Child Sexual Exploitation: Definition and the importance of language

Kirsty Alderson, Carol A. Ireland[1]*, School of Psychology, University of Central Lancashire, UK; and CCATS: Coastal Child and Adult Therapeutic Services, UK

Abstract

CSE initiatives and policy have been adversely impacted by a lack of clarity in defining child sexual exploitation (CSE), as well as using language that can wrongly convey victim blame and responsibility for the abuse against them. This has led to several inquiries where services have struggled to support victims of CSE. This discussion paper aims to consider the issues, examining the links between CSE and child sexual abuse (CSA), and the challenges in defining CSE. This includes a suggested revised definition. Further, it summarises the challenges that have arisen using language in exploring CSE, and which may have potentially skewed prevalence rates as a result. This paper then considers the presentation of such language and the challenges this offers, with consideration of alternative approaches. It concludes by arguing the importance for researchers to be mindful and responsive to definitions of CSE and the use of language in interpreting results and engaging with this population.

Key words: Child Sexual Abuse, Child Sexual Exploitation, Definition, Prevalence, Language

Introduction

There has been much debate regarding the definition of child sexual exploitation (CSE) and how it relates to the broader definition of child sexual abuse (CSA). Within policy and research there are numerous definitions for CSE, and which then overlap with CSA. However, there are also aspects that distinguish CSE from CSA. Many definitions of CSE emphasise some form of exchange for sexual behaviours. Yet, definitions have evolved over time in response to increased understanding. There are some forms of CSE, particularly those which take place in gangs and through the use of technology, where an exchange may not be present (Berelowitz, Clifton, Firimin, Gulyurtlu & Edwards, 2013). Or, CSE may take place alongside CSA and other forms of abuse. Further, the use of language with respect to victims of CSE requires careful consideration in order to reduce victim blame and to maximise victim engagement. This paper discusses key issues regarding how CSE is defined, the use of language, and how this may then impact on obtaining accurate rates of prevalence.

This paper begins by first defining CSA and CSE as we currently understand it, noting the key differences and commonalities. This paper then discusses how knowledge and understanding of CSE has increased following several high-profile investigations and case reviews across the United Kingdom, as well as research that has been undertaken by leading children's charities in the UK. These developments have informed policy and practice in relation to safeguarding children and young people. Despite this, the nature and extent of CSE is still not fully understood

and this paper outlines how definition and use of language can lead to groups of youth being overlooked and under-represented in prevalence research.

Definitions of child sexual abuse and exploitation

The UK Government provides clear guidance to professionals on their responsibilities for safeguarding children. This includes presenting a definition of CSA to guide professionals' interventions with those at risk of, or who have been identified as experiencing, sexual abuse. Recent guidance defines CSA as the act of:

> *Forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children* (HM Government. Working Together to Safeguard Children, 2015, p. 93).

CSE is further defined as a form of sexual abuse:

> *Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example, being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain* (DCSF, 2009, p. 9).

Further, and in Scotland, there are additional details in relation to the factors that create an imbalance of power:

> *Any involvement of a child or young person below 18 in sexual activity for which remuneration of cash or in kind is given to the young person or a third person or persons. The perpetrator will have power over the child by virtue of one or more of the following – age, emotional maturity, gender, physical strength and intellect* (Scottish Executive, 2003, p. 1).

In these definitions, a child is defined as anyone who has not yet reached the age of 18. Several CSE definitions distinguish between children and young people, however, the age at which a child becomes a young person is not generally agreed upon (Fox, 2016). For instance, a child is commonly defined as anyone under the age of 16. Yet there are some offences focused on providing greater protection to those under the age of 13, and others where a child is defined as someone under the age of 18 (Sexual Offences Act, Part 1, 2003). This has therefore created

difficulty when comparing prevalence research as often researchers may use different ages to define a child.

Further, and from the above definitions, a factor that distinguishes CSA from CSE is the emphasis on a power imbalance in the case of sexual exploitation. However, in CSA, a power imbalance also exists, and which enables an abuser to force or entice a child to engage in sexual activity. Regarding the power imbalance, it is important for existing definitions to offer clear guidance. For example, a power imbalance may exist due to the perpetrator's gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources (Department for Education, 2017). Another factor that distinguishes CSE in the above definitions is the presence of an exchange, whereby a child or young person receives something as a result of engaging in sexual activity. However, the exchange may not be immediately clear to others. Further, there are cases where CSE takes place alongside CSA, adding complexity to the issue. For instance, CSE that takes place within gangs and groups may involve female victims exchanging sexual activity for protection from assault by gang members. They may also experience sexual abuse from rival gang members as a form of punishment or retaliation (Berelowitz *et al.*, 2013). As such, it may be challenging for professionals to recognise CSE in this context and therefore it may be overlooked.

While there is some variation in CSE definitions that are adopted by professionals throughout the UK, the most widely accepted definition among professionals in children's services is that developed by the Department for Children, Schools and Families (DCSF, 2009), and which is noted above. Their definition offers more detail in relation to the exchange of goods for sexual behaviours, including occasions where the child may not appear to receive anything, such as in the use of technology. The DCSF guidance also states that violence, coercion and intimidation may be used to secure victim compliance. However, it is important to consider that many children and young people do not experience these behaviours and thus, they may fail to recognise CSE as an abusive encounter (Barnardos, 2011). This is covered in the Welsh Government guidance, which attends to the issue of informed consent:

> *Child sexual exploitation is the coercion or manipulation of children and young people into taking part in sexual activities. It is a form of sexual abuse involving an exchange of some form of payment which can include money, mobile phones and other items, drugs, alcohol, a place to stay, protection or affection. The vulnerability of the young person and grooming process employed by perpetrators renders them powerless to recognise the exploitative nature of relationships and unable to give informed consent* (National Action Plan to Tackle Child Sexual Exploitation, 2016, p. 1).

The concept of grooming is also included within the most recent guidance for professionals. The term is not used specifically, however the grooming process is described in more general terms:

> *Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always*

involve physical contact; it can also occur through the use of technology (HM Government. Working together to safeguard children, 2018, p. 104).

It is noteworthy that the above definitions fail to make clear that *any* sexual activity that takes place under the age of 16 would be considered illegal and therefore unequivocally defined as sexual abuse. Informed consent would not be possible regardless of the influence of grooming and vulnerability. Rather, the above definitions would be more suitably applied in cases where CSE is present among those who are above the age of legal consent, and where the perception of victim responsibility increases (Jago, 2010). This would be an important distinction to make within current definitions, to avoid reinforcing a perception that a child under the age of 16 may *appear* to consent to sexual activity, and which unhelpfully focuses on the child's behaviour in the abusive interaction and distracts from the main issues of abuse. This is a key issue to address, since many professionals have unhelpfully perceived children under the age of 16 to consent to their abuse. Therefore, definitions should emphasise that, in all cases, CSE is a form of sexual abuse. Children and young people have not consented to their abuse, even where there is an exchange of goods for sexual behaviours. This has previously been described as a 'constrained choice'. That is, a decision made by an individual to engage in sexual behaviours "against a background of social, economic and emotional vulnerability" (Harper & Scott, 2005, p.5). This means that some children or young people may feel they have to exchange sexual behaviours in order to provide for basic needs such as food or accommodation or to support their drug or alcohol use. Often these needs are present due to a range of social difficulties including maladjustment in the home or instability with their care provision (Coy, 2009).

This concern may be addressed in the UK in the near future, as the UK Government is in the process of a consultation on developing a CSE definition that includes the issue of consent. It is reported that, in the new definition, it will be emphasised that children and young people cannot consent to being sexually exploited (Manchester Safeguarding Boards, 2017). Some researchers have even argued against using the term 'exchange' in current definitions, as this may overlook the power imbalance inherent in the abuse (Eaton, 2019). While evolving definitions create an opportunity to address some of the unhelpful aspects of existing definitions, this could also add complexity regarding achieving consistency across geographical regions and different child care professionals. Yet, it is crucial that existing definitions are amended in response to an improved understanding of CSE so that professionals are left in no doubt as to how to recognise it. Accounting for the above considerations, a suitable definition of CSE is proposed, by the current authors, as follows:

> Child sexual exploitation (CSE) is a form of sexual abuse which affects anyone under the age of 18. As with sexual abuse, there is a power imbalance between a perpetrator and their victim. Several factors may lead to a power imbalance that is in favour of the perpetrator (adult or peer), including gender, cognitive ability, physical strength, status, economic resources, age, maturity, emotional development, mental health, or any another factor that places the victim at a disadvantage; while coercion and force may be used to secure victim compliance, this may not be present. What separates CSE from sexual abuse is the presence of a perceived 'trade'. More specifically, a victim may be expected to engage in a sexual interaction with a perpetrator for tangible goods, or other intangible factors that may be missing in the victim's life. For example, affection, attention, protection, or safety from physical harm. The sexual behaviours may include direct

physical contact, or indirectly such as through a form of technology. In all cases where the victim is under the legal age of consent, this should be considered sexually abusive. Where the victim is over the age of consent, an encounter is considered sexually exploitative if there is a power imbalance which favours the perpetrator. Sexual exploitation may also take place alongside other forms of abuse, and there may be more than one perpetrator involved.

The definition attends to aspects of CSE that overlap with CSA and those which differentiate it. It could address confusion among professionals, who may find it challenging to understand the conceptual difference. Further, the proposed definition includes a detailed description of the power imbalance and how this precludes informed consent when an individual is aged 16 and over. Finally, it emphasises that when victims are aged under 16, this is unequivocally sexual abuse. It is, of course, noted that the focus here is on CSE, yet any individual can experience sexual exploitation regardless of their chronological age.

While the proposed definition is more detailed than the other definitions presented in this paper, sufficient detail is necessary to support professionals to recognise CSE. The existing definitions discussed in this paper are adopted in practice by professionals within UK Children's Services. Those definitions have featured consistently within policy and practice documents, across different regions throughout the UK. While some of the definitions attend to the issue of informed consent and power imbalance, there are still cases where children and young people are viewed as having consented to sexual contact with adults (Harper & Scott, 2005; Jago *et al*., 2011). This is evident in language used by professionals to describe victims, where children are perceived as having agency in an exploitative encounter. For example, some children are described as 'sexually promiscuous', with adult perpetrators being described as 'boyfriends' (Beckett, 2011; Jay, 2014). It could be argued that this language conveys blame on the part of the victim and moves the focus away from the perpetrator.

The use of language

Difficulties in the type of language used has been highlighted within the Oxfordshire Serious Case Review into CSE (Bedford, 2015). When some victims were reported to the authorities, their vulnerability was not acknowledged. For example, police reports described some female children as 'prostituting themselves' and 'putting themselves at risk'. Further, some children who were sexually exploited reportedly presented with 'challenging' behaviours, including going missing from home, engaging in substance use and who exhibited some hostility towards professionals. In many cases, professionals were noted to have overly focused on victims' problematic behaviour rather than the causation or functional factors of such behaviour. The review argues that professionals should have considered the underlying reasons for such behaviours. Further, that the challenging behaviours may have emerged due to the chaotic and violent nature of their abusive experiences, or as a means to prevent professionals from disrupting the abuse (Bedford, 2015). The review found that there was a general failure of professionals in the local authority and the police to attend to or follow up on signs of dysfunction in the lives of CSE victims. This was described as a lack of professional curiosity, and in some cases, this meant that CSE continued to take place for several years without disruption.

The use of biased language towards victims has been examined widely within criminological research, as it has implications for how victims of crime are treated in society and the legal system. The use of biased language relates to the notion of the 'deserving victim', a concept that has been widely debated within victimology literature. Researchers have observed that a hierarchy exists among victims, where some individuals are viewed as deserving of victim status and others are viewed as being responsible for their experiences (McEvoy & McConnachie, 2012). In historical victimological theory and research, some victims were classified in the hierarchy based on how much they were perceived to have contributed to, or caused, their own victimisation. This was termed 'precipitation', where victims are viewed as having contributed to their experiences and, consequently, blame is assigned to them, whereas others are viewed as innocent (McEvoy & McConnachie, 2012). This debate extends to victims of sexual abuse, where it is argued that an 'ideal victim' is vulnerable, that they should appear to others as being powerless in the encounter and that they are dominated by the perpetrator. Where they fail to meet these requirements, they may not be conferred victim status in society (Javaid, 2016). Even where victims are acknowledged to be vulnerable, they may still be denied victim status due to how this vulnerability is perceived by society. This would include individuals who are homeless, who abuse substances and who are involved in prostitution (Walklate, 2011). These individuals may be perceived as having contributed to their own victimisation, due to their high-risk lifestyles.

Arguably, CSA and CSE victims should be perceived as 'ideal victims', due to the power imbalance inherent between a child victim and an adult perpetrator. However, empirical research reveals that in society there are negative attitudes towards child victims, some of whom are blamed for their own sexual abuse. This was observed in a French study of 384 adults drawn from the general and student populations, 232 of whom were women (Esnard & Dumas, 2013). Participants were asked to read fictitious cases involving male or female victims. Victims were described as either a child aged seven or an adolescent aged 12 years. In each vignette the perpetrator was described as either a male or a female adult and aged 35 years, in both cases. Participants were interviewed, and victim blame was measured by their responses to seven questions relating to the victim's responsibility, culpability and credibility. Overall, participants viewed the perpetrator as being more responsible than the victim. However, male participants blamed the victim to a greater degree than female participants, particularly when the victim was male. Male participants also blamed the perpetrator to a lesser degree than female participants, particularly when the perpetrator was described as female. Further, participants blamed the victim regardless of whether the victim was described as a child or an adolescent. Researchers concluded that male victims were blamed to a greater degree due to masculine ideals that males should be physically able to resist their abuser; this could have implications for young males' psychological development, if they encounter blame while their identity is forming in adolescence. It could also be argued that such attitudes may even prevent some victims from disclosing their abuse due to fears around how it will be perceived. Or, they may retract a disclosure if they experience blame from others. However, these arguments are based on the assumption that such attitudes are communicated to victims, either directly or indirectly. One cannot assume that negative attitudes translate to negative behaviours to victims, particularly where findings are derived from hypothetical scenarios. If an individual holds attitudes that suggest some CSE victims are to blame for their abuse, this may not extend to the children in their own lives, especially those with whom they have a close relationship. Therefore, it is important to obtain the views of victims and to examine whether they have perceived these attitudes upon disclosing their sexual abuse to others.

A factor that adds complexity to the notion of the 'ideal victim', is that some individuals are both victims and perpetrators of crime (McEvoy & McConnachie, 2012). This extends to CSE, where some children are involved in seeking other youths for perpetrators to exploit. In addition, there are children who, during the period of their exploitation, engage in anti-social behaviour, including aggression, substance and alcohol use, and truancy (Bedford, 2015; Lillywhite & Skidmore, 2006). It was already discussed that these behaviours influence how victims are perceived by those in authority (Bedford, 2015). This is also evident in empirical research. For example, in a US study, police case files were examined for 126 children who experienced commercial CSE (Halter, 2010). Commercial exploitation involves the exchange of money or substances, for sexual behaviours. Throughout the cited article however, the author describes this as 'juveniles who are involved in prostitution'. Arguably this language is suggestive of agency, despite the children being aged from 12 to 17 years. When reviewing the case files, the researcher identified language which indicated the children were either treated as victims, delinquent offenders, or both. They also searched for factors that might be linked with police officers attributing victim or offender status and subjected these to statistical analysis. Findings suggested that youth were significantly more likely to be viewed as victims if they co-operated with the police and if they had no prior criminal record. This could suggest that a victim's behavioural presentation may influence police attitudes, potentially influencing their treatment by authorities.

Halter (2010) is not without limitations, however. The study did not utilise a specific type of qualitative analysis to examine the language in the case files. Thus, the researcher did not use a systematic procedure to identify the variables associated with perceived culpability. This should be considered a major limitation, potentially leading to bias in the variables selected. Further, there was only one male victim in the sample. Thus, it is not clear if male youth would be more likely to be criminalised, given that male victims may be blamed to a greater degree than females (Esnard & Dumas, 2013). Finally, the researcher concluded that their findings suggest the police engage in an informal assessment of the likelihood that victims will engage in further 'prostitution'. They go on to argue that the police may decide to treat these victims as offenders, to 'protectively detain' them. They describe this as a "paternalistic protective response" (Halter, 2010, p157). This is a notable assumption, where the police's treatment is interpreted as a caring action and with no qualitative evidence to support this hypothesis. An alternative explanation is that the female youth may not possess the characteristics of an 'ideal' victim of CSE. Therefore, they encounter a punitive response and are treated as criminals, rather than as vulnerable individuals. This underlies the importance of methodological rigour, to minimise bias and prevent research findings being interpreted solely through the lens of the researcher's own values and beliefs. What the cited study does reveal, however, is that where CSE victims come into contact with authorities, prior offending and lack of co-operation may result in them being viewed as culpable. This is likely to impact on their treatment by authorities, meaning child victims may not receive appropriate safeguarding or supportive measures. Furthermore, studies such as these indicate that accurate information on the nature and prevalence of CSE is unlikely to be obtained from conviction data, or referrals to specialist support organisations.

Overall, language is an important consideration for researchers, as terminology may influence whether a victim feels able to report on their experiences. Researchers should also consider whether to utilise the term victim within a survey. Feminist researchers have often challenged terminology due to its inherent power. For example, the label of victim is said to confer powerlessness and passivity (Walklate, 2004), yet the term survivor is associated with

agency (Anthias 2013). However, the notion of agency has a complex relationship with victim status and may actually be unhelpful (Javaid, 2015). Some argue that the label should be selected by those who have been victimised (McEvoy & McConnachie, 2012). Therefore, a solution would be that research should avoid using either term.

Conclusion

In summary, CSE definitions have evolved over time and current definitions should guide effective practice of professionals in children's services. However, definitions do vary, and often fail to include sufficient detail to guide professionals in recognising CSE. There is evidence that some professionals still view CSE differently to other forms of sexual abuse and which may impact negatively on victims. Examples include perceiving victims to have consented to or being held responsible for their abuse. These attitudes may even lead professionals to overlook signs that someone is being sexually exploited. This is problematic because such beliefs and assumptions will interfere with current efforts to understand the full nature and extent of CSE in the UK. Further, attributions of victim blame will arguably reduce the likelihood of CSE victims receiving appropriate intervention and support. This may affect their recovery in the longer term.

Therefore, this paper has argued the importance of a clear and thorough definition of CSE, with further consideration as to the language used to describe sexual abuse and exploitation. Language may represent the attitudes of those who use it, and which could influence how CSE is defined, recorded and responded to. Consequently, one cannot rely on officially recorded figures on the nature and extent of CSE; cases of CSE may have been overlooked due to victims being viewed as responsible or to blame for their abuse, even where the victims are children. When interacting with victims of CSE, including in a research context, this should be described objectively, carefully and with no judgement evident in the language that is used. Researchers should be mindful that language which conveys blame or responsibility may pose a barrier to victim disclosure. Furthermore, this could lead to self-blame and shame for victims, which has implications for their recovery.

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About the authors

Dr. Kirsty Alderson, MSc, PhD is a Chartered and Registered Forensic Psychologist. She is employed in clinical practice in a child and adolescent service. She was previously a PhD student at the University of Central Lancashire. Her research interests include child sexual exploitation, adult and youth offending, trauma and its role in offending and victimisation.

Dr. Carol A. Ireland, MSc, PhD is a Chartered Psychologist, Consultant Forensic Psychologist, and Chartered Scientist. She is a Reader in Aggression at the University of Central Lancashire. She is also the Senior Research Lead in a secure forensic psychiatric research unit. She is also employed in clinical practice in a child and adolescent service. Her research interests capture sexual offending, child sexual exploitation, aggression, trauma, critical incidents and self-injurious behaviour.