

ADULT EXPLOITATION LANGUAGE GUIDANCE FOR PROFESSIONALS

THIS GUIDANCE HAS BEEN ADAPTED FROM MATERIALS DEVELOPED BY NWG AND LAWRENCE JORDAN, SOCIAL WORKER, MILTON KEYNES—"APPROPRIATE LANGUAGE: CHILD SEXUAL AND/OR CRIMINAL EXPLOITATION" IN COLLABORATION WITH THE CHILDREN'S SOCIETY, VICTIM SUPPORT AND THE NATIONAL POLICE CHIEFS' COUNCIL.





INTRODUCTION

This guidance can be used by professionals when discussing or recording information about the exploitation of adults at risk, including when escalating intelligence and delivering training.

It is imperative that appropriate terminology is used when discussing adults who have been exploited, or are at risk of exploitation. Language implying that the adult is complicit or responsible for the abuse or exploitation that has happened or may happen to them, must be avoided. A reminder that people are targeted, and subjected, to abuse and exploitation.

Language should reflect the presence of coercion and the lack of control people have in abusive or exploitative situations, and must recognise the severity of the impact exploitation has on the person.

Victim-blaming language may reinforce messages from perpetrators around shame and guilt. This in turn may prevent the person from disclosing their abuse, through fear of being blamed by professionals. When victim-blaming language is used amongst professionals, there is a risk of normalising and minimising the person's experience, resulting in a lack of appropriate response. Professionals should be aware of the context and circumstances around the adult and their vulnerabilities.

Professionals must also be aware that any recording will be subject to Third Party Disclosure should there be any criminal court case. Inappropriate use of language can have serious consequences within a criminal court context, and may impact upon convictions.

There are many slang terms used to describe exploitation which are well understood by professionals but they can be dehumanising and in some circumstances minimise the risk, violence or abuse. Practitioners should be precise and professional in the language that they use.

Professionals should be mindful of stereotyping language when working with different genders, LGBTQIA+ and ethnic minority groups.

Be professionally curious and avoid making assumptions/pre-judgements that individuals are making choices. In the context of exploitation, it is likely that a person's choice is impacted by grooming, control, coercion and threats.

It is helpful to be self-aware of any unconscious bias you may have as a professional.

Inappropriate language should be challenged in a respectful way.

MENTAL CAPACITY

Professionals must give due regard to a person's Mental Capacity of any decisions or choices that they appear to be making that could be impacted by an impairment or disturbance of the mind or brain or undue influences.

An adult at risk's mental capacity to make relevant decisions should always be recorded in safeguarding adult enquiries, even if a presumption of mental capacity is indicated.

Apparent "repeated unwise decisions" within safeguarding adult enquiries will require further exploration and assessment by professionals. There should be consideration of executive (dys)functioning in line with risk levels.

Research on the <u>Exploitation of adults with cognitive impairment in England</u> (University of Nottingham Rights Lab) highlighted that victims are stigmatised for "poor life choices" and that sometimes mental capacity assessments were used by service providers to justify disengagement.

We must ensure that MCA assessments adhere to case law and ensure that the relevant information to the decision is communicated to the person and recorded as part of the assessment. Supplementary questions should be explored as to why a person favours one option/decision over another (as part of weighing up considerations). Person can explain the consequences of making one decision as opposed to another.

The <u>Capacity Guide</u> includes useful guidance for professionals around assessing mental capacity.

APPROPRIATE LANGUAGE

The following tables outlines terms that should not be used when discussing or recording issues of the exploitation and abuse of adults and includes a list of suggested appropriate alternative phrases.

Inappropriate term

Suggested alternatives

- "Putting themselves at risk"
- "They are choosing to be involved in risk taking behaviours"
- "They are choosing not to adhere to safety and/or care plans".

This implies that the adult is responsible for the risks presented by the perpetrator(s) and that they are able to make free and informed choices.

• "Despite the risk s/he continues to return to the location..."

This implies that the adult is responsible for any exploitation they experience in a location. It does not recognise abusive or exploitative context or their right to be in the location without experiencing harm

- "The adult may have been groomed"
- "A perpetrator may exploit the adult's increased vulnerability"
- "The adult is not in a protective environment"
- "The situation could reduce the adult's safety"
- "The location/situation could increase a perpetrator's opportunity to abuse them"
- "There is concern the perpetrator is subjecting the adult to undue influence / control and coercion"
- "There are concerns that the adult may be being sexually abused and/or exploited"
- "There are concerns regarding other influences on the adult"
- "There are concerns regarding the adults capacity to make relevant decisions regarding contact that a perpetrator could exploit"
- "The adult has limited choices or control over their situation"
- "The safety/care plan has not understood the perpetrator's undue influence"
- "The perpetrator's grooming/control/coercion over the victim limits their choice and control over their situation".

Inappropriate term	Suggested alternatives
 "sexual activity with" This implies consensual sexual activity has taken place. If it occurs within an abusive or exploitative context this term is not appropriate. Adults may have temporarily been unable to consent due to intoxication and/or may lack capacity to consent to sex due to some other reason, including threats to them or others if they don't comply. "alleged rape" This implies the disclosure is untrue. 	 "The adult has been subjected to sexual abuse" "There are reports of sexual abuse" "The adult has described sexual activity, however concerns exist that it is not consensual due to the person being groomed and/or coerced" "There are concerns the adult may have been unable to consent" (consider MCA assessment) The adult has disclosed that they have been raped.
Inappropriate term	Suggested alternatives
"Sexually active since" When referring to the adult as a child in the context of non-recent reports of abuse, a child cannot consent to sex and is therefore being abused.	 "The adult has reported that they have been raped as a child" "The adult has been/may have been sexually abused" "Concerns exist that the adult may have been coerced, exploited, or sexually

language used.

been coerced, exploited, or sexually abused"

Suggested alternatives

- "Offering him/her drugs seemingly in return for sex"
- "Survival sex work"
- "The person is sex working to fund their drug habit"
- "The person is seeking sex in exchange for....(drugs, alcohol, money, accommodation).

This implies that the adult is responsible for the abuse and has the capacity to make a free and informed choice. It does not recognise the abusive or exploitative context.

- "The adult is being sexually exploited"
- "There are concerns that the adult has been raped"
- "Perpetrators are sexually abusing the adult"
- "The adult is being sexually abused"
- "The adult's vulnerability regarding drug and or alcohol use is being used by others to abuse them"
- "The perpetrator is exploiting the adults dependence on drugs/alcohol to abuse them"
- "The perpetrator is coercing the adult to take substances in order to abuse them"

Inappropriate term

Suggested alternatives

- "Prostituting themselves or selling themselves"
- "Choosing to sex work"
- "The person says they are sex working"
- "She is a lady of the night"

This implies that the adult is responsible for the abuse and has the capacity to make a free and informed choice. It does not recognise the abusive or exploitative context. Further explanation/assessments will be required to understand the circumstances and the person's decision-making.

- "The perpetrator has raped or facilitated the adult being raped"
- "There are concerns that the adult is being sexually exploited"
- "The perpetrator is limiting the choices / options available to the adult"
- "The adult may be a victim of human trafficking and/or modern slavery (where their exploitation involves being recruited, moved, or held by a perpetrator which is highly likely in this context)"
- "The perpetrator has groomed the adult to have an emotional dependency on them"

Inappropriate term **Suggested alternatives** • "The adult says that they are in a • "In a relationship with..." relationship with a person; there are concerns about that person's age, the imbalance of power, fear, exploitation This implies that the adult is in a and/or offending" positive, consensual relationship • "The perpetrator has manipulated the and does not reflect the abusive adult to believe they are in a or exploitative context. The relationship" dynamics of the relationship • "The adult considers the relationship need to be referenced and to be consensual however the explained. relationship has been formed in the context of exploitation" Inappropriate term Suggested alternatives • "Promiscuous" "Experimenting" • "The perpetrator is targeting the adult due to known/perceived • "Choosing to attend Chemvulnerabilities" Sex parties" • "There are concerns that the adult is being sexually exploited as a result of This implies consensual sexual activity has taken place. undue influence from others" Promiscuous is a judgemental • "There are concerns that the adult is term based on assumptions and being manipulated/coerced into includes a significant gender having sexual contact with multiple bias. It should not be used in any people"

context.

- "Drug running /dealer –
 He/she is drug running or is
 recruiting others to deal
 drugs"
- "He/she is selling to pay off his debt"
- He/she likes the lifestyle/kudos"

This implies that the adult is responsible for the exploitation and has the capacity to make a free and informed choice. It does not recognise the abusive or exploitative context.

Suggested alternatives

- "Criminal exploitation (CE)"
- "The perpetrator is criminally exploiting the adult"
- "There are concerns that the adult is being trafficked for the purpose of criminal exploitation"
- "The adult has been forced to sell drugs."
- "The adult has been targeted by perpetrators and then groomed, often through promises of payment, gifts or protection"
- "The adult is being coerced, groomed, manipulated into recruiting others"
- "The perpetrator is using debt bondage to continue to control, threaten and exploit the adult or their family."

Inappropriate term

- "He/she is choosing this lifestyle or is making a lifestyle choice"
- "They are fully capacitated to make unwise decisions."
- "Makes poor choices / they know what they are doing."
- "They need to take responsibility for their behaviour"
- "They lead a chaotic lifestyle"

This implies that the adult is responsible for the exploitation and has the capacity to make a free and informed choice. It does not recognise the abusive or exploitative context.

Suggested alternatives

- "The perpetrator is criminally/sexually exploiting the adult"
- "The perpetrator is controlling the adult's decision-making"
- "The adult may be unable to make capacitated choices due to a cognitive impairment or undue influence"
- "Services need to support the adult to understand
- -the complex nature of exploitation
- -what exploitation is, and how they have been groomed.
- -that only the exploiter is responsible for what happened to them and they are not to blame.
- -how the exploiter is harming them and does not have their best interests in mind"

 - "The presence of repeated unwise decisions leads me to question the adult's mental capacity"

Suggested alternatives

 "Choosing to spend time/ associating with individuals of concern/high risk".

This implies that the adult is responsible for the exploitation and has the capacity to make a free and informed choice. It does not recognise the abusive or exploitative context.

- "The adult says that they are friends with a person but there are concerns about that person's age, the imbalance of power, fear, exploitation and/or offending"
- "There are concerns that the perpetrator has created a situation where a trauma-bond has developed so that they can groom, exploit and/or coerce and control"
- "The perpetrator has groomed the adult to believe they are in a friendship/relationship"
- "The perpetrator is controlling who the adult is friends with"

Inappropriate term

Suggested alternatives

- "Would not cooperate with..."
- "Tells lies"
- "Fabricates, exaggerates"
- "Has a history of making false allegations"
- "The adult makes inconsistent/disclosures or accounts"
- "The person always retracts their allegations"
- "The adult always changes their stories"

Statements suggesting a person is not telling the truth can be extremely damaging to someone, particular in relation to any future criminal action against perpetrators.

Victims/survivors may not be viewed as credible witnesses based on such recordings.

- "Services have not created a safe space for disclose"
- "The adult may fear negative repercussions for disclosure"
- "Professionals have been told conflicting information by the adult, this could be due to: difficulty with recall, trauma, drug and substance use, cognitive impairment, control / manipulation of the perpetrator, to protect others"
- "It is known/suspected that the perpetrator is forcing the adult to retract disclosures".
- "Professionals have not created a trusting relationship with the adult to allow for disclosure".
- "The person is experiencing a traumaresponse"

Suggested alternatives

- "The adult has absconded / ran away"
- "The adult does not want to be found or have contact with services."
- "The person is in hiding."
- "The person chooses to go out through the night"

Where there are concerns that an adult is not where they normally expected to be and there are concerns they may be at risk

- "The adult does not feel able to stay at their current location"
- "The adult is being groomed/coerced to leave"
- "The adult may consider leaving to be the safest option in this circumstance"
- "Someone else has control over the adult's behaviour"
- "The adult is missing and may be at risk of harm"
- "The adult is fearful of being harmed or others at risk of harm"
- "The perpetrator has control over the adult's whereabouts"
- "The adult might be being forced to be in a location."

Inappropriate term

Suggested alternatives

- "Gang Involved or affiliated"
- "The adult enjoys being part of gang / drill culture"
- "Choosing to be part of a gang"
- "Actively choosing to be involved in criminal activities"
- "They enjoy the glamour/kudos"

This implies that the adult is responsible for the exploitation and has the capacity to make a free and informed choice. It does not recognise the abusive or exploitative context or powerful grooming process.

- "There are concerns an Organised Crime Group is exploiting the adult"
- "Threats of violence have been made to the adult, family or household"
- "There are concerns that there is a power imbalance and powerful grooming forcing or compelling the adult to act in this way"
- "There are concerns regarding other influences on the adult"
- "The adult is being groomed"
- "The adult is under threat of violence"
- "Organised Crime Groups/Urban Street Gangs have groomed the adult to believe they are protected"
- "They are a victim of human trafficking and/or modern slavery and are being exploited to commit criminal offences"

Suggested alternatives

- "They are allowing people into their homes"
- "They live in a party house"
- "They are failing to look after themselves and their property"
- "Not controlling their visitors"
- "They attract anti social behaviour"
- "Cuckooing"

These statements suggest the adult has control and choice over what is happening to them and does not recognise the exploitative circumstances. Phrases such as "party house" and "cuckooing" are dehumanising and minimise the risks involved. Professionals need to explore any unmet needs and vulnerabilities.

- "Trap house"
- "Bando"
- "Yard"

These are slang terms used to describe a person's home where criminal exploitation is taking place and should be avoided.

Note that anyone under the age of 18 should not be referred to as a perpetrator and should be seen as a victim of exploitation.

- "The adult may be subject to undue influence, manipulation, control and coercion"
- "The adult may be fearful and unable to stop being coming into the property"
- "Their house/accommodation has been invaded/taken over by Organised Crime Groups"
- "The adult is being exploited"
- "The perpetrator(s) have taken over/invaded the person's home".
- "The perpetrators are using the adult's home as a place to stay"
- "The perpetrators are using the adult's home as a place to make, store or deal drugs/weapons/stolen goods".

FURTHER RESOURCES

Newcastle Criminal Exploitation and Serious Violence Referral Flowchart

<u>Principles of Engagement (Newcastle Safeguarding Adults Board)</u>

<u>Appropriate Language in Relation to Child Exploitation (The Children's Society)</u>

<u>Making Words Matter – Attending to Language when working with children</u> <u>subject to or at risk of Exploitation: A Practice & Knowledge Briefing</u> (CNTW, NWG and Space)

Why language matters blogs (NSPCC)

KEY INFORMATION

Adult at risk

Defined as someone who is:

- Aged 18 or over and;
- Has an appearance of needs for care and support (whether or not those needs are being met); and
- Is experiencing, or is at risk of abuse or neglect; and
- As a result of those needs is unable to protect him or herself against the abuse or neglect or the risk of it

(Care Act, 2014)

Adults with care and support needs can be targeted by perpetrators for the purposes of exploitation. It is important for professionals to remember that adults are exploited too.

REPORTING A SAFEGUARDING ADULTS CONCERN IN NEWCASTLE

If you are concerned about an adult at risk please report your concerns via existing safeguarding reporting pathways.

To report concerns on a multi-agency basis:

Report online

Or contact Adult Social CarePoint: 0191 278 7878

In an emergency always dial 999

For further information, please visit:

www.newcastlesafeguarding.org.uk/report-a-concern