

Leicester, Leicestershire and Rutland

Guidance for Working with Adults at Risk

of Exploitation-Cuckooing

January 2024

Introduction

This guidance seeks to provide front line professionals with a multi-agency framework to facilitate effective working with adults who are at risk due to cuckooing and where [safeguarding thresholds](#) have been met ([Link to Safeguarding Thresholds](#) can be found here)

If overall indications are that the concerns are low level, and it would not meet the safeguarding thresholds then the agency first identifying the risk should ensure an appropriate professional provides information, advice and guidance to the person regarding strategies to manage any risks of harm. The overall aim is to empower the person to improve wellbeing and develop their own self-management and preventative strategies alongside a supportive network.

Cuckooing

Cuckooing also known as ‘forced home invasion’ is a practice where people (drug dealers is common) take over a person’s home who is more at risk of being exploited for example care leavers or people with addictions, physical disabilities or mental health issues. They use the property as a base for criminal activity. Cuckooing is a form of criminal exploitation and is a common feature in county lines exploitation (

There are different types of cuckooing:

- Using the property to grow, deal, store or take drugs
- Using the property to sex work
- Using the property to store weapons
- Taking over the property as a place for them to live
- Taking over the property to financially abuse the tenant

The most common form of cuckooing is where drug dealers or gang members take over a person’s home and use it to store or distribute drugs.

They may begin by befriending the adult at risk – gangs will select members who are charming and manipulative in order for them to quickly build a rapport.

They will then offer the adult at risk something of interest to them, this could be a relationship, friendship, drugs and/or alcohol, money or clothing.

In exchange they may ask to 'borrow' a room, to store something or meet other 'friends' at the property. In some cases, the gang may make it clear that this is for criminal purposes, i.e. drug supply, or they may use an excuse as to why they want to use the property.

Once the criminals have gained control of the adult and their home the adult is at significant risk of physical and psychological abuse, sexual exploitation and violence. The adult may be used as a drug runner and forced to move drugs from one place to another and will be threatened with violence if they don't agree.

They will also discourage family/friends and support workers from visiting the adult's address.

Adults who are being cuckooed are unlikely to go to the police or tell other professionals what is happening, as could be frightened they will be suspected of drug dealing themselves, face repercussions or punishments from the gang or that they could be evicted from their home.

Concerns about exploitation

If there are any associated concerns about exploitation of children, these should be referred immediately to Children's Social Care and the Police. Please find below local guidance in relation to this.

<https://lrsb.org.uk/cse>

<http://www.lcitylscb.org/information-for-practitioners/safeguarding-topics/child-criminal-exploitation-child-sexual-exploitation-trafficking-missing/>

Human Rights

The promotion of a person's human rights should also be at the forefront of our practice within health and social care, and there should be strong professional commitment to autonomy in decision making and to the importance of supporting the individual's right to choose their own way of life. However other value positions, such as the promotion of dignity, or a duty of care, are sometimes also advanced as a rationale for interventions that are not explicitly sought by the individual (SCIE Report 46 (2001)).

This process should not affect an individual's human rights but seeks to ensure that the relevant agencies exercise their duty of care in a robust manner and as far as is reasonable and proportionate.

The guidance should be used flexibly and in a way that achieves best outcomes for adults at risk. It does not, for example, specify which agencies need to be involved in the process, or prescribe any specific actions that may need to be taken as this will be decided on an individual basis.

County Lines

"County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of "deal line". They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons."

County lines activity and the associated violence, drug dealing, and exploitation has a devastating impact on young people, adults at risk and local communities.

Who might be at risk of Cuckooing?

We know that exploitation is widespread, adults can be targeted individually, or the exploitation can be connected to gangs involved in County Lines who are known to target children and adults; some of the factors that heighten a person's risk of cuckooing include:

- Young adults who are care leavers
- People with drug and alcohol addiction
- People already known to the police.
- Older people with no support network
- Female sex workers
- People who have mental health and physical disabilities
- People with a learning disability
- People living in poverty
- Lack of a safe/stable home environment, now or in the past (domestic abuse or parental substance misuse, mental health issues or criminality, for example)

- Homelessness or insecure accommodation status
- Connections with other people involved in gangs

It's important to remember that not all of the below will be a sign of cuckooing but may indicate other support needs.

Signs an adult is being exploited or abused include:

It's important to remember that not all of the below will be a sign of cuckooing but may indicate other support needs.

- they get more telephone calls or people calling to their property than they usually do;
- they have physical injuries that they cannot, or do not, explain easily;
- they seem quiet and withdrawn
- they are known or suspected to be carrying or selling drugs;
- they start to miss appointments with services and do not respond to messages.
- they are going missing from home or college, work or work placements;
- they have new clothes, and/or possessions, more than one phone or money they can't usually afford

Signs of a cuckooed property

All types of properties can be cuckooed including rental and private properties, student accommodation and commercial premises. Signs that a property has been cuckooed include:

- unfamiliar people are entering and leaving the property, often throughout the day and night. In supported or shared accommodation, staff might notice an increase in key fob activity.
- there is an increase in the number of cars (including vehicles that have not visited before), bikes, or taxis or hire cars outside the property.
- an increase in the numbers of people walking to the property or loitering in the area around.

- takeaway deliveries at unusual hours;
- an increase in anti-social behaviour and signs of drug use in and around the property, including litter and discarded needles or crack pipes for example
- an increase in noise and disturbance levels, including late night parties or arguments
- damage to the property such as broken windows or doors;
- threats or intimidation towards other residents or neighbours.

How we tackle cuckooing:

Cuckooing may be part of wider and more organised crime with links to criminal exploitation, but it may also be a less organised and more localised issue.

Clearly any response to cuckooing concerns needs to be person centred and when safeguarding criteria is also met in line with making safeguarding personal. However, it also really important to recognise patterns and themes within an area, as this may indicate the concerns are more widespread and more people are at risk from the same perpetrators.

For this reason it's really important that agencies working with people with different needs, such as older people, people with learning disabilities or learning difficulties and people with mental health needs ensure that they have an awareness of the indicators of cuckooing and discuss whether there are any known concerns within the area in forums such as team meetings. It's important for agencies to share relevant information about what they know about the situation, as this can help inform the response needed.

A multi-agency response is key to working to address concerns around cuckooing and exploitation and this is likely to include Police, Social Care including Children's Services, the local authority, Housing, Health workers, substance abuse support agencies, the voluntary sector and care providers. It is vital that practitioners recognise, and by working partnership, identify tactics to disrupt multiple types of exploitation. This will include an understanding of existing legislative opportunities at their disposal and to target specific risks.

In some cases where there is immediate risk to someone it may be necessary to take steps on an urgent basis to support them to move to alternative accommodation to safeguard them.

Legislative Powers

There are also other tools and powers which can be used to remove the people who are exploiting and keep the tenant safe. In the more extreme cases, the Local Authority and Police will work together to obtain closure orders or injunctions on the cuckooed properties.

The Anti-Social Behaviour; Crime and Policing Act (Section 8) allows for Closure orders to prohibit access (up to 3 months) to a property. Injunctions can also restrict who can enter a property. Breaking a closure order is a criminal offence punishable by imprisonment, meaning police can immediately arrest unwanted people found in a home with a closure order on it.

Further legislation can also be used, such as, CAWN's (can be used for adults in certain situations), Serious Crime Act (specifically Section 34 (Gang injunctions)) as well as Modern Slavery Act 2015 (specifically Part 2, Slavery and Trafficking Prevention/Risk Orders)

The person accused of causing harm.

It's important to remember that should the person accused of causing harm by cuckooing and exploitation may have support needs of their own for instance around their mental health or substance misuse. Agencies should consider whether offering support or assessment to them may also help to mitigate risks.

There could also be children who may be perceived as the person accused of causing harm of cuckooing and exploitation. However, they could also be victims so it is key that a referral is made with Children's services where there may a child/children identified. Where exploitation of children is a potential factor, it is essential that information is shared with the appropriate agencies. A LLR Multi Agency Referral Form (MARF) can be completed [here](#).

Mapping a Multi-agency Planning Meeting:

Where an adult at risk appears to be a victim of cuckooing, the lead agency (i.e. the agency initiating the cuckooing guidance) should scope which agencies need to be involved in planning meetings. This should be based on which agencies should be involved in meeting the person's care support needs or may hold information connected to the cuckooing concerns particularly where there are multiple adults at risk. Agencies should not decline to be part of the planning meeting on the basis that they are not currently actively working with the person. It is important to note that any agency can lead the multi -agency planning meetings, and this does not necessarily need to be Adult Social Care.

However, where the concerns reach the "Incident Indicating Harm/Impact" section of the Safeguarding Adults Thresholds Guidance relating to any category of abuse related to cuckooing, and there is indication that the adult at risk may be unable to take steps to protect themselves due to their care and support needs, the Local Authority should always be part of the process.

The lead agency will usually be determined by which agency has the most knowledge about the person and their situation, the most current or previous engagement and based on the needs of the person given the risks within the person's situation. It is expected that agencies will prioritise attendance at multi agency planning meetings wherever possible. When agencies are not able to attend the meetings, it is expected they will provide relevant information.

When scoping invitees, consideration should be given as to which person might be best to work with the adult/s at risk this is particularly important where there are multiple adults involved.

The adult/s at risk should be advised of the meeting and their views should be sought in advance and be recorded as part of the multi-agency meeting. Careful consideration should be given about what information can be shared especially where there is multiple adult involved based on risks within the situation. The decision and reasons for this should be clearly documented. If there is uncertainty, then the lead agency should consider seeking legal advice within their agency about whether information should be shared.

Mental Capacity

Capacity or lack of capacity is a vital element in safety planning with, or on behalf of, adults who are at risk of cuckooing. Therefore, the adult at risk's mental capacity in respect of the specific concerns associated with the case should be discussed at the beginning of each meeting. If there are doubts raised about the person's capacity, then a mental capacity assessment (MCA) should be undertaken in relation to this decision.

[Link to further guidance on MCA can be found here](#)

Multi-Agency Planning Meeting

The main purpose of the initial support planning meeting is to agree a plan to try to reduce the level of risk to the person/s within their situation. Whilst the risk is shared on a multi-agency basis it may be agreed that only one agency will be taking the lead. This should be the agency that the group agrees will have the best chance of reducing risk to the person/s

The purpose of the subsequent Multi Agency meetings is to review whether the plan is working to reduce the level of risk and if not agrees whether the plan needs to change to try another approach. If it is known that a number of people have been affected by cuckooing concerns in the area, the meeting should also try to 'map' any common themes and patterns in relation to the perpetrators.

The meetings should be chaired by someone who has an appropriate level of authority to agree actions on behalf of their agency and appropriately challenge other agencies if they are not participating as required in the process.

It is important to agree timescales for each part of the process (to prevent the case "drifting"). This will be different for each case dependent on individual circumstances.

Within the Support Plan, it should be clear what the agreed actions are, who is responsible for carrying out the actions and the timescales involved and the date of the next meeting. Disagreements should also be clearly documented.

The lead agency is responsible for ensuring that the notes and actions from the meeting are sent in a timely manner to all those present at the meeting, and also those people or agencies not present but where actions have been identified for them. Arrangements must be agreed as to how the Adult/s at risk will be updated about the outcome of the meeting.

There are templates for the meetings which should be ensure the process is followed – see attached (link to be inserted once the guidance is live)

Review the case from their agency perspective and provide feedback to the next multi-agency meeting. Feedback should include actions identified as required and reasons for these, and also good practice identified

Any suggested actions from the reviewing professional should be discussed and steps to achieve these agreed with the agencies present at the multi-agency meeting. Where there are any queries about the actions identified they should be identified at the multi-agency meeting and clarification sought from the reviewing professional. Where any disputes arise in relation to the review process please refer to the section below.

Professional Disputes and Escalation

It is recognised that at times there will be disagreements over the handling of concerns. These disagreements typically occur when:

- The adult at risk is not considered to meet criteria for safeguarding process
- The person's capacity to make decisions about their risk within their situation is disputed
- Professionals feel that meeting the needs of the adult at risk sits outside of their work remit
- Partner agencies are consistently not providing input to the process, or following up on their actions

Professionals are in dispute about aspects of Information sharing and/or confidentiality

Professionals involved in this process should always try to work out their differences and put the adult's needs at the centre of the process. Where there are irreconcilable and significant differences between professionals it may also be necessary to consider escalating the case to more senior decision makers within organisations and ultimately the local Safeguarding Adults Board.

Legal Considerations

Adults who have capacity to make decisions which may result in them placing themselves at risk of significant harm or death may require further judicial intervention to ensure their safety, through Inherent Jurisdiction of courts. This is most likely to occur if the adult continually fails to engage with risks management strategies and all other options have been exhausted. There may be occasions when the courts are prepared to intervene in the case of an adult, for example, where an adult is receiving undue pressure or coercion from a third party. This process is rarely used due to the implications relating to human rights, and therefore senior manager and legal advice should always be sought when Inherent Jurisdiction may be a consideration.

Links to relevant guidance

<https://www.gov.uk/government/publications/criminal-exploitation-of-children-and-vulnerable-adults-county-lines>

<https://www.nationalcrimeagency.gov.uk/what-we-do/crime-threats/drug-trafficking/county-lines>