative resources to be targeted effectively (Jago and Pearce, 2008: 21).

## Prosecuting abusers

Prosecuting offenders is crucial to safeguarding young people, and future generations, from exploitation. Practitioners interviewed for the scoping exercise felt that it could be an abusive process and recounted *'horror stories'* involving young witnesses (p. 26). There are understandable reservations about requiring a young person to relive their trauma through the process of giving evidence. Judge Pigot's Advisory Group on Video Evidence (1989) concluded that children should not be required to give evidence unless they wish to do so. Following the Pigot report a number of new measures and approaches were introduced to make the process of giving evidence as non-abusive as possible, and to help vulnerable witnesses to give their best evidence. The opportunity to use screens, video recorded evidence, live TV links, and to reduce the formality and potential intimidation of the process by clearing the courts and removing wigs and gowns is now available (Youth Justice and Criminal Evidence Act, 1999). The Crown Prosecution Service has also published guidance on the conduct of cases involving young witnesses (2006).

Plotnikoff and Woolfson (2009) reported on a study of over 200 victims of sexual assaults in the USA in which it was found that 50 per cent of young witnesses who gave evidence identified something good or positive from the experience. This included the importance of being believed by the court, the support of friends and family and the conviction of the defendant. Conversely greater distress while waiting to testify and during the process predicted poor adjustment. They also found that the new policies and procedures for England and Wales did not always work well, especially

in the case of some of the most vulnerable children in their study, concluding that there remains a significant gap between the vision of policy and the reality of many children's experience.

## Prospects for a more proactive criminal justice response

Revised central government guidance, published by the DCSF in July 2009 offers an opportunity for local safeguarding partnerships to review practices and procedures. A key issue for local partnerships to address is the wider definition used in this new guidance. No longer is the guidance limited to cases involving formal prostitution. It is now recognised that sexual exploitation frequently begins with risky behaviour and 'swapping sex.' A huge leap forward could be taken if agencies were to amend risk assessment thresholds to enable them to intervene at an early stage. This would not only safeguard young people from an escalation of the exploitation to the stage of formal prostitution but would also provide the best possible opportunity to take action against their abusers.

At present, prosecuting abusers for child sexual exploitation is still not recognised as a criminal justice priority in many areas. The Association of Chief Police Officers recognised as long ago as 1998 that *'statutory agencies, including the police, should be pursuing those who abuse or coerce children and young people'* (Brain et al, 1998). Yet the way that police forces are organised reflects the fact that child sexual exploitation is yet to be fully acknowledged as a form of child abuse, involving serious violent and sexual crime. Traditionally child protection officers deal with familial or institutional abuse. Everything else is often left to uniformed officers who *'just crimed it and made no contact with the child protection team'* (Jago and Pearce, 2008: 12). It was hoped that this might change with the development of Public Protection Units (PPUs). A recent inspection (Her Majesty's Inspectorate of Constabulary, 2008) identified four strands of work to be included under the umbrella of public protection: the investigation and prevention of child abuse; domestic abuse; missing persons; and monitoring sex offenders. However exploitation was not given any prominence in the inspection report. Of the areas in the scoping study that explicitly incorporated child sexual exploitation into the remit of the new PPUs most accorded it low priority and nearly half did not include it at all (Jago and Pearce, 2008: 14).

It would be a tragedy for many young people if this opportunity is lost. The links between child sexual exploitation and other forms of child abuse, with domestic violence and with going missing, are well-documented (Chase and Statham, 2005; Pearce, 2009). The scoping exercise found that strengthening links with work on missing young people could be particularly advantageous. Although not all runaways are victims of sexual exploitation, the act of running away places them at particular risk. In some cases running away may also be symptomatic of sexual exploitation. In those areas where this link is better understood *'many referrals come from the missing child worker – this is the most common early sign'* (Jago and Pearce, 2008: 13).

This is not just a challenge for the police. All relevant agencies need to be involved in the development as well as the implementation of a strategy to tackle child sexual exploitation that delivers on the dual approach. Prosecuting offenders requires effective partnership to recognise exploitative relationships; to intervene at an early stage with those at risk; to collate information from the outset even if no disclosure has been made at that stage; and to support the young person throughout the process. This requires LSCBs to discharge their coordinating role through the establishment of a sexual exploitation sub-committee and the appointment of a sexual exploitation coordinator.

## Conclusion

This article has reflected on the findings that not all sexually exploited children and young people are recognised as victims of abuse and do not always receive a child protection response that includes a criminal investigation of their abusers. It has yet to be universally recognised that safeguarding current and future generations of young people depends on bringing perpetrators of child sexual exploitation to justice.

While there have been a number of recent initiatives, not least the Violence Against Women and Girls strategy (HMG 2009), which are relevant to child sexual exploitation, the findings from the scoping study suggest that they have little impact on the local response unless they explicitly address child sexual exploitation, doing so in a way that recognises the particular difficulties associated with this area of child abuse. These challenges mean that there is a real need for the development of a specific strategy based on identification, early intervention, disruption and prosecution; a pro-active approach to identify young people at risk with early intervention to protect them and to support the investigation of those who seek to exploit them. The conduct of such investigations needs to involve all agencies to overcome the effect of manipulation and coercion on vulnerable young people.

Despite familiar Dickensian images of enslaved and prostituted children, sexual exploitation is frequently presented as new, 'hidden' or poorly understood and rarely receives the same level of response as other forms of child abuse. For some practitioners, this is a cause of considerable frustration as they know only too well that

> We are looking at the same addresses, generation after generation, for both offenders and victims…nothing is done to stop the cycle of abuse. (Jago and Pearce, 2008: interview 5)

The sexual exploitation of children and young people is not a new issue. However, it needs a new determination to address it and to recognise that sexually active teenagers can be the victims of violent and sexual abuse. It requires attention so that it can clearly be identified as child abuse. This

should not be so very difficult a step to take. Indeed many practitioners in the scoping exercise noted that their own services had been 'staring the issue in the face' without recognising it. With raised awareness, linked to an implementation plan for the updated government guidance, it is possible that we could begin to consider the societal factors at play that lead young people to 'choose' an abusive relationship, rather than condemning them for that 'choice.' Challenging their abusers would be a significant step towards demonstrating that every child matters.

## References

Barnardo's (1998) *Whose Daughter Next? Children Abused Through Prostitution*. London: Barnardo's.

Barter, C., McCarry, M., Berridge, D. and Evans, K. (2009) *Partner Exploitation and violence in teenage intimate relationships*. London: NSPCC (available from nspcc.org.uk/Inform/research).

Brain, T., Duffin, T., Anderson, S., Parchment, P. (1998) *Child Prostitution: A Report on the ACPO Guidelines and Pilot Studies in Wolverhampton and Nottinghamshire*. Gloucester: Gloucestershire Constabulary.

Chase, E.. and Statham, J. (2005) 'Commercial Sexual Exploitation of Children and Young People in the UK – A Review' *Child Abuse Review* Vol. 14 pp. 4-25.

Coleman, J. and Hagell, A. (2007) 'The nature and risk of resilience in adolescence, in J. Coleman and A. Hagell (eds.) *Adolescence, Risk and Resilience: Against the Odds*. Chichester: Wiley.

Coy, M. (2007) 'Young women, local authority care and selling sex: findings from research' *British Journal of Social Work*. Vol. 38 (1) pp. 1151-1172.

Crown Prosecution Service (2006) *Children and Young People: CPS Policy on prosecuting criminal cases involving children and young people as victims and witnesses*. London: CPS.

Department for Children, Schools and Families (2008) *Staying Safe: Action Plan*. London: DCSF.

Department for Children, Schools and Families (2009) *Safeguarding Children and young people from Sexual Exploitation*. London: HMSO.

Department of Health/Department for Education and Employment/Home Office/National Assembly for Wales (2000) *Safeguarding Children Involved in Prostitution: Supplementary Guidance to Working Together to Safeguard Children*. London: HMSO.

Harper, Z. and Scott, S. (2005) *Meeting the Needs of Sexually Exploited Young People in London*. Barkingside: Barnardo's.

Harris, J. and Robinson, B. (2007) *Tipping the Iceberg: A Pan Sussex Study of Young People at Risk of Sexual Exploitation and Trafficking*. London: Barnardo's.

HM Government (2009) *Together We Can End Violence Against Women and Girls: A Strategy*. London: HM Government.

HM Inspectorate of Constabulary (2008) *Protecting Vulnerable People*. London: HMIC.

HM Treasury (2009) *PSA Delivery Agreement 13: Improve children and young people's safety*. London: HM Government (accessible from www.hm-treasury.gov.uk).

Home Office (2006) *A Coordinated Prostitution Strategy*. London: HM Government.

Home Office (2008) *Saving Lives. Reducing Harm. Protecting the Public. An Action Plan for Tackling Violence 2008-11*. London: HMSO.

Jago, S. and Pearce, J. (2008) *Gathering Evidence of the sexual exploitation of children and young people: a scoping exercise*, Luton: University of Bedfordshire.

Jesson, J. (1993) 'Understanding adolescent female prostitution: A literature review.' *British Journal of Social Work*, Vol. 23 pp.517-530.

Luthar, S.S. (2003) *Resilience and Vulnerability: Adaptation in the Context of Childhood Adversities*. Cambridge: Cambridge University Press.

Melrose, M. and Barrett, D. (2004) *Anchors in Floating Lives: Interventions with Young People Sexually Abused Through Prostitution*. Lyme Regis: Russell House Publishing.

Palmer, T. (2001) *No Son of Mine! Children Abused Through Prostitution*. Barkingside: Barnardo's.

Pearce, J. with Williams, M. and Galvin, C. (2002) *Its Someone Taking A Part of You: A Study of Young Women and Sexual Exploitation*. London: National Children's Bureau.

Pearce, J. (2006) 'Who Needs to be involved in safeguarding sexually exploited young people?' *Child Abuse Review*, Vol. 15 pp. 326 – 340.

Pearce, J. (2009) *Young People and Sexual Exploitation: It's not hidden, you just aren't looking*. London: Routledge.

Plotnikoff, J. and Woolfson, R. (2009) *Measuring Up: Evaluating the implementation of the government commitment to young witnesses in criminal proceedings*. London: NSPCC (available from nspcc.org.uk/Inform/research).

Scott, S. and Harper, Z. (2006) *Meeting the needs of sexually exploited young people in London*. London: Barnardo's.

Scott, S. and Skidmore, P. (2006) *Reducing the risk: Barnardo's support for sexually exploited young people*. London: Barnardo's.

Swann, S., McNosh, D. and Edwards, S. (1998) *Whose Daughter Next? Children Abused Through Prostitution*. London: Barnardo's.

Swann, S. and Balding, V. (2002) *Safeguarding Children Involved in Prostitution: Guidance Review*. London: Department of Health.

Wellard, S. (1999) 'Exit Strategy', *Community Care*, 11-17th February.

# From less harm to more good: the role of children and young people's participation in relation to sexual exploitation

Camille Warrington

**Abstract**

*Recently published government guidance 'Safeguarding Children and Young People from Sexual Exploitation' (DCSF, 2009) highlights the need for services to utilise a child centred approach, and take account of the views of sexually exploited young people. Yet the guidance does little to explore how services deliver this commitment and subsequently runs the risk of undermining the value of effective participation work in this field. This in turn reflects the consultation for the guidance itself a process from which children and young people's voices were wholly absent.*

*This article explores the barriers at practice and policy level to participatory practice with children and young people at risk of, or experiencing sexual exploitation. It begins by briefly presenting the current policy context which frames practice with sexually exploited young people and the participation agenda. This is followed by consideration of the potential barriers to establishing a more participatory practice and recognition of the potential tension between child protection and young people's involvement. It suggests new ways of thinking about participation work may prevent us from seeing it as secondary to the child protection agenda and that rather than placing these approaches in hierarchy we need to create one that recognises the mutually supportive strengths of both.*

**Key words:** child sexual exploitation; youth participation; child protection

## Policy context

In June 2009 the Department of Children Schools and Families (DCSF) published *Safeguarding Children and Young People from Sexual Exploitation*, supplementary guidance to the government's central safeguarding framework, *Working Together to Safeguard Children* (HM Government, 2006). The definition of sexual exploitation used in the Guidance (DCSF, 2009) arose from consultation with the National Working Group for Sexually Exploited Children and Young People (www.nationalworkinggrpoup) and is the definition used to underpin the understanding of sexual exploitation throughout this article. The guidance positions both 'child centred practice' and 'children's rights' as key principles for work with sexually exploited children and young people, recommending that:

*the wishes and feelings of children and young people … be sought and taken into account in reaching decisions about the provision of services which affect them*. (DCSF, 2009:13)

Inclusion of this statement suggests recognition of the value and role of children and young people's perspectives. Yet the 'child centred' principle is itself tempered by the need for professionals to 'be aware that children and young people do not always acknowledge what may be an exploitative and abusive situation' (DCSF, 2009:13). This caveat, and its reminder of the need to limit the autonomy of children and young people's narratives, symbolises a key difficulty at the heart of this subject; that is the degree to which a need to prioritise safeguarding may override the opportunities of children and young people affected by sexual exploitation to participate more widely in the definitions, representations, debates and policy developments which affect them.

Overall the guidance remains weak in relation to the participation of children and young people and fails to address some of the wider inequalities faced by those it seeks to safeguard. Coupled with the DCSF's own failure to involve any young people in the development of the guidance it does little to persuade us of a genuine commitment from government to hearing from children and young people affected by sexual exploitation in any real and meaningful way. While it may be argued that the lack of children's and young people's voices from the consultation process is unremarkable, this must be viewed in the context of a growing culture of children and young people's involvement in the development of UK policy and guidance (Kirby et al, 2003). Compare, for example, the role that children and young people have taken in recent years in consulting on policy relating to looked after children and young people (DCSF, 2007), sex education (UK Youth Parliament, 2007, 2008), children and disability (Franklin and Sloper, 2006) and the youth justice system (Home Office, 2003).

In addition, the lack of children and young people's involvement in developing UK policy on sexual exploitation stands contrary to the Council of Europe's convention on child sexual exploitation which notes policy *'must of necessity be informed by children's own views and experiences in accordance with their evolving capacity'* (Council of Europe, 2007: note 67). Similar demands were echoed during the recent World Congresses III on child sexual exploitation (UNICEF, 2009) which highlighted the need for young people's participation.

Not only does the failure of the DCSF to involve young people in developing its guidance not follow these conventions, it also results in an overarching framework for work with sexually exploited young people which has, at its heart, an absence of the direct experiences or perspectives of children and young people. This leaves both a gap in our understanding of the issue and may also suggest, to those developing services, that the voices and participation of sexually exploited children and young people simply do not matter or remain secondary to concerns about protection.

## Rights versus protection

The tension within the DCSF guidance (2009) between upholding children's participation and rights while prioritising safeguarding is well documented in relation to sexual exploitation (Chase and Statham, 2004; Phoenix, 2004). It parallels two seemingly opposing trends developing within the current policy context on children and young people; the simultaneous emphasis on children's rights and autonomy alongside a move towards greater restriction and regulation of children and young people (James et al, 1998).

I am concerned that in relation to sexual exploitation the former paradigm, of children's rights and participation, remains overlooked by a sense that it is incompatible with the latter; and the need to protect them from harm. While both of these tendencies purport to have children and young people's best interests at heart to some degree they remain at odds with one another. While the former highlights rights, the latter focuses on protection; one is concerned with children's own contribution, the other on our role and contribution as professionals; one highlights opportunity while the other focuses on risk and deficit. Ultimately what we may require is new ways of talking about these paradigms which resolves positing them against one another or placing them in hierarchy. Thought should be given to creating a more nuanced approach which recognises the complimentary strengths of both. Until this happens, the participation agenda is likely to remain something of a luxurious 'add on' for those at risk of, or affected by sexual exploitation. As long as it remains a secondary priority the invisibility of these young people continues unchallenged and their contribution within society devalued.

## What do we mean by 'participation'?

The participation agenda largely has its roots within international development work and in particular Chamber's work on participatory rural appraisal (1983, 1997). This transformed approaches to development, research, evaluation and campaigning by challenging traditional power imbalances and promoting the involvement of individuals and communities in all aspects of development. It recognises that those directly affected by issues are among those most able to accurately define their problems and thus contribute to the development of appropriate solutions. This approach is also viewed as a means of improving the sustainability and affectivity of interventions and is closely aligned to longstanding approaches in youth and community work which focus on challenging traditional power hierarchies, developing community capacity and creating opportunities for self representation (Freire, 1972; Popple, 2000).

The growing adoption of participatory approaches described above has been accompanied by the developing children's rights movement and its shared concern with children's involvement in decision making. Naturally there has followed a body of work, again influenced by thinking about international development that focuses specifically on why and how we enable young people to participate. Hart, a
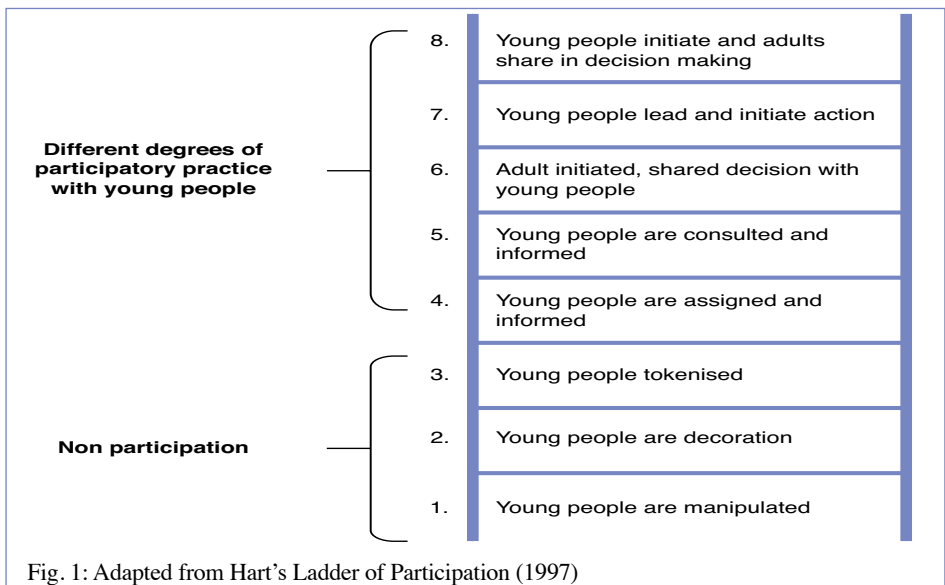
leading proponent of children and young people's participation, defines it as:

> *the process of sharing decisions which affect one's life and the life of the community in which one lives. It is a means by which democracy is built and it is a standard against which democracies should be measured.* (Hart, 1992: 5)

Here Hart draws attention to another perceived benefit of participation work with young people: the potential it has to strengthen civil society. Engaging young people in work which offers them opportunities to influence change among those developing services or policy is seen as a vital part of widening political engagement and building support for democratic processes (UNICEF, 2002).

## Defining and measuring participation

One of the formative models for defining 'levels' of participation of children is Hart's 'Ladder of Participation' (1997, see Fig. 1). Through this model Hart presents different styles of participation work with young people as steps on a ladder. Eight steps move through manipulation, tokenism and decoration, to five steps of genuinely participatory practice. Hart is keen to point out that the seemingly hierarchical model does not reflect a sense that work which is wholly led by young people (Fig. 1 steps 7 and 8) is necessarily more valuable than work which is more of a partnership between young people and adults (Fig. 1 steps 5 and 6). What is key is working in ways that are appropriate for those involved and ensuring a culture of transparency exists which avoids claiming young people's involvement represents something that it is not.

| | | |
|---|---|---|
| | 8. | Young people initiate and adults share in decision making |
| **Different degrees of participatory practice with young people** | 7. | Young people lead and initiate action |
| | 6. | Adult initiated, shared decision with young people |
| | 5. | Young people are consulted and informed |
| | 4. | Young people are assigned and informed |
| | 3. | Young people tokenised |
| **Non participation** | 2. | Young people are decoration |
| | 1. | Young people are manipulated |

Fig. 1: Adapted from Hart's Ladder of Participation (1997)

Over the last 18 years Hart's and associated models have gained widespread currency within community and youth work. They provide an important tool in avoiding the thoughtless labelling of any work as simply 'participation' and facilitate assessment of the degree to which young people are involved.

Despite the widespread adoption of this model the recent growth of participatory rhetoric among funders and commissioners means 'tokenistic' or 'decorative' examples of young people's involvement remain common. At times the primary motivation for the involvement of children and young people can be a desire to describe work as 'participatory', either to secure future funding or kudos and with little assessment of the depth or meaning of young people's contribution. Simply the presence or visibility of young people at an event or in a meeting does not equate to genuine participation or empowerment (Boyden and Ennew, 1997). Indeed if young people's involvement has not allowed them to influence decision making, it may be experienced by them as a cost rather than as a benefit.

Despite the presence of models of participation, assessing the degree to which specific project work is participatory can be hard. How practice is perceived and experienced by practitioners will inevitably be different to how young people themselves experience it. As Westcott's research shows:

> *practitioners are much more likely than clients to believe that their work is participative. Clients are generally satisfied with their practitioners, but do not* [necessarily] *feel powerful* [as a result of it]. (cited in Katz, 1995: 154)

The gap described here between young people and practitioner's perceptions about their work reminds us of the need to be wary of labelling work as collaborative or empowering which is not experienced in this way by the individuals it focuses on. This is not to discount work which falls short of our aspirations to be participatory but rather encourages practitioners to reflect on where meaningful choice and control have been transferred to young people.

## Why is participation so hard in relation to sexually exploited young people?

In the sections above I have outlined the policy context in which sexual exploitation work is situated and highlighted the broader meaning of young people's participation. In the section which follows I explore some of the existing barriers which may have prevented the development of participatory practices with children and young people affected by sexual exploitation. For clarity these are presented first in terms of challenges for practitioners and policy makers and second barriers facing young people themselves.

## Challenges for practitioners and policy makers when involving young people as participants

There is an understandable frustration among some practitioners in sexual exploitation services that the participation agenda has been imposed on them by funders without a full understanding of the pressure under which they work as service providers. Meanwhile the growth of the participation agenda has sometimes led to the wholesale export of crude models of young people's involvement, which neither consider the unique challenges of work with young people in extreme crisis, nor the skills and resources required to realise effective and meaningful participation work in this area.

Cynicism may be fuelled by what many recognise to be examples of work where the involvement of young people is tokenistic rather than inclusive and collaborative (Twum-Danso, 2005). Working in a sector which is already under resourced, any work that is not recognised to be adding genuine value to children and young people's lives may understandably be resisted by overworked practitioners. Such resistance is even more understandable when children and young people's involvement not only lacks tangible benefits but may even be seen to be harmful.

Concerns about the value of young people's participation include considerations of their emotional safety. At times these concerns may mean practitioners need to override opportunities for sexually exploited children and young people to be involved in decision making processes. As Cloke and Davis note, practitioners may feel that:

> it is not fair to involve children in difficult decision-making ... because children may become involved in considering painful or upsetting outcomes for themselves. (1995: xvi)

There will be instances when practitioners not only shield young people from involvement in decisions but actively over-ride the perspectives and choices of children and young people in their care. As Pearce (2006: 204) notes:

> one of the dilemmas for practice is in working with the conflict that can arise when a young person has decided that they want to continue with a lifestyle that practitioners and carers may consider to be against the young person's best interests.

Under the circumstances described, involving young people in decisions about their care involves striking a difficult balance between promoting their involvement while also minimising risk.

## Where does participation fit in crisis led work?

As Taylor-Browne et al (2002) point out the crisis situations in which sexually exploited young people

find themselves also present major barriers to participation. These are young people who are likely to face a range of complex and enduring inter-related issues such as familial, domestic and sexual violence; problem substance misuse; poor physical and mental health; going missing from home or care; and prolonged absences from education. Such young people's engagement with services, where it occurs, is often marked by irregularity, periods of being un-contactable, and seemingly contradictory or erratic behaviour (Melrose and Barratt, 2004; Patel and Pearce, 2004; Wilkinson-Shaw, 2004; Pearce et al, 2002).

Chaotic lifestyles and a propensity for crisis require careful interventions by workers with an ability to respond to immediate, often primary, needs. This understandably provides a real challenge to practitioners wishing to create the space to enable the involvement of young people at a more strategic level or in collective endeavours. However, it may be useful to consider that no matter how vulnerable young people are they rarely solely frame their needs in terms of deficits (Chase and Statham, 2004). Opportunities that offer young people a chance to achieve and contribute to something wider are often chosen above those that solely seek to minimise risk in young people's lives (Pearce et al, 2002). The experience of services that have developed such work suggests that for many young people in deep crisis, opportunities to engage with activities that go beyond merely responding to their primary needs are welcomed and taken up. See for example the work of Streetreach in Doncaster who support young people, no matter what their circumstances, to work towards a range of accredited opportunities and engage with local youth politics (Streetreach, 2008).

Though not of interest to all some sexually exploited young people do express a clear desire to challenge some of the processes or services in which they've been involved, and to contribute to wider preventative strategies that aim to divert others from harm. We must be very careful not to assume that we know how and at what level young people are prepared to become involved, but rather ensure that opportunities for them to do so are open. This should not be an either/or situation with the development of participation work being seen to impinge upon already under-resourced crisis intervention or protection work. Rather it should be viewed as something that adds value and may offer an alternative means of protecting vulnerable young people by providing opportunities which seek to maximise their potential.

## Resources versus outcomes

Another difficulty is the dedication of resources to an area of work that may have, particularly initially, limited engagement from the young people themselves. The outcomes of a lot of participation work are seemingly modest when couched in terms of the numbers of young people worked with, the observable changes or when considered in relation to the input required. One specialist sexual exploitation project noted that they had stopped trying to develop group and participation work as it had resulted in situations in which two workers were working with a single young person (National

Working Group Practitioner, April 2009). Understandably this was not judged to be an effective use of resources.

It can be difficult for those working under pressure to justify how they have spent their time and to measure the value or worth in terms of the oversimplified quantifiable outcomes that are so often required by external assessors (Jeffs and Smith, 2008). This problem may be compounded by a lack of knowledge of those commissioning services about the nature of work with sexually exploited young people or the value of genuine participation work. Managing expectations among funders and commissioners will be an important part of any process to ensure understanding of the challenges of this work and progress that may at times appear slow.

## Balancing agency and victimisation

Responding to young people's victimisation while also supporting their sense of agency represents a challenge for practice. Negotiating these two seemingly contradictory positions requires an ability to respect young people's own narratives while simultaneously feeling able to question and challenge them. There is evidence that this work is best undertaken by those who have invested considerable time developing relationships of trust with young people and provide an 'open door' policy giving them a consistent opportunity to be heard and respected (Pearce, 2004; Chase and Statham, 2004).

It may be argued that such approaches are more likely to stem from voluntary sector projects that may have the potential to provide open ended support and rely on dialogical youth work approaches (Scott and Skidmore, 2006). From within these longer term relationships of trust, practitioners may feel more able to take the risks required to involve young people in decision-making. The voluntary nature of young people's engagement with such initiatives also provides an opportunity for those using services to exert choice and control about how and when to access them.

A related challenge for those seeking to develop participation work is how to involve young people who don't identify themselves as victims of sexual exploitation. For those wishing to engage young people in wider discussions about service delivery and the development of policy around sexual exploitation it is vital that participants are clear about the reasons they have been asked to be involved. If young people do not see how the issue relates to them it is unlikely that they will become meaningfully involved in challenging practice and policy. But even where this type of involvement is not appropriate, participatory principles can, and should, influence other aspects of our work. For example, they can be used when thinking about how we support young people to participate effectively in decisions which are made about their individual care.

### Listening to sexually exploited young people: the challenges that emerge

When inviting young people to enter the debate on sexual exploitation we must also accept that their views and opinions may not fit in with professional's view or the hard won and shared political discourses of campaigners or practitioners. Promoting young people's voices invariably means hearing things that practitioners or policy makers don't necessarily want to hear. Too often the most chaotic young people, or those defined as 'difficult' to work with, have been excluded, consciously or otherwise, from consultation and decision-making because of a fear of what they may say, how they speak and how this may disrupt our established understanding of theory and practice around sexual exploitation. As such these young people may be positioned outside the bounds of what is considered to be logical; anomalies who should speak for and represent no one but themselves.

Likewise practitioners may understandably be reluctant to avoid unleashing a tirade of negativity without a constructive focus or opportunity to affect change. Yet we need to recognise that for many of the young people in question, opportunities to feedback to services and be heard by those in power are rare. The potential desire of young people to use these opportunities to express anger, assign blame or share upsetting or uncomfortable experiences should not be something to be avoided.

Jenks in his broader discussion about excluded young people highlights our instinct to shy away from the uncomfortable criticisms put to us by young people's behaviour or expressions. He notes:

> *If we are truly committed to childhood as an active expression of human being should we not be listening to the challenges they present as critiques of the current order rather than as disruptions of a properly normative life.* (2005:150)

In addition, a failure to invite these expressions serves only to compound the existing exclusion. As Shaw and Butler point out:

> *the relative absence of young people's own accounts of prostitution in the literature is a further indication of the relative powerlessness of children and young people to intrude their awareness … into adult consciousness.* (1998:181)

In Dodsworth's research into young people's involvement in developing multi-agency practice around sexual exploitation she highlights one young person's rejection of themselves as a victim of child abuse. She describes how Nic, a young man involved in exchanging sex for money, *'feels that viewing children involved in prostitution as child abuse was unhelpful as he feels he made a free choice'* (2000: 34). While Dodsworth recognises that Nic's choice, rather than being 'free' is likely to have been severely constrained by circumstance, she also stresses the need for workers to respect how he frames his situation.

The concern is that asking for young people's perspectives may mean accepting their view of the world which we know to be often influenced by the grooming or manipulation of perpetrators. Yet there is a need to create space for individual testimony and expression no matter how uneasily it may sit with our own understanding of a situation.

This echoes lessons from Coy's research (2008) with sexually exploited young women in care in which she emphasises the need for both researchers and practitioners to *'unpick how young women understand who they are and how they place themselves in the world'* (p.1411). She highlights how supporting the development of young people's identity, in ways which are not dominated by discourses of 'victim' or 'need', is central to supporting them to make sustainable and meaningful changes within their lives.

One of the potential values of working in participatory ways with young people is that it doesn't require a hierarchy of authenticity, or the privileging of one perspective over another. Rather it provides a focus on partnership with young people which does not require an attempt to identify an objective truth or reality but works to offset the existing power imbalances which are likely to characterise so much of young people's contact with services. In addition, taking proper account of young people's views and perspectives will be integral to the success or failure of developing new services at a local level (Dodsworth, 2000; Foley et al, 2004). Their knowledge can allow us to gain vital information and a more intricate understanding of these issues, albeit possibly complicated and messy.

## Group work and examples of participatory practice

Other tensions between participation and child protection stem from the methods involved with much participator work with young people notably working in groups. Although not essential it is likely that work which seeks to involve young people in communicating with wider networks, communities or services will involve a degree of group based work. As well as offering some benefits (e.g. reducing isolation) group work in this area brings additional risks. The issue of peer recruitment is regularly cited by practitioners as a reason for avoiding bringing those affected by sexual exploitation together. The risks that young people may pose to one-another are often seen to undermine the painstaking and tenacious efforts of practitioners to minimise risk in young people's lives. Making judgements about the balance between the benefits and risks of different approaches to working with young people will always be difficult. While the risks of not supporting children to participate are obscure and undefined, the risks of involving young people in groups are much more explicit and apparent.

Yet despite these concerns several projects have successfully managed to undertake group based work with young people who are at risk of, or are being sexually exploited. Examples include the development of preventative education videos (Walsall Street Teams, 2008; Barnardos SECOS, 2009; Barnardos FACE, 2005), creative writing projects (Barnardos SECOS, 2008; Young people from

Doncaster Streetreach and NSPCC London projects, 2009; Young people from Taking Stock, 2009) and the Barnardos FACE project in Dundee which is led by young people themselves (Barnardos FACE, 2009).

There is little written to explore what facilitates such initiatives or addresses the benefits of this work. Further training around models that enable this participation work would be welcome to help its replication and ensure its sustainability. Likewise peer recruitment and group work remain under-researched issues in relation to work with sexually exploited young people and it is subsequently hard to plan for or manage. Conversely recognition of the possible value and opportunities presented by peer support in this area would also be a welcome addition to our knowledge.

## Involving sexually exploited young people in the wider participation agenda

Before turning to consider the barriers to young people's involvement we should also remember that responsibility for developing participation work with sexually exploited young people does not just rest with specialist services. Broader youth participation initiatives themselves need to consider how they can become more inclusive. Care needs to be taken to move away from the tendency to involve only the most vocal, articulate and stable young people within mainstream participation and consultation work. All too often young people's participation projects are dominated by a small number of voices and are not designed to include those who are more vulnerable or marginalised. As Feinstein and O'Kane (2008) point out part of the value of promoting participation is its ability to challenge discrimination. However this is dependent on a commitment to ensuring that the traditional hierarchies we seek to challenge are not reproduced within participation work itself. Failure to challenge the prevailing assumptions about sexually exploited young people as 'too vulnerable or chaotic to be involved in decision-making' (Brown, 2006: 294) will mean that these young people will continue to be excluded from opportunities available to their peers. Children and young people at risk of, or who are being sexually exploited, are likely to be among those whose voices do not fit into the normal 'image' of a young spokesperson. Yet accessing and sharing these voices is vital if we are committed to challenging discrimination and exclusion. While a fully inclusive process will always be something of an ideal there is a need to continually reflect on whose voices remain unheard and seek to redress this.

## Barriers to young people's involvement

### The burden of responsibility

Alongside the barriers described above that face practitioners wishing to facilitate young people's participation, there are also barriers for young people. Some of those are the same as those described for practitioners. Young people may themselves prioritise their immediate (or crisis driven) needs

when accessing support. Their previous experiences of being engaged in decision-making processes in tokenistic ways may also fuel cynicism and reluctance to engage in further participation work. At their worst such experiences may risk subjecting the young people to unwanted exposure or further stigmatisation, and contribute to their feeling of being used (Brown, 2006; Save the Children, 2005).

It is also important to recognise that participation in decision-making may not always be desired by all young people. Some may want the opportunity to relinquish choice and control. Child protection approaches are founded on the recognition that some children and young people will need adults to act on their behalf to safeguard them from harm (Cloke and Davies, 1995). However, participation, by its very nature, transfers power and responsibility to young people.

Even where responsibility is welcomed by young people it must be carefully managed. This was highlighted as a key learning point during recent work with a group of young women developing preventative work on sexual exploitation (NIA Project/NWG, Young Women's Conference on Sexual Exploitation May 16th 2009). In this example, a young persons steering group worked in partnership with one other practitioner and myself to develop a preventative education event around sexual exploitation. During the process it became apparent that there was a delicate balance to be struck between empowering members of the steering group, and thrusting them into situations that felt daunting and, at times, unsafe. Young people who demonstrate enormous skills, capacity and desire to lead in some instances must not be assumed to be comfortable to do so on all occasions. There is no perfect equation for determining where this imaginary line exists or way of predicting or planning for it. It can only be addressed by a commitment to developing a context that is both open and reflective. Practitioners must be sensitive to this and careful not to assume that creating opportunities for participation will necessarily suit or be desired by all. In addition ensuring that the same 'pool' of willing young people are not asked to undertake ever more numerous duties is crucial. This prevents overburdening young people and ensures the process remains inclusive by requiring the ongoing engagement of new individuals.

## Practical and logistical barriers

Young people's desire to participate in projects or forums may not be matched by the practical means to do so. The need for childcare, support with travel, translators and help coping with additional crises or other immediate needs may all pose barriers to involvement. For

> *Involving young people in decisions about their lives is time-consuming, resource intensive, and requires professionals to be creative in their approach.* (Brown, 2006: 220)

Some of these practical issues can be addressed and resolved. Young people's involvement may be enabled by allowing small children to accompany their parents to attend sessions or providing

childcare; payment of travel expenses or provision of a taxi; or factoring in the time of additional workers to support participant's needs and provide advocacy.

Yet such flexibility and an ability to overcome a range of possible practical and logistical barriers is resource intensive and must be factored into project planning. Policy makers, conference organisers and others wishing to involve young people in their endeavours need to consider these costs. It is through supporting such additional requirements that ways of including young people, who have the most complex needs and whose voices are all too rarely heard, can be found.

## Supporting Individual needs

> *Participation can be preached with too much ideological fervour without enough attention to securing actual tangible benefits for people. It is important to ask how ... [the work] ... will produce benefits for children.* (Save the Children, 2005: 6)

When young people are involved in strategic work that focuses on influencing institutional or policy change they may see little reward for their effort. The message that individual needs are not subsumed under group, project or strategic needs is an important one when encouraging young people's ongoing engagement. Evidence suggests that where one-to-one support is provided for young people who are involved in group participation work they are more likely to feel able to continue participating and possibly go on to lead programmes of work (Save the Children 2006). Practitioners who are planning participation initiatives need to consider what concrete gains can be secured for those encouraged to get involved and ensure dedicated one to one time is also available. Managing young people's expectations and being honest about how they can expect to benefit ensures that young people's consent to being involved in participation projects is genuinely informed. If we are committed to recognising the benefits of young people's involvement to us as practitioners and policy makers we must also commit to finding meaningful ways to value those contributions and prevent participation work itself becoming exploitative.

## Valuing participation with sexually exploited young people

> *Jessica: We should be part of the decision-making. We're certainly capable of doing that but I think society tends to think you lose your brains or something when you become a prostitute.* (Taylor-Browne, 2002:18)

This final section reflects on some key contributions that involving sexually exploited young people may make to practice. Though many of these points stem from those already raised they also begin to suggest a means of reframing participation as part of a protective agenda rather than standing in opposition to it. In addition, further evidence is given for the anti-discriminatory potential of

participation work through its ability to focus on young people's potential rather than their deficits.

Jessica's quote above highlights not only the desire of many young people who are affected by sexual exploitation to have a voice and role in decision-making, but also the prejudices which prevent them from doing so. She describes a failure of society to look beyond her deficits or vulnerabilities in order to recognise her abilities and contribution. The devalued and dehumanised status (without brains) she is ascribed aligns to the ways in which many young people affected by sexual exploitation feel they are perceived. She reminds us that failing to involve and consult these young people compounds the cycles of exclusion and discrimination in which they are caught.

When considering risks to young people we must consider the risk of failing to enable them to contribute to discussions about their own care. Brown notes that many young people who are sexually exploited 'feel disempowered in the child protection process' itself and that the limited choices offered to young people by services may *'mirror the limited choices in their lives'* (Brown, 2006: 310).

This suggests that the very processes which seek to minimise risk in young people's lives can also minimise opportunities for them to feel empowered or to gain a sense of control. Phoenix highlights a similar tension when noting that government policy and safeguarding procedures are unlikely to be *'structured to recognise both the victimisation of young people and their desires and abilities to fashion their own lives'* (2004: 282).

Part of the value of participatory work is that it recognises an individual's agency. If we continue to frame outcomes for sexually exploited young people solely in negative terms the message we may send out is that while some are worthy of support which prioritises aspirations and positive outcomes, others continue to fall below the 'bar'. This is concerning as it reflects a pervasive hierarchy of worth in which our aspirations for the most vulnerable and marginalised focus on a minimisation of risk which links to underlying assumptions about deserving and undeserving young people.

## Conclusion

This article has argued that while desirable, young people's participation is not easy within a sector where resources are scarce, where young people's needs are multiple and where practitioners face the complexity of balancing different risks against each other. The time and resource commitment that participation work requires may be a valuable long term investment but in the short term will have to compete with a range of other legitimate and critical funding needs. This is work that will be challenging for those commissioning services, funders and those whose responsibility it is to report on outcomes. It is for this reason that a commitment to participation must start from a genuine sense of both its significance and from a thorough assessment of the risks of not developing it.

Ultimately participation is about the transference of power. Young people at risk of or who experience sexual exploitation represent some of those most disempowered within society. For those affected by sexual exploitation opportunities to participate and assert their rights, not only to protection, but also to contribute to the communities in which they live, are essential to challenging the inequalities they face. Practice must move beyond trying to implement participation work purely because it is a children's right enshrined in law. Young people's meaningful involvement must not be viewed as threatening or undermining of professional expertise, nor need it assume an automatic acceptance and prioritisation of young people's views.

Instead the capacity for participation work to compliment safeguarding and move beyond a deficit approach needs to be considered. Recognising the protective qualities of focusing on the abilities and ambitions of even the most vulnerable young people may be an important shift in the status given to work of this nature. In addition we need to seek the direct involvement of sexually exploited young people not just to serve their own needs for protection but also for the contribution they can make to our own practice and the support they may provide to other young people.

## Bibliography

Barnardo's SECOS (2008) *Word on the Street*, Middlesbrough: KENAZ.

Barnardo's FACE project (2005) *Nae Danger* [DVD], Dundee: Barnardos Scotland/ Barnardos Polepack Family Service.

Barnardo's FACE project (2009) *Face up to it* [Online]. Available at http://www.faceup2it.org/ (Accessed: 1 September 2009).

Boyden, C. and Ennew, J. (1997) *Children in Focus: a manual for participatory research with children and young people*, Stockholm: Radda Barnen.

Brown, K. (2006) 'Participation and young people involved in prostitution' *Child Abuse Review*. Vol. 15 (5) pp.294-312.

Chambers, R. (1983) *Rural Development: putting the last first*, Harlow: Pearson Education.

Chambers, R. (1997) *Whose Reality Counts? Putting the first last*, London: Intermediate Technology Publications.

Chase, E. and Statham, J. (2004) *The commercial sexual exploitation of children and young people: an overview of key literature and data*, London: Thomas Coram Research Unit.

Cloke, C. and Davies, M. (1995) *Participation and Empowerment in Child Protection*, London: Pitman Publishing.

Council of Europe (2007a) *Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse*, Strasburg: Council of Europe.

Coy, M. (2008) 'Young Women, Local Authority Care and Selling Sex: Findings from Research' *British Journal of Social Work* Vol.38 (7) pp. 1408-1424.

Department for Children, Schools and Families (2007) Care Matters: consultation responses,

London: DCSF.

Department of Children Schools and Families (2009) *Safeguarding Children and Young People from Sexual Exploitation: Supplementary Guidance to Working Together To Safeguard Children*, London: Department for Children Schools and Families.

Dodsworth, J. (2000) 'Child Sexual Exploitation: how can the views of the young people involved inform Multi-Agency Practice towards a more effective means of working in partnership with them?' *Social Work Monographs*, Norwich: University of East Anglia.

Feinstein, C. and O'Kane, C. (2008) *Children and Adolescent's participation and protection from sexual abuse and exploitation* (Innocenti Working Paper), Florence: UNICEF Innocenti Research Centre.

Foley, D., Scammel, J. and Wood, R. (2004) ' BASE: Delivering Services to Young People in Bristol' in M. Melrose and D. Barrett (eds.) *Anchors in Floating Lives: interventions with young people sexually abused through prostitution*, Lyme Regis: Russell House Publishing.

Franklin, A. and Sloper, P. (2006) 'Participation of Disabled Children and Young People in Decision Making Within Social Services Departments: A Survey of Current and Recent Activities in England' *British Journal of Social Work* Vol. 36 (5) pp. 723-741.

Friere, P. (1972) *Pedagogy of the Oppressed*, London: Penguin.

Hart, R. (1992) *Children's participation: From tokenism to citizenship*, Florence: UNICEF International Child Development Centre.

Hart, R. (1997) *Children's Participation: the Theory and Practice of Involving Young Citizens in Community Development and Environmental Care*, London: Earthscan Publications.

HM Government (2006) *Working Together to Safeguard Children: A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children*, London: The Stationary Office.

Home Office (2003) *Youth Justice: the next steps*, London. Home Office.

James, A., Jenks, C. and Prout, A. (1998) *Theorising Childhood*, Cambridge: Polity Press.

Jenks, C. (2005) *Childhood*, Oxford: Routledge.

Jeffs, T. and Smith, M. (2008) 'Valuing Youth Work', *Youth and Policy*. Vol. 100, pp. 277-302.

Katz, I. (1995) 'Approaches to Empowerment and Participation in Child Protection', in C. Cloke and M. Davies (eds.) *Participation and Empowerment in Child Protection*, London: Pitman Publishing.

Kirby, P., Lanyon, C., Cronin, K. and Sinclair, R. (2003) *Building a Culture of Participation: Involving Children and Young People in Policy, Service Planning, Delivery and Evaluation Handbook*, London: DfES.

Melrose, M and Barrett, D. (2004) *Anchors in floating lives: interventions with young people sexually exploited through prostitution*, Lyme Regis: Russell House Publishing.

NIA Project in partnership with the National Working Group for Sexually Exploited Children and Young People(NWG) (2009) *Young Women's Conference on Sexual Exploitation*, May 16th 2009, 11 Million Building, London.

Patel, N. and Pearce, J. (2004) ' The NSPCC 'Street Matters' Project in London' in M. Melrose and

D. Barrett, D (eds.) *Anchors in Floating Lives: interventions with young people sexually abused through prostitution*, Lyme Regis: Russell House Publishing.

Pearce, J.J (2006) 'Finding the 'I' in sexual exploitation: hearing the voices of sexually exploited young people in policy and practice' in R. Campbell and M. O'Neill. M (eds.) *Sex Work Now*, Devon: Willan Press.

Pearce, J. J. with M. Williams and C. Galvin (2002) *It's somebody taking a part of you: a study of young women and sexual exploitation*, London: NCB.

Phoenix, J. (2004) 'Regulating Sex: Young people, prostitution and policy reform' in B. Brooks-Gordon et al (eds.) *Sexuality Repositioned: diversity and the law*, Oxford: Hart.

Popple, K. (2000) 'Critical commentary: community work (2)'. *British Journal of Social Work* Vol. 30 (5) pp. 673-678.

Save the Children (2005) *Children and Participation: Research Monitoring and evaluation with children and young people*. [pdf] Available at : http://www.crin.org/docs/resources/publications/hrbap/SCUK_participation.pdf (Accessed on 30 April, 2009).

Save the Children (2006) *Voices Against Violence*, Sweden: Save the Children.

Scott, S. and Skidmore P. (2006) *Reducing the Risk: Barnardos Support for Sexually Exploited Young People*, Ilford. Barnardo's.

Shaw, I. and Butler, I. (1998) 'Understanding young people and prostitution: a foundation for practice' *British Journal of Social Work* Vol. 28 pp.177-196.

Streetreach (2008) Annual Report April 2007 – March 2008. Available at: http://www.streetreach.org.uk/reports.htm (Accessed on 30 January, 2010).

Taylor-Browne, J. (2002) *More than one chance! Young people involved in prostitution speak out*, London: ECPAT UK.

Taylor- Browne, J., Broadfoot, F., Broadhead, L., Downie, A. and McKetty-Campbell, M. (2002) *Voicing Our View*, London: ECPAT UK.

Twum-Danso, A. (2005) *Towards a better understanding of child participation: An ECPAT International Training Module*, ECPAT International. [pdf] Available at: http://www.eicyac.org/CSEC/PDF/Understanding_Child_Participation_ECPAT.pdf (Accessed on 15 August 2009).

UK Youth Parliament (2007) *Sex and Relationships Education: Are you getting it?* London: National Children's Bureau/ UK Youth Parliament.

UK Youth Parliament (2008) *Sex and Relationships Education Reforms Driven by UK Youth Parliament* [online] (Updated 23 October 2008) Available at: http://www.ukyouthparliament.org.uk/sre_campaign/pages/news/23-10-08.html (Accessed on 4 September 2009).

UNICEF (2002) *The state of the world's children 2003* Geneva: UNICEF [pdf] Available at: http://www.unicef.org/publications/files/pub_sowc03_en.pdf (Accessed on 15 August 2009).

UNICEF (2009) *World Congress III against the Sexual Exploitation of Children* Available at: http://www.unicef.org/infobycountry/brazil_46520.html (Accessed on 30 September 2009).

Wilkinson – Shaw, L. (2004) ' The Genesis Project: Meeting the Needs of Young Women in Leeds' in M. Melrose and D. Barrett (eds.) *Anchors in Floating Lives: interventions with young people*

sexually abused through prostitution, Lyme Regis: Russell House Publishing.

Walsall Street Teams (2008) *Solomon "Keep Safe" prevention package*. [DVD] Available from admin@walsallstreetteams.co.uk.

Young people from Streetreach, Doncaster with some contributions from young people from NSPCC London projects (2009) *Out of the Box: young people's stories*. Luton: Streetreach/ University of Bedforshire/NSPCC [Booklet].

Young people from Taking Stock, Sheffield (2009) *Pieces of me*, [Booklet] Sheffield: Taking Stock.

# How do you define a 'trafficked child'? A discursive analysis of practitioners' perceptions around child trafficking

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**Abstract**

*This article examines how practitioners in the UK define 'child trafficking'. It is based on research by Pearce, Hynes and Bovarnick (2009), which suggests that there are currently different definitions of child trafficking being worked with in UK practice. By analysing current working definitions around 'child trafficking' the article illustrates that much of how trafficked children and young people are identified and how their needs are responded to depends on how practitioners define a trafficked child. As such, the article contributes to an existing body of knowledge around trafficking by illustrating that the ways in which 'trafficking' is constituted discursively in policy and practice affect outcomes for trafficked children.*

**Keywords:** trafficking; human rights; child maltreatment, child protection, immigration.

This article elaborates on a key finding from Pearce, Hynes and Bovarnick (2009), suggesting that practitioners hold pluralistic notions of trafficking rather than uniformly adhering to the Palermo Protocol (2000), which constitutes the first internationally agreed upon definition of human trafficking. The article illustrates the definitional pluralism existing in practice, highlighting two main discourses in particular: an 'immigration-centred discourse' and a 'child-centred discourse'. As such, quotes have been chosen specifically to explore these two discourses and to highlight a polarisation of opinion that has been socially constructed over time. The intention is to deconstruct some of the views around 'trafficking', which our research found to exist in practice. As highlighted in the original report, *Breaking the Wall of Silence*, excellent examples of practice exist in places. However, this article undertakes a critical examination of how practitioners in the UK understand 'child trafficking' and how this informs their practice because this affects outcomes for trafficked children. I suggest that by promoting children's rights and their interests, a child-centred discourse produces better outcomes for trafficked children than the alternative immigration-centred discourse which puts immigration concerns ahead of children's safeguarding needs.

The focus of discussion is children under the age of 18 who were originally trafficked into the UK from

abroad. The key argument emphasises that these children should fall under the same child protection legislation as children who are UK citizens. I suggest that practitioners whose understanding of trafficking is based on child-centred practice are better equipped to identify and work with trafficked children as well as ensuring that children's human rights are being upheld.

## Methodology

The article draws from collaborative research undertaken between 2006 and 2009 by the University of Bedfordshire and the NPSCC on practitioners' responses to child trafficking (Pearce et al, 2009). The research project was funded by the NSPCC. The field research for this project was carried out in three different locations in the UK. Data was collected through three focus groups held in each site, consulting a total of 65 professionals from different agencies with representatives from Children's Services, Health, Education, Police, UKBA, CPS, Youth Offending Teams and other relevant agencies. The focus groups were followed up by 30 in-depth interviews, 23 of whom had participated in a focus group. The additional seven professionals were interviewed following recommendations from representatives from the research sites, bringing the total numbers of participants to 72. The study also analysed 37 case files of trafficked children and young people. The data used has been anonymised: 'Int' numbers refer to practitioners interviewed while 'CS' numbers refer to case studies researched. The case studies are composites in order to protect the identities of the children and young people.

## Theoretical framework: why definitions matter

The theoretical framework draws from discourse analysis and social constructionism. 'Discourse', here, connotes more than a common language; it implies an institutionalised way of thinking based on specific sets of shared assumptions or 'regimes of truth' (Foucault, 1980). Discourses act as transmitters of cultural and normative concepts, facilitating a shared understanding and perception of the world. In the context of this article, social constructionism can be understood as an investigation into the ways in which individuals or groups engage in creating a perceived social reality. Social constructionists are generally interested in looking at how social phenomena are produced and institutionalised (Berger and Luckmann, 1966; Knorr-Cetina, 1981/2001). As socially constructed realities are dynamic rather than static, the creation of social constructs is viewed as an ongoing process, which means that reality is constantly being produced and reproduced by people acting on their interpretations and their knowledge of it. This also implies that any particular version of 'reality' is always contested.

The way in which we interpret and understand a particular social phenomenon is crucially important to social constructionists as 'reality' is not seen to simply exist 'out there'. Instead, 'reality' is seen to be shaped by our understanding of it and as embedded in a particular social, political, cultural,

religious, geographical and historical context, which allows us to make sense of phenomena or events as they occur. As such, every social phenomenon is open to interpretation and our understanding of it will produce particular results and a particular reality. 'Trafficking' like any other social construct, does not merely exist in a positivist sense but that it is open to different interpretations. The way trafficking is understood by policy-makers and practitioners shapes the way trafficked children and young people are identified and assisted.

In the UK, the policy context that surrounds child trafficking has been historically characterised by the two main conflicting agendas of immigration and child protection (see Hynes in this edition). The study by Pearce and colleagues (2009) found that practitioners often find themselves 'stuck' between these two agendas while trying to make sense of complex trafficking cases. Whether children's accounts are interpreted through an immigration or a child-centred discourse by a practitioner can greatly influence a child's ability to disclose and to escape an abusive or exploitative situation (Pearce et al, 2009).

## UK policy context

Over the past years, specific legislation, policies and guidance have been developed to tackle child trafficking in the UK (see Hynes in this edition). Trafficking within and out of the UK for the purposes of sexual exploitation is covered in sections 57 and 59 of the Sexual Offences Act 2003 while sections 4 and 5 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004 criminalise the trafficking of people for exploitation. Legislation relating to child victims of trafficking include the Children Act (1989 and 2004, updated 2009) and the *UK Action Plan on Tackling Human Trafficking* (March 2007, updated 2008 and 2009). Furthermore, guidance on *Safeguarding children who may have been trafficked* (HO and DCSF, 2007), supplementing *Working Together to Safeguard Children* (DCSF, 2006), provides practitioners with information on how to use sections 17, 20 and 47 of the Children Act 1989 and sets a framework for preventing the inappropriate use of private foster arrangements.

In December 2008, the UK government lifted two reservations to the United Nations Convention on the Rights of the Child (UNCRC) and pledged to ratify the *Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography* (DCSF, 2008). The reservations, made in 1991, had previously curtailed the rights of migrant and asylum-seeking children and put immigration concerns ahead of their human rights. Although separated children and young people had already been eligible for protection under section 17 or 20 of the Children Act 1989, lifting the reservation entitles trafficked children to the same protection under the current safeguarding children's framework as other children in the UK. The government also approved the Council of Europe Convention on *Action Against the Trafficking in Human Beings* in December 2008 with the view of implementing it throughout the UK from 1 April 2009 (HO, 2009).[1]

## International context: the Palermo Protocol

Originally conceived as a protocol to combat organised crime rather than a human rights treaty, the 'Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children' (2000), commonly known as the *Palermo Protocol*, constitutes the first clear and unified definition of trafficking in human beings in international law (van Reisen and Stefanovic, 2004: 34). Article 3 of the Palermo Protocol states that:

> (a): *'Trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation'* (UNODC).

The Palermo Protocol has been particularly instrumental in shaping debates around 'consent' and 'agency' by stating that children cannot consent to being trafficked:

> *Children under 18 cannot give valid consent, and any recruitment, transportation, transfer, harbouring or receipt of children for the purposes of exploitation is a form of trafficking regardless of the means used* (UNODC).

The Palermo Protocol nullifies a child's consent regardless of the child's own sense of agency, constituting trafficked children as victims *per se*. The Protocol thereby places trafficked children firmly in a safeguarding arena. This provides an important context for the discussion below on how practitioners in the UK understand 'child trafficking'.

However, issues around consent are often more complex in practice. Practitioners may assume that children come to the UK out of their own free will. This view may be reinforced by children's own complex understanding of what role they played in the trafficking process. Children's perceptions may originate from previous adversities or traumatic experiences in their countries of origin or be born out of complex relationships with their traffickers. Children may or may not define themselves as 'trafficking victims' and such self-definitions may be tied in with their hopes of starting a better life abroad. Their perceptions around agency may be shaped by different cultural understandings of 'childhood' (Breuil 2008) as well as by a lack of awareness of their rights under the UNCRC and UK law. Finally, child trafficking usually contains elements of deception, coercion and forms of control, whether physical, monetary, emotional or psychological, which may all influence a trafficked child's self-perception (see Hynes in this edition).

## How well understood is the Palermo Protocol amongst UK practitioners?

The research revealed that many practitioners in the UK were unaware of the Palermo Protocol. Only a relatively small number of practitioners were familiar with it and used its definition of trafficking to guide their practice. These were professionals who had developed a high degree of expertise in the area of trafficking. Overall, levels of understandings around trafficking varied considerably amongst individual practitioners and across different agencies.

There was a substantial degree of uncertainty amongst practitioners when asked to define 'child trafficking'. This confusion appeared to stem from the fact that trafficking is still seen as an emerging issue in many local authorities. As a result, a concerted policy response as well as relevant training had not yet been rolled out to all practitioners. Different definitions were being used within and across different local authorities. Practitioners were unsure as to which definition to use and whether a unified definition of trafficking existed. One practitioner explained:

> *I have looked at all the different definitions that they have and I realised that there isn't a full definition that everyone sticks too. It can be looked at very differently. I don't think that we have a prescribed definition. It was talked about but it wasn't like, this is definitely it and this is definitely not. It was based on individual cases* (Pearce et al, 2009: 59).

This suggests that different definitions are currently being applied in practice and that definitions may vary from case to case. Whether or not a child is identified as trafficked thus largely depends on who is assessing the case and which definition the practitioner is working towards.

## Practitioner discourses on child trafficking

In the midst of this definitional pluralism the two discourses, child-centred and immigration-centred emerged from the data. The child-centred discourse constitutes trafficked children and young people first and foremost as children, worthy of protection. It views trafficked children similarly to British children who are maltreated. In contrast, the immigration-centred discourse promotes the view that trafficked children mainly come to the UK to 'abuse the system', thus questioning the integrity and 'genuineness' of child victims of trafficking.

Practitioners had often formulated their own definitions of 'child trafficking'. One practitioner stated:

> *Mine would be young people who were in some way forced or coerced or taken to this country for means such as prostitution or exploitation of some sort. When I mean taken I don't always mean that they are forced into it or abducted. I mean that they could believe that they are coming in for good reasons but because they are young people they don't really*

*understand what's happening. Maybe some form of blackmail, emotional blackmail from the traffickers to get young people to do come over here because if they don't something might happen to their family* (Pearce et al, 2009: 59).

Perhaps unwittingly, the practitioner describes in his own words many elements of child trafficking that are outlined in the Palermo Protocol. He recognises that trafficking can entail subtle forms of coercion and manipulation, which invalidate questions of consent. As such, this definition falls into the child-centred discourse.

Another practitioner had similarly developed a child-centred understanding around a child's inability to give consent without referencing the Palermo Protocol:

*So even if she's going voluntarily, it doesn't matter, it still could be classed as trafficking because of the grooming and all those processes they are going through. There's no need to deal with the issue of consent. So voluntary or involuntary, it doesn't matter in the true terms of trafficking* (Int 24).

The issue of 'consent' was particularly prevalent in debates about the distinctions between 'smuggling' and 'trafficking'. Prior to the existence of the UN Convention against Transnational Organised Crime (2000) international law did not officially distinguish between 'smuggling' and 'trafficking' in human beings. The confusion regarding 'smuggling versus trafficking' gave rise to two distinct protocols that were drafted to supplement the UN Convention against Transnational Organized Crime; the Palermo Protocol, and the Protocol against the Smuggling of Migrants by Land, Sea and Air.

The research revealed that practitioners frequently understood smuggling to contain an element of complicity on the part of the child or young person whereas trafficking was understood to involve an element of deceit or coercion. One practitioner suggested:

*(smuggling) it's complicit and you know the child must know that they're going from A to B, they're going to get in the back of the lorry, they know they have to hide and then they're going to get out the other end and somebody will meet them. I think that it's almost as if they consider a smuggled child to be in on it. Whereas a trafficked child to me is a child that is being deceived all the way, as well as their families. I think there's a clear difference* (Pearce et al, 2009: 60).

In general, practitioners tended to perceive trafficking as a more serious crime than smuggling. Overall, however, there was a lack of definitional clarity as many practitioners struggled with the distinction between 'smuggling' and 'trafficking'. One practitioner recalled:

*When I first went to the team, two-and-a-half, almost three years ago, everybody, police, social*

*services, media, everybody talked about trafficking in relation to sex…many people got muddled up, trafficking and smuggling. It was all about sex trafficking…And within six months of our team forming we realised that it wasn't all about that. We realised that children were being used as domestics …we realised that people were bringing kids in under the wire, so smuggling them in but going on to exploit them* (Pearce et al 2009:71).

While illustrating that children are trafficked for many different forms of exploitation, the quote also highlights that boundaries between 'smuggling' and 'trafficking' can be blurred. While international law theoretically distinguishes between the two concepts, children may have overlapping experiences of being smuggled and trafficked in practice. This can create difficulties for practitioners who are trying to decide whether or not a child has been trafficked. In turn, defining a child as 'trafficked' rather than 'smuggled' can affect children's immigration status and their access to services. Some practitioners were conscious of the implications that the different definitions carried, arguing:

> *I think it gets minimised when somebody labels a child as being smuggled*
> (Pearce et al, 2009: 60)

By suggesting that the term 'smuggling' was used to minimise the crime of child trafficking, this practitioner argues that the terminology used has a direct impact on how children are perceived and treated. Labelling children as 'smuggled' undermines their ability to claim asylum and may affect the level of assistance they are entitled to. As such, failing to distinguish accurately between 'smuggling' and 'trafficking' can have a detrimental effect on trafficked children. The data suggested that practitioners subscribing to an immigration-centred discourse were more likely to describe children as 'smuggled' rather than 'trafficked'. This discourse implies that children or their families are in some way responsible for the exploitative situations children find themselves in.

## 'Trafficking' as a moving issue: thresholds relating to definition and intervention

Difficulties around definitions were at times linked to the dynamic and transient nature of trafficking. Practitioners frequently found it difficult to draw clear conceptual boundaries around 'trafficking'. One practitioner stated:

> *I think that the main issue is at what point you categorise someone as a trafficked child. It is a moving issue and by categorising somebody or not categorising them you then at a later stage find out that they are. So the problem with the definition is that it is not static. It is a dynamic thing and it changes all the time so that is part of the difficulties in categorising a young person as trafficked on the basis that it is the status of the evidence…* (Int 4).

The quote illustrates the complex reality of many trafficking cases, which can resemble a jigsaw

puzzle with information emerging in dribs and drabs. This relates to two important findings of the research; firstly that trafficking is a process, rather than a one-off event, and secondly, that disclosure can take time. Because trafficked children have often been 'coached' by their traffickers to tell specific stories or manipulated into being silent, information about trafficking cases is often difficult to obtain and sometimes hard to believe. Moreover, many trafficked young people find it difficult to trust again after having been deceived and exploited by their traffickers. Practitioners may need to work with a young person over many months to establish a trusting relationship until the young person is ready to disclose their story (Pearce et al, 2009).

Practitioners struggled with thresholds and were at times unsure at what point a child should be defined as trafficked and at what stage agencies should get involved. Different agencies seemed to have different thresholds both in terms of identification and in terms of practice interventions. Because different agencies have different remits and available resources and are driven by different goals and objectives, there was a lack of consistency across services with regard to the point at which a child was defined as trafficked. One practitioner explained:

> It's not so much the legal definition of it, it's that we really need to have a threshold where we become involved. We have a threshold when we deal with child abuse investigations. Because of the volume of the work, and the amount of resources we've got there must be thresholds. If a child was brought over to exploit the education system some people see that as trafficking and believe it is trafficking, but do we want to get involved in that? (Int 11).

The practitioner suggests that trafficking cases may not be investigated as a matter of priority because of limited resources. The quote furthermore reveals a sceptical attitude towards trafficking cases by suggesting that some children are brought over to 'exploit the education system'. It implies that child trafficking is not implicitly viewed as a form of child maltreatment. This represents an oversimplified understanding of child trafficking as the process of trafficking itself can be seen as abusive to the child.

Higher thresholds also existed in settings where the evidence was not perceived to be viable to warrant a case that would lead to prosecution. In this context, the child's statement and the integrity of the victim were frequently scrutinised. One practitioner recounted:

> I've also had one bogus trafficking case in which we had a girl who we suspect was from Africa [but] that was nigh-on impossible to prove, who for six months led the police quite a merry dance saying that she'd been shipped in, she'd been put in a brothel in London, she'd been having 30 clients a day … She was trying to obtain support from the system (Pearce et al, 2009: 106).

This quote again displays a degree of scepticism and cynicism. Using a term like 'bogus', which derives from a particular immigration discourse, and attaching it to a potential child victim of trafficking is likely to facilitate a negative outcome for the child. In this case, the young person was primarily viewed as a drain on national resources rather than as potential victim of trafficking. Such assumptions form part of a particular world view, which informs how trafficked children are treated within agencies. This does not imply that all professionals working in particular agencies discredit the experiences of trafficked children. It merely suggests that some agencies may promote a discourse, which appears to be more concerned about dealing with potentially 'fraud' trafficking cases than with assessing a child's safeguarding needs.

Overall, the data revealed that practitioners who subscribed to a child-centred discourse appeared to have a lower threshold at which they defined a child as 'trafficked' than practitioners who were informed by an immigration-centred discourse. This is because child-centred practitioners were on the whole more able to 'hear' children's stories and better contextualise children's accounts. In many cases, practitioners had gained this skill by directly working with trafficked children and young people. They had developed an understanding of the diversity of trafficking cases, and appreciated the complex circumstances, in which children are trafficked. This enabled them to piece confusing and at times inconsistent information together rather than dismissing such cases as 'fraud'.

## Conceptualising trafficking as an immigration concern

Practitioners' concerns over 'fraud' trafficking cases can be explained in the context of recent policy debates around immigration. These debates are frequently picked up in the media and the ways in which they are represented (especially in tabloid newspapers) contributes to particular views around the issue of immigration, promoting the idea that those seeking asylum are 'bogus' or that the country is being 'flooded' with illegal immigrants who are here primarily to take advantage of the social security system. In 2007, for instance, the *Sun* warned that 'rocketing immigration left schools, hospitals, police and housing at full stretch', arguing that

> *Towns have been hit by racial tension, street crime and binge drinking as foreign arrivals flood in. And roads are more dangerous than ever because of poor driving by some newcomers. The knock-on effects of mass immigration since Labour relaxed our border controls are laid bare in a report by the Audit Commission. It says many councils are struggling to cope with the flood of workers from Eastern Europe. A staggering 662,000 arrived last year. But many organisations were unprepared for them. The impact on housing has been greatest with an alarming rise in overcrowded properties* (Wooding, 31 January 2007).

Over the past decade, the issue of trafficking constructed as an immigration concern, conjures up

images of an influx of immigrants who are taking advantage of national resources or posing a threat to national security. As one practitioner recalls:

> *There was, probably about five years ago a huge influx of immigration and asylum seekers and there were quite negative attitudes in the social work world towards those young people and kind of like this … attitudes of this being a welfare state and you know, there's probably schools in other countries where they teach children how to come into the looked after system* (Int 28).

The research revealed that the immigration-centred discourse was particularly visible in cases where benefit fraud was suspected. As one practitioner argued:

> *… you'll get in some cases babies arriving who are coming to extended family members that the parents will have 'Oh, the parents sent the child to live with an aunt' and we're talking about one-year-old infants, children who are still at breastfeeding age and this kind of thing being sent over, and one of the first things you will be asked is 'Can I get any financial assistance for these children?' So it sets off alarms in terms of why are these children being brought in? Often there isn't necessarily a welfare issue with these children. We're not concerned that they're being abused or what have you because we're then subsequently checking they're attending school and are registered with a GP and all those type of things, but the parents are definitely focused on what can we claim for the child, or the carers are definitely focused on what can we claim for the child. It's a trend we see that seems to be growing* (Pearce et al, 2009: 107).

In this quote the practitioner expresses bewilderment over the cultural practice of sending a young baby abroad to live with relatives. While concern over the separation of a young infant from his or her birth parents is understandable and relevant in the context of the child's welfare, the practitioner fails to recognise that cultural practices as well as family structures can be very different outside the UK. It may be considered perfectly normal for 'poorer' relatives in a developing country to send a child to live with 'richer' members of the extended family in the West with hopes of providing the child with better opportunities, a better education or a safer environment. By the same token, preconceived or 'idealised' notions of family ties in particular cultures may equally put a child at risk if it is assumed that a migrant child is always well cared for within his or her own community or extended family. It is crucial to examine a child's well-being in such private fostering arrangements, as the case of Victoria Climbié highlighted. The child's best interest should always remain the primary focus.

The notion of migrants posing a drain on national resources was not restricted to cases of benefit fraud but also extended to alleged cases of trafficking for sexual exploitation. It frequently tied in with the issue of age assessment, an area that is notoriously contentious within immigration debates (Aynsley-Green, 2009). By law, trafficked children have the right to remain in the UK until they reach 18 years of age. One practitioner recalled:

*This was one of the more entertaining little aspects, if she was a juvenile, I understood it, she got help from social services. If she wasn't a juvenile she wasn't going to get support on the same level. Obviously if she's claiming, the younger she's claiming to be, the greater chance of remaining in the UK, rather than being deported as an illegal immigrant. So we think that she was older than she claimed to be. It's then a matter of actually proving it. The only evidence we've got is from her. I can write a letter or request to Africa and send someone over to try and research her and see if we can track her down. But we believe that the identity she'd given us was false. The place she claimed to come from was sprawling shanty town outside one of their main towns there, and so with people living in a whole succession of mud huts and inadequate record keeping, the chances of tracking the name down was going to be fairly remote* (Pearce et al, 2009: 108).

The notion that children lie about their age, their nationality or about their past and falsely claim to be trafficking victims in order to remain in the UK permeated the immigration-centred discourse. One practitioner stated:

*This young lady came from Eastern Europe. Russia is not a part of the EU and we do have Russian and Ukrainian girls who pretend to come from Poland or other parts of Eastern Europe as a way of lying their way into the country* (Int 15).

The data revealed a range of views held by practitioners about different ethnic communities, their cultural practices and normative systems, specifically relating to thresholds in terms of sexual and labour exploitation, and the value of human life in general. Such assumptions were at times formed by the media or based on hearsay rather than drawn from first hand experience of working with trafficking cases:

*I've not dealt with anything from Africa at all but I get the impression that with African girls from some states there's much more of a tradition of selling them off as slaves effectively* (Pearce et al, 2009: 63).

Some practitioners held overtly xenophobic and discriminatory views of trafficking victims and implied that in some cultural contexts, certain forms of exploitation including sex work was seen as an acceptable way of earning a living. One practitioner suggested:

*They are living in different circumstances and they allow themselves to be used for a period of time for money. Some of those again become entrapped and others go to and fro quite freely… Every time he got arrested we got straight to the problem and the girls were not coerced, they were just having fun* (Int 26).

Such stereotypes perpetuate the notion that trafficked children can consent to being exploited. These attitudes shift focus away from children's safeguarding needs towards a misguided emphasis on children's agency. This discourse also has a tendency of 'othering' children who are trafficked from abroad by conceptualising them as inherently different from indigenous children and perhaps as less worthy of protection. Underlying discriminatory attitudes towards sex workers or particular nationalities can inform practice. This is illustrated by the following account from an interpreter who accompanied a trafficked young woman to a clinic:

> … I felt she was mistreated by the doctor who she was seeing – treated as a prostitute and sort of looked upon as a prostitute because she was there just for the report to see if there were any diseases passed onto her, nothing because she was working as a prostitute…The questions which were put to her and the person who was dealing with her were completely unprofessional. I believe there was a complaint made against that woman because she was questioning her, interrogating her, as if she was a prostitute, 'How many men did you sleep with? Did you use a condom?'… Some of the questions she was able to understand anyway, which made her feel that small (Pearce et al, 2009: 109).

Discriminatory attitudes are not conducive to building trusting relationships, in which trafficked young people feel safe to disclose their stories. Such practice undermines young people's ability to deal with past traumatic events and obstructs their chances of rebuilding their lives.

The immigration-centred discourse promotes an understanding of trafficking that is based on an oversimplified view of the complex dynamics and circumstances in which child trafficking takes place. Limited knowledge of the circumstances, under which children are trafficked, undermines practitioners' ability to interpret adequately information that may relate to potential trafficking cases. More resources should be made available to practitioners to enable them to acquire the specific knowledge and skills needed to deal with complex trafficking cases. The research showed that there was a lack of country-specific information available in some local authorities. One practitioner noted:

> I think that where it gets lost in a local authority is that because a trafficked child or a smuggled child or a child that is presented without any parents, they all get labelled under the umbrella of a Section 20 child. So there isn't anything really, or any person within a local authority that is keeping abreast of the different experiences that children are coming into the local authority with (CS020).

More training is needed for practitioners to better understand the complex reasons why children are trafficked (see Hynes in this edition).

## Setting safeguarding standards for trafficked children

The research revealed a degree of uncertainty amongst practitioners with regard to whether or not the same safeguarding standards applied to children who were trafficked into the UK from abroad despite existing legislation and guidance. Practitioners were particularly unsure in cases where young people did not see themselves as exploited:

> *They have different understandings of whether that's right or not based on why they would want to leave the country they're coming from … just like domestic servitude and just like illegal working or working in various restaurants – to them that might be something of value and they don't see themselves as being exploited or abused. So there very much can be a discrepancy between what they think is okay in terms of how they're treated and what really is okay, from our standards and from our perspective* (Int 13).

Assumptions about children and young people's apparent willingness to accept some forms of exploitation promote the naturalisation of forms and degrees of exploitation that would be perceived as unacceptable for indigenous children. This, at times, results in different safeguarding standards being applied to trafficked and migrant children. One practitioner argued:

> *I believe that migrant children get a second rate service in this country and I don't think they are afforded the same levels of protection. I'll qualify that, it's because they come into this country without knowledge of the authorities and nobody knows about them. We don't know about them and then they pop up and it's like, 'Oh, it's a bit too difficult to find out who you are!'* (Int 29).

Many practitioners were unsure of how to deal with issues around 'cultural relativism'. Some practitioners conceptualised trafficked and migrant children as inherently different. As one practitioner explained:

> *And of course I don't suppose we should overlook the fact that there is a possibility that certain individuals might view some cultures as slightly different and so how they deal and perceive and process things may or may not be with the same urgency and importance* (Int 22).

Other practitioners felt strongly that trafficked children should be treated like any other maltreated child in the UK. Which discourse informed practitioners' world views often depended on whether or not they understood trafficking in the context of migration and global inequality. Child-centred practitioners tended to be clearer about the rights of trafficked children and were committed to working towards equal protection:

*I mean really a lot of the work was trying to get these young people the same rights as British children … All the unaccompanied asylum-seeking children and the asylum-seeking children with their families too, we worked towards it and they did have the same rights as any other child in the UK under 18. And that's something we all fought for because it hadn't been the case when I took over the team* (Int 6).

## Conclusion

I have argued that discourses are powerful in constituting child trafficking in practice. The immigration-centred discourse displayed a limited understanding of child trafficking, and was constituted by xenophobic and discriminatory tendencies, which naturalised some forms of exploitation and child maltreatment as 'cultural practices'. This discourse misconstrued children's ability to give consent. This has the potential of undermining the ability of child victims of trafficking to disclose the abuse to which they have been subject, make successful asylum claims and to access services. Overall, this discourse appeared to be less conducive to protecting trafficked and separated children from abuse and exploitation.

The child-centred discourse promoted a more empathetic understanding of child trafficking and took into account the context in which trafficking takes place. Practitioners who employed a child-centred discourse viewed trafficking less as an immigration threat and were more concerned about the safeguarding needs of trafficked children. They were able to 'hear' children's accounts of trafficking and to piece complex information together, appreciating that disclosure can take time.

In the UK, trafficking is still a relatively new field of practice in many local authorities. Responding to the needs of trafficked children is complex and requires a high level of knowledge and skill. As one practitioner remarked:

*I had no idea of the complexities until I got into this job* (Int 2).

Meanwhile, a limited awareness of existing legislations and guidance on trafficking as well as the absence of a uniform definition being used universally in and across local authorities has significant implications for trafficked children. Many practitioners recognised that the confusion around definitions impeded their ability effectively to identify and work with trafficked children. One practitioner summarised:

*I suppose it's just this whole thing about definition and are we seeing young people in the same way? I will see them on my own, somebody else will see them another way and are we treating them differently?* (Int 2).

Some local authorities do not yet feel adequately equipped to deal with complex trafficking cases. However, the research found a shift in attitudes and an expansion in awareness in places, which is paramount for improving understanding and practice around trafficking. As one practitioner recalls:

> *I didn't think when we set our team up and when I was interviewed for that role that I'd ever deal with a case of human trafficking for sexual exploitation. I just thought this never happens in the UK in the 21st century. 6 weeks later she walks through the door, 6 weeks after that a 20-year old girl comes through the door. Here we are 4 years later and I'm advising people across the country on these cases. That's been a problem, not just with child cases, but that's been a problem across the country. Some people have got some very strong views on it. There's one guy who does a presentation for us, it was an adult victim, but when he goes to his morning management meeting, senior officers say 'how's that prostitute job going?', 'She's not a prostitute', you know and that's changed a lot, and that attitude and mentality has changed a lot in four years, but that was the problem. Awareness has got so much better.* (CS015b).

As a manifestation of globalisation, trafficking is challenging localised knowledge and safeguarding practices in the UK. It forces us to adjust to new realities and to widen our understanding of child maltreatment. While appreciating cultural differences practitioners need to be aware that safeguarding children, wherever they are from, is paramount in UK practice. Lord Laming's inquiry into the death of Victoria Climbié highlighted that the same safeguarding standards should apply to indigenous children and children who originate from other countries (DH and HO, 2003). The recent lifting of the UK government's reservation to the UNCRC furthermore makes a clear statement in this regard. It demonstrates the government's commitment to a child-centred approach, highlighting the necessity to safeguard all children from exploitation (DCSF, 2008). Our child protection system has a duty to safeguard all children in the UK regardless of their ethnic origin, legal status or citizenship. It is the responsibility of relevant professionals to adhere to those standards and to enable children to access their human rights and the services, which they are entitled to.

## Note

1    The government now grants a reflection period of 45 days where 'reasonable grounds' have been established by a 'competent authority' that an individual has been trafficked. The Convention makes special provisions for children in requiring member states to provide child trafficking victims with accommodation, legal advice, medical assistance, education and requiring that an 'organisation authority or individual' be appointed to act as the child's guardian. All decisions regarding the child's welfare should be made according to the 'best interests principle' put forward in Article 3 of the UNCRC (UNICEF). The government has also introduced a national referral mechanism (NRM) that was designed to 'identify and protect' victims of trafficking (HO, 2009). Under the NRM, practitioners working within the Local Safeguarding Children Boards

(LSCB) framework who suspect a child has been trafficked are required to provide evidence on a referral form and send this on to the competent authority for assessment. The competent authority will then decide on 'reasonable grounds' whether or not the child is a victim of trafficking and confirm later with a 'conclusive grounds' decision. Whether or not the NRM will be an adequate and helpful tool in identifying and assisting child victims of trafficking is yet to be assessed.

## References

Aynsley-Green, A. (2009) 'Unethical Age Assessments', *British Dental Journal*, 206: 337.

Berger, P. L. and Luckmann, T. (1966) *The Social Construction of Reality*, Garden City, NY: Anchor Books.

Breuil, B.C.O. (2008) ' "Precious children in a heartless world?" The complexities of child trafficking in Marseille', *Children and Society* 22(3): 223-234.

DCSF (2006) *Working Together to Safeguard Children*, London: DCSF.

DCSF (2008) 'UK Lifts Reservations on the UN Convention on the Rights of the Child', Weblink: http://www.dcsf.gov.uk/pns/DisplayPN.cgi?pn_id=2008_0209

DH and HO (2003) *The Victoria Climbié Inquiry, Report of an Inquiry by Lord Laming, Cm 5730*, January 2003, Norwich: The Stationery Office.

Foucault, M. (1980) *Power/Knowledge: Selected Interviews and Other Writings 1972-1977*, edited by Colin Gordon, London: Harvester.

Home Office (2009) *Operational Policing: Child Trafficking*, Weblink: http://police.homeoffice.gov.uk/operational-policing/safeguarding-vulnerable-persons/child-trafficking/.

HO and DCSF (2007) *Safeguarding Children Who May Have Been Trafficked*, London: DCSF.

HO and DCSF (2007) *UK Action Plan on Tackling Human Trafficking*, Weblink: http://www.homeoffice.gov.uk/documents/human-traffick-action-plan

Knorr Cetina, K. (1981/2001) *The Manufacture of Knowledge*, Oxford: Pergamon Press.

Office for Public Sector Information (OPSI), *The Asylum and Immigration (Treatment of Claimants etc) Act 2004*, Weblink: http://www.opsi.gov.uk/ACTS/acts2004/ukpga_20040019_en_1.

OPSI, *Children Act 1989*. Weblink: http://www.opsi.gov.uk/acts/acts1989/Ukpga_19890041_en_1.htm.

OPSI, *Children Act 2004*, Weblink: http://www.opsi.gov.uk/Acts/acts2004/ukpga_20040031_en_1.

OPSI, *The Sexual Offences Act 2003*, Weblink: http://www.opsi.gov.uk/Acts/acts2003/ukpga_20030042_en_1.

Pearce, J. J., Hynes, P. and Bovarnick, S. (2009) *Breaking the Wall of Silence: Practitioners' responses to trafficked children and young people*, London: NSPCC.

UNICEF, *The United Nations Convention on the Rights of the Child* (UNCRC), Weblink: http://www.unicef.org/crc/.

UNODC, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, *supplementing the United Nations Convention against Transnational Organized*

*Crime* (The Palermo Protocol), Weblink: http://www.unodc.org/unodc/en/treaties/CTOC/index.html.

Van Reisen, M. and Stefanovic, A. (2004), *Lost Kids, Lost futures, The European Union's response to Child Trafficking*, Geneva: Terre des Hommes.

Wooding, D. (31 January 2007), 'Migrant Rush Hits Services Hard', *Sun*, http://www.thesun.co.uk/sol/homepage/news/article30583.ece.

# Understanding the 'Vulnerabilities', 'Resilience' and Processes of the Trafficking of Children and Young People into, within and out of the UK

Patricia Hynes

**Abstract**

*Awareness about the trafficking of children and young people into, within and out of the UK has grown over the past decade. This article draws upon qualitative research into agency responses to the trafficking of children and young people (Pearce, Hynes and Bovarnick, 2009). It highlights issues within refugee and forced migration studies applicable to debates on trafficking, in particular exploring the concepts of 'vulnerability' and 'resilience'. It suggests that trafficking is a process rather than a one-off 'event'; that during this process there are global points of 'vulnerability' for children and young people; and that understanding the environmental background of the individual child and the human rights context within countries of origin are essential elements in the identification of trafficked children. It suggests that between these global points of 'vulnerability' there may be spaces where those with a duty to care for trafficked children and young people can provide services that build on the resilience, coping strategies, survival techniques and hopes of trafficked children.*

**Key words:** trafficking; children; young people; refugee children; asylum; migration; vulnerability; resilience

Literature on the topic of trafficking often takes a human rights, migration management or organized crime perspective (Morrison, 2002). The human rights perspective takes in two centuries of the anti-slavery movement and the trafficking of children has been approached from an international 'child slavery' perspective in recent years (Craig et al, 2007). With trafficking of women, debates between 'abolitionists' and the 'sex workers rights' lobbies are heated with each side using the term 'trafficking' in different ways and for different ends (Anderson and O'Connell-Davidson, 2002). Sexual trafficking has been problematised, with O'Connell Davidson positioning the exploitation of children in prostitution as a problem of unequal power (2005: see also Agustin, 2008). In relation to the management of migration, during the 1990s the overriding policy agendas of the governments of Europe and North America was the deterrence of migrants (Bloch and Schuster, 2005; JCWI, 2002; Sales, 2007; Solomos, 2003; Zetter, 2003). Morrison and Crosland suggest these agendas are 'less about solving the problem of trafficking but rather ending the right

of asylum' by not providing legal and safe migration routes for those who need them (2001:1). Also, by the late 1990s, trafficking and smuggling were firmly framed in issues of transnational organized crime agendas (Morrison, 2002) and it was from this context that the Palermo Protocol that sets out the most used definition of trafficking emerged, coming into effect in 2003[1].

Although not a new phenomena within the UK the trafficking of children and young people has become an increasingly important and debated issue over the past decade (Bokhari, 2008; Craig et al, 2007; CEOP, 2007, 2009; ECPAT UK 2007, 2009). Debates often oscillate between the broad perspectives above and, in the UK, are particularly framed within debates on immigration and asylum and the systems set up to control migration on the one hand and child protection concerns on the other. Viewing trafficking of children within the child protection agenda recognises how all children in the UK have access to child protection measures regardless of their legal status or permanent residence. The identification of a child as trafficked is key to this and, to date, the compilation of risk indicators and protocols have assisted practitioners with such identification.

This article draws upon qualitative research into children's services and practitioners' responses to the trafficking of children and young people conducted by the University of Bedfordshire and the NSPCC (Pearce, Hynes and Bovarnick, 2009). This study reiterated that perceptions of trafficking often oscillated between child protection concerns and the broader immigration and asylum systems designed to deter new arrivals of non-EU nationals. It also reiterated that historical understandings of the nature and character of sexual exploitation heavily influenced practitioners' understandings of contemporary forms of trafficking. Set within this context, this paper seeks to highlight issues within refugee and forced migration studies applicable to debates on trafficking. There is a wealth of learning within these fields including theories and dynamics of migration; 'labelling' (Malkki, 1995; Zetter, 1988); 'vintage' (Kunz, 1973); trust or mistrust (Daniel and Knudsen, 1995) and that migration occurs within transnational social networks (Marx, 1990; Castles, 2004). This article touches on these but focusses in particular on 'vulnerability', 'resilience' (Coleman and Hagell, 2007; Garmezy and Rutter, 1983; Pearce, 2007; Rutter, 2007) and the ability to 'cope in adversity' (Colson, 1991). Both vulnerability and resilience are defined later in this article but it is important to note early on that resilience cannot be romanticised. It is suggested that both 'vulnerabilities' and 'resilience' need to be considered when practitioners work with children and young people (Luthar, 2003; Rutter, 2007).

The central suggestion in this article is that there are several points of vulnerability during the trafficking process occuring pre- and post-arrival in the UK. It is suggested herein that international trafficking in the UK is often understood by those with a duty to care for children and young people as a one-off and nationally-bounded 'event' rather than a *process*. This broader *process* incorporates the contextual and personal 'vulnerabilities' of a child or young person long before arrival into the UK. Understanding the environmental background of the individual child and the

human rights context within countries of origin are essential elements when identifying a trafficked child and these are under-emphasized in UK based lists of risk indicators and protocols. The global points of vulnerability are outlined in order to provide empirical evidence to support this argument. Finally it is also suggested that between the global points of 'vulnerability' there may be spaces where those with a duty to care for trafficked children provide services and therapeutic care which builds on the resilience, coping strategies, survival techniques and hopes of trafficked children.

## Research design

Research on the contemporary trafficking of children and young people required a design and methodology capable of capturing the complexities of practitioners perceptions of trafficking. The social context for this qualitative research referred to in this article was sensitive (Lee and Renzetti, 1993) and the nature of research on the trafficking of children and young people meant that it was subject to extensive ethical review processes from both the NSPCC and the University of Bedfordshire (Zimmerman and Watts, 2003; Refugee Studies Centre, n.d.).

An advisory board oversaw the research from the outset, which involved nine focus groups and semi-structured interviews with 72 practitioners and the collation of 37 individual case studies[2] from 3 anonymised locations within the UK. Interviews and focus groups were tape recorded, fully transcribed and grounded data analysis (Glaser and Strauss, 1968) was conducted using NVIVO software for these and the case studies. Quotes herein have been anonymised and are drawn from interviews conducted and case studies examined. During analysis, the Child Trafficking Advice and Information Line (CTAIL) Young Persons Advisory Group were consulted on the findings, providing insightful feedback to the research team on themes identified.

## Background and context to the study

Awareness of the issue of trafficking began in West Sussex in the mid-1990s when practitioners within the local authority noticed they were assessing West African young women who subsequently went missing and were suspected of being trafficked for the purposes of sexual exploitation. The death of Victoria Climbié in 2000 resulted in more attention being paid to informal fostering arrangements and the discovery of a young boy's torso in the Thames in 2001 was also linked to human trafficking. These events have shaped the trafficking debate within the UK and each illustrate how trafficking is a complex and dynamic phenomena that occurs for a wide variety of purposes and can involve children of all ages.

The UK is largely considered to be a receiving country for international cases of trafficking. Reasons for trafficking into, within and out of the country thus far identified include sexual exploitation, domestic servitude (looking after children, cleaning the house, etc.), forced marriage, various

forms of forced labour (in restaurants, factories or for agricultural purposes), enforced criminality (cannabis cultivation, begging, drug mules or decoys) and illegal inter-country adoption (for a more comprehensive listing see Pearce et al, 2009). However, it is also clear that movement of children occurs within the UK (see Pearce, forthcoming). Little attention is paid to children being trafficked out of the UK, although there is now research emerging into children being trafficked out of and into the UK for forced marriage (ECPAT, 2009).

In England and Wales, local authorities have a duty under the 1989 Children Act to protect children from 'significant harm'. Legislation has now been introduced by the UK government to respond to the trafficking of adults and children. This domestic legislation has been in the sexual exploitation, child protection and asylum/immigration arenas thus incorporating the foresaid tensions (For a full list of relevant Acts see DCSF, 2008). Issues around private fostering are set out in the 2004 Children Act. The 2002 Nationality, Immigration and Asylum Act sets out how 'benefit shopping' within Europe can be discouraged. Sections 57-59 of the Sexual Offences Act, 2003 cover the offences of trafficking for sexual exploitation into, within and out of the UK carrying a 14 year penalty and the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 made 'trafficking for exploitation' other than sexual exploitation an offence. For children a chapter in the UK's Action Plan on Tackling Human Trafficking (March, 2007, updated July 2008 and October 2009) details specific objectives and actions undertaken to protect child victims of trafficking. The UK government has separate policy agendas surrounding the deterrence of non-EU international migration whilst simultaneously promoting the freedom of movement of UK and EU skilled nationals. In this context, understanding the vulnerabilities of a child's history are tied up in broader political agendas of control. Garrett (2006) argued that issues relating to asylum and immigration could be interpreted as the 'absent presence' within the pages of the Laming Report, linking issues of New Labour's deterrence of new arrivals and hostility towards asylum seekers and the creation of an atmosphere of indifference towards migrant children. This overarching mistrust of asylum seekers undermines UK government policies surrounding community or social cohesion and engagement with migrant communities (Hynes, 2009). For people fleeing persecution the use of smuggling or trafficking networks may be the only way of reaching Europe given that asylum legislation and policy denies access to all but a tiny percentage of refugees. Practitioners' responses to children and young people thus occur within this complex policy and legislative environment.

The UK has formally become a part of Europe wide agreements to set minimum standards in the protection of trafficked persons. A new National Referral Mechanism (NRM) devised within the UK to proactively identify child trafficking victims[3], means that the 'competent authorities' to identify trafficking and potentially collate data on trafficking are the UK Borders Agency and the UK Human Trafficking Centre. The separate policy agendas surrounding deterrence of non-EU international migration and freedom of movement within the EU have been effectively institutionalised under this NRM. For non-EU nationals, assessment is by the UK Borders Agency

and understanding the vulnerabilities of a child's past are dependent upon details provided for claiming asylum and refugee status. Given the broader environment of mistrust shown towards asylum seekers in the UK, this is highly problematic. For UK and EU nationals assessment is within the remit of the UK Human Trafficking Centre, set up in 2006 in Sheffield.

### Indicators of child trafficking

Lists of indicators drawn up to assist identification include the government's *Safeguarding Children who may have been Trafficked* (DCSF, 2008), the London Child Protection Committee's *Safeguarding Trafficked and Exploited Children* (LCPC, n.d.) and, most recently following the ratification of the Council of Europe Convention, a Safeguarding Trafficked Children Toolkit (LCPC, 2009) that is being piloted within local authorities. Some local authorites also have their own protocols incorporating aspects of these risk indicators. The indicators highlight risks such as the child or young person having entered the country illegally, having no passport, paperwork or false documention[5] as well as signs of sexual behaviour or abuse, going missing and possessing unexplained mobile phones or money.

Concentrating on identifying factors post-arrival into the UK, these lists have their origins in debates surrounding sexual exploitation and the 'sexual trafficking discourse' that has emerged as the dominant story of trafficking (Jobe, 2008). With other forms of trafficking such as labour exploitation, domestic servitude and forced marriage (ECPAT UK, 2009) now beginning to emerge on the policy agenda, there is a danger that the sexual trafficking 'story' (Jobe, 2008) may override these and other more hidden forms. In practice the sexual trafficking focus may continue to dominate discourse which, importantly, may impact on the evolution the NRM.

### The prevalence of child trafficking

Little is known about the numbers of children brought into the country for exploitative purposes with estimates often considered to represent the 'tip of an iceberg'. For example ECPAT UK discussed 80 suspected cases in the Northwest, Northeast and West Midlands of England (2007) and 32 children within Wales (2009). A scoping study by the government's Child Exploitation and Online Protection Centre (CEOP) identified 330 children as potentially trafficked in 2007 and in a further study 325 children from 52 countries were identified (2009). Set against global estimates these figures are extremely conservative – the International Labour Organisation (2005) estimated that a minimum of 2.45 million people are trafficked annually, with 50 per cent being children and UNICEF supply similar estimates of 2.4 million, of which 1.2 million are believed to be children. The seemingly small numbers and lack of available statistics within the UK may change over time as practitioners' knowledge of trafficking increases. In particular, once it is more widely recognised that sexual exploitation is the current dominant lens, and that other forms of trafficking occur, these numbers may increase (Bokhari, 2009; Pearce et al., 2009). The research by Pearce et al, (2009) found some cases of children suspected of being trafficked into the UK for the purposes of

surrogacy and a suspected case of a child trafficked out of the UK to repay the debt incurred by the parent to a trafficker. These and new forms of child abuse related to trafficking may become more widely recognised. A greater understanding that trafficking into, within and out of the UK can occur may also impact on statistics in the longer term.

## Forced migration and trafficking of children

There are several issues within refugee and forced migration studies that may allow for a broader understanding of trafficking to emerge. Like the term 'refugee' (Zetter, 1988), a 'trafficked child' is a label that conveys powerful and often emotive meanings. Also as with the experience of becoming a refugee (Baker, 1990; Black, 2001; Koser, 1997) the experience and process of being trafficked is not homogenous and, as such, there may not be a typical profile of a trafficked child. There may only be warning signs or indicators. Children and young people who have been trafficked may have arrived from a range of situations of socio-economic deprivation, extreme poverty, social exclusion, discrimination, international or civil war or from persecution within their countries of origin. Within those countries' different political systems, the effects of living under dictatorial regimes or the consequences of living within rapid social change and restructuring of the social order (Zolberg, 1989), may each influence routes out of the country.

The theoretical study of migration is invariably split into two different bodies of work – that of international migration between countries and internal migration within countries. Literature, theories, concepts and methods have, over the past half a century, remained separate for these two forms of migration (King et al, 2008). Policy agendas within or between countries often reinforce this distinction with King et al suggesting that any attempt to build a single theory of migration to overarch all forms of migration across the globe is 'illusionary' and risks over generalisation (ibid, 2008). Policy agendas in the UK may create a danger of distinguishing or creating a trafficking hierarchy between international and internal forms of trafficking. The vulnerabilities of a particular child require thorough assessment regardless of where they may sit within such a hierarchy.

Prior to the 1970s forced migration was often conceived of as fitting into a simple 'push-pull' model. Kunz (1973) attempted to provide a more differentiated explanation and noted how 'anticipatory' forced migration occurred when refugees anticipated persecution and planned their own migration or how 'acute' forced migration occurred when they were coerced and forced to move. Thus began a more complex understanding of the dynamics of forced migration. These dynamics have since been extended by theorists such as Richmond by placing voluntary and forced migration along a continuum of 'pro-active' to 'reactive' migration (1994:55-56). Central to this continuum is a recognition of the sense of agency of those migrating. For children and young people who have been trafficked 'acute' forced or coerced migration may have occurred (Kunz, 1973). It may also be the case that children or young people consider their own migration to be

'voluntary' or 'pro-active' in some way and it is ultimately the realisation of being deceived and betrayed by their traffickers that shifts this into being 'acute' or 'forced' (Kunz, 1973; Richmond, 1994). Certainly trafficking incorporates aspects of forced migration beyond simple, mono-causal 'push' or 'pull' explanations. Kunz (1973) also drew attention to 'vintages' of migration, with each 'vintage' having its own set of circumstances and therefore different from previous or subsequent migrations. Within the UK trafficking debate there are the beginnings of some understanding of country of origin contexts. However we found many observations by practitioners about emerging 'trends' were stereotypical accounts, rather than those informed by authoritative country of origin reports or reliable sources (Pearce et al, 2009). This was an area wherein more accurate and reliable knowledge would potentially benefit trafficked children. As one practitioner commented:

> *What we find is that there tends to be particular nationalities who gravitate towards particular types of work or are trafficked for particular types of purposes.* (CS007)

Whilst subsequent 'vintages' (Kunz, 1973) of a particular nationality may have some atavistic qualities with previous arrivals, there is a danger that informal 'profiling' of nationalities may lead to dangerous stereotyping. This may pose a barrier to accommodating the full range of possible reasons why a child has been trafficked and reduce the possibility of identifying a child as trafficked. For example we found some evidence that particular nationalities set off 'alarm bells' in terms of children being trafficked (Pearce et al, 2009). Such informal 'profiling', or identifying trends, also led to some practitioners associating particular nationalities with particular forms of trafficking – Chinese children trafficked for sexual exploitation; Vietnamese children for work in cannabis farms; various African nationalities for benefit fraud and domestic servitude (Pearce et al, 2009). Benefit fraud is now emerging on the policy agenda as a reason for trafficking and includes directly accessing child benefits and indirectly accessing housing benefits as a result of having a child. In the refugee studies literature there is no evidence that generous social support acts as a simple 'pull' factor (Zetter, 1999). A lack of evidence-base for such assumptions warrants further research in order to understand more about the pitfalls of these potentially dangerous preconceptions.

Transnational social networks are often seen as largely benevolent within refugee and forced migration studies in that they enable migration (Marx, 1990; Castles, 2003). The trafficking of children will also be occurring within such networks, including relationships that enable exploitation that are often reliant on a comprehensive understanding of the child's vulnerabilities and needs.

## Migration, 'vulnerability' and 'resilience'

### Vulnerability

'Vulnerability' is a broad and often contested term but is understood in this article to mean being exposed to the possibility of being harmed, either physically or emotionally. Within trafficking

discourses it is a term that is inherently gendered and linked not only to civil-political and socio-economic constraints but also with dominant perceptions of child trafficking 'victims' being mainly for the purpose of sexual exploitation and female. Displaced children are invariably viewed through the 'prism of victimhood: vulnerable by definition to abuse, trauma and deprivation' (Boyden and Hart, 2007:243). The label 'vulnerable' has been used by UNHCR, for example, within refugee camps to denote specific groups for targetting material aid and services. Such criteria that defines and separates groups often becomes the route to accessing services. Previous studies have explained why refugees are reduced to a 'situational career' (de Voe, 1981) and consistently required to maintain and demonstrate their 'vulnerability' in order to retain access to services (Malkki, 1995; Zetter, 1999).

### Resilience

'Resilience' is understood to mean a child or young person being able to deal with their past traumatic or stressful circumstances, being able to withstand present difficult circumstances and having the capacity to recover and develop coping skills for their future (Luthar, 2003; Pearce, 2007; Rutter, 2007). Newman argues that it is never too late to building resilience (2004). This may mean working though past abuses, traumatic and stressful events such as war, human rights abuses, forced displacement or bereavement. Each of these threatens both primary and secondary ontological security[5] and there is a need to re-establish normal routines to regain these forms of security (Richmond, 1994). How people 'cope in adversity' (Colson, 1991) has been a continuous theme in refugee studies and a focus on resilience is highly relevant with trafficked children and young people because it seeks to discover how such adversity is overcome. A young person's re-involvement in age appropriate activities may indicate some form of recovery process is underway.

The non-linear process of building 'resilience' is a process that occurs as a result of experiencing stressful events and overcoming them (Rutter, 2007). To survive the experience of trafficking as a child or young person, the ability to overcome adversity is essential. This is not to say that resilience is equally spread – a trafficked child may be resilient to one risk but not to another – and the idea should be used with caution as a child demonstrating resilience may cause a professional to consider the child to be safe. Overcoming adversity does not endow superhuman powers and vulnerabilities will remain present. Boyden and Hart (2007) argued that: 'service providers and asylum adjudicators must be prepared to deal with an extraordinary mix of resilience and vulnerability on the part of individual children' (2007). This applies as much to children and young people who have been trafficked as it does to separated children who are seeking asylum.

### Vulnerability, resilience and age

Boyden and Hart (2007) suggest that trafficked children in the UK who are under 18 years of age need to 'display incapacity and immaturity' in order to fit within the expectations practitioners have of their physical appearance or behaviour in order to access the full child protection framework.

The dominant image of a trafficked child or young person as a passive victim of abuse and exploitation was often linked to the way they presented themselves to professionals (Pearce et al, 2009). When they presented themselves confidently they were often assumed to be mature beyond their biological age – an extremely dangerous position to be in given that deportation was a reality for many at the age of 18. As one experienced practitioner commented, this ambiguity sometimes stemmed from their past experiences:

> *It's very difficult to judge age, to a definite age. I wouldn't say she dressed provocatively, she was quite smart and still is very proud of her appearance, is perhaps a better way of putting it. And very strong character, naturally, which is showing in her recovery, but quite a mature girl. That might be part of her life … if a child's had a hard life then they're more mature, more streetwise, more equipped to deal with things …* (CS015)

A trafficked child may demonstrate remarkable resilience and their encounters with practitioners may leave the impression that the child has individual protective factors such as good intellectual skills, a positive temperament and positive self-esteem (Coleman and Hagell, 2007; Garmezy and Rutter, 1983; Pearce, 2007; Rutter, 2007). Practitioners in our study highlighted the often remarkable resilience children and young people displayed whilst in their care. Their ability to cope with past traumas often challenged practitioners assumptions about 'victimhood' and 'vulnerability'. As one practitioner recounted:

> *They're still, in a lot of respects, more positive about their outlook…more kind of…wise and knowledgeable about a lot of current issues than some of the children in this country that have had a much more privileged upbringing…One of the remarkable things for me about working with trafficked young children is how some of them change my perceptions that they would all be kind of…really traumatised by that – some of them are living quite active lives, and on the face of it admittedly seem quite mature in the way they've handled it.* (Interview 3)

However, broader protective factors from family or community may not be available for a trafficked child. Indeed, the opposite may be the case as those who are assumed to support them may be abusive. In cases of trafficking, social networks may actively work against the protection of a child and community support cannot be assumed. Focusing only on the 'vulnerabilities' ignores their resilience and coping strategies. It also ignores the impact of any harm-minimisation techniques they may have employed in order to survive the process such as running away from abusive members of their networks.

Moving on from these individual definitions of vulnerability and resilience, and how they have been interpreted within work on refugee and trafficked children in the UK, this article now addresses how vulnerability is viewed at a more global level.

## Global points of 'vulnerability': pre-arrival in UK

Castles and Loughna have argued that globalisation is a process of differential inclusion and exclusion of the world's population with different levels of income and human rights being obvious causes for migration (2004:182). Castles has also argued that migration is 'one of the unexpected and unplanned ways in which the South and North reconnect' (2004:212). The historical legacies of empire; technologies that connect the global 'South' to the 'North'; and social networks that connect people across the globe all present the challenge of thinking beyond UK borders. Research on, and responses to, trafficking require conceptualization and investigation beyond what Castles refers to as a 'national versus transnational logic' (2004), with the forces driving migration being transnational but responses following a national logic. Trafficking is a broader process that occurs beyond nation-state borders requiring responses and understanding of international 'vulnerabilities' in countries of origin.

### Children on the move

The charity *Save the Children* suggest the analysis of children's movement within and between countries is limited and that the focus on trafficking as a criminal act has downplayed the issues of why and how children migrate. They argue that this denies attention to how 'children on the move' can be protected other than by the prevention of movement (Reale, 2008). Reale suggests children's movement is multi-dimensional with both negative and positive outcomes and that 'children on the move' are particularly vulnerable to exploitation and abuse, especially those traveling unaccompanied (ibid, 2008). Calling for practitioners to understand more fully the reasons why children move and their specific needs, Reale suggests that: 'Interventions that respond to the exploitation and abuse of children are needed at every stage of children's movement' (ibid, 2008: 14).

Responses to child trafficking in the UK need to accommodate the context of both the country of origin and the countries through which the child has been trafficked. In our study we found that 'vulnerabilities' beyond the UK broadly fell into either the structural and contextual circumstances within countries of origin or because children and young people had been orphaned or had a history of abuse within their families (Pearce et al, 2009).

### Structural and contextual vulnerabilities

The more structural vulnerabilities of the countries of origin in our study included abuses stemming from environments within which human rights violations occurred with impunity, poverty, extreme and protracted socio-economic deprivation or destitution. These were all contributing factors in cases of trafficking but poverty alone was not highlighted (Pearce et al., 2009). The process of being trafficked began at a point where 'vulnerabilities' within countries of origin could be exploited by traffickers who exerted control based on intimate knowledge of the specific familial, socio-economic or civil and political vulnerabilties of the child. Conflict, international, civil wars

and human rights violations were other reasons why children became orphaned or separated from their parents. For one young woman who had been repeatedly raped by opposition soldiers and who had managed to escape, placing her trust in an 'uncle' to help her leave the country, led to being locked into a room before months of sexual exploitation ensued: *'She has disclosed that she was repeatedly raped … and possibly did not receive any medical treatment'* (CS009). For another young woman, her key worker commented on the structural discrimination and persecution encountered within her country of origin: *'She is from a minority clan … since she was a child they had visits from the local militia and the majority clan are in charge in that region. … It looks like she has been raped twice and then they fled'* (CS007).

Being 'kidnapped' specifically for the purpose of trafficking was also apparent. For example, a young man feared returning to his country of origin after the disappearance of his father some months prior to being kidnapped. His life in the UK had been a continuation of the exploitation he experienced prior to his initial kidnapping: *'He was kidnapped in* [country of origin] *and then again in the UK'* (CS002). Another young woman in a situation of domestic servitude in both her country of origin and the UK had, in the words of her practitioner, been maintained in an exploitative relationship:

> She was in a situation of domestic servitude in her country of origin and then she was sent to look after a friend of the person who she worked for. So we definitely know that this was a situation of exploitation. (CS009)

As Mann (2001) has argued, the way in which children are raised, socialised and the day-to-day realities of their lives differ enormously across the globe. Any understanding of the contexts which they come from will help us to understand the ways in which the children's particular contextual and structurally based 'vulnerabilities' have been used to deceive or coerce them into being trafficked.

### *'Family' and 'home': abuse and 'vulnerability'*

In the cases we reviewed, being an orphan, or lacking a parent for other reasons, was as significant a contributing factor to being trafficked as socio-economic deprivation and global inequalities (Pearce et al., 2009). Biological parents had either died or were absent for other reasons from an early age. Others were physically separated from parents prior to their trafficking and were in the care of 'aunts', 'uncles', 'cousins', 'sisters' or 'brothers'. Children often came from orphanages or from placements with extended family members who treated them badly. As one experienced practitioner commented: *'She was an orphan and would have been an easy target to bring over here and have work'* (CS009). It was invariably the case that 'aunts' and 'uncles' had been the people who had trafficked the children and young people. For one young woman who had been trafficked following the death of her parents, a practitioner commented: *'She cannot return to live with other relatives as they were instrumental in her leaving'* (CS035).

Young people were often told they were being introduced to relations and that they would take care of them. Their vulnerability was increased as they were left with adults known to the family and this did not guarantee their safety:

> *She was brought up by her paternal grandmother following the death of her parents. When her grandmother died she went to live with her uncle who arranged her passage to the UK. She does not wish to talk about her family – she was an orphan living with a foster family who treated her badly – they physically and mentally abused her and then sold her to the UK.* (CS003)

Another finding was that several young people were reluctant to talk about their family background giving brief details such as their *'family had disappeared'* or they had died. There were several possible explanations for children not wanting to use the family tracing services available. It may indicate a history of abuse or that extended family members or unrelated adults close to their family had been implicated in their trafficking: *'The young person was not comfortable speaking about her childhood'* (CS002).

The strictly geographically determined notion of 'home' has been contested within forced migration studies (Warner, 1994), something Breuil (2008) has drawn on when examining the trafficking of children in Marseille. Simplistic and nostalgic notions of 'home' need critical examination when considering the best interests of a child or young person. For regarding many of the cases we examined 'home' was a place where serious abuse had taken place: *'She has a lot of trauma related to her parents and is very reluctant to talk about her family background'* (CS003). In some cases young people had been forced into exploitation within their countries of origin prior to their trafficking: *'I fled as a result of threats to my life and I was being forced into prostitution. I was subjected to mistreatment and beatings by the couple I used to live with'* (CS024).

Such backgrounds of abuse or exploitation within countries of origin were striking characteristics of the initial stages of trafficking. The individual child's educational and medical histories prior to arrival into the UK were, in conjunction with other indicators, often key to understanding the environmental background of the child and to identifying a child as trafficked. For example, the role of health professionals was found to be an area for potential development when identifying trafficking. Understanding the child's medical histories prior to their arrival in the UK often presented a challenge, but could be a key to identification. Having untreated medical conditions or an excessive fear of approaching a GP or health advisor were indicative of trafficking. A range of medical conditions such as having nightmares, flashbacks, difficulties sleeping, headaches and suicide ideation were often outcomes of the experience of having been trafficked.

*The exploitation of individual and global vulnerabilities*

Traffickers can be organised, powerful and extremely dangerous individuals who exploit vulnerabilities for their own benefit. They may also operate within fluid and flexible networks that exploit whatever socio-economic or civil and political circumstance that arise. Others may be members of a child's broader social networks and exploit opportunities on a more *ad hoc* basis. If children or young people are displaced and escape into bordering countries, refugee camps do not necessarily guarantee or offer the most vulnerable adequate protection. 'Brokers', 'agents' and/or human traffickers can recruit children and young people who do not have adequate social safety nets. For these and other children who are trafficked directly from their countries of origin, individual vulnerabilities are exploited: *'Mr P earned her trust by saying he knew about her 'difficulties' '* (CS007). Mr P. abused the trust of this young woman through his intimate knowledge of the relationship with her carers in her country of origin. Having been a friend of her family for some years, this 'uncle' knew her family circumstances and her history of abuse – physical, emotional and sexual – within her immediate family. He also knew that her family were from a minority group that was experiencing increasing discrimination within the country. The trust this young woman had in her 'uncle', established over years, was misplaced. She realised this when placed in a container bound for the UK. Trust established with her 'uncle' shifted to abuse in a matter of weeks.

Experiences of severe betrayal such as this takes time to overcome. Children may know their traffickers well and during the trafficking journey have little choice but to place their trust in these agents, 'aunts' or 'uncles' and would describe 'trusting' and being 'betrayed' by such people. They often describe their journeys in terms of being 'brought over', 'sold', 'sold on' or being 'moved from house to house' and 'kept in rooms'. They also talked about being 'kidnapped', 'escaping' or being 'abandoned'. The child's feelings of 'guilt' and 'shame' about their role in the relationships that were abusive were also indicative of trafficking.

## Global points of 'vulnerability': post-arrival in UK

On arrival into the UK, separated migrant children are particularly vulnerable to being exploited and many practitioners recognised several points of vulnerability at this stage. One perceived central cause was due to separated children not receiving adequate levels of protection within the UK. Separated children are entitled to the same education and health services as other children and it was of note that this was often overlooked. Practitioners spent considerable time attempting to access the same entitlements as other children. Two practitioners commented on their experiences of working with trafficked children. The first commenting: *'I believe that migrant children get a second rate service in this country and I don't think they are afforded the same levels of protection'* (Interview 29). The second that: *'A lot of the work was trying to get these young people the same rights as British children'* (Interview 5).

Identification was often hampered by the immigration and asylum systems and this was another point of vulnerability upon entering the UK. As one highly experienced practitioner commented: *'The way the screening unit at the Home Office interviews children mean they do not disclose the information professionals need to identify a child as trafficked'* (Interview 10). Another practitioner explained: *'The immigration system is about mistrusting and believing asylum seekers. As practitioners, we sometimes find ourselves not believing children'*[6].

Children and young people felt disbelieved and mistrusted by immigration authorities. This is highly problematic – pro-active identification can only occur if children and young people feel safe enough to disclose information to those who will ultimately make important decisions about their lives. Traffickers holding their passports and any other documentation was another point of vulnerability that needed better understanding: *'On arrival at Heathrow he took her passport off her'* (CS014). For this young person the knowledge that the trafficker had taken her passport meant that negotiating with the authorities was something to be avoided at all costs. Traffickers used their intimate knowledge about the children and young people as a control mechanism, threatening to inform the authorities about them and telling young people that they would be deported as a result. This threat of deportation, particularly when approaching the age of 18, was repeatedly commented upon when young people were consulted about what they wanted to happen in the short term: *'The young person is worried about her immigration status'* (CS004). Or an another told us *'She has been granted limited leave to remain on a discretionary basis … but the Home Office state that they cannot give her asylum because there is no conflict in her country of origin at present'* (CS028).

The process of trafficking post-arrival in the UK was fraught with potential fears, not least of which was of deportation, resulting in children occupying extremely liminal spaces within the UK. The notion of a 'place of safety' needed therefore to include not only their physical safety and being safe and away from their traffickers, but also addressing the emotional impact of feeling betwixt and between as a result of insecure legal status. Being unable to obtain legal status and consequent security opened up another point of vulnerability and potential exploitation. As a result:

> *These men hang around children's homes. They are not even safe if they're taken into care because these people are known to hang around waiting for them to appear and then whisk them away.* (Interview 19)

There was also an awareness that the places involved in accessing asylum may not be safe for children: 'It is too dangerous for her to go to [office location] to claim asylum as all the traffickers are outside and looking for young girls' (notes on core assessment in case file, CS017).

### The legacy of asylum debates
Since the mid-1990s asylum legislation has socially excluded refugees and asylum seekers, with

labels such as 'genuine' versus 'bogus' and 'deserving' versus 'undeserving' (Sales,2002) entering public consciousness. As noted by one professional, this recasting of the image of those fleeing persecution had consequences for children who may have been trafficked:

> *A few years ago there was a huge influx of asylum seekers and there were quite negative attitudes in the social work world towards those young people – attitudes of this being a welfare state and workers saying there are probably schools in other countries where they teach children how to come into the looked after system.* (Interview 28)

In the UK the prevailing enviroment of deterrence towards new arrivals does not enable trafficked children to move away from their traffickers. Fear of the authorities and the threat (real or perceived) of deportation can mean that such mistrust becomes a strategy for survival (Daniel and Knudsen, 1995; Hynes, 2003; Voutira and Harrell-Bond, 1995). Whilst not all trafficked children will be claiming asylum, and may remain effectively invisible or hidden throughout their time in the UK, it was clear from our study that this historical mistrust towards asylum seekers generally had influenced the thinking and language practitioners used. Assessing a child depended upon a practitioner's understanding and awareness of trafficking and here the terminology that masked the identification process was unhelpful. For one young person who had been returned to their trafficker by a local authority after repeatedly disclosing that the people she was living with were not her relatives, the experience of not being believed by immigration or other agencies resulted in her repeatedly running away from her 'aunt' until she admitted herself into hospital: *'With an exaggerated illness in order to escape whatever situation she was in'* (CS001). Whilst in hospital, unknown males tried to gain access to her during the night and it was only at this point – some six months after arrival – that a practitioner from a different local authority identified the potential trafficking. The disbelief she had encountered was common and extremely problematic. One particularly suspicious professional related his own perceptions of potential trafficked young women: *'We do have girls who pretend to come from Poland and other parts of Eastern Europe as a way of lying their way into the country'* (CS015).

Upon arrival in the UK, several situational and legal points of vulnerability converge. An overview of the child's trajectory and their points of vulnerability within this trajectory may well provide a cumulative indicator of trafficking.

### Addressing 'vulnerability'

> *'I think a lot of emphasis has been put on the indicators and identifying trafficking but I think that from my experience it is the practicalities of what to do about it that is important'.* (Interview 4)

> *'The needs of any child that has been abused is a need to be believed and understood'.* (Interview 8)

*'They need to feel safe and secure and trusted'*. (Interview 22)

There are global points of 'vulnerability' throughout the trafficking process but this does not mean that a child or young persons 'vulnerability' has to be a permanent situation. An approach that cultivates safety, security and a thorough understanding of the child's needs and history is necessary. A key gap in addressing vulnerabilities is the lack of a person who can assume 'parental responsibility' for a trafficked child or young person and who can then advocate and assist the child to gain access to the services they require. One child protection professional argued that this issue was especially pertinent: *'As soon as you've got somebody standing in front of you who doesn't have parental responsibility for a child, that's your key to start asking questions'*.

This could be addressed by introducing a system wherein a child who has been identified as trafficked is assigned a legal guardian. Taking the child's individual experience into account, whilst also considering their individual vulnerabilities was essential to working with trafficked children: *'The main thing I have learned is about awareness. It is about not taking things on face value. I think that is one of the most important lessons I've learned'* (Interview 12).

### Spaces available to build on 'resilience'?

Much of the literature on trafficking implicitly associates individuals who have been trafficked as either 'victims' or 'survivors'. Whilst potentially useful for lobbying purposes, this 'victim-hero dichotomy' (Esterhuizen, 2004:23), does not allow for the nuances of the experiences and background of a trafficked child to be understood. Between these 'victims' or 'survivors' there are 'ordinary people' (Turton, 2003) who survive the ordeals of their circumstances and who are often extraordinarily resilient as a result.

Focussing on either the 'vulnerabilities' or 'resilience' of a trafficked child will likewise miss the point. The suggestion that the promotion of resilience involves finding ways to interrupt a negative chain of events and offer the child or young person positive experiences is especially relevant here (Newman, 2004; Coleman and Hagell, 2007). A lot of credence was given to taking a different approach that would work with children and young people on their resilience and capacity to cope. As one experienced practitioner suggested, working with a young person on their aspirations was a particularly productive approach that facilitated a better understanding of the young persons' circumstances and background:

*I mostly focus on her education and hobbies and things like that rather than the investigation. A lot of times spending that time with her and developing that bond, she has disclosed information about the investigation. So it kind of works well both ways.* (Interview 13)

This practitioner suggested it was only through positive encouragement and showing the young person alternatives reasons for her being in the UK that the young person would be able to turn her situation around. Many practitioners felt that supporting children and young people into universal services was the way they could regain some sense of 'normality' and begin to rebuild their lives, feeling they had some control and agency. One practitioner explained:

> *And not to treat them as victims too much because they don't want to be feeling too much … they know they're victims anyway, but they don't want people to feel too much for them because that makes them annoyed … they think "Oh, just leave me alone. I've just had enough of you. Be normal; speak to me in a normal way."* (Interview 9)

Another professional explained that engaging in a 'normal' life was, in itself, therapeutic, as it was part of a process of rebuilding a life free from abuse: *'She went through so much in those initial stages, but she was so resilient in trying to make sure that she wasn't going to let this defeat her.'* (CS001)

Between the global points of vulnerability, these spaces for building on resilience were apparent. The resilience and aspirations within the case studies of children and young people who had been identified as trafficked was significant. Invariably access to formal education establishments was a priority for the young person. Alongside a search for security and some form of familiarity finding out about when they would be able to engage in education was often a young persons' main focus during their assessments. Whilst encounters between practitioners and trafficked children may lead to an impression of either their vulnerability or resilience, it is highly likely that both of these will be simultaneously present. However difficult, practitioners who focussed on strengths and the positive aspects of a child's life, as well as their concerns, did appear to secure better outcomes. Crucial here was the skill of a professional to recognise the vulnerabilities of a child who is demonstrating resilience, without overplaying this. Recognition that a child demonstrating resilience on one occasion, or within one aspect of their life, may also be vulnerable on other days or in other areas of their lives was also crucial.

## Conclusion

This article has outlined different points of vulnerability that a child or young person may encounter during the trafficking process – from their countries of origin through to arrival into the UK. Conceptualising the entire process of trafficking allows for the unique histories and needs of children to be understood as well as their capabilities, resilience and ability to survive the process. Overall, more focus on the *process* of trafficking – particularly the environmental background and human rights contexts within countries of origin – may allow for greater understanding. To enable this better access to quality country of origin reports could be made available to practitioners during

the period they are assessing a child. More in-depth assessments of each child and their personal environmental backgrounds may allow for better interventions. When the jigsaw pieces of a child's life are placed together by a practitioner during an assessment greater emphasis on the *process* of trafficking may allow for the individual child's history and circumstances to be better understood and their unique needs and aspirations addressed.

'Vulnerability' does not end once a child arrives in the UK. For non-EU arrivals negotiating the immigration and asylum systems, the overarching environment of deterrence of new arrivals into the UK, accessing services, mistrust and disbelief of accounts provided are factors that maintain vulnerability. Much onus has previously been placed on indicators apparent after, rather than before, their arrival. If trafficking – and the identification of a trafficked child – is recognised as a *process*, the National Referral Mechanism needs also to allow for identification to occur at different stages of this process. A referral mechanism dominated by immigration and police-led agencies may miss children's vulnerabilities or the complexities of the trafficking experience altogether. It may also miss disclosure to practitioners at later stages, once a trusting relationship has been established and the child feels safe enough to talk about their trafficking.

Between the global points of vulnerability there may be spaces available that build on the resilience of trafficked children and young people. Vulnerability and resilience will always be contextually-bounded and overplaying either of these may have dangerous consequences. Projects and interventions that build on both the resilience and capabilities of trafficked children rather than only their victimhood and vulnerabilities appeared to be more successful. Placing 'vulnerability' and 'resilience' on a continuum rather than as polemic extremes may enable a more nuanced approach. Such a resilience-vulnerability continuum may allow for these dual and ongoing processes to be recognised simultaneously.

## Notes

1   The Palermo Protocol defines the trafficking of children as those who are below the age of 18 and who have been coerced, forced or deceived into exploitative circumstances. The Palermo definition of trafficking explicitly recognises abuses of power and positions of vulnerability.
2   27 international case studies and 10 'internal' cases of trafficking – see Pearce et al (2009) for an explanation of the differences between international and 'internal' trafficking.
3   The National Referral Mechanism was set up in response to the ratification of the Council of Europe Convention on Action against Trafficking in Human Beings which was ratified by the UK government in December 2008 and implemented from 1st April 2009.
4   The 1951 United Nations Convention Relating to the Status of Refugees outlines how anyone fleeing persecution may need to obtain false documentation in order to seek sanctuary in a country of asylum and, as such, this indicator cannot be acted upon in isolation.

5   Primary ontological security refers to 'an individual's self-confidence, derived from a sense of the permanency of things. Secondary ontological insecurity 'arises when particular spheres of social life are threatened' such as bereavement or loss of employment that generate anxiety (Richmond, 1994:19).

6   Practitioner response to the presentation of findings of the study at the Community Care conference London, November 2009.

## Bibliography

AFRUCA (2007) *What is Child Trafficking?* Safeguarding African Children in the UK, Series 2, London: Africans Unite Against Child Abuse (AFRUCA).

Agustin, L. (2008) *Sex at the margins: Migration, Labour Markets and the Rescue Industry*, London: Zed Books.

Anderson, B. and O'Connell-Davidson, J. (2002) *Trafficking – a Demand Led Problem?*, Sweden: Save the Children.

Anderson, B. and O'Connell-Davidson, J. (2003) *Is Trafficking in Human Beings Demand Driven? A Multi-Country Pilot Study*, No.15, IOM Migration Research Series, Geneva.

Baker, R. (1990) 'The Refugee Experience: Communication and Stress, Recollections of a Refugee Survivor' *The Journal of Refugee Studies*, Vol.3 (1).

Beddoe, C. (2007) *Missing Out: a Study of Child Trafficking in the Northwest*, Northeast and West Midlands, London: ECPAT UK.

Black, R. (2001) 'Fifty Years of Refugee Studies: From Theory to Policy' *International Migration Review*, Vol.35 (1) pp. 57-78.

Bloch, A. and Schuster, L. (2005) 'At the Extremes of Exclusion: Deportation, Detention and Dispersal' *Ethnic and Racial Studies* Vol.28 (3) pp. 491-512.

Bokhari, F. (2008) 'Falling Through the Gaps: Safeguarding Children Trafficking into the UK' *Children and Society* Vol.22, pp. 201-211.

Bokhari, F. (2009) *Stolen Futures: Trafficking for forced child marriage in the UK*, London: ECPAT UK.

Boyden, J. and Hart, J. (2007) 'Editorial Introduction: The Statelessness of the World's Children' *Children and Society*, Vol.21, pp. 237-248.

Breuil, B.C.O. (2008) '"Precious Children in a Heartless World?" The Complexities of Child Trafficking in Marseille', *Children and Society*, Vol.22 (3) pp.223-234.

CEOP (2007) *A Scoping Project on Child Trafficking in the UK*, London: Child Exploitation and Online Protection Centre.

CEOP (2009) *Strategic Threat Assessment: Child Trafficking in the UK*, London: Child Exploitation and Online Protection Centre.

Castles, S. (2003) 'Towards a Sociology of Forced Migration and Social Transformation', *Sociology*, Vol.37 (2) pp.13-34.

Castles, S. (2004) 'Why Migration Policies Fail' *Ethnic and Racial Studies*, Vol.27 (2) pp.205-227.

Castles, S. and Loughna, S. (2004) 'Globalization, Migration and Asylum' in V. George and R.M. Page (eds.) *Global Social Problems and Global Social Policy*, London: Polity Press.

Coleman, J. and Hagell, A. (2007) *Adolescence, Risk and Resilience: Against the Odds*, Chichester: John Wiley.

Colson, E. (1991) *Coping in Adversity, Oxford: Refugee Studies Programme*, RSP Reference. A65.1 COLSON.

Colson, E. (2003) 'Forced Migration and the Anthropological Response' in *Journal of Refugee Studies*, Vol.16 (1).

Craig, G. (2008) 'Child Slavery Worldwide' *Children and Society*, Vol.22 (3).

Craig, G., Gaus, A., Wilkinson, M., Skrivankova, K. and McQuade, A. (2007) *Contemporary slavery in the UK: Overview and key issues*, York: Joseph Rowntree Foundation.

DCSF (2008) *Safeguarding Children who may have been Trafficked*, London: Department for Children, Schools and Families, HM Government.

de Voe, D. M. (1981) Framing Refugees as Clients, *International Migration Review*, Vol.15, pp. 88-94.

Daniel, E.V. and Knudsen, J. C. (1995), *Mistrusting Refugees*, Berkeley: University of California Press.

ECPAT UK (2007) *Missing Out: A Study of Child Trafficking in the Northwest*, Northeast and West Midlands, London: ECPAT UK.

ECPAT UK and WISE, (2009) *Stolen Futures: Trafficking for Forced Child Marriage in the UK*, London: ECPAT UK and Wilberforce Institute for the study of Slavery and Emancipation.

Esterhuizen, L. (2004) *Doing Case Studies for the Refugee Sector: A DIY Handbook for Agencies and Practitioners*, London: ICAR.

Garmezy, N. and Rutter, M. (1983) *Stress, coping and development in children*, New York: McGraw-Hill.

Garrett, P.M. (2006) 'Protecting Children in a Globalized World: 'Race' and 'Place' in the Laming Report on the Death of Victoria Climbié', *Journal of Social Work* Vol. 6(3), pp. 315-336.

Glaser, B.G. and Strauss, A. L. (1968) *The Discovery of Grounded Theory*, London: Weidenfeld and Nicolson.

Home Office (2008) *Update to the UK Action Plan on Tackling Human Trafficking*, London: Home Office.

Hynes, T. (2003) *The Issue of 'Trust' or 'Mistrust' in Research with Refugees: Choices, Caveats and Considerations for Researchers, Geneva: Working Paper No.98*, Evaluation and Policy Analysis Unit, United Nations High Commission for Refugees (UNHCR).

Hynes, P. (2009) 'Contemporary Compulsory Dispersal and the Absence of Space for the Restoration of Trust', *Journal of Refugee Studies*, Vol.22 (1).

ILO (2005) *A Global Alliance Against Forced Labour*, Geneva: ILO.

Joint Council for the Welfare of Immigrants (JCWI) (2002) *Immigration, Nationality and Refugee Law Handbook*, London: JCWI.

Jobe, A. (2008) 'A new sexual story: trafficking, immigration and asylum: the converging of discourses' in F. Alexander and K. Throsby (eds.) *Gender and interpersonal violence: language, action and representation*, Basingstoke: Palgrave.

Jobe, A. (2009) 'Accessing help and services in the UK. Trafficking victims'/survivors' experiences' in P. McRedmond and G. Wylie (eds.) *European slave trade*, Basingstoke: Palgrave Macmillan.

Kelly, L. (2005) ' "You Can Find Anything You Want": A Critical Reflection on Research on Trafficking in Persons within and into Europe' in *Data and Research on Human Trafficking: A Global Survey*, Geneva: IOM.

King, R., Skeldon, R. and Vullnetari, J. (2008) *Internal and International Migration: Bridging the Theoretical Divide*, Hove: Working Paper No.52, University of Sussex.

Koser, K. (1997) 'Social Networks and the Asylum Cycle: The Case of Iranians in the Netherlands', *International Migration Review*, Vol. 31 (3) pp. 591-611.

Koser, K. and Black, R. (1999) *The End of the Refugee Cycle: Refugee Repatriation and Reconstruction*, Oxford: Berghahn.

Kunz, E.F. (1973) 'The Refugee in Flight: Kinetic Models and Forms of Displacement' *International Migration Review*, Vol. 7 (2) pp.125-146.

Lee, R.M. and Renzetti, C. M. (1993) *Researching Sensitive Topics*, London: Sage.

Luthar, S. (2003) *Resilience and Vulnerability*, Cambridge: Cambridge University Press.

Malkki, L. (1995) *Purity and Exile*, Chicago: The University of Chicago Press.

Mann, G. (2001) *Networks of Support: A Literature Review of Care Issues for Separated Children*, London: Save the Children.

Marx, E. (1990) 'The Social World of Refugees: A Conceptual Framework' *Journal of Refugee Studies*, 3 (3) pp.189-203.

Morrison, J. (2002) *Human Smuggling and Trafficking*, Oxford: Research Guide, Forced Migration Online, University of Oxford.

Morrison, J. and Crosland, B. (2001) *The trafficking and smuggling of refugees: the end game in European asylum policy? Working Paper No.39: New Issues in Refugee Research*, Geneva: UNHCR.

Newman, T. (2004) *What Works in Building Resilience?*, Essex: Barnardo's.

O'Connell Davidson, J. (2005) *Children in the global sex trade*, Cambridge: Polity Press.

Pearce, J. J. (2007) 'Sex and Risk' in J. Coleman and A. Hagell (eds.) *Adolescence, Risk and Resilience: Against the Odds*, Chichester: John Wiley.

Pearce, J. J., Hynes, P. and Bovarnick, S. (2009) *Breaking the Wall of Silence: Practitioners' responses to trafficked children and young people*, London: NSPCC and University of Bedfordshire.

Refugee Studies Centre, (n.d.), *Ethical Guidelines for Good Research Practice*, viewed at: http://www.rsc.ox.ac.uk/PDFs/ethicalguidelines.pdf

Reale, D. (2008) *Away from Home: Protecting and supporting children on the move*, London: Save the Children UK.

Richmond, A.H. (1994) *Global Apartheid: Refugees, Racism and New World Order*, Oxford: Oxford University Press, Oxford.

Rutter, M. (2007) 'Resilience, Competence, and Coping' *Child Abuse and Neglect*, Vol.31 pp.205-209.

Sales, R. (2002) 'The Deserving and the Undeserving? Refugees, Asylum Seekers and Welfare in Britain' *Critical Social Policy*, Vol.22(3) Issue 72.

Sales, R. (2005) 'Secure Borders, Safe Havens: A Contradiction in Terms?' *Ethnic and Racial Studies*, Vol.28 (3) pp.445-462.

Sales, R. (2007) *Understanding Immigration and Refugee Policy; Contradictions and Continuities*, Bristol: Policy Press.

Sillen, J. and Beddoe, C. (n.d.) *Rights here, rights now: recommendations for protecting trafficked children*, London: UNICEF and ECPAT UK.

Solomos, J. (2003) *Race and Racism in Britain*, Basingstoke: Palgrave Macmillan.

Turton, D. (2003) *Refugees, Forced Resettlers and 'other forced migrants': Towards a Unitary Study of Forced Migration, New Issues in Refugee Research, Working Paper No.94*, Geneva: Evaluation and Policy Analysis Unit, UNHCR.

Voutira, E. and Harrell-Bond, B. E. (1995) 'In Search of the Locus of Trust: The Social World of the Refugee Camp' in E. V. Daniel and J.C. Knudsen (eds.) *Mistrusting Refugees*, Berkeley: University of California Press.

Warner, D. (1994) 'Voluntary Repatriation and the Meaning of Return to Home: A Critique of Liberal Mathematics' *Journal of Refugee Studies*, Vol.7 (2/3), pp.160-174.

Zetter, R. (1988) 'Refugees and Refugees Studies – A Label and an Agenda' *Journal of Refugee Studies*, Vol. 1 (1) pp.1-6.

Zetter, R. (1999) 'International Perspectives on Refugee Assistance' in A. Ager (ed.) *Refugees: Perspectives on the Experience of Forced Migration*, London: Pinter..

Zetter, R., Griffiths, D., Ferretti, and Pearl, D. (2003) *An Assessment of the Impact of Asylum Policies in Europe 1990-2000* (Research Study 259), London: Home Office.

Zimmerman, C., Hossain, M., Yun, K., Roche, B., Morison, L. and Watts, C. (2006) *Stolen Smiles: a summary report on the physical and psychological health consequences of women and adolescents trafficked in Europe*, London: London School of Hygiene and Tropical Medicine.

Zimmerman, C. and Watts, C. (2003) *WHO Ethical and safety recommendations for interviewing trafficked women*, London: World Health Organisation, London School of Hygiene and Tropical Medicine.

Zolberg, A., Suhrke, A and Agnayo, S (1989) *Escape from Violence*, Oxford: Oxford University Press.

# Reviews

*Dimitra Hartas*
**The Right to Childhoods: Critical perspectives on rights, difference and knowledge in a transient world**
Continuum 2008
ISBN 978 0 8264 9568 6
£70.00 (hbk)
pp. 205

<div align="right">Priscilla Alderson</div>

There is a growing group of writers and others who, although their work involves child and youth rights, oppose them. Dimitra Hartas presents a range of their disparaging tactics in her book, and the following list covers some of these in italics, with my comments. Although Hartas writes long sections on childhood and knowledge, this short review concentrates on the rights sections.

Tactic 1. *Dismiss rights as modern liberal abstract ideas, irrelevant to most of the world*. Actually there were feudal rights in Anglo-Saxon pre-1066 law, reinforced in the Magna Carta 1215. The aims were: to stop tyranny through specific embodied freedoms; to stop kings (or governments) being above the law if they murdered, raped and imprisoned subjects and plundered their and their children's property; to replace arbitrary misrule with due legal process, the kind of basic justice, safety and freedom valued in every society.

2. *Dismiss rights as Western imperialism wrongly imposed on communitarian societies*. This claim ignores the long history of bitter struggles for freedom, especially in 13th, 17th, and 19th century Britain, in colonies in every continent, in civil rights movements for Black people, women and other oppressed groups. 'Community leaders', while eager to exercise their own rights, often reject rights talk for others when it challenges their power. It could be more imperialist to claim that only Western people value justice.

3. *Dismiss rights as individualistic*. Law to protect each person's body is the essential safeguard against murder, rape, torture, slavery, trafficking, arbitrary imprisonment, or attacks whether by monarchs, states, neighbours or violent marauders. Children who cannot safely collect firewood in Somalia or attend school in Afghanistan need these legal protections. Far from individualism, human rights involve equal rights for everyone, whether to available health care or to a seat on a bus in Alabama. So human rights inhere in relationships of solidarity, responsibility and mutual respect between everyone.

4. *Paradoxically propose personal individual rights-making*. This tactic claims that it is more 'responsible' when people invent their own rules and rights (Hartas, pp15-119. Page numbers in brackets refer to Hartas and give a few from her repeated examples). The tactic ignores centuries of legal and political debate and struggle, which developed rights as agreed basic international standards. It misunderstands that rights are practical legal freedoms and protections that can ultimately be enforced.

5. *Do not read the United Nations 1989 Convention on the Rights of the Child (UNCRC)*. Refer to it only through secondary and often critical sources. Then you can misquote it and claim that UNCRC is 'abstract' (p18) and not about specific rights. You can invent things that UNCRC does not state: children's decision-making, or 'right to participate' (p99). You can blame UNCRC for omitting matters that it does cover (p115. For example, several articles refer to family and community, and there is great emphasis on children's diverse cultural rights (Preamble, articles 4, 17, 20, 23, 29, 30, 31) contrary to the claims that UNCRC imposes one universal model of childhood.

6. *Blame the UNCRC when children's rights are not honoured* (pp97-102) – instead of seeing how UNCRC is abused or misused or confused with other authorities.

7. *Imply that children's rights are disrespected because children are too weak or immature, instead of seeing how adults' rights are similarly violated* (pp108-9).

8. *Quote from a mixture of cross-referencing covertly anti-rights literature. This obscures children's rights in ever denser fogs, by overlooking how each critical group has different ideas of 'truth' and morality, with different methods and motives for questioning the validity and value of children's rights*. For example, many adults are averse to sharing power with children. Many educationalists and psychologists cannot reconcile child development theory and the steps from 'zero at birth' up to adulthood, with equal rights for all. Early years writers often infantilise all children and young people (pp109, 113). Neo-liberals and many North Americans oppose the United Nations and its Conventions as well as children's rights (p96). Feminists tend to see them as threatening women's rights. Academics (I write as one, though accurately here, I hope) like to show off with nitpicking fault finding. Anthropologists tend to oppose anything that might transfer across cultural difference – like the UNCRC. Postmodernists and social constructionists are wary of things that seem too 'real' and non-relativist (p131-7). Economists prefer measurable utilities to principled rights.

9. *Rely on jargon. Avoid giving explanations or examples to illustrate points*. I have taken care to quote the following, from many examples, accurately:

> 'Taking a dialectical approach to rights is likely to support young people in actively forming
> their own identities and negotiating crises in their life. Moreover, a dialectical approach is

likely to bridge seemingly contradictory views about the validity of knowledge as reason and knowledge and as a cultural artefact towards what Santos (1995) describes as a "new common sense" that encapsulates both logos (reason) and mythos (folklore)'(p118).

We are not told or shown how or why dialectics, or Santos's idea, like many other undigested *non sequiturs* through the book, are relevant.

10. *Do not systematically research children's rights*. Hartas's book is 'based' (p xxii) on a small needs analysis and an attitudes survey (pp181-3). Neither mentions rights.

11. *Assume that 'participation' equals respecting for children's views and rights, and that it inevitably undermines their protection and provision rights* – as if children are invariably unreliable self-harming beings. This ignores the countless times when adults can only really protect and provide for children though listening and being partners with them.

12. *Invent meaningless new rights such as 'to an open future' or 'the right to childhoods'.*

**Priscilla Alderson, Institute of Education University of London**

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Claudia Bernard

Running to over 700 pages, *Social Work: an Introduction to Contemporary Practice*, contains a stimulating collection of writing that is intended to offer a comprehensive introduction to contemporary social work practice in the United Kingdom. Written by social work scholars at the forefront of their fields, this textbook captures some of the key practice areas in social work and stresses the necessity for relationship-based social work.

In the opening two chapters, the authors chart the historical development of social work and set out the contemporary discourses of social work. In doing so, they signify the social, economic and political issues that social work is rooted in and foreground the debates that have shaped the current legislative and procedural context of practice.

The book is divided into three parts: understanding social work; practice skills and practice theories; and relationship-based social work with user groups. Each section contains a number of chapters that begin with summaries setting out the learning objectives, and the relevant area of the National Occupational Standards for social work, and highlighting crucial points. The book is enhanced throughout by a wealth of case-study material, and practical exercises to signpost key learning points, spark reflection and encourage critical thinking. Significant themes are summarised after each section, and there are also pointers to essential pieces of further reading and links given to useful websites, thus providing additional learning resources.

The first section of *Social Work: an Introduction to Contemporary Practice* deals with understanding social work. It has chapters on the development of social work, the values, ethics and politics of social work, social work knowledge and skills, human development across the lifespan, law and using research in social work. This section thus provides a valuable introduction to some of the key legislative frameworks and procedural issues framing the practice context. For example, a chapter on law and social work provides good overviews of the relevant areas of law for work with children and adults, and highlights the fundamental importance of appreciation of the relevance of the Human Rights Act for social work practice. The ideas conveyed in this chapter both inform and promote critical thinking for understanding the legal framework within which welfare practice is delivered. Numerous practice examples and case studies are employed to illustrate the practical applications of the law to social work.

Section two of the book examines practice skills and practice theories. The six chapters in this section explore communication skills, planning and intervening, partnership working, user involvement and inter-professional and inter-agency working. Emerging from the reflections in this section are some key themes about service user perspectives and the quality of the user-worker relationship. The authors go on to explore relationship-based assessments as a way to grasp the challenging nature of assessment processes. There are some good offerings in this section that will contribute to understanding the professional relationship and the use of self in assessment.

The final section brings together a number of chapters that focuses on relationship-based skills and perspectives of social work. It includes chapters on working with children and families; work with young offenders, and social work and drug use. Drawing on psychodynamic thinking, the authors argue here that relationships are at the heart of effective social work practice. Good overviews of the substantive themes in the literature are given and the authors emphasise the important role of theoretical and experimental knowledge for working effectively with complex relationships. The chapters in this section raise some fundamental questions about the guiding principles of relationally-based practice. They are particularly engaging and offer rich insights for learners looking to broaden their knowledge of the relational focus of social work.

The analyses of the salient debates central to understanding the bases of modern social work practice make this volume especially important. It offers insights for discussion of the values of anti-oppressive and anti-discriminatory practice, by emphasising the importance of social justice as a starting point for effective social work practice. The collection is written in an accessible style and the layout of the rich diversity of material makes it a book that can be dipped into at different points, instead of needing to be read from start to finish to be beneficial. It is especially valuable for offering a comprehensive introduction to the knowledge base of contemporary social work, and the breath and quality of the material provides a significant contribution to the field. Although this book is primarily aimed at social work students and practitioners, it offers a wealth of knowledge for those working in youth services, as well as professionals in other occupational groupings working within a wide range of organisational settings.

**Claudia Bernard, Senior Lecturer in Social Work, University of London**

*Kathleen A. Bogle*
**Hooking Up: Sex, Dating and Relationships on Campus**
New York University Press: 2008
ISBN 978-0-8147-9969-7
£11.99 (pbk)
pp. 225

Katie Buston

Bogle's book, as the title suggests, focuses on 'hooking up': the practice she says is at the centre of today's sexual culture on many college campuses in the United States. Hooking up, she says *does not have a precise meaning; it can mean kissing, sexual intercourse, or any form of sexual interaction generally seen as falling in between those two extremes* (p. 27). It can comprise a one off encounter or a series of encounters over weeks or months, usually on weekend nights following alcohol consumption, but with no or little contact in between. One's partner may or may not be a member of one's immediate social circle. Hooking up rarely leads to the participants becoming 'a couple' and has replaced dating and 'going steady' as the primary means of young men and women getting together.

Bogle interviewed 51 college students, male and female, and 25 alumni in order to present her detailed account of what hooking up involves. She also spends time outlining how this practice is largely replaced by dating – the initiation of *romantic relationships by asking each other out to dinner or a movie with the hope that something sexual might happen at the end of the evening* (p.44) – once the college students graduate and move off campus. She attempts to answer the question 'at what point during the 20th century hooking up became common practice amongst

college students?' describing 'the calling era' and 'the dating era' which preceded this new, more casual era.

Amongst the most interesting parts of the book for me is Bogle's exploration of how young men and women tend to approach hooking up interactions and what they hope to get out of them. These are often very different things across the sexes highlighting that there are (still) more rules for women than for men who, Bogle says, can behave as they like without gaining a 'bad reputation'. Men, she asserts, (still) hold most of the power, evidenced in particular in many women feeling regret that hooking up does not lead to 'something more', with the men tending to feel much more satisfied with the hooking up encounter and its outcome (often nothing more than the satisfaction of the sexual interaction in itself). Whilst, then, hooking up is generally enacted in similar ways for men and for women, its meaning is often different for the two. Bogle suggests that it is usually the male participant's meaning that dominates, leaving the female dissatisfied. She does, however, caution, that this is a generalisation and individual men and women may feel differently. Her message about continued disempowerment for women in sexual encounters – from the dating era to the hooking up era – is, however, clear.

Throughout the book Bogle stresses the importance of environment in creating, and constraining, the sexual scripts available to the young men and women. Her analysis of post-college life is interesting in this respect as she describes how more formalised dating is the preferred sexual script in day to day life except during vacation time when the new graduates tend to decant to the beach where alcohol fuelled hooking up again becomes the norm.

Bogle goes into a level of detail extremely useful to researchers in the sexual health area. Having access to such micro-level analysis regarding the sexual behaviour of particular population groups is essential when considering the direction policy initiatives and health interventions in areas such as Sexually Transmitted Infections, contraception and prevention of unwanted pregnancy should take. She makes no claims to have written a book generalisable to all American college students, instead emphasising that she focused on two colleges, one a large state college on the East coast and another a smaller faith-based (Roman Catholic) college in the North-East, both largely residential and both largely comprising middle and upper class white students. Her resultant sample is overwhelmingly white and heterosexual. The in-depth quotes re-produced in this book, however, give the reader the confidence that she is representing the sub-sample of college students that she purports to. She also mentions deviant cases in her analysis adding a depth and complexity to the more definitive, and useful, conclusions she draws.

The work raised the question for me as to how similar, or different, findings from a study sited in British universities would be. In particular, would the very traditional pattern identified by Bogle, which essentially can be stated in the age-old statement that the typical young female wants love

and the typical young male wants sex, be mirrored in the British context? A number of recent studies (e.g. Jackson and Cram, 2003, Williamson, 2007) and media stories concerning practices such as 'daisy chaining' amongst young people (<http://www.timesonline.co.uk/tol/news/uk/article386048. ece>) cast doubt on the simplicity of this. Bogle herself does, however, effectively illustrate how what may be so on the surface, measured by looking at behaviour, and even at discourses also (see Louisa Allen's (2003a, 2003b, 2004) excellent work in the New Zealand context), may become more complex if one looks at the emotions, feelings and aspirations which underlie the behaviour. Here is where variation between the sexes may become starker and far outweigh variation within male and female groupings. For me, Bogle's study highlights that more such work is needed in the British context, on sexual scripts that are the norm across particular groups of people. Taking the lead from Bogle, such studies should examine the meanings of sexual encounters for participants; such nuanced research is surprisingly sparse.

Easy to read, and fascinating for those for whom college life is a fading memory, this book is recommended for those interested in young people's sexual health. It provokes thinking on the fluid nature of sexual cultures and how (and why) practices and norms change over time as well as providing detailed information on the sexual behaviour, and its context, of a particular group of American young people.

**References**

Allen, L. (2003a) Girls want sex, boys want love: resisting dominant discourses of (hetero)sexuality. *Sexualities* 6: 215-236.

Allen, L. (2003b) Power talk: young people negotiating (hetero)sex. *Women's Studies International Forum* 26: 235-244.

Allen, L. (2004) 'Getting off' and 'going out': young people's perceptions of (hetero)sexual relationships. *Culture, Health and Sexuality*. 6: 463-481.

Hawkes, N. and Lister, S. (2005) Teenage 'daisy chain' sex alert: school nurses are exposing pupils' amoral lifestyles. *Times Online*, April 28, http://www.timesonline.co.uk/tol/news/uk/article386048.ece. [Accessed 26 May 2009].

Jackson, S.M. and Cram, F. (2003) Disrupting the sexual double standard: young women's talk about heterosexuality. *British Journal of Social Psychology*. 42: 113-127.

Williamson, L.M. (2007) Contraceptive careers: young women's choices, influences and risks. PhD Thesis. Glasgow: University of Glasgow; 2007. E-thesis available at http://theses.gla.ac.uk/164/. [Accessed 26 May 2009].

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*Mike Stein and Emily Munro*
**Young People's Transitions from Care to Adulthood**
Jessica Kingsley Publishers 2008
ISBN 978 1 84310 610 4
£39.99 (Hbk)
pp 306

Steve Hargrave

I have always been struck by the contrast between the way young people leaving home for the first time and going off to University or College are supported and historically, the lack of structured co-ordinated resources that are directed towards young people leaving the Care system often at roughly the same age.

University bound students have access to accommodation, financial support (whatever the rights and wrongs of Student Loans) something meaningful to do with their time, the companionship of a like-minded peer group and structured support through the tutorial systems. Youngsters who are leaving Care are at a significantly higher risk of social exclusion, both in terms of material disadvantage and marginalisation, and yet, by and large do not have such a range of co-ordinated support available to them.

The basic statistics still have the power to shock and shame those of us who work with vulnerable children and young people:

In 2005, only 11 per cent of those in care attained five GCSEs at Grade A-C compared with 56 per cent of all children.

Some 59 per cent of children in care were not entered for GCSEs at all.

Shockingly, less than 5 per cent of care leavers in England go to university and the availability of support for those young people who do is patchy. Those who do make it to University are regarded as exceptions and not as role models showing the way for other looked after children.

Furthermore, their life chances outside the school gate are equally depressing. Of the 6000 young people who leave care each year many experience mental health problems, drug and alcohol addiction and end up on the streets (one-third of this country's homeless were raised in care) People who have grown up in Care are significantly over-represented in the prison population.

Fifty per cent find themselves unemployed within two years;

A quarter of girls are pregnant when they leave care and half become single mothers within two years.

This book, primarily aimed at academics, researchers, policy-makers and professionals concerned with improving outcomes for vulnerable children and young people, comes therefore at an opportune time. It presents an international perspective, drawing on the experiences of 16 different countries. There is much to be gained from learning from other countries successes and failures. Improving policy and practice based on evidence of what works (and what doesn't) could and should lead to improved outcomes for vulnerable groups of young people.

There are of course as one would expect very similar themes to emerge. Case Studies are presented from each country and it is clear that young people making the transition from care to adult independence face many similar if not identical challenges.

It is easier of course to recognise what the problems are, than to define and articulate a coherent system of what interventions may be effective. There are no easily transferable solutions from one country to another but most articles stress the importance of factors such as placement stability, maintaining the consistent support of at least one supportive adult, the provision of post-18 support and so on and there is also a very clear message from several countries, not least the UK, that whatever negative experiences young people may have had to endure whilst in the Care system, a good quality leaving care service can play a vital role in offering a fresh start:

> *Research has highlighted the valuable contribution made by specialist leaving care services, especially in regard to housing, financial support, life skills and in reducing risks of social isolation. Improvements are also being made in education, employment and health services for care leavers.*

There are clear imperatives for policy makers in terms of ensuring that policy should clearly support the provision of services well past the age of 18 as nations throughout the world seek to responsibly discharge their collective responsibilities for continuing to parent these children of the state into adulthood.

John Pinkerton's article quotes a 2005 Recommendation of a Committee of the UNRC to back up this assertion.

Any international comparison has inevitably to include references to globalisation and the widespread opportunities and challenges which come in its wake through the pace of change, the ease of travel from country to country, even continent to continent and the impact of the accessibility of the Internet and mobile phones in all our lives but especially for young people. Not only do these issues have practical implications in terms of types of welfare provision, professional practice etc. but they also

create a level of uncertainty about the world into which young people are entering and introduce yet another variable over which they have little or no choice or control.

I particularly enjoyed Mike Stein's final chapter which summarises concisely, articulately and helpfully the very powerful messages which underpin the book. Improving outcomes involve improving the quality of care, providing young people with opportunities for more gradual transitions from care and that young people leaving care should be supported well into adulthood (from 21 to 25, addressing the core needs of care leavers for assistance with accommodation, finance, education and careers, personal support networks and health and well-being. But I think this is where I came in!!!

**Steve Hargrave, Chief Executive of "faith in families"**

*Adam Abdelnoor*
**Managed Moves – A complete guide to managed moves as an alternative to permanent exclusion**
Calouste Gulbenkian Foundation: 2007.
ISBN No: 9781 903080 07 8
£8.50 (pbk)
pp. 112

Catherine L. Manley

When I considered the title of this book, I was intrigued by the suggestion of a 'complete guide' to 'Managed Moves', this challenged me to discover if this is a realistic and achievable goal for the author.

Following the publication of the 'Managed Moves' report, submitted by the Calouste Gulbenkian Foundation on the 14 December 2007, efforts were made to address rising numbers of school exclusions with reports of over 9,000 annual permanent exclusions adding to rising numbers of fixed-term exclusions.

Abdelnoor defines Managed Moves as 'an alternative to permanent exclusion, enabling a child or young person to make amends and to move on to a new placement or programme in a planned way (2007:11.) The process involves a series of meetings and home visits, culminating in a 'Restorative Justice conference' with a neutral facilitator guiding the process, resulting in a move to a PRU, alternative education provider, new school or the maintenance of a current place following certain reparations.

The book is divided into four parts: part one, explains in some detail the concept, ethos and values

of the approach. Part two outlines key principles behind the approach and the specific roles of key players and explains the two conference themes (justice/family) adopted.

Part three, describes, in some depth, the Facilitator's role, outlining that s/he 'should be everybody's friend' (2007:71). Emphasis is placed on neutrality within the role, yet out of the three suggestions made in terms of the professional origin of the facilitator, two of them refer to the local authority. The conferences are described by Abedelnoor as 'a friendly dialogue, not a psychological assessment' (2007:82), it is suggested that a facilitator does not necessarily need professional training. There are, however, consistent mentions of the use of specific skills including: the use of cognitive interview techniques, knowledge of psychological processes and systemic family theory, all suggesting that, evidently, the facilitator is required to be a psychologist or counsellor in order to fulfil this role adequately.

Part four explores the role of the 'education community' supporting the utilisation of shared resources, effective communication and partnership suggesting the development of a 'boundary of inclusion' whereby the term 'exclusion' may inevitably reach its demise. This idea appears positive, although much work has to be done in terms of the classification of 'mainstream' within a more heterogeneous concept of education, in order to promote such a philosophy.

Much controversy has appeared in recent years regarding levels of exclusion, national targets have been set to promote the reduction in statistics. Following the introduction of the National Curriculum (1988), wherein the 'one size fits all' ethos prevails, we have witnessed the emergence of an internal market philosophy, aimed at promoting efficiency, cost consciousness and adequate utilisation of resources, resulting in a social construction of 'pupil marketability' reflecting via league tables the effectiveness of individual schools.

The idea of conformity to a model is very much prevalent in today's school. Reasons given for exclusions resonate the early 1990s: the contravention of school rules and refusal to attend. Pupils are almost subjected to demonization without clear identification and research into the origins of their voluntary non-participation or behavioural objections. Often individual underlying needs are overlooked, in favour of the marketability of the school, censorship and efforts to maintain conformity. Abdelnoor identifies the utilisation of 'Managed Moves 'as redressing social and development needs which cannot be met within the school (including learning difficulties). I do have a concern that a Managed Move may take place which potentially addresses SEN difficulties, and then classifies outcomes under the auspices of 'reparation' and 'justice'.

The approach to the idea of a process which draws in opportunities for dialogue and reflection is a very positive step, in my opinion. Over the years I have witnessed referrals by schools with no prior discussion (at any level) with pupils or parents/carers regarding the removal from mainstream

education. Often a telephone call from the provider to a parent/carer is the first contact and knowledge they have regarding the name and nature of the alternative option.

The Managed Move aspires to a very positive approach, identifying key issues early, hopefully resulting in a pro-active response from the school, in terms of addressing in-house training and internal additional support. Such an approach, underpinned by tolerance and understanding, could portend a dramatic relational change within the school, the community and the youth justice system. This book is a good tool to those aiming to improve communication between school and parents, and the fundamental guidance will prove very useful in terms of adopting this process.

Throughout the book, there is an emergence of varying contradictions to the process, for instance; whilst accepting that learning difficulties, resulting in challenging behaviour, is at the core of a particular incident/s, Abdelnoor also concedes that the 'wrong-doer is always a pupil, but the aggrieved may be a pupil, teacher or other professionals.' (2007:93). The restorative approach evidently reflects a judicial/punitive response to the situation, references throughout the book signal a name and shame approach including: 'public apologies, school community service and compensation' seemingly replicating a court hearing; if the crime is sufficiently serious then removal from the school community is the ultimate outcome.

The book is clearly written by an author who believes passionately about this approach, I believe it is a 'complete' and very thorough guide to the process, outlining scripts, administration and clear outcomes. One easy misinterpretation for the reader to be acutely aware of is the danger of utilising the process as a more succinct management of exclusion.

The focus of the book, for me, remains centred on the 'problem child', without satisfactory reflection of the structure, targets and heightened dependence on pupil conformity by the school. It would be illuminating to read a more balanced use of such an approach as I feel it has possibilities, yet for me the philosophy is disappointing. Abdelnoor concludes that schools are 'fundamentally humane organisations' (2007:110) and as such it is hoped that deep needs, however inadequately expressed, are addressed and evidenced using a pupil centred and humanistic approach.

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*Michael Newman*

**Teaching Defiance: Stories and Strategies for Activist Educators**

Jossey-Bass: 2006

ISBN 13: 978-0787985561

£18.99

pp. 288

<div align="right">Mae Shaw</div>

This book, by long-time educator and activist Michael Newman, is introduced by Stephen Brookfield, known widely for his prolific writing on critical thinking. In his foreword, he confesses to strong feelings of envy: 'I only wish I had it in me to write something so powerful, accessible and convincing'. This says much for Brookfield, but more for Michael Newman. And Stephen Brookfield has it right. The text is infused with a sense of conviction which is uncompromising, but always inflected with a feeling that this man not only understands the real dilemmas of practice but also the necessity and difficulty of confronting them. As the cover claims, this is a book about choice – the choices that have to be made in order to sustain an educational practice that challenges injustice and which, critically for Newman, includes defiance. For him, this is an intellectual and political task as much as it is an educational one.

The book is divided into five parts: Making a Start, Rebelliousness and Defiance, Choosing and Taking Control, Insight and Action, and Defiance and Morality. It is liberally subdivided into sections which make it easy for reference purposes. Besides problem solving, Newman explores why and how to teach rebelliousness, collective decision making, dialogue, negotiation, posing emotions like anger and frustration as the raw material for educators to engage creatively with rather than manage or suppress. The plentiful examples are drawn largely from trade union education. Although these may not always be readily transferable to community education contexts, one universal lesson is that the politics (like the devil) is in the detail as much as in the grand ideas. These examples demonstrate a systematic educational process which is meticulously planned in advance and revised in light of evaluation.

Whilst Newman's interest is in the reality of people lives, he does not treat 'experience' as an unproblematic business, instead grounding educational practice in theoretical frameworks which illuminate the importance and the difficulty of making sense of such experience. The opening section 'Taking sides' makes it absolutely clear that there is going to be no resort to an easy inclusivity. In fact, there are no easy resorts full stop – whether discussing educational practice or moral purpose. That is what makes the book so refreshing and so useful. Newman is contemptuous of the ways in which adult education has become seriously depoliticised, in part by the domestication of those very ideas which once served a more radical purpose. His attack on the way in which 'critical thinking' has become tamed and disconnected from educational and social purpose is one I find particularly

satisfying: 'Now critical thinking [is] to be found as just one in a list of higher-order competencies, capabilities or capacities, alongside others such as "the ability to work in a team" ' (p.10). This is particularly apposite just now when standardised benchmarks are being cobbled together for higher education in this field, as is his view that adult education has itself become 'simply too nice, too self-centred, or too concerned with maintaining the status quo'. For those practitioners who relate only too well, if uncomfortably, to this description, this book may offer a timely way out of the madness.

What is perhaps most significant about Newman's vision is his faith in the capability of educators to take sides, make choices and act competently and creatively with real people in real circumstances. The title could so easily have been 'learning defiance'. That it is not is precisely his point. He knows the difference between education and learning and is clear about where he stands. His interest is not only in what people learn, but what they learn for. It is this commitment to social purpose that leads him to suggest how educators can create the conditions for learning – using education as a means 'to stay critically alert'. This book acts as a broadside against the way we too often find ourselves on the defensive, cornered into arguing in all too familiar, yet alienating, discourses. The learning paradigm itself may be precisely one such discourse! Newman tells us to stop and reverse the process; to become assertive, if not awkward, and to know that we are in good company when we do so.

A number of intellectual superstars are drawn into the argument along the way – from Sartre and Camus to Freire, Habermas and Bauman – along with many who were new to me. This eclectic mix is reflected in the way in which Newman draws on insights from new struggles in order to extend, but still hold on to, foundational explanatory frameworks which no longer do the job they once did. As he says, we must 'nail our colours to the mast, but sometimes they shade into each other'. I found his synthesis of rational and non-rational discourse interesting and in obvious ways appealing, although it raises as many questions as it addresses, not least the basis on which such distinctions are made and on what intellectual frameworks they can draw.

In Newman's work, the whole is, in a real sense, greater than the sum of the parts. His sharp analytical mind and clear political conviction are enlivened by his wry humour and endearing self-deprecation. The result is both thought provoking and moving. The writing is elegant and entertaining and there is a pleasing mix of metaphor and narrative, theoretical analysis and practical illustration. He is a great believer in the value of telling stories and, to some extent, this is his. It may not be too fanciful to suggest that it reads like a retrospective meditation on his own life and work as well as a strident manual for action in the present.

As it happens, I was wearily trying to comment constructively on proposed benchmarks for community learning and development in the UK at the same time as I was reading Mike Newman's book. The contrast couldn't be more stark. In Newman's book, the words fly off the page and fill your imagination with real people in real situations with real struggles, and with real feelings of frustration,

anger or delight. The work of the educator is to create the conditions in which such legitimate feelings can generate a curriculum which equips people to challenge the status quo in the interests of social change. The participants are not simply objects of however well-meaning policy initiatives but are active subjects in social, political and cultural struggles. It is the connection between these kinds of struggle, and the difference committed educators can make that is central to the title. *Teaching Defiance* is explicit about its politics; benchmark statements are not, though they perform a deeply hegemonic task.

Reading this book revived my flagging energy and reminded me of the always present danger of teaching conformity, however we dress it up. The benchmarking project and other mechanisms of regulation which are presented as 'quality assurance' are only the latest examples. The capacity for reflexivity – 'helping us to see through ourselves' – is a way of keeping us straight on such matters. Defiance may be the next stage!

There is much more that could be said about this book. It consolidates a legacy of many years as educator, activist and commentator. There is a gentle but always probing empathy with human frailty in all its forms at the same time as an unwillingness to be deflected from serious political purpose. In a world of euphemism and hype, Newman dares to talk about love and hate as the primal driving forces of humankind. Once again, no resort to lazy moralising, but a recognition that these two foundational forces 'sit in uneasy dialectical relationship with each other, mediated by our own actions and relationships, by the mass media, by our culture and by the various so-called social norms set by our political leaders, our churches and our many and various role models and "moral guardians".' (p.275). This kind of expansive thinking is as rare as it is inspirational, offering an open, generative and enduring model of educational practice which is committed to social justice. This is a book about 'why' as well as 'how' and will be invaluable on the shelves of educational practitioners in any kind of setting, though it is focussed on adult education.

I am reminded of the words of the late Lee Hays, the great American singer-songwriter and political activist, which I think Michael Newman might appreciate:

> *Good singing won't do it*
> *Good preaching won't do it*
> *[Good teaching won't do it!]*
> *But if you get them all together*
> *With a little organising behind it*
> *You get a way of life*
> *And a way to do it.*

The ultimate strength of Michael Newman's vision is the recognition that things can, indeed must,

change, but that means in the first instance a concerted challenge to the idea that there is no alternative. His postscript explains his choice of an additional sub-title: 'A book written in wartime'. When he began writing it, the USA, UK and Australia were planning to invade Iraq. He finished the book while foreign forces were still engaged in combat and occupation there. As he says 'it's easy to lose heart'. But he counterposes this bleak landscape of despair with a moment of spontaneous energy and joy from an everyday human encounter he has, and which provokes unexpected camaraderie and laughter, concluding that 'beautiful surroundings, fine music and easygoing civility – a world worth defying the doomsayers, barbarians and bigots for'. It is just this kind of sceptical optimism which needs to be taken forward as 'a way of life' in adult education. Michael Newman shows 'a way to do it'.

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*Tina Patel*
**Mixed up Kids: Race, Identity and Social Order**
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pp.186

Paul Thomas

How fixed and pre-determined are our ethnic and 'racial' identities? Is that form of 'racial' identity the most important determinant of our experiences, especially for non-white people in a historically racist and highly racialised society? Many of us involved in anti-racist campaigning and youth and community work over the past decades would have traditionally answered 'yes' to both those question, but in recent years the fixedness and importance of 'racial' identity has become the subject of significant academic and political discussion for a number of reasons. The emergence of Community Cohesion as a policy priority is linked to the suggestion that past policy approaches emphasised separate racial/ethnic identities to the detriment of common identities as a young person, or as a British citizen. The recent furore over the marginalisation of white working class young people (Runneymede Trust, 2008) and the increasingly diverse educational and employment experiences within non-white communities suggests that 'race', as a form of identity and as a causal explanation, has been over-emphasised in comparison to class and place. Such debates are made more urgent by the fact that dual heritage or 'mixed' background is the fastest growing ethnic category, with this and the associated rapid growth in inter-racial marriages and partnerships suggesting that Britain has made more positive progress towards Paul Gilroy's goal of post-racial 'planetary humanism' than we sometimes acknowledge.

I've recently been struck by how suspicious dual-heritage students are of ethnic monitoring and its requirement to 'choose' one's ethnic identity, and in this context Tina Patel's *'Mixed up Kids: Race, Identity and Social Order'* is a timely and welcome addition to the available literature. Writing in an accessible style that makes the book useful for practitioners as well as students and academics, Patel's perspective is that policy has essentialised racial identities, seeing them as fixed, unchanging and of fundamental importance to experience. Whilst having obvious weight in terms of the history and continuing reality of racial prejudice and discrimination, Patel sees this approach as having been detrimental to some young people and uses her focus on young people subject to 'trans racial adoption' to illustrate this. Over recent decades, such adoptions, normally of black or dual heritage young people to white families, have been seen as damaging to the identity and esteem of the young people concerned, and Patel highlights how few such adoptions have happened in spite of the current Government's attempts to make 'race' just one of the determining factors. The core of this book is Patel's evidence from field research with six non-white adults who experienced trans-racial adoption during different policy approaches, with their fascinating and often moving testimony analysed sensitively and at length. Their varied experiences highlight the difficulties of 'growing up different' in a society where racialised norms are held by people of all ethnic backgrounds, and some of the experiences recounted do support the professional scepticism around trans-racial adoption. However, much of the testimony is also very positive about the experience, and questioning of the 'lost identity' thesis of critics, with respondents rejecting the need to fit neatly into pre-conceived racial identities and cultural patterns.

This testimony is the real strength of the book, and it backs up the wider, often American-based, literature on trans-racial adoption that is discussed and which suggests that on balance there is no evidence of trans-racial adoption being damaging to the young people concerned (in the context of adoption per se being a difficult and emotional experience for anyone who experiences it).Patel's suggestion that 'mixed heritage' adoption is a more helpful term, as it more accurately captures respondent's feelings that they have experienced/gained an additional racial identity through adoption , rather than having 'lost' one as the term 'trans-racial adoption' implies, is an important perspective that deserves wider consideration. 'Supply' issues of black and dual-heritage families prepared to adopt are discussed in frustratingly little detail, as this apparent lack has lead to non-white young people being over-represented in the failing care system, and renewed pressure for trans-racial adoption as a better alternative. Patel usefully makes concrete suggestions in the Conclusion as to how adoption and social work practitioners can navigate these complex issues without working on essentialised stereotypes.

For all the above reasons, this book deserves praise, but I had some concerns about its partial attempts to broaden the focus to dual-heritage experiences in society more generally. Some of the cover detail suggests this focus, and at times the text broadens to such wider perspectives. The problem here is that the book's core focus, and the field research data it draws on, are around the much more specific issues of

trans-racial adoption, and at times switching from one focus to another confuses rather than enlightens. For instance, on page 79, Patel states *'it seems that some trans-racial adoptees at times felt different and rejected because of their mixed-race status'*, but the testimony provided didn't seem to me to confirm that the dual-heritage background of that adoptee was actually the issue. Given that not all of the six subjects were of a dual-heritage background, this limited the book's impact here. In some ways, this may be unfair, as Patel has produced a really useful book on trans-racial adoption experiences and policies, but the wider focus on multi-racial identities in the Introduction left me wanting more on this issue. We urgently need more literature on dual heritage experiences, and what they say about racial essentialism, at a time when America has elected a dual-heritage President, and most of the 'black' footballers in the England football team are actually dual heritage. Tina Patel hasn't produced that definitive book, but she has produced a really thoughtful and important book on trans-racial adoption and in so doing raised important wider questions about racial identities that need further debate.

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Howard Williamson

Ian Campbell, father of Robin and Ali of UB40 fame, was a socialist folk singer in the 1950s. The last verse of one his songs, *The Old Man's Lament*, an imagined life that took one man and his family through a sequence of real and metaphorical wars (Boer, WWI, the General Strike, the Great Depression, Spain, WWII, Vietnam) goes as follows:

*And we're living on a pension now and it doesn't go too far*
*Not much to show for a life that seems like one long bloody war*
*To think of all the wasted lives it makes you want to cry*
*I don't know how we change things but, by Christ, we've got to try*

In reading the remarkable history of the Community and Youth Workers' Union, these lines kept returning to my mind – though CYWU has rather more to 'show' for its recurrent struggles. The CYWU and its predecessor unions and associations, representing a membership concerned with youth work, community work and play work, evolved through the 20th century and into the 21st in an attempt to improve the lives of those with whom the membership worked and their own terms and

conditions of employment. Notable achievements were often matched by depressing setbacks, but there was incremental progress. The association/union itself had its moments of imminent collapse or implosion, and has often pondered on whether or not to be a small fish in a big pool, aligned to broader professional and trade union territory, or a bigger fish in a smaller pool. Either way, during periods of independence and those of integration with wider movements, it has, as the cover blurb claims, usually managed to punch above its weight, promoting the interests of its workforce and the standards of the profession.

The book itself is a glossy publication which has both visual and narrative impact. The photographs and images on every page are evocative of the times they reflect or the 'rogue's gallery' they portray of central and associated players in the union's past and present. Author Doug Nicholls, CYWU's national organiser and general secretary for the past twenty years and more, takes us through the union's history year by year. He endeavours to weave together a number of themes: the membership levels, procedures and finances that have kept the union going; personal stories and anecdotes conveying the humour and friendship that has usually underpinned its solidarity; and the campaigns and political action with the beneficial consequences for youth, community and play work that it often secured. The union has been at the heart of progressive thinking and practice on anti-racism and equal opportunities. Around this core framework is commentary on the wider political context in which the union had to operate (one that was rarely benign) and on the relevant academic output that contributed to more conceptual as well as operational development in the field.

The author has tried to cluster this account into seven substantive chapters covering very different lengths of time which themselves span some dramatically different political constellations. The periods therefore reflect the stages of growth and development of the union rather than the external landscape on which the union was seeking to perform and exert influence. Eight appendices supplement this text, listing things such as the presidents of the union and the venues of national conferences as well as key policy statements, various obituaries and tributes to departed colleagues and comrades that were first published in the union journal *Rapport*, and a small selection of pithy and relevant quotations from John Ruskin, Bernard Davies and others. It is a great achievement to have researched, rationalised and collated all this material. If you have been a member of CYWU for some years, whether on the fringes (like me) or more actively at its core, then the personal resonances and recollections will strike hard but warmly, as you recognise faces and recall events. If you have not been a member, there is still value in learning and understanding the contribution of CWYU to the development of youth, community and play work across the UK. And, of course, this history will be an important addition to the overall history of trade unions and the labour movement.

Given the considerable effort that has obviously gone into the production of this book, both through the author trawling the archives and gathering the documentary material, and in the technical layout which is impressive, it is a shame that the book is spoilt by a considerable number of minor

typographical and grammatical errors. And one of the photo credits is completely wrong, though I will not say which one.

Doug Nicholls elaborates on his choice of title in his introductory remarks (p.6). The idea of 'building' expresses something hard and durable; 'rapport' is something more fluid and subtle. But the two together seem to capture something of the essential culture of CYWU – some levels of contradiction that have generally been overcome by a sense of purpose and unity, and supportive personal relationships. The union has striven to be both organised (in a traditional union way) and professional. This dual purpose has been viewed, by the author and most in the union, as complementary, though not all have always agreed. No-one would disagree, however, that this 'brief' history is anything but brief. It covers so much that has hitherto remained unpublished. Nicholls has brought it to the surface. The union is now an 'old man' over pensionable age (arguably 70 in 2008): it should applaud what it has fought for with success but lament the waste of the many young lives still blighted by the absence of the kinds of educational and developmental opportunities and experiences that the union has long advocated for them. Metaphorically, the bloody war goes on.

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