

YOUR CHILD IS CHARGED TO COURT BUT HAS BEEN EXPLOITED

HELP, PROTECTION AND SUPPORT ARE AVAILABLE

If your child has been coerced, groomed or exploited into committing an offence, there is help and a legal defence.

YOU ARE NOT ALONE

Many young people are tricked or forced into criminal activity. Your child's safety, wellbeing and future come first.



WHAT IS EXPLOITATION?

Exploitation is when someone uses pressure, threats, violence, manipulation or grooming to make a young person do something against their will.

This can happen in many ways, including:

- County Lines drug networks
- Gang involvement
- Cuckooing / criminal exploitation in homes
- Other forms of coercion or manipulation

It is **NOT** your child's fault. They are the victim.

WHAT HAPPENS IF THEY TELL THEIR SOLICITOR?



TELL THEIR SOLICITOR

If your child has been coerced, groomed or exploited, their solicitor should make a referral for them to the National Referral Mechanism (NRM).



NATIONAL REFERRAL MECHANISM (NRM)

The NRM is the UK's framework for identifying victims of modern slavery and trafficking. It can trigger the Section 45 statutory defence under the Modern Slavery Act 2015.



WHY IT MATTERS IN COURT

A positive NRM decision can support a defence under Section 45 of the Modern Slavery Act 2015 and help prevent a criminal conviction.

THE NRM DECISION PROCESS AT A GLANCE



FIRST STAGE – REASONABLE GROUNDS

A professional (e.g. solicitor, social worker, police officer) makes a referral.

Within **5 working days** wherever possible, the government decides if they suspect (have "reasonable grounds") that your child may be a victim of modern slavery.

"Reasonable grounds" means the Home Office suspects, based on the information provided, that the young person is being exploited or trafficked, even if there is not yet proof.



THE REFLECTION PERIOD (AT LEAST 45 DAYS)



A positive Reasonable Grounds decision triggers a mandatory recovery period of at least 45 days, pausing most criminal proceedings against your child.

- ✓ This time allows your child to receive support.
- ✓ Most criminal proceedings against your child should be paused during this time.



SECOND STAGE – CONCLUSIVE GROUNDS

We look at the case in more detail to decide if there are **Conclusive Grounds**.

We will not make a decision for at least 30 days.

- The professional will be asked for further information.
- Your child can help if they are willing and it is safe for them to do so.
- A Conclusive Grounds decision is the government's official final determination – on the balance of probabilities ("more likely than not") that they are a victim of modern slavery.

GOOD TO KNOW



If an NRM referral is ongoing, the criminal courts and the Crown Prosecution Service (CPS) should adjourn or pause the case until a conclusive decision is made.

A positive NRM decision can support a Section 45 defence.



THE STATUTORY DEFENCE – SECTION 45 OF THE MODERN SLAVERY ACT 2015

Under Section 45, young people under 18 have a statutory defence against certain criminal charges if the offence was a direct result of them being a victim of slavery or exploitation (such as forced involvement in county lines drug networks).

HOW THE DEFENCE WORKS

- **The Child Standard:** A young person is not guilty if the act was committed as a direct consequence of them being trafficked or exploited, and if a reasonable person in the same situation, with the same relevant characteristics, would do that same act.
- **Unlike Adults:** For children (under 18), the defence does not require proof that the young person was actively compelled or forced. The fact of their exploitation is enough to trigger the defence.

WHAT THIS CAN MEAN

- ✓ Courts can understand that your child is a victim, not a criminal.
- ✓ They may be diverted from punishment and instead offered support.
- ✓ It can help prevent a criminal conviction and support their future.



MOST IMPORTANT

If your child has been exploited, it is vital they feel safe to talk to professionals so they can get the right outcome and the right support.



SUPPORT IS AVAILABLE

If your child has been exploited, there are people who can help.



YOUTH JUSTICE SERVICE

Can support your child, work with the court and connect you with help.



SOCIAL WORKER

Can provide safeguarding support for your child and your family.



SOLICITOR

Can explain your child's rights, the NRM process and the Section 45 defence.



SPECIALIST SUPPORT SERVICES

Can help with safety, counselling, accommodation, education and other needs.



TALKING CAN MAKE A DIFFERENCE

The sooner professionals know what is happening, the sooner they can protect and support your child.



REMEMBER...

Your child is not alone. They deserve safety, support and a second chance.



WHERE TO GET HELP

Speak to your child's solicitor, social worker, school safeguarding lead or Youth Justice Worker. If you are worried right now, contact: **Childline: 0800 1111** (Free, confidential support 24/7)

YOU ARE THEIR BIGGEST ALLY

Your support can help protect your child and help them build a safer, brighter future.

