

A Safeguarding Adults Review into the death of Chris.

Safeguarding Adult Review Panel

November 2024

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Glossary

1.1	Nottingham City Safeguarding Adults Board. Provides oversight and leadership in adult safeguarding arrangements across the City of Nottingham and oversees and coordinate the effectiveness of the safeguarding work of its member and partner agencies
1.1	The Care Act 2014. Introduced to set out a framework to improve people's independence and wellbeing. Local authorities must provide or arrange services that help prevent people developing needs for care and support or delay people deteriorating such that they would need ongoing care and support.
1.2	Social Care Institute for Excellence (SCIE) Seeks to improves the lives of people of all ages by co-producing, sharing, and supporting the use of the best available knowledge and evidence about what works in practice.
1.2	SAR Quality Markers – a set of standards covering the whole process from initial decision making about whether a case meets the statutory criteria for a SAR, to evaluating the impact of actions taken in response to the learning identified.
2.5	Individual Management Reports (IMR). A single agency review of the circumstances at the time; and to develop an open critical analysis of both individual practice and organisational policy and practice, to see whether the case indicates that changes can and should be made.
3.3.3	Nottingham recovery Network – provision of support, advice and treatment for people in Nottingham facing drug and alcohol issues.
3.7	Criminal Behaviour Order - an order designed to tackle the most serious and persistent anti-social individuals where their behaviour has brought them before a criminal court.
3.8	Public Protection Notice – Information sharing notification from Police Forces to other agencies such as Adult Social Care and GP's where there are concerns about a person's wellbeing and safety.
3.10	Nottingham City Slavery Exploitation Team - a specialist team focussing on identification, prevention, early intervention and disruption of slavery, exploitation and trafficking.
3.10	Nottingham City Slavery Exploitation Risk Assessment Conference (SERAC) – a multi-agency forum which assesses risk of harm and coordinates activity to safeguard victims of slavery and exploitation,
4.3	The National County Lines Coordination Centre - A multi-agency team comprising of police officers, National Crime Agency and Regional Organised Crime Units to develop a national picture of the complexity and threats emanating from illegal drug supply and links to slavery/exploitation.
4.10	Organised Crime Groups - Planned and co-ordinated criminal behaviour, conducted by people, groups or networks working together on a continuing basis.
5.1.2	Community Safety Partnership - A long standing statutory multi-agency partnership established to reduce crime and disorder in their local areas.
5.0.1	Local Government Agency – A national body for local authorities
5.3.2	Serious Violence Duty – requires councils and partners such as the police to work together to share information and target interventions to prevent and reduce serious violence.
5.3.10	Child Safeguarding Practice Review Panel - an independent panel commissioning reviews of serious child safeguarding cases.
5.4.3	'County lines' - where illegal drugs are transported from one area to another, often across police and local authority boundaries, usually by children or vulnerable people who are coerced into it by gangs. The 'County Line' is the mobile phone line used to take the orders of drugs
5.6.2	The National Police Chiefs Council - brings UK police leaders together to set direction and strategy in policing
5.8.1	Association of Directors of Adult Social Care are a membership organisation for those working in adult social care

1.0 Introduction

1.1 Following a referral from Nottingham City Council's Slavery Exploitation Team, the Nottingham City Safeguarding Adults Board (NCCSAB) commissioned a safeguarding adults review (SAR) into the circumstances leading up to the death of Chris who was believed to have been a victim of 'cuckooing'. Given the circumstances leading up to Chris's death and the previous involvement of a number of agencies in efforts to support Chris, it was believed these circumstances met the statutory requirements for a Safeguarding Adults Review under Section 44 of The Care Act 2014.

'A review of a case involving an adult in its area with needs for care and support (whether or not the local authority has been meeting any of those needs) if –

there is reasonable cause for concern about how the SAB, members of it or other persons with relevant functions worked together to safeguard the adult, and

the adult had died, and the SAB knows or suspects that the death resulted from abuse or neglect...'

1.2 This review has attempted to follow as far as possible the Quality Markers for Safeguarding Adults Reviews as produced by Social Care Institute for Excellence (SCIE) and the National Network of Safeguarding Adults Board Independent Chairs.

1.3 The independent reviewer is a former Chief Superintendent, Devon & Cornwall Police, and a former Independent Chair of a Safeguarding Adults Board. There is neither current nor previous connection with the NCCSAB or any of its partner agencies.

2.0 Review Methodology

2.1 A Safeguarding Adults Review is more than a written report. It is a process which galvanises people & organisations who worked/are working directly with people who needed support to have a 'duty of candour', how they are open to learning, identify where improvements can be made & transparent in recognising barriers to effective practice.

2.2 An analysis of the Care & Health Improvement Programme led thematic work of SARs (2020, Preston-Shoot, Bray et.al) identifies key elements of an effective SAR.

- (1) Legal literacy as to when a SAR is required (mandatory) or where it is believed valuable learning is beneficial to the safeguarding system (discretionary)
- (2) Open, detailed & timely responses by agencies documenting not only the extent of their engagement with the person, but an openness in identifying learning at an early stage.
- (3) A process where the lead reviewer can engage with practitioners and managers, either individually or as a group where systemic analysis can take place.
- (4) A review where there is good concordance between rationale for referral, terms of reference & identification of **key areas** through the above analysis.
- (5) Drawing on learning from previous SARs where similar issues were identified.
- (6) Areas of learning & recommendations that are co-produced, evidenced-based, learning focused & timely. Reviews should not 'shy away' from proposing system improvement regionally and/or nationally where appropriate.

2.3 This review has been identified as a **mandatory** SAR. Although not statutorily being provided with care and support as defined under The Care Act 2014, it is recognised that Chris was a person who required care and support needs, that his death had occurred from abuse and/or harm & there was reasonable cause for concern about how the SAB members of it or other persons with relevant functions worked together to safeguard them.

2.4 To support the independent reviewer in the review process, a panel of local representatives, acting as co-reviewers from a number of agencies was used to provide relevant single agency information, the local

context within which the safeguarding system works within, and were intrinsically involved in developing recommendations for the Board. Although there was recognition that, both in terms of governance, dedicated resources to respond to slavery & exploitation and there were elements of effective partnership working both in relation to Chris, but other victims of exploitation, there was a laudable ambition to improve Nottingham City's further, leading to openness and candour in how the safeguarding process could develop further.

2.5 The documentation from agencies, through Individual Management Reports (IMR) reports allowed the lead reviewer to identify key areas of focus for further analysis, and areas where learning could be implemented.

2.6 To ensure the review benefitted from the views of practitioners who knew Chris, a practitioners' workshop was held.

2.7 In line with the review's terms of reference, the narrative of this report and recommendations include learning from national guidance, local practice elsewhere and to draw on research and learning from children's reviews relating to Child Exploitation.

3.0 Chris

3.1 Chris died on the 6th December 2022, aged 53.

3.2 An inquest into Chris' death was held on the 20th November 2023 and recorded an 'open' conclusion based on Chris dying,

'...as a direct result of multiple traumatic injuries sustained when he exited the window of his 3rd floor flat and landed on the floor of the carpark below. He did not leave a note or any other evidence regarding his intention or reason for being on the window ledge. It has not been possible to determine whether Chris slipped or intentionally jumped from the window ledge. No one else was involved in his death and there were no suspicious circumstances pertaining to his death.' (Record of Inquest)

The medical cause of death was recorded as 'Multiple Traumatic Injuries.

3.3 Since around the year 2000, Chris was known to a number of health services across Nottingham:

3.3.1 Nottingham Healthcare NHS Foundation Trust (and previously Nottingham Healthcare Trust), substance misuse services, Offender Health Service, numerous referrals to the Department of Psychological Medicine and podiatry services.

3.3.2 Nottingham University Hospital, known to Chris since 2004, with a wide-ranging medical history, including non-insulin dependent diabetes mellitus, ex intravenous drug user, alcohol abuse and schizophrenia. From about 2015, the majority of Chris' appointments related to the specialist diabetes podiatry service.

3.3.3. The Nottingham Recovery Network (NRN) began working with Chris from 2018, although records indicate Chris has been known to substance misuse services since 2011. The detailed chronology from NRN clearly sets out the challenges of support workers in attempting to engage with Chris. From 2012 onwards, there was a pattern of Chris having mixed engagement with substance misuse treatment services, which were punctuated with frequent spells of treatment, disengagement and subsequent re-engagement. It is estimated that efforts were made to re-engage Chris with substance misuse treatment on some twenty occasions over this period. In addition to the continued use of substances, matters were complicated by deteriorating mental health including hallucinations and paranoid delusions.

3.3.4 Nottingham City Care Partnership. Chris had support from 3 of Nottingham City Care's services, including Juggle Diabetes in 2014, which Chris completed: between November 2013 and February 2021, Chris was open to the Homeless Health Team for 3 separate episodes of care, and he presented to the then named Urgent Care Centre (now Urgent Treatment Centre) on 2 occasions.

3.3.5 Chris's interaction with his GP was in the main restricted to monitoring of his physical health and administration of medication prescriptions. GP records show a person who had a long and complex history of alcohol and street drug use and had various mental health diagnosis ranging from psychosis to dissocial personality disorder. As well as use of cocaine and opiates, Chris would also request from his GP sleeping medication such as Zopiclone and benzodiazepines. Of note, if these were refused, Chris would become abusive and violent, which led to Chris being referred to the NOTSPAR practice. NOTSPAR, now known as the Special Allocation Scheme for patients that have been removed from a GP practice list, can access GP services from an alternative specialist GP practice. In September 2019 Chris was discharged from the NOTSPAR program as it was felt his presentation was much more stable and he was under treatment of his addictions. From Nov 2019, Chris registered with several GP practices as he moved around the city whilst in temporary accommodation.

3.4 A common feature of Chris's physical and mental health history is the challenges faced by health services in providing consistent and effective support and interventions. This was exacerbated by aggressiveness and at times physical abuse towards those attempting to work with him.

3.5 At the time of his death, Chris lived in accommodation provided by Framework. Framework provides a range of specialist accommodation including hostels and shared buildings called 'clusters' for people needs such as mental health, offending, domestic abuse, drug & alcohol use, and homelessness.

3.6 Although Chris lived in a number of hostel placements, at the time of his death, Chris lived in a self-contained flat at 34 Bentinck Road since February 2021. This particular cluster was made up of 12 self-contained flats with a communal front door.

3.7 Nottinghamshire Police records show that Chris had since 1991, 49 criminal convictions. These included public order (including racially aggravated public order), criminal damage, theft and violence. In 2019, Chris was subject to a Criminal Behaviour Order. A number of police recorded incidents relating to Chris involved assaults or threatening behaviour towards health staff such as paramedics and pharmacists.

3.8 Chris was also a victim in a number of incidents. In May 2022 the East Midlands Ambulance Service recorded that Chris had been assaulted by an unknown person. It is unknown if this was reported to the Police, as this incident was not recorded in their IMR. On the 4th December 2022, 2 days before his death, Chris contacted the Police reporting that an unknown person had threatened to kill him. A police officer did meet with Chris that same day to follow up on his initial report but given the limited details Chris gave to this officer; the investigation could not be progressed. It is not believed that this incident led to a Public Protection Notice being submitted. Given that Chris was subject to the SERAC, although a criminal investigation may not have been progressed, this information could have assisted the multi-agency response in supporting Chris.

3.9 Concerns over Chris's property being cuckooed started to emerge in September of 2022. Chris initially disclosed that non tenants were 'banging on his door' with the communal areas 'busy with unknown people.' Chris stated that flats are being overtaken by drug dealers and 'that he is at risk.'

3.10 This information was forwarded promptly to Nottingham City's Slavery Exploitation Team. A multi-agency disciplinary team meeting was initially arranged. Chris was assessed as 'high risk' with Chris being discussed at Nottingham's City's Slavery Exploitation Risk Assessment Conference (SERAC) 8 days following the initial referral.

4.0 Understanding Cuckooing within a limited legislative framework

4.1 'Cuckooing' is described as:

... a practice where people take over a person's home & use the property to facilitate exploitation'. (Cuckooing. A joint approach – National County Lines Coordination Centre.)

4.2 In essence, criminals will primarily use a person's home for drug dealing, but other criminality such as violence, including sexual violence & theft are often associated with this form of adult exploitation.

4.3 The National County Lines Coordination Centre has identified a number of specific heightened risk factors that make people vulnerable to cuckooing.

- (i) Lack of safe/stable home environment.
- (ii) Social isolation or social difficulties.
- (iii) Economic deprivation.
- (iv) Insecure accommodation status.
- (v) Physical or learning disability.
- (vi) Mental ill health.
- (vii) Substance misuse.

4.4 Victims are often subject to threats by perpetrators as a means of control. Vulnerable adults with premises are often exploited repeatedly by different gangs, sometimes within a short period of time.

4.5 There are 2 common misnomers relating to cuckooing which can adversely impact on how 'victims' are safeguarded from harm or risk of harm.

4.6 The first misnomer is that there is no specific criminal offence of 'cuckooing'. In their report, entitled '*Cuckooing. The case for strengthening the law against slavery in the home.*', The Centre for Social Justice highlight the local challenges in prosecuting offences of this form of exploitation. The report highlights the evidential difficulties that police forces face in applying existing legislation to cuckooing. Section 1 of the Modern Slavery Act is the legislation that investigators are frequently signposted to, but unless there is tangible evidence of 'servitude, then 'mere occupancy' is inadequate to pursue a charge under s.1 of the Act.

4.7 Section 45 of The Serious Crime Act 2015 is a second piece of legislation commonly identified as pertinent to cuckooing. However, this offence requires a minimum of 3 people acting in concert as part of an organised gang. This leads onto the second misnomer, in that the narrative around cuckooing in national documentation too often focuses on 'county lines' and 'gangs'.

4.8 The Jay review of criminally exploited children, 'Shattered lives, stolen futures' identifies the challenges faced in safeguarding children who are being exploited.

'We heard that the absence of a clear definition in statute plays a role in failures to protect and support children, with responses to safeguard and protect being limited by the lack of a solid legal basis for services to intervene and a lack of understanding of the range of forms that exploitation can take.' (pg.40)

4.9 These challenges are mirrored in the safeguarding of adults at risk of exploitation, particularly cuckooing.

4.10 This review, along with other reviews into cuckooing has identified that there are different forms of 'cuckooing', from associates (mate crime), local drug dealers/networks through to organised crime groups. An understanding of the type of cuckooing taking place, the relationship between the victim and perpetrator(s) and the specific heightened risk factors relevant to the victim is fundamental in how agencies can safeguard adults being exploited or at risk of being exploited through this form of adult exploitation.

4.11 'Shattered lives, stolen futures', identifies this wide spectrum of criminality associated with the exploitation of children '*from local street gangs dealing drugs on a 'postcode' model, to serious organised crime groups (OCGs) operating across national borders.*'

'We agree entirely with the conclusion of this statement and would add that the lack of involvement of serious organised crime does not make the exploitation any less serious for the child. Regardless of the structures within which exploitation occurs, our concern is responding to the harm to the child. However, any unified approach to tackling exploitation must include a shared understanding of its perpetrators and operating models, in order to deploy resources effectively in predicting, identifying and disrupting their activity.' (pg.8)

4.12 Replace the word child with 'adult at risk' or 'vulnerable adult', and the principles of understanding the relationship between victims and perpetrators and the different operating models is equally important in the safeguarding adult environment.

5.0 The current position in Nottingham relating to cuckooing.

5.0.1 With regard to this review's terms of reference, this section of the report seeks to give an assessment of the current position in Nottingham City against key strategic documents relating to cuckooing, and any 'next steps' that the partnership could take to further improve the service or practice that already exists in Nottingham.

- Local Government Association (LGA) guide on Modern Slavery, particularly the chapter on cuckooing.
<https://www.local.gov.uk/publications/council-guide-tackling-modern-slavery>
- Local Government Association evaluation criteria, Modern Slavery.
https://www.local.gov.uk/sites/default/files/documents/27.8%20Council%20maturity%20matrix_EDITABLE_AA.pdf
- National Police Chiefs Council Vulnerability Action Plan.
<https://www.npcc.police.uk/SysSiteAssets/media/downloads/publications/publications-log/2019/national-vulnerability-action-plan-2020-2022.pdf>
- Joint Association of Directors of Adult Social Services/LGA document, 'Making Safeguarding Personal. What might 'good' look like in the housing sector.'
<https://www.local.gov.uk/publications/making-safeguarding-personal-what-might-good-look-those-working-housing-sector>
- Shattered lives, stolen futures. The Jay review of criminally exploited children.
<https://www.actionforchildren.org.uk/our-work-and-impact/policy-work-campaigns-and-research/policy-reports/the-jay-review-of-criminally-exploited-children/>

5.1 Strategy & Governance.

5.1.1 Within the Nottinghamshire Police and Crime Commissioner's 2021-2025 Plan, 'Make Nottingham Safer' priority of 'preventing crime and protecting people from harm', exploitation is specifically identified as a 'high harm' offence which affects vulnerable victims. As part of a series of commitments, identifying opportunities for 'designing out crime' to deter offending, and crime prevention initiatives to increase neighbourhood safety in vulnerable hotspots are highlighted.

<https://nottinghamshire.pcc.police.uk/Document-Library/Notts-Police-Crime-Plan-2022-V5-15-02-22-Digital-Version.pdf>

5.1.2 The Nottingham City Community Safety Partnership strategic assessment 2023-2026 include adult exploitation, 'hidden harm offences such as exploitation and abuse, and how vulnerable adults who in particular do not meet the threshold for criminal or safeguarding interventions are supported and protected.'

5.1.3 Within the Nottingham City Community Safety Partnership Strategic Assessment 2023 plan, again exploitation forms a key part of how partners can protect vulnerable people from harm. Cuckooing is specifically identified as a form of adult exploitation.

5.1.4 Recognition of how an effective multi-agency approach is required to respond to exploitation is clearly identified in this plan:

'The work of the Slavery & Exploitation Team feeds into a wider partnership response around vulnerability and safeguarding and highlights the importance of this issue as a theme which features in the work of all partners, even for those where it is not immediately obvious.'

5.1.5 Recommendation 22 within this plan 'The Community Safety Partnership raises awareness of the work of the Slavery Exploitation Team and Slavery & Exploitation Risk Assessment Conference partnership and the opportunities afforded through this partnership of reducing vulnerability and exploitation'. (<https://www.nottinghaminsight.org.uk/d/acEucoYw>)

5.1.6 It is pleasing that adult exploitation and cuckooing are specifically mentioned in such strategic plans. This review has identified that there is good awareness of the SET and SERAC. Of note also, is the highlighting of both within the LGA Guide on Modern Slavery as a case study.

Next steps.

5.1.7 The LGA Guide on Modern Slavery highlights that cuckooing has grown in prominence over recent years. Data provided to this review from SET clearly identifies an increasing trend in referrals, with cuckooing the second highest type of exploitation referrals. Whether this increase is due to actual increase in cuckooing or improved awareness of agencies, the data does give a picture that there is more cuckooing evident in Nottingham occurring that was previously known.

5.1.8 The cluster where Chris lives was described as a 'closed area', in that there was an absence of neighbours. In the majority of cases of vulnerability or ASB, police or housing providers are notified by neighbours, enabling a clearer picture of crimes and anti-social behaviour. Where vulnerable people are being housed in such an area, without this community network raising their concerns to the police or other agencies, can lead to a further heightened risk factor.

5.1.9 This review has identified that the intended outcome of recommendation 22 in the Community Safety Plan has been met in terms of raising awareness. Exploring opportunities around crime prevention and 'designing out crime' would support the SET and SERAC to further the recommendation around reducing vulnerability and exploitation.

5.1.10 Police 'Designing Out Crime' officers provide specialist advice and guidance regarding the built environment in an effort to minimise crime, disorder and anti-social behaviour. Partners involved in the SERAC process may want to consider how this expertise can support them in improving the safety of potential victims.

Recommendation 1

The NCSAB seeks assurance from SERAC partners that in appropriate cases, physical safety and environmental factors are considered within the SERAC process.

5.2 Understanding cuckooing, training and awareness raising.

'It is important that relevant professionals (primarily in councils, housing associations and the police), the public and potential victims understand the risks of cuckooing and can recognise the indicators.'
(LGA guide on Modern Slavery)

5.2.1 Due to the work of the SET, those partners who participated in this review believed there was not only a good understanding of the standardised definition of cuckooing, but the nuances of cuckooing through the differing relationships between the victim and perpetrator.

5.2.2 Using the SET as the primary resource for training and awareness is seen as good practice. Given the limitations of the criminal justice framework in supporting victims of cuckooing, many, particularly non-enforcement agencies can view it as a policing matter. Using SET as the main resource allows for a wider learning agenda around cuckooing and how other partners can understand these limitations and their role in referral and direct support to victims of cuckooing.

Next steps.

5.2.3 A number of agencies in this review highlighted the value of the 7-minute briefings, a series of short focused on-line information sheets. Nottinghamshire Safeguarding Adults Board (NSAB) website has a number of these 7-minute briefings including cuckooing and 'mate crime'. The 7-minute briefing on

cuckooing, although includes the standardised definition of cuckooing and its indicators, the focus is on ‘county lines’ and gangs.

5.2.4 It is recommended that the SET works with both NCCSAB & NSAB to produce a new 7-minute briefing with a wider definition of cuckooing, the limitations of the criminal justice system, and current referral pathways. Given that a number of agencies work across both Board areas, consistency of message is seen as important.

5.2.5 Framework has produced a cuckooing guide for their staff, which also includes ‘signs to look out for’, potential action that can be taken, and a list of powers that police, local authorities and social landlords can take.

5.2.6 It is further proposed that Framework’s guidance is used as a basis for multi-agency guidance that all partners can use when faced with cuckooing.

Recommendation 2 – The Slavery & Exploitation Team work with Nottingham City SAB to update the current 7-minute briefing on cuckooing to reflect the different relationships between victim and perpetrator.

5.3 Data and intelligence.

5.3.1 Nottingham City is unique in that compared to other partnerships it has established a dataset that clearly can identify trends and emerging risks. Currently the data available includes number of referrals made to SET, breakdown of victims (gender, age, nationality, vulnerabilities), types of exploitation, housing status, referring agencies, locations and risk ratings.

5.3.2 This enables rich data to be used to report to strategic leaders on emerging risks of people being exploited, data that can be used to drive activity, identify further support needs for victims and can support future strategic plans e.g. Serious Violence Duty.

5.3.3. Of note, in the reporting years 2022/2023 and 2023/2024 the SET has produced data highlighting the effectiveness of the SEREC in reducing risk.

	1 st RAG assessment 2022-2023/2023-2024	2 nd RAG assessment 2022-2023/2023-2024
Green	30/11	94/166
Amber	61/180	26/54
Red	40/29	11/0

5.3.4 There are 10 identified areas of risk - housing, disabilities, substance use, mental health, agency involvement, immigration status, risk of going missing/absconding, ability to risk assess/keep safe/access services, police incidents/hospital presentation, slavery/exploitation/trafficking

Next Steps

5.3.5 ‘Shattered lives, stolen futures’ highlights the importance of how data collection can improve the safeguarding of children,

‘A much more sophisticated and nuanced mapping of the ways in which exploitation is planned, operated and funded is needed to safeguard children effectively’ (pg. 15)

The paucity of data on exploitation hampers efforts to identify, prevent and respond to it. (pg.77)

5.3.6 Nottingham, through the SET is in a stronger position than many partnerships from the data it collects on victims of slavery and exploitation to understand the prevalence and type of cuckooing and adult exploitation in Nottingham City.

5.3.7 Understandably, the SET's initial focus on their data was victim focussed, the overarching aim being protection of vulnerable adults. Work is now developing mapping of repeat perpetrators, and the use of slavery and trafficking risk orders.

5.3.8 Disruption and investigation are of equal importance to safeguarding victims, and additional data around the perpetrators and their operating models may enable the partnership to develop a clearer picture of adult exploitation in Nottingham and how it responds.

5.3.9 As this early work develops, and the database of perpetrators builds, it will be important for the partnership to be able to respond to the risk of harm being caused or risk of such harm by this cohort. The National Intelligence Model (NIM), a structured approach adopted by police forces to the analysis and development of information and intelligence and coordinating a problem-solving approach to law enforcement and crime prevention techniques.

5.3.10 A key element of the NIM is the local Tactical Tasking and Co-ordinating Group (TTCG). The overarching purpose of the TTCG is to respond to emerging crime and anti-social behaviour threats including perpetrators, as well as making well informed resource allocation decisions balanced against current identified threats and the priorities set out in the Force Control Strategy. Although this may well be primarily through a law enforcement lens, a multi-agency approach may well lead to a more sustained lowering of risk from some perpetrators. Some perpetrators will have social and medical needs themselves e.g. housing, employment and law enforcement processes can lead to short term alleviation of risk and not the longer-term challenges faced by some individuals.

Recommendation 3 – The NCSAB seeks assurance from partners within the SERAC process that the early work on mapping of perpetrators is leading to effective disruption of exploitation and also considers the needs of perpetrators when required.

5.3.11 To build on the quantitative data, it is proposed that the SET, together with its partners develop a reflective practice process of cuckooing cases. Such a process will allow partners to identify which working practices have been successful and which ones need amending. This will also enable the partnership to build up a 'library of what work's' for particular types of victims and perpetrators.

5.3.12 Reflective practice incorporating the voices of victims, their families and those that directly work with them would add value to developing practice and is in line with the Child Safeguarding Practice Review Panel thematic report on the exploitation of children, 'It was hard to escape' (2020, pg. 45)) posing the questions

- Have you developed a sense of what 'good' looks like in this work?
- Are the voices of children and their families helping inform your responses and your quality assurance?

5.4 Resources/staffing.

5.4.1 Nottingham City has clearly identified the risk to its communities through modern slavery and exploitation by investing in a dedicated team focussing on identification, prevention, early intervention and disruption of slavery, exploitation and trafficking.

5.4.2 The SERAC model provides a regular forum for cases specifically related to exploitation to be raised and provide a multi-agency response to safeguard individuals being exploited, or at risk of being exploited.

5.4.3 From single agency discussions and the practitioner workshop, there is clear evidence that there is significant expertise within Nottingham City both within the SET and partners. In addition to the SET, Nottinghamshire Police have specialist resources to deal with sexual and criminal exploitation of children, domestic and sexual abuse of adults and persons suffering from modern slavery. The Modern Slavery Team and County Lines Team are also available for advice and guidance in relation to exploitation concerns.

5.4.4 During the practitioner event, the role of a 'County Lines Development Officer' in one Police Force was highlighted as a potential additional resource that could be introduced. This role, acting as a subject matter expert to offer advice, identify potential lines of enquiry for investigation or disruption. I am not convinced this additional resource would add a value in Nottingham City commensurate with the cost. Within Nottingham, there is a good level of expertise and a service design that is far advanced of many other partnerships. This review has identified that although there are areas for improvement, there is effective partnership working which has led to good outcomes for vulnerable victims.

Next Steps.

5.4.5 This review has identified pockets of good practice regarding cuckooing. These include the SET, Framework's joined up approach in dealing with anti-social behaviour and safeguarding, and Nottinghamshire's Police specialist resources. There is also good links between the SERAC and other multi-disciplinary team meetings for those people with severe and multiple disadvantages.

5.4.6 There is subject matter expertise in Nottingham, both in the SET and experienced practitioners in agencies in responding to slavery and exploitation, including cuckooing. The Partnership may wish to consider how this expertise is coordinated and come together to develop a network of agency 'leads or champions' around cuckooing or wider adult exploitation.

5.5 A partnership approach that considers prevention, disruption and investigation which recognises distinct needs of victims.

5.5.1 Concerns over Chris's property being cuckooed started on the 16th September 2022, when he disclosed to Framework staff that

'.. people at the property who aren't tenants were banging on his door throughout the night. The communal areas were busy with unknown people. Chris stated he is aware that flats are being overtaken by drug dealers and that he is at risk.'

5.5.2 A prompt referral was made into the SET, with concerns about the property where Chris lived was heard at the SERAC that month. Due to the number of concerns raised which also included other properties, a multi-disciplinary team was convened.

22/09/2022 SERAC – action to arrange multi-agency meeting with relevant agencies to manage outside SERAC. Adult Social Care safeguarding referral

27/09/2022 SET confirmed ASC referral is progressed to Safeguarding team.

29/09/2022 RAG Rating complete – RED.

5.5.3 Between the 28/9/2022 and 05/10/2022 through the SERAC and multi-agency meeting attended by SET, Framework, Police, POW (charity supporting sex workers) and ASC a number of actions were identified.

- Front locks have been changed and communal area lock changed.

- Random checks are being completed by police, after hours / at weekends when Framework staff are not present.
- Police have spoken to Chris and other tenants about a spare key being available, so they can enter the flats and remove any persons who are not the tenants.
- Pending an outcome as to whether security persons will be commissioned at Bentinck Rd services main entry
- All residents are aware of the concerns and have been informed to contact the police if concerned for their safety, including anonymously.
- Police have attended the 'cluster' on 30/09/22 to take any disclosures from residents.
- Chris and other residents who have been assessed as a Resident At Risk (RAR) have 3 welfare checks a week and a support session 2 weekly.
- Staff to have regular personal safety conversations with Chris and the other residents.
- Consideration to further legal actions - i.e. injunctions to be served on the people who have infiltrated the flats, including injunction on the building / potential close order to remove non-tenants/ those who are suspected cuckooing / dealing drugs on the premises.
- Framework staff to view the CCTV footage daily, they have the names and photos of people on bail conditions / tags and those that are on the premises after their tagged hours are to be reported to the police for further legal actions to be taken.
- Additional CCTV cameras are to be installed to cover the blind spots in the building.
- Better lighting is to be implemented in the corridors / building
- Security is being discussed; security to patrol the building. Shift patterns to alter so the people infiltrating the building do not become accustomed to the times. Security to wear body cams. Security to observe and facilitate police access when required.
- The "Opt Out" option of police having a key to enter the tenants' flats to remove people deadline is 07/10/22. Police with consent will be able to enter the tenants flat and remove non-tenants / those who are suspected cuckooing / dealing drugs

5.5.4 A follow up multi-agency meeting was held on the 17th October 2022. Key updates from this meeting included:

- Police advised that there have been some arrests so this will hopefully reduce the traffic of people at the property. Windows to the building have been secured.
- Adult Social worker had discussed safeguarding referral with Chris, his views on the situation and discuss personal safety measures.
- Framework offered Chris a move, but he declined this. Framework had referred Chris to Nottingham Recovery Network and Mental Health services also prior to referring him to SET.

5.5.5 A further multi-agency meeting was held on the 28th November 2022. Progress on activity included.

- Additional and improved CCTV cameras had been installed.
- Security firm had been hired, started on 21/11/22, working hours: 17:00 – 09:00. However, they are not taking direct action against non-tenants at the property, they are to call monitor, take note of the visitors and call 999.
- There is still an active and constant flow of people, sex workers, customers and drug dealers. In particular for 3 flats (one at 36 Bentinck and two at 34 Bentinck – neither are Chris). Activity of people to be recorded and shared with police so evidence can be gathered for criminal routes/ actions to be taken regarding illegal activity.

5.5.6 A multi-agency meeting was due to be held on the 9th December 2022, but Chris died on the 6th December 2022.

5.5.7 There was significant activity progressed in attempts to safeguard Chris and his fellow residents. Other actions were being actively considered such as injunctions and other civil remedies, but these take time to come to fruition. Agencies were also faced with some residents unable or unwilling to support action, did not see themselves as victims, or may have been in collaboration with the perpetrators.

5.5.8 In their response to this review, the Police stated:

Initially the main focus was in relation to a very vulnerable female that was residing at Flat 36 and the neighbourhood policing team were made aware of issues within 34. Once the issue at 36 was resolved it was clear that the focus moved to 34.

5.5.9 The residents at both clusters were vulnerable for a number of reasons, and individually and collectively had heightened risk factors to being exploited, whether that sexual, financial or their properties being cuckooed for other criminal purposes.

5.5.10 Undoubtedly there were strenuous efforts made to safeguard vulnerable people such as Chris once information became known to agencies. There may be an argument that the response was reactive and given the growing prevalence of cuckooing as per the SET data, are there opportunities for the partnership to develop a partnership toolkit that aligns early and effective safeguarding with disruption and investigation.

5.6 Investigation.

5.6.1 Criminal Investigations and criminal justice system processes can be of secondary importance when looking to safeguard vulnerable people. In many cases, in the absence of any criminality or evidence this is understandable. However, bringing perpetrators to justice is an integral part of safeguarding and in the absence of specific cuckooing legislation, it is imperative that investigations of crimes against victims of cuckooing are timely, thorough, and attempts to safeguard the victim through prosecution of perpetrators should be at the forefront of any joined-up approach.

5.6.2 The National Police Chiefs Council, in August 2023, published its Vulnerability Action Plan. One of 7 key themes to support this plan is 'effective outcomes and investigations.' This document identified that investigations, particularly involving vulnerable victims need improving.

5.6.3 Specifically, there are 3 areas where Police Forces can improve on this area:

- (i) Improving the service offer by listening and understanding the victim's perspective and seeking feedback from victims to plan future service design.
- (ii) Developing competent front-line police and staff responders who use professional curiosity to ensure that the early investigation is maximised to gather best evidence.
- (iii) Develop and utilise in more effective ways early evidence gathering techniques and the use of 'evidence-led' prosecutions in all appropriate cases.

5.6.4 Between the 16/09/22 and 08/04/23, Nottinghamshire Police recorded 44 crimes associated with the 2 properties relevant to this review. A number of these were directly attributed to a proactive policing approach.

5.6.5 Nottinghamshire Police have specialist resources to deal with sexual and criminal exploitation of children, domestic and sexual abuse of adults and persons suffering from modern slavery.

5.6.6 A 2024 HMICFRS report into the Metropolitan Police's handling of exploitation noted that while *'for those cases linked to serious and organised crime, the force has a significant resource in the modern slavery and child exploitation team', cases of exploitation at a community level and are allocated to non-specialist local investigation teams.'* (*His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (2024) 'The Metropolitan Police Service's handling of the sexual and criminal exploitation of children', 9 February 2024, available at: <https://hmicfrs.justiceinspectores.gov.uk/publication-html/metropolitan-police-service-handling-of-sexual-and-criminalexploitation-of-children/>*)

5.6.7 The vast majority of crimes linked to cuckooing will be investigated by neighbourhood policing teams and not the specialist resources identified above. Neighbourhood policing teams may be best placed to investigate these crimes given their knowledge of the local area, victims and suspects. However, given the heightened risk to victims of cuckooing, these investigations need to be thorough, timely and supervised.

5.6.8 In the light of the NPCC Vulnerability Action Plan, the Board may seek future assurance from Nottinghamshire Police that there is an effective investigative response to crimes perpetrated against victims of cuckooing from first report through to subsequent investigation? Such assurance may include

whether crimes are viewed as single occurrence low level crimes with limited investigation and supervision or are they seen as a course of conduct which increases the risk and harm caused to a vulnerable person and how are Nottinghamshire Police taking the responsibility of investigation away from vulnerable victims to using more 'evidence led' prosecutions?

5.7 Disruption.

5.7.1 A multi-agency approach to disrupt perpetrators is identified within the cuckooing section, LGA guide to Modern Slavery as a key tactic to safeguard victims. Such tactics can include use of Anti-Social Behaviour legislation (The Anti- Social Behaviour, Crime and Policing Act 2014) and injunctions. (<https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-anti-social-behaviour/anti-social-behaviour-powers-statutory-guidance-for-frontline-professionals-accessible#part>)

5.7.2 Although ASB legislation can be effective in disrupting perpetrators, unintended consequences in how victims are adversely impacted can be the outcome if victims are ignored in such an approach.

5.7.3 Statutory guidance for ASB provides a menu of options in how agencies together can disrupt perpetrators of cuckooing, ranging from early and informal interventions, breaches of civil injunctions (up to 2 years imprisonment) through to criminal behaviour orders.

5.7.4 Dependent on the specific power of the legislation, applicants to apply for ASB legislation provisions can include police forces, local authorities, social landlords and other housing providers.

5.7.5 There were efforts to disrupt perpetrators highlighted in agencies IMR's, but there were tensions within the partnership approach in escalating action to the more formalised provisions within the legislation such as injunctions and criminal behaviour orders. Concerns were raised around the sharing of information and legal literacy which limited the action against perpetrators.

5.7.6 The overall impression in this review was that ASB legislation could have been used much more proactively without undermining efforts to recognise victims or safeguard them. Framework shared details of individuals believed to be the perpetrators. This could have been the base for partnership work in utilising the raft of legislative opportunities available through the Anti- Social Behaviour, Crime and Policing Act 2014 e.g. injunctions, partial closure orders, criminal behaviour orders. Due to relevant people now not involved in the partnership, it is unknown whether there was a lack of legal literacy, concerns around data sharing or operational demand impacting on activity. It is important to add that any proactive use of ASB legislation needs to factor in the risk of unintended consequences for victims.

5.7.7 ASB legislation can be effective where victims may be reluctant to engage e.g. partial premises closures. An example of how this can work is highlighted in the LGA Guide on Modern Slavery.

'The victim was reluctant to engage with adult services and continued to allow the perpetrators into his home to participate in illegal activities. To tackle this, Harrow sought a partial premises closure of the victim's home which was implemented by the magistrate's court. This allowed the victim to remain at home and only allowed specified family members to visit him, alongside emergency services, therefore preventing the perpetrators from visiting the premises. The partial closure order of three months was agreed by the court immediately, due to the multi-agency and holistic approach that was taken to support the victim. The police checked the property regularly and incidents of anti-social behaviour began to reduce. Due to this success, the council sought a further three-month extension which was granted by the court. After a six-month period, complaints from residents about anti-social behaviour stopped. The council continued to offer support to the victim during this time. The police were able to arrest some perpetrators and issued criminal behaviour orders to others to further safeguard the victim.' (pg.138)

5.7.8 Proactive use of ASB legislation coupled with effective criminal investigations are key elements in not only safeguarding known victims, but future ones. A common feature of groups of people exploiting others is once they are subject to police action they will displace to another area. This appears to have happened in the locality of Chris's accommodation.

5.7.9 There is ongoing work between the Nottinghamshire Police City Central Neighbourhood Policing Team and Framework around how information can be shared regarding perpetrators, but the Partnership should look to seek assurance from relevant agencies that where appropriate, agencies work together to maximise the ASB legislation as part of its approach to reducing the risk to victims from cuckooing and wider exploitation.

**Recommendation 4 – The NCSAB seeks assurance from Framework and Nottinghamshire Police City Central Neighbourhood Policing Team that the current work on information sharing, when required will enable more proactive and timely action in relation to ASB legislation to safeguard adults at risk from harm or abuse.
Any learning from this work is shared with other housing providers and social landlords across Nottingham City.**

5.8 The role of housing providers in supporting victims of cuckooing.

5.8.1 The Local Government Association in conjunction with the Association of Directors of Adult Social Care in 2017 published a document entitled, 'Making Safeguarding Personal. What might 'good' look like for those working in the housing sector?'

5.8.2 In that document it quotes from the College of Social Work: Skills for Care 2014,

'Housing providers have a key role in adult safeguarding, particularly as their staff may be in the best position to spot signs of abuse or neglect at an early stage...'

5.8.3 The LGA guide on Modern Slavery identifies housing as an important factor in supporting people who are being exploited or at risk of being so, and due to their complexities and lack of social networks they pose a higher risk of becoming homeless.

5.8.4 The guide identifies 2 key elements in this support:

(i) How councils and housing providers, right from the first contact and risk assessment, takes account of potential trauma and the impact this might be having on individuals. Staff therefore need to be familiar with indicators of cuckooing and know how to respond to such cases.

(ii) The importance of considering housing provision where the person may need rehousing to disrupt exploitation and keeping them safe.

5.8.5 There are certain challenges facing housing providers when faced with residents who are victims of cuckooing.

- (i) Often linked to the address, in addition to exploitation (may be unseen) is visible anti-social behaviour being reported by neighbours, with the expectation that this will be addressed by Housing providers.
- (ii) It can be difficult for housing staff to differentiate between a person who is being exploited and someone who is actively involved in criminality e.g. drug use.
- (iii) Chris reported on a number of occasions of feeling unsafe, but at other times did not want to pursue any follow-up investigation.
- (iv) Many victims of cuckooing and adult exploitation live in social housing/housing associations. This review has identified the important role that housing associations and Local Authority Housing Teams in safeguarding victims of cuckooing, and how, if the response is process driven, rather than person led, the harm being experienced by victims can be exacerbated rather than prevented or reduced.

5.8.6 In relation to Framework, the housing provider for Chris and other residents, there is clear evidence that

- (i) The housing provider was the catalyst for instigating multi-agency activity regarding Chris and other residents.

- (ii) They were a key part of that multi-agency approach and acted promptly when they were able to e.g. installation of additional CCTV and employing security at the premises.
- (iii) In discussions it was clear that there was join up across their ASB and Safeguarding teams. This ensured that the safeguarding of victims was the primary focus on their work.
- (iv) Chris and other residents were offered moves to other properties. Some residents took up this offer, Chris declined. Although the specific reasons are unknown it is believed that Chris viewed returning to a hostel was a backward step. Chris did travel to London to be rehoused, but in a short period of time, sought help in returning to Nottingham.
- (v) Since Chris's death, Framework have produced a guide for their staff in how to recognise cuckooing and how to refer into the multi-agency system.
- (vi) Framework completed a detailed Serious & Untoward Incident investigation, identifying a number of recommendations.

5.8.7 It is clear from discussions with Framework managers and others that the organisation not only explored every possible avenue to protect their residents but put in place actions to do this. They sought to engage other agencies to support them and at times felt frustrated at the lack of progress in some activity.

5.8.8 In respect of the aforementioned LGA guide on the housing sector, Framework is a housing provider that clearly meets the criteria set out in the document's checklist against the Care Act statutory guidance for housing and housing support, but also the 8 steps to make safeguarding personal in the housing sector.

5.8.9 Emanating from this review are 2 questions for the Partnership to consider:

1. Is the approach taken by Framework in safeguarding victims of cuckooing consistent across Nottingham?
2. With data indicating that cuckooing is becoming more prevalent in Nottingham, how robust and effective is the local housing strategy and commissioning for people such as Chris with severe and multiple disadvantages?

5.8.10 Housing provision such as the one Chris lived in are provided specifically for those with such needs including mental health, offending, domestic abuse, drug & alcohol use, homelessness. Chris, until October 2022 was subject to standard Registered Sexual Offending notification requirements, adding further considerations for partners to factor in protecting those who are similarly under such management and potential victims. The data provided by Police for the immediate vicinity also included offences of prostitution and sexual offences.

5.8.11 Where there is an aggregation of people with at least 1 heightened risk factor of exploitation housed in a small area, together with criminal associations, the threat of the area becoming a magnet for people to exploit them is high. This is further complicated when there is an absence of neighbours that would ordinarily report criminality or anti-social behaviour to the police or the housing provider, hence partners are reliant on victims, people who mistrust agencies, involved in criminality themselves, leading chaotic lives to provide them with information that can be used to safeguard them. It is to agencies credit that the action they took was timely and detailed, but it has to be accepted that further sustainable action will take time, whether that is due to legal considerations or developing evidence to support a criminal justice outcome.

6.0 Other considerations.

6.1 The first national report produced in 2020 by the Child Safeguarding Practice Review Panel, entitled, 'It was hard to escape' focused on the criminal exploitation of children.

6.2 Although not direct 'read across', key reflections from that report may support partners in Nottingham in furthering safeguarding practice for adult victims of exploitation.

6.3 Trusted relationships - *A key finding from the literature review was that children who are at risk of, or who are being criminally exploited, require strengths-based, relationship-driven approaches. Building a trusted relationship is crucial to good communication with children. (pg.28)*

6.3.1 This is easier said than done, and there is clear evidence that agencies made significant effort in engaging Chris to support him. Children who are being exploited, or at risk of being so will frequently shun what they perceive as interference. This challenge is exacerbated with adults where there is not either the legislation or formal child protection processes to assist agencies.

6.3.2 *A key learning point for leaders is to ensure that there is sufficient emphasis on relationship-based work and the building of capacity to allow practitioners to have both the skill and time to do this work. (pg.28)*

6.3.3 Terms such as 'Team around the child' and 'think family' may not directly relate to victims such as Chris, but the principle as to how trusted relationships can be developed should form part of any work to improve the service in safeguarding victims of cuckooing.

6.3.4 Thinking of who this is should be wide. Many victims will have past mistrust of the statutory agencies. Workers across the system, including the voluntary sector may be able to enable partners to identify the best person to build that trust. I am aware that the voluntary sector is utilised in multi-agency approaches in Nottingham, and this could be one area that may be developed for victims of cuckooing. A caveat to that is that partners should guard against the tendency to engage more practitioners especially if they are to have limited involvement.

6.4 Critical moments - There is evidence that the partnership response to Chris was timely with a series of multi-agency meetings, risk assessments and early activity taking place. Although in relation to this particular 'cluster', activity was timely, there had been similar reports of cuckooing nearby.

6.4.1 The national panel report identifies the need for '*agencies needing to find ways of being flexible and responsive enough to be ready to engage in those moments in real time. Days after the event might be too late. Services have to be constructed to be nimble enough to respond in the right moment, in the crisis.*' (pg.29)

6.4.2 The IMR's and other information provided for this review show that at times of need, Chris did engage, but after the immediate crisis, eschewed any support offered. This is common amongst many victims, particularly those who are coerced into withdrawing support by perpetrators. Deteriorating mental health and continued use of substances will also impact on a person's willingness to engage with agencies.

6.4.3 For adults, critical moments not only include time in custody, or when they report a crime as a victim, but also when they are hospitalised or other medical episodes, or who may require financial support. Was Chris's move to London seeking rehousing a critical moment?

6.4.4 The key learning point from this particular aspect was that:

The key learning point here is that organisations must be flexible enough to respond immediately to the critical moment when the child (adult) is more likely to be open to change. (pg.29)

6.4.5 Although activity was undertaken in relation following Chris' visit to London, the SERAC may wish to consider how it records 'critical moments' to enable added value to multi-agency discussions and subsequent actions. It is important that when multi-agency meetings are arranged, they include all agencies who have some involvement with the person, including GP's, other health workers, police etc so that opportunities to capitalised on those 'critical moments.'

6.5 Protective factors – in the above report, a key finding was that when parents and carers were actively involved in the safety planning and action, outcomes were improved. Like some children, adults who are victims of exploitation feel frightened, out of control and feeling of helplessness. These feelings can be exacerbated if there is previous trauma. Partners where relevant should consider which protective factors can be used to support victims of cuckooing. Engaging family support networks, friends, work colleagues are potential opportunities. Any safety planning processes for victims of cuckooing should consider the social network outside of the multi-agency structure.

7.0 Summary

7.1 This review has identified some excellent practice in Nottingham City to safeguard victims of cuckooing, which has been identified in national guidance. At a national level, there is an absence of a standardised toolkit for partners to respond to the growing risk of adults of being exploited or at risk of being exploited through cuckooing.

7.2 To support the strategic aims of:

'...preventing crime and protecting people from harm' (Nottinghamshire Police and Crime Commissioner's 2021-2015 Plan) and

'...hidden harm offences such as exploitation and abuse, and how vulnerable adults who in particular do not meet the threshold for criminal or safeguarding interventions are supported and protected.' (The Nottingham City Community Safety Partnership strategic assessment 2023-2026)

given the operational experience of partners across Nottingham City and the existing mechanisms it has in place e.g. SERAC, strategic partners such as the NCCSAB, Nottingham Community Safety Partnership and the Office of Police & Crime Commissioner may want to consider supporting the development of an exploitation pathway, including cuckooing that enables a coordinated, multi-agency and victim-based approach.

Recommendation 5 – The Nottingham City Safeguarding Adult Board seeks assurance from partner agencies on the effectiveness of an exploitation pathway and future plans to develop this further.

7.3 I would like to thank the agencies who have contributed to this review. I have found them to be open to how the improvements could be made in the light of their own offer to Chris. Without their help, this review would not be able to give it the context of the challenges faced by agencies in difficult circumstances.

