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An exploration of police discretion in the identification of child victims of county lines drug trafficking

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ABSTRACT

In recent years, children's involvement in County Lines drug trafficking (CL) has been of increasing concern to national government, the police and safeguarding agencies. However, few studies have explored how child victims of county lines are identified by the police. This exploratory research study provides insights into the police decision-making process for identifying child victims of CL. Interviews with eight police officers from three police forces in South England were conducted to understand how they came to recognise children involved in CL as victims and in turn, how this related to decisions to refer children into the UK's formal victim-identification system – the National Referral Mechanism (NRM). The research found decisions to recognise children as victims and later refer them into the NRM varied amongst the police officers in the sample. This was because officers had different understandings of what constitutes modern slavery, considered different factors in their decisions about signs of exploitation, displayed varying attitudes towards children involved in CL and viewed their duties in CL cases differently to one another. The research also identifies various barriers in the process of victim-identification. The most significant barrier appeared to be the over-reliance on victim accounts, compounded by the inability of children to disclose exploitation. The notion that children involved in CL may have experienced differing levels of exploitation and display varying levels of willingness to facilitate CL drug dealing, further complicated understandings of what constitutes a victim and in turn an NRM referral.

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County lines; child criminal exploitation; victim/offender overlap; National Referral Mechanism

Introduction

The use of children to facilitate county lines drug operations is classified as a form of human trafficking for the purposes of criminal exploitation and is outlawed under the UK's Modern Slavery Act (MSA 2015). In order to identify and safeguard victims of modern slavery offences, the UK has instituted the National Referral Mechanism (NRM). The NRM is a process used by designated agencies known as first responders, to identify and safeguard suspected victims of modern slavery (Home Office 2022). The police are a first responder as are seventeen other organisations operating across in England and Wales including local authorities, children and refugee charities and some government departments such as UK Visas and Immigration, Border Force and Immigration Enforcement (Home Office 2022). In England and Wales, both contemporary police and government policy

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state that any child suspected of being the victim of a modern slavery offence which includes CL, must be referred to the NRM, regardless of whether a child consents to the referral (College of Policing 2020, Home Office 2022). (See Appendix 1 for detail on the NRM).

Accurate figures on the numbers of criminally exploited children across the UK do not currently exist due to inconsistencies in understandings of what constitutes modern slavery and in turn, inconsistencies in data collection (Children's Commissioner 2021). A report published by the Children's Commissioner (2021) cites that the National County Lines Coordination Centre recorded 4,000 children as 'involved' in county lines, although this figure does not reflect those who have been referred into the NRM for exploitation. Existing NRM data *does* suggest that the number of children (defined as those under eighteen at the time of exploitation) referred into the NRM for all types of labour exploitation has risen each year since 2017 (NCA 2018). This is thought to be due to the increased identification of children exploited in CL (NCA 2018, NCA 2019). Figures reveal that in 2018, 633 children were referred to the NRM as victims of CL exploitation whereas in 2020, this figure had risen to 1335 children (FOI 2021). Across all statutory agencies able to make NRM referrals, the police make the greatest proportion: they made approximately 43% of the 4500 referrals to the NRM made between 2009 and 2018 (FOI 2019).

Children involved in CL can be described simultaneously as victims and offenders and be positioned on a continuum of exploitation. This is because children's level of agency in facilitating CL operations can vary, as too can the extent to which children exploit others during the drug trafficking process (McLean *et al.* 2020). However, an underlying assumption in this article is that children involved in CL are nonetheless victims despite not necessarily conforming to tropes of 'ideal' trafficking victims, that is, victims who conform to conventional victim stereotypes as weak and blameless (see Christie 1986). This is because children involved in CL may still be structurally vulnerable (Coliandris 2015) or as phrased by Robinson *et al.* (2018, p. 69) 'segregated from mainstream cultural and institutional life by virtue of age, class, race, or community'. Thus, structural vulnerability may make the perceived rewards of participating in CL more appealing to those whose own decision-making process is not only influenced by age and the potential immaturity that comes with it, but by experiences of marginality which curtail opportunities to participate in legitimate forms of cultural and economic consumption in socially valorised ways.

It is important that children who are exploited are identified as victims and are subsequently referred to the NRM. This is because under the section 45 defence codified into the Modern Slavery Act (2015) (herein referred to as the s.45 defence), evidence of having received a referral into the (NRM) can function as a statutory defence for those who have committed an offence under duress (CPS 2022) thus, potentially enabling children involved in CL to avoid criminalisation, or receive reduced penalties once apprehended. Enabling children exploited in CL to use the s.45 defence also ensures the UK fulfils its duty under the Palermo Protocol¹ to protect rather than punish those who have committed crimes due to being trafficked (Ofer 2019).

It is worth acknowledging here that the NRM has come under criticism by human rights groups, and in particular, the Anti-Trafficking Monitoring Group (ATMG) a coalition of 12 UK anti-trafficking organisations (ECPAT 2016). Reasons for criticism include: 1) the over-reliance on accounts from those who have potentially been exploited, who anti-trafficking groups highlight are unlikely to disclose victimisation due to the nature of exploitation and possible threats that may follow for speaking to authorities, (ATMG 2018); 2) the fact that potentially exploited individuals are often unable to access quality legal support and therefore do not get the opportunity to fairly make their case, (Ahmad 2021); 3) NRM decision-making ultimately sits with the Home Office (HO), who are unlikely to have encountered the person who has potentially been exploited, (ATMG 2010); 4) and that the time for first responders to collate evidence, does not enable an exploited person to build the trust necessary to process discuss their complex experiences (ATMG 2010).

Despite the shortcomings identified with the NRM, it remains an important mechanism for establishing a fair and informed criminal justice response to children exploited in CL contexts and the rise in NRM referrals for CL is encouraging. However, evidence reveals police officers are still failing to make referrals for victims of CL upon encounter and are instead misrecognising them as solely

offenders, thus resulting in miscarriages of justice later in criminal justice proceedings (The Children's Society 2018, Caluori *et al.* 2022). In light of this evidence, it becomes important to gain a fuller understanding of how police officers identify whether or not a child involved in CL activities is a victim and which factors influence their judgements in such contexts (Villacampa and Torres 2017).

To date no academic studies have studied the role discretion plays in the CL victim-identification process thus the primary aim of this exploratory study was to generate insights into the thought processes leading to police officers' decisions about the victim status of children involved in CL. In this way the study addresses an absence in earlier research which primarily focuses the factors that do or do not affect decision-making rather than on the reasons why police make certain decision (Feys 2023).

This article continues with a review of research on the CL model of drug trafficking and police responses to it. It introduces the literature on police discretion with specific reference to challenges facing police investigations into modern slavery and criminal exploitation. It identifies the absence of research on police discretion in child-victim identification processes in CL contexts and provides a description of the case-scenario research project with police officers designed to address this issue. The discussion of findings considers the extent of variation in police decisions about a child's victim status and the reasons for these variations. The conclusion highlights the importance of understanding and addressing barriers to recognising children involved in CL as victims.

County lines and police responses

Much of what is known about CL originates from intelligence reports produced by the UK's National Crime Agency (NCA, 2016, 2017, 2018). Although, a nascent body of academic literature on CL has emerged since the phenomenon was first identified (Windle and Briggs 2015, Robinson *et al.* 2018, Spicer 2018, Stone 2018, Coomber and Moyle 2018, Moyle 2019, Harding 2020, Holligan *et al.* 2020, Windle *et al.* 2020, McLean *et al.* 2020, Spicer 2020a, 2020b, Wroe 2021, O'Hagan and Edmunson 2021, Bakhita Centre for Research on Slavery, Exploitation and Abuse 2022, Caluori *et al.* 2022).

There is a small but growing number of published *academic* studies which focus exclusively on CL and the police (Coliandris 2015, Elliott 2016, Spicer 2018, 2020b, Blackburn and Smith 2021). Despite the relatively higher numbers of police referrals of children into the NRM in comparison to other agencies, these studies have highlighted problems with police responses to child victims of CL. Coliandris (2015) noted policing responses to CL were likely to be ineffective due to the abstract nature and limited understanding of 'vulnerability' within the UK policing context. Spicer, (2018) found that police officers often expressed overly narrow conceptualisations of CL as a drug model for profit maximisation. Meanwhile Elliott's (2016) study found police officers, including detectives, maintained low levels of awareness about what the NRM was and how it could be used in CL cases. Further, Blackburn and Smith's study (2021) identified a lack of data sharing as a barrier to identifying victims of CL.

While there has been some work on victim identification with professionals working with children (see for example, Fletcher 2020), at the time this research was conducted, there was only one published study on police victim-identification of children in CL: a report produced by Her Majesty's Inspectorate of Constabulary Fire and Rescue Services (HMICFRS 2020). The report was informed by police databases, interviews with individuals from ten different police forces, and discussions with other police organisations, such as the National County Lines Coordination Centre. The report identified two key barriers to the victim-identification process. Firstly, the absence of a shared statutory definition of Child Criminal Exploitation (CCE)² which led to police and other first responder agencies to make different decisions about the risk posed to an exploited child and whether they were a victim. Secondly, a lack of information sharing between police and statutory agencies, meaning the police were not always notified when a high-risk child moved into their force area. Whilst insightful, this report did not provide an in-depth account of how individual police officers make NRM decisions but nonetheless noted the inconsistencies in how different forces identified child victims of CL.

More recently, Crest Advisory have published a report highlighting failures in the policing of county lines. The authors use case studies gathered from insights from the police and local authorities' children's services. Findings reveal that knowledge on how to police CL is uneven across forces, held within specialist teams dealing with CCE, and that police officers are often '*forced to rely on gut-reaction, value judgements or instinct based on contextual factors such as the ages of young people, their attitudes and demeanour*' to identify victims of exploitation (Caluori *et al.* 2022, p.11).

Similarly, research from the Bakhita Centre for Research on Slavery, Exploitation and Abuse (2022) reveals that criminal justice practitioners working with children involved in CL expressed difficulties in distinguishing between perceived victims and perpetrators of CL exploitation. The authors suggest that more training should be provided to help professionals correctly identify exploitation.

Police discretion in decision-making with children involved in county lines

Research has highlighted the complexity in investigating modern slavery cases, (Eddington 2021) and in particular cases of criminal exploitation (Villacampa and Torres 2017, Ramiz *et al.* 2020) and *child* criminal exploitation (Cockbain 2018).

When a police officer encounters a child involved in CL, it may not be clear what the child's role is in the CL activity or what relationship they have to a County Lines Crime Group (CLCG). It may also be hard to distinguish a child's involvement in CL from other types of offences such as the possession of drugs with the intent to supply.³ Hence, it may be unclear to officers whether the child is a victim of exploitation by a CLCG or the sole perpetrator of crimes acting under their own self-determination. There exists little guidance on how modern slavery cases should be investigated what specific thresholds should be met in order for a positive NRM outcome⁴. Police officers are therefore required to exercise their professional discretion when encountering children involved in CL.

Discretion can be defined as a decision-making power the police are afforded to exercise their judgment to make pragmatic decisions in situations where different courses of action could be taken (Kleinig 1996). Many scholars have argued that discretion is a necessary facet of police work (Goldstein 1960, Sanders 1992, Kleinig 1999). This is because legislation or guidance may not exist to guide officers on what to do in every situation such as in the case of CL (Goldsmith 1990). Moreover, police frequently encounter ambiguous situations so must use their discretion to interpret these situations and guide them toward taking appropriate courses of action by understanding what procedures and laws are applicable (Goldstein 1960). Kleinig (1996) argues discretion also has a normative element as it can be evaluated in relation to whether it is exercised well or poorly. Exercising discretion properly relies on making balanced decisions that are not based on one's own values, interests and beliefs (Kleinig 1996). More recently, Feys (2023) identifies five levels of influence on police discretionary decision-making: police officer characteristics, civilian characteristics, organisational characteristics, situational characteristics and neighbourhood characteristics. These may be appropriate lenses to understand the use of discretion in CL contexts.

Whilst existing studies on the identification of victims of trafficking have not explicitly employed the framework of discretion, they have found that multiple factors, some of which overlap with existing theoretical studies on police discretion, influence police decision making in the victim-identification process. For example, Goldstein (1963, p.149) claims that new legislation is often enacted without a consideration of how the law will be enforced or the consequences of enforcing or under-enforcing the law. Consequently, police officers are often required to use their discretion to decide when and how to exercise the law. Farrell *et al.* (2014a) found this to be the case in their study of the victim-identification process for trafficked individuals. The researchers used information from 140 closed human trafficking case records and 166 interviews with police officers, prosecutors and victim-service representatives in 12 US counties. The researchers noted that new human trafficking laws were often ambiguous and difficult for legal authorities to interpret hence they suggested

that uncertainty in how to interpret trafficking legislation could be why police officers avoided identifying trafficking victims and instead treated them as offenders.

Similarly, in the UK, Gelsthorpe and Hales (2012) interviewed 43 migrant women held in adult prisons across the South of England whom they identified as victims of human-trafficking. These women were victims of a range of types of labour exploitation including many who were victims of criminal exploitation. In total, only eleven out of the 43 women whom they had identified as victims of trafficking (including criminal exploitation) received formal victim-identification through the NRM process by police despite displaying obvious signs of trafficking. The authors suggest one of the reasons for the low number of women identified as victims was that in some cases officers were unsure of how to interpret new (at the time) CPS (2011) guidelines on whether it was in the public interest to prosecute potential trafficking victims.

Earlier studies of police discretion have highlighted the critical role that individual officer attitudes and beliefs play in the use of discretion. (Johnson 2011, Muir 1997, Brown 1988, Broderick 1997). Officer attitudes and beliefs have also been found to influence decision-making in trafficking cases. Gelsthorpe and Hales (2012) found that the police could be overtly cynical, employing common sense ideologies to question migrant women's behaviours and discredit their accounts of victimisation. Balamwala (2016) argues that the stereotype that victims must be 'helpless' and lacking agency has meant that police officers are more likely to believe the accounts of those they had 'rescued', rather than those who self-reported to them.

Farrell and Pfeffer (2014b) in their interview study in 12 US states found police officer perceptions of public imaginaries about the 'ideal victim' (Christie 1986) of human trafficking permeated into police force cultures and influenced victim-identification. The police officers acknowledged male and adult migrants *were* victims of trafficking but avoided identifying them as such because officers believed it would be a waste of time as the public would not view either of these groups as deserving of support. Similarly, Ramiz's (2020) study on police views and actions toward Vietnamese nationals trafficked into England to cultivate cannabis, found the police were reluctant to investigate modern slavery offences unless the victim presented as an 'ideal' trafficking victim.

Farrell and Pfeffer's study (2014b) also draws attention to the widely recognised influence of police culture on discretionary decision-making. While there is not the space here to provide a full discussion of the literature on this topic, there are some common features of police culture that have been identified by researchers which may influence victim-identification processes. These include a strong mission-orientation linked to a conservative attachment to conventional morals and norms and the existence of cynicism and suspicion of others (see Reiner 2000). Notably, Loftus (2010) found that suspicion of others can result in scepticism towards victims of crime.

Farrell and Pfeffer (2014a) further highlighted the relevance of the 'routines' that police officers develop from their earlier experiences to frame and interpret situations and guide their use of discretion. Investigating newly defined crimes where investigators have less experience such as in criminal exploitation cases requires the police to develop and employ different routines. In Farrell and Pfeffer's (2014a, p. 53) study the police failed to identify different forms of human trafficking because they were reliant on routines developed to respond to better understood forms of trafficking like sexual exploitation.

Common across the studies discussed here is that police officers often brought preconceptions to encounters with trafficked individuals which led them to view these individuals as offenders once encountered. Gelsthorpe and Hales (2012) argue that these preconceptions caused some police officers to become more concerned with prosecuting women than offering them victim assistance. Villacampa and Torres (2019) contended that if an individual had previous convictions, they were also less likely to be perceived as a victim.

These studies address the victim-identification of adults in contexts of exploitation but little is known about how police approach the identification of children as victims of exploitation. Furthermore, much of the existing literature on police discretion has focused on street-level policing

encounters (Mastrofski *et al.* 1987), or on the immediate actions taken by the police such as the use of force (Tennenbaum 1994, Nowacki 2015). Fewer studies have explored police discretion in situations where decision-making occurs away from the frontline and is enacted through a series of procedures, making outcomes less immediate and visible to the public such as the victim-identification process. Therefore, the aim of this study is to explore how police discretion is operationalised in the process of child-victim identification in the context of CL.

Methodology

A mixed methods approach was taken to conduct this exploratory study which combined a semi-structured interview with a face-to-face survey. On average the interviews lasted an hour each. Participants for the analysis discussed in this paper were eight police officers. Ethical approval for the research was granted by the University of Cambridge Institute of Criminology Ethics committee. The authors do not have any competing interests to declare. Table 1 provides more detail about the sample.

Participants were recruited from three different forces which are referred to as force A, B and C. A mixture of snowball sampling and (indirect) selective sampling was used to recruit participants due to the limited number of police officers who would have experience or knowledge in policing CL.

All of the participating police officers were male and their service within the police ranged from 10–26 years. All police officers, except for one, William (pseudonym), had experience of making NRM referrals. Although William had received training on how to make NRM referrals and CL since this could be something he could encounter.

The survey included nine questions based on case-study scenarios of potential police encounters with children involved in CL (see Appendix 1). Case scenarios are a helpful research tool for eliciting participant views on sensitive or complex topics as the use of a hypothetical situation may feel less threatening to participants than a direct question on the topic. They can also elicit a more grounded and reasoned response than a general attitudinal question (see Bryman *et al.* 2012). Scenarios have previously been used in policing research to capture and compare police views on domestic violence (Robinson *et al.* 2016, Aujla 2020). The scenarios in this study were developed from readings of academic literature on CL, news reports on CL, conference discussions and consultations with experts who included police officers, those from children's services, a criminal barrister and lawyers who had defended children involved in CL CCE. Following the interview discussion designed to capture police officers' understandings and experiences of policing CL, each of the nine case study scenarios was read verbatim, one by one and in the same order to all eight participants. Participants were asked whether they would make an NRM referral in each of the cases and to discuss their decision-making process and factors which influenced their decision to either make an NRM referral or not.

The scenarios were designed to resemble real life CL cases. They varied in how signs of exploitation were portrayed. Some of the indicators were more implicit and based on commonly understood signs of exploitation such as frequent missing episodes, being found with large amounts of money, drugs, or weapons, or an account of forced drug dealing. Whilst other indicators in the scenarios provided more explicit signs of exploitation such as signs of physical harm, and verbal accounts of

Table 1. The research sample.

Force and Location	Number of Participants and gender	Participants' professional roles	Method of Interview
A South of England	Four males	Two Police detectives specialising in CL One Police Inspector	Two face to face One telephone
B South of England	Four males	Four Police detectives from CL units	Telephone
C South of England	One male	Police constable specialising in a CL unit	Telephone

children who openly disclosed exploitation from a CLCG such as being in debt bondage⁵ – a common exploitative practice in CL.

Research on police discretion indicates that individual characteristics of suspects can influence how police officers exercise discretion (Sanders 1992, Wordon and McLean 2014). So whilst the basic similarities of CL encounters remained the same, each of the scenarios had other key differences and varied by a child's age, ethnicity, demeanour, previous convictions, living situation, the number of children found with them, and the quantity of drugs and money found on them. Some children in the scenarios were also given characteristics such as being a looked after child or having a substance abuse problem. This was to explore whether officers understood these traits to make children more vulnerable to exploitation and how again this knowledge might influence decision making. Overall, all participants agreed that the scenarios were realistic with one even remarking 'that *sounds just like one we had*' however, two officers mentioned they felt that two scenarios where children were found with large amounts of money and drugs were unlikely encounters.

The overarching aim of designing similar but slightly varied scenarios in which each scenario included at least one sign of implicit or explicit exploitation or held a characteristic which gave rise to potential markers of vulnerability, was to gain an understanding of whether, when and how officers exercise their professional discretion to interpret signs of exploitation in CL contexts and in turn, how they make a decision on whether the evidence was sufficient enough to constitute an NRM referral. Hence, all the children in the scenarios were designed to be strong candidates to receive an NRM referral.

As a result of the COVID-19 pandemic, telephone interviews were used to conduct seven interviews to ensure participant safety. A disadvantage of using telephone interviews in comparison to face to face interviews is that it is not possible to see participants' body language (May 2011). Nonetheless, it was still possible to pick up on tone of voice, and the use of fillers and pauses, the latter two frequently arose in relation to the CL scenarios. These verbal signifiers helped highlight the difficulty of the process of NRM decision-making in itself through phrases like '*hmmmthat's a difficult one*' which showed the decisions the officers reached were not perfunctory but involved a lot of thought. Overall, it did not seem that the quality of data collected through telephone interviews was of lesser quality than the data collected in the in-person interviews.

Data analysis

Each participant's survey was coded into whether they answered yes or no to make an NRM referral for each of the given case-studies. These values were input into Excel to produce a bar chart which provided a visual representation of survey responses and allowed for basic statistical analyses in the form of descriptive statistics to compare responses for different scenarios. Textual analyses were also used to count the number of times a particular factor, such as demeanour, was said to have influenced police discretion.

Once transcribed, the interviews were coded into themes based on the research aims. An iterative approach to analysis was adopted (see Braun and Clarke 2006) using themes drawn from existing research (such as factors influencing NRM decisions) and allowing new themes to emerge from the data, for example, the theme barriers in victim-identification, which featured strongly across all interviews.

Limitations

The COVID-19 pandemic restricted recruitment to the study and meant that of the sample of eight officers, only one interview was conducted in person. Furthermore, the reliance on gatekeepers to select participants restricted the scope to recruit a diverse sample. As a result, all officers included in the sample were male and were relatively high ranking with no participants below the police

sergeant rank. Therefore, the results may not be representative of how officers of lower ranks would make NRM decisions in CL cases. Moreover, how women officers make NRM decisions may be different to how male officers make decisions which the research is unable to account for.

Kennedy (2015, p. 14) notes there is much heterogeneity between police departments as different departments address crime problems using varied approaches, assign officers differently and have different formal and informal cultures and ways of relating to the public. In the case of this research, each police force responded to CL in a slightly different way, for instance, force B described having an on-site youth offending service, whereas participants from forces A and B did not describe their forces as having a similar service. Yet due to the small sample size it was not possible to ascertain and compare how differences in organisational features influenced the use of discretion. Nevertheless, this study offers an initial indication of variation and consistencies in how police officers approach child victim identification.

Findings

The discussion of findings combines quantitative data on officers' responses to the scenarios and qualitative interview data on their rationales for their decisions and their wider views on child victim-identification in CL contexts. The first section presents data on the number of NRM referrals by case scenario and the numbers of referrals each officer made in total. It draws attention to the variation in the officers' responses. The second section provides detail on these variations which were associated with officers' views of their role, their views about children and their understandings of exploitation. The third section discusses the challenges officers faced in the process of victim-identification. These were the existence of a continuum of exploitation and an absence of clear guidance in relation to it, a lack of quality and standardised training and ambivalence in the process of identifying victims.

Variations in officers' decisions to refer

Participants' decision-making varied across the nine case study scenarios. Table 2 highlights the variability in decision-making and shows the name of the child in the case study, and the number of officers who would and would not refer each child into the NRM. Variability in decision making occurred despite all of the participants in the sample having received training on modern slavery and the use of the NRM in CL cases. One police officer, Phil, suggests that such variability can be explained by the subjectiveness of the NRM decision-making process:

I think it's very difficult for people to decide and I suspect there probably are some inconsistencies with one person's decision versus another person's decision.

To reiterate all children in the scenarios were designed to be strong candidates for receipt of an NRM referral. Whilst in some of the scenarios, all eight police officers said they would make

Table 2. To show number of NRM referral and non-NRM referral decisions by child in case study.

Name of child from case study- scenario	Number of officers who would make an NRM referral	Number of officers who would not make an NRM referral
Dean	4	4
Asif	2	6
Jayden	8	0
Andrew	8	0
Rihanna	5	3
Samuel	3	5
Candice	7	1
Tobi	8	0
Melissa	1	7

an NRM referral – the cases of Jayden, Andrew and Tobi – other scenarios were more contentious. The contentious nature of decision making was epitomised by the scenario involving Dean where half of the participants responded they would make an NRM referral, whilst the other half expressed, they would not.

Table 3 displays the number of NRM referrals made by each police officer in the sample. A disproportionate number of decisions to refer into the NRM were made by the same officers too. As Table 3 shows, 23% of the decisions not to refer a child into the NRM were made by Jude who made the least number of NRM referrals, whilst 20% of the decisions to refer a child into the NRM were made by Lionel who referred all nine of the children in the scenarios into the NRM.

In the interview three participants suggested there would be differences in NRM decision making even between colleagues in the same police unit. This was because the NRM process relied on an individual officer's interpretation of exploitation and vulnerability:

'... That's the key word – subjective. That's the whole NRM process. It's all subjective. You've got one person making a subjective reason as to why they're submitting it' (Paul).

Four observations can be made about the inconsistencies in victim identification. Firstly, officers tended to exercise their discretion based on different factors in each scenario. Secondly, not all signs of exploitation and vulnerability were observed by all of the officers. Thirdly even when the same factors were observed across participants, not all these factors exerted the same effect on the exercise of discretion due to individual characteristics of officers. Fourthly, officers seemed to perceive their responsibilities in encounters with victims of CL differently to one another. Further detail on the variations in officers' decision making is provided in the following sections which address how officers viewed their role, how they viewed children and how they understood signs of exploitation.

Variation in how officers viewed their role

From the interview responses it emerged that officers understood their responsibilities differently to each other, depending on whether they embraced primarily a child welfare-oriented perspective (whereby police officers put the welfare and safeguarding needs of a child at the centre of their decision making), a risk-oriented perspective or an investigator perspective. Most officers (n = 6) adopted a combination of perspectives and although some prioritised a welfare orientation notably no officer viewed their role to be entirely welfare oriented as Michael's comments illustrate:

'Now obviously I have a duty to investigate and above that I have a duty of care. My duty of care overrides my duty to do the investigation' (Michael).

Michael adopted an investigator and welfare-oriented role as did Lionel and William who were the three officers who made the most referrals. Their welfare-oriented view appeared to be associated with a wider understanding of vulnerability with these officers recognising that children can be structurally vulnerable and not just vulnerable because of their CL involvement.

Table 3. NRM decision making by police officer.

Police officer name (pseudonym)	Total number of referrals made across 9 scenarios
Barry	4
Jack	5
Jude	3
Lionel	9
Paul	5
Phil	6
Sam	7
Will	7

By contrast, two officers viewed their role solely in relation to investigating cases to either find evidence leading to a prosecution of a child's exploiters or to prove the criminality of a child. Although, one of these officers pointed out he did not want to send someone to prison wrongfully, neither mentioned having any duty of care toward the children. This was made clear by Barry who exclaimed '*our job is to try and prove the criminality first of all ... It's not to start cutting him [Asif from the scenario] a cell passport*'.

Officers who adopted a risk-oriented approach included, Jack, Phil, Paul and William. These officers appeared to make decisions based on the risks posed to both children involved in CL drug dealing and the public. How officers said they would act upon perceived risk also varied. Sometimes officers said making an NRM for a child could safeguard them whilst on other occasions an NRM was positioned as being mutually exclusive with receiving a criminal sanction. This was because from their experience, when NRM referrals had been made for children, the CPS would not take the case to court or when the case was taken to court, an NRM referral would reduce the chances of an individual receiving a sanction for crimes they may have committed under duress. In some cases, officers felt that whilst children may have been exploited it was sometimes necessary for children to receive sanctioning. This was because officers believed children would not otherwise be deterred from becoming involved in CL and failing to sanction children could incentivise CLCGs to use children to drug deal, which would exacerbate children's risk of exploitation.

'It's almost part of their sales pitch, "go buy your new trainers and get your cash to do whatever and if you get arrested say this this and this and you won't get prosecuted", as part of that grooming process to get these young people involved' (Michael)

It was clear that risk-oriented officers were aware the Criminal Justice System (CJS) was only structured to treat children as either victims or offenders so utilised their authority as gatekeepers to the CJS, to decide not to make referrals and in turn contribute to a child's prosecution. Kleinig (1999 p. 84) argues police officers are seen to possess specialist knowledge and are therefore well positioned to exercise their discretion. However, the observation that officers sometimes use their position as gatekeepers of the CJS to predetermine whether a potential victim of exploitation is prosecuted or safeguarded, raises questions about whether discretion is exercised appropriately, and what role the courts and the police should play, in shaping prosecution decisions.

William believed sometimes the best way to safeguard a child was for them to be incapacitated because they were at a lower risk of harm and exploitation in custody than they would have been in the public. William's perception that custody would be a better option also highlighted his lack of confidence in the statutory safeguarding measures in place for children involved in CL. William also considered that imprisoning a victim could also protect a victim's social network who may not have been involved in criminality because CL groups could sometimes target the friends and family of a child involved in CL drug dealing:

'So, if I'm a dealer and you're my mate at school I would be the red person that we're looking at closely and you would be the amber person. But also, when we worked out that link, we'd make sure that you spoke to everyone in your family and your peer group because you're next so we're trying to get ahead of that curve' (William).

The above quotations illustrate that differences in the interpretation and observation of risk in the scenarios appeared to be related, in part due to the divergent perspectives officers had of their role (welfare-oriented risk-oriented or investigative) in relation to children involved in CL. It was evident that welfare-oriented officers felt the greatest duty to safeguard children through the NRM, as opposed to other officer typologies.

Variation in how officers viewed children

Variations in officers' attitudes and beliefs about children involved in CL were also evident in their different responses to the children in the scenarios. In the interviews it became clear that the two

officers who displayed the most cynical attitudes towards children involved in CL were Barry and Jude, who were notably from the same force, and generally, did not believe that children were victims. For example, Barry repeatedly referred to children involved in CL as *'juvenile drug dealer'*. Such preconceptions appeared to make officers less likely to observe signs of exploitation as Barry and Jude made the least number of referrals (see Table 3). Muir's (1979) seminal policing study posited that police officers with a cynical outlook tend to be the most ideologically committed to their beliefs and assumptions (Muir 1979). This was evident when I asked Barry whether he had considered that children may not make disclosures because those who have been exploiting them told them not to. Barry responded, *'I'm sure, but then I'm a cynical cop'*.

Barry and Jude also believed children had a high degree of agency in relation to their complicity and involvement in drug dealing. They projected notions of individualised responsibility onto the children they mentioned they had encountered in real life and in the scenarios. They viewed them as morally responsible for their actions so were therefore undeserving of victim-identification:

The age of criminal responsibility is ten. And the law says once you get to the age of ten you are old enough to know the difference between right and wrong and therefore, you're old enough to be punished for doing wrong' (Jude).

These police officers viewed children to have a high degree of agency and therefore assumed children were capable of disclosing victimisation: *'it's not our position to put words into their mouths if they're modern-day slaves they'll tell us'* (Jude). Indeed, Jude and Barry were the most likely to base their decision to refer children into the NRM on victim disclosures. On all occasions where Jude made referrals into the NRM (three times) this was based entirely on victim-disclosure and on three out of the four occasions where Barry made referrals into the NRM, victim disclosure on its own was the influencing factor. Conversely, their decisions not to make NRM referrals were because the children *'did not cooperate'* or *'give us (police) something to work with'* as Barry phrased it.

Self-interest also featured in the decision making of Jude who mentioned he did not believe the disclosure of Andrew who had been kidnapped in the scenario. Instead, Jude believed Andrew should *'go to jail'* but remarked *'we would have to do one [make an NRM referral] to cover ourselves'* (Jude).

Jude's perspective contrasted to William's who viewed children involved in CL to be *'vulnerable kids'* displaying less agency as they were *'sucked into that kind [of activity]'*, rather than having the agency to orchestrate CL drug dealing.

Variation in how officers understood signs of exploitation

Evidence of CL exploitation was understood by officers to be indicated by the presence of a child far away from home or in a cuckooed property⁶, being found with other children in a cuckooed property, being in possession of a burner phone⁷, being in debt bondage and being reported as missing. At least one of these CL risk factors was mentioned by police officers on 43% of the occasions NRM referrals were made. For example, Jude described:

A typical CL case would be a teenager in a drug addict's house, who would be dumped there with loads of drugs to sell.

Whilst Jack described a CL case to be typified by

'... either some sort of debt or incentive related to why they are here [force area]. They're paid money, so we've had kids being paid £500 per week, so if you're fifteen or sixteen and you're having that, it's a no brainer. The majority of them come from inner-city estates in London' (Jack).

Indeed, children who more closely aligned with officers' scripted understanding of what CL looked like were more likely to receive a referral; Lionel's comment that one of the reasons he would refer

Jayden into the NRM was because *'he fits all the scenarios we've been doing in training'*. Conversely, this meant that children who deviated the most from the CL stereotype in the scenarios were less likely to receive a referral. Two officers who did not make an NRM referral for Melissa noted that she had been found with an unusually large amount of money on her for compared to most CL drug dealers. Phil remarked she had to be *'well-trusted to have that amount of money'* which was framed as being mutually exclusive with being exploited.

Reasons for variation and barriers to victim identification

In this section we present some explanations for the variation in police officers' NRM decision making. These factors complicated the exercise of discretion and served as barriers to victim-identification.

The continuum of exploitation and a lack of clear guidance

'Everyone within the drug supply chain, apart from the people at the top are exploited in some way so where do you draw the line? From being exploited to being criminally culpable?' (Phil).

The wide continuum of exploitation on which CL offenders can be positioned was arguably the most significant factor complicating the exercise of discretion in NRM decision making and subsequently the identification of victims – a similar finding to the research conducted by the Bakhita Centre (2022). There was a widespread awareness amongst officers that some children may have been forced into CL drug dealing and experienced a high level of harm and exploitation, whilst other children appeared to make more rational choices to become involved in CL. This awareness made it difficult for officers to decipher between those who were victims of CL and those who were not. Phil explained the complexities involved in victim-identification were exacerbated by the lack of specific guidance on how to identify victims of CL or what risk factors to consider when making NRM decisions. Phil's point was made by comparing the CL victim-identification process to the systems enacted to safeguard victims of domestic abuse.

There's a scoring system, the DASH⁸ form, which is [a] domestic abuse risk assessment so they get scored and you can sort of categorise people into low medium or highs based on how they're scored, and that can sort of steer that risk assessment in the right direction. Whereas the decision on an NRM is purely based on what a person thinks about the particulars of that case and there's no real yes or no, black and white innovative guide on *'if ABC were all present during a particular investigation'*, like they had a burner phone but their phone had been taken off them, or they were found in sort of like a trap house. There's nothing to say at what point, when you add all these cumulative things together ... does it become an automatic referral or not? And I think it's very difficult for people to decide

Both Jack and Paul expressed that because CL was a relatively new phenomenon not commonly encountered, CL legislation was still in its infancy and the police were:

'Still trying to get their heads around an NRM referral and modern slavery [in CL cases] as opposed to knowing what they should do ... for offences like theft and burglary ... People are very familiar with that paperwork but this is still new, so I think they're given the benefit of the doubt most of the time' (Paul).

It was notable that whilst the majority of officers understood CL to be a form of modern slavery, not all officers did. In his interview Jude refuted that CL was a form of modern slavery asserting that modern slavery *'is when someone who's forced to come to a different county to deal drugs through fear and violence'*. The NCA (2016) estimate that the majority of those involved in CL are British nationals who have been trafficked internally, thus indicating how Jude's understanding of modern slavery was incompatible with knowledge about how CL works, which may prevent officers with similar understandings from recognising victims.

Throughout this research it became apparent the CPS guidelines on CL are ambiguous and do not accommodate the wide spectrum of exploitation children can experience. For example, paragraph

three of the CPS (2022) guidelines, recommend using the modern slavery defence in CL cases if there is evidence of exploitation, whereas in paragraph five of the same guidelines, the CPS cautions against using the s.45 defence if a child has voluntarily joined a group that uses 'coercive methods'. Thus, ignoring that whilst some children may appear to join a CLCG voluntarily at first, they may later become subject to violence and exploitation as Barry discussed:

'How did he [Tobi] get into debt bondage? Was that because he was drug dealing and he got robbed and now he's in debt? So ... yeah, he might be being exploited now but what was his original lifestyle choice?' (Barry).

The lack of clear guidance also contributed to ambiguities in how to interpret the law and therefore whether children involved in CL should be treated as victims or offenders. This caused Lionel to question what constitutes public interest '*So what does the public want, a custodial sentence?*'. As found in Farrell *et al.*'s (2014b) study described earlier, uncertainty around public interest can negatively impact victim-identification.

Lack of quality and standardised training

Two of the participants also felt the lack of timely and comprehensive training prevented officers from understanding how to make NRM decisions and the factors on which their discretion should be based. Paul gave the example of an incident where a superintendent in his team ordered him to make an NRM referral because an individual was under eighteen. Although the training Paul received had stated that unless officers had credible suspicion to believe someone was a victim, age alone was not a sufficient basis to make an NRM referral.

'so, the superintendent said, "right I want an NRM submitted for him by the end of the day". So what? I've basically gone what? Based on one incident that had some sort of intelligence to it? You know it was no way near credible suspicion ... I think there's a lack of training at all levels so even at the superintendent level they weren't fully understanding what that process was there for ... ' (Paul).

Thus, organisational hierarchy, in addition to a lack of shared understanding of how to make NRM decisions, prevented consistent practices in victim-identification and in some cases appeared to make officers reluctant to ask for help from other more senior officers whose decision making they may not agree with. Except for William who was the lowest ranking officer and worked on front-line policing, all participants felt they were personally well-positioned to make NRM referrals. However, three participants felt those on the frontline would not be well positioned because they had not received the same amount of training or exposure to CL and would be less invested in the process, since organisational hierarchies meant that CL cases would be dealt with by investigators rather than frontline officers. As Paul discussed:

'.. not to say your general bobby on the beat doesn't [have the knowledge] but they perhaps don't have that appreciation of where the process will end up. A uniformed officer, once they've arrested that youngster and they've thought "well actually they could be a victim I'll put a referral through" they're unlikely to see that again. They don't actually care either what happens because it's not their role. They go home and the next day when they come in and do a new shift, they don't see that person that gets handled by crime and investigations or to us' (Paul).

Taken together, the lack of clear guidance and standardised training are two significant reasons for officer's over-reliance on existing scripts of what CL cases look like.

Ambivalence in the process of identifying victims

Police procedures were viewed as a barrier to the identification of child victims of CL. The police were tasked with interviewing children as both suspects and potential victims once encountering children involved in CL as Michael discussed:

'If I've interviewed someone as a suspect, it's very hard for me to interview them as a victim. Because he's looking at me thinking "hang on well a minute ago you were interviewing me as a suspect now you're interviewing me

as a witness” and it’s quite difficult ... he’s probably looking at me sitting there thinking well hang on how can I trust this guy? So, it’s a very difficult system’ (Michael).

The responsibilities of having to interview children as both suspects and then identify them as victims appeared to be in conflict. Police officers suggested that for a child, being interviewed as a suspect, often by the same officer who had apprehended them and had strong evidence to implicate them in criminality made children unsure about whether they could trust the police and disclose anything. Children were unsure of whether their disclosures would be used to identify protect them or to prosecute them for engaging in criminality. Consequently, children’s lack of certainty in relation to whether they could trust the police often led to them being cautious about what they told the police or responding ‘*no comment*’ in their initial interviews as advised by their solicitors. Moreover, tasking officers with conflicting responsibilities of both safeguarding children through victim-identification and collating evidence to charge suspects, may also explain why officers had divergent views on what their roles were in CL cases.

For most police officers, it was sometimes frustrating when children did not disclose their victimisation because the CL cases were already difficult for officers to interpret due to the confluent boundaries between victim and offender. As Barry remarked ‘*if they’re not gonna engage with us and tell us anything about how they’ve been exploited, then how can we investigate it?*’. Hence, a lack of disclosure from children became a barrier for both victim-identification and a criminal investigation to intercept those exploiting children involved in CL. This finding is consistent with the study by Villacampa and Torres, (2017, p. 403) who acknowledge the interview can be operationalised to extract information for a criminal investigation from potential victims.

One officer pointed out that the lack of data sharing between different force areas complicated NRM decision-making. Often officers did not have all the information they needed about a child to make an NRM decision, as by the nature of the offending model, children are from different force areas. Therefore, forces did not have access to information such as a child’s disabilities that would indicate if a child was potentially more at risk of exploitation. Blakeburn and Smith (2021) also identified lack of data sharing as a barrier to the British Transport Police’s capacity to identify victims of CL.

Related to the difficulties in being able to identify which end of the spectrum children involved in CL were situated, was the added complexity that some children involved in CL were perceived to falsely claim they were victims. Across all eight participants there was a consensus that the low burden of proof used by the HO to make Reasonable Grounds decisions, allowed the s.45 defence to be exploited. Two police officers noted that defence lawyers were complicit in the exploitation of the of s.45 defence. Paul expressed this was his

‘... biggest frustration. A person can be interviewed several times and be given opportunity to give a defence case statement and not say anything and yet suddenly [claim exploitation at the last minute] and receive a section 45 defence. And it’s like well hang on a minute, why now at this last stage? Because you’ve got a specialist defence lawyer included? That’s interesting isn’t it?’

In sum, the majority of police officers (n = 6) believed, the low burden of proof enabled victims to falsely use the s.45 defence which officers felt made it harder for them to differentiate ‘genuine’ victims from exploiters of the defence. As Phil expressed:

‘It’s hard to spot who’s genuine and who’s not. We’ve had ones before – I’ve been dead certain they’re proper victims and it turns out they’re not [after an investigation]’

Except for the two most cynical police officers, all participants acknowledged the s.45 defence did have benefits if used by ‘genuine victims. For this reason, Michael referred to it as a ‘double edged sword’. The consensus that the s.45 defence was widely misused appeared to make it more likely that police officers viewed children as cunning offenders to be treated with suspicion, rather than ‘genuine’ victims.

It is however, worth highlighting that there is conflicting guidance vis a vis when a child would qualify for use of the s.45 defence as codified into the Modern Slavery Act (2015). The Act considers three use cases of the defence:

- a) The person is under the age 18 when the crime was committed
- b) The act was committed as a direct consequence of being criminally exploited
- c) A reasonable person in the same situation as the person who committed the offence and having the person's relevant characteristics (age, sex, physical or mental disabilities) would do that act.⁹

Despite these potential use cases, at the time the research was conducted the most recent CPS CL guidelines (CPS 2018) stated the defence of duress cannot be relied on if a person is perceived to 'voluntarily expose[s] and submit' to 'criminal objectives and coercive methods'. As mentioned earlier, such guidance appears to ignore that whilst some children may appear to join a CLCG voluntarily at first, they may be unaware of the intent of the group and later become subject to violence and exploitation.

In more recent guidance, (CPS 2022), the CPS note that whilst the s.45 defence provides a 'potential statutory defence' for children, it 'does not necessarily preclude prosecution', referencing 'that those who have been found to be victims of trafficking do not enjoy blanket immunity from prosecution' such as in the case of *O & N v The Queen [2019] EWCA Crim 752* and *R v GB [2020] EWCA Crim 2* (cited in CPS 2022).

It appeared the lack of clear guidance also contributed to uncertainty in how to interpret the law and in turn, the circumstances children involved in CL should be viewed as victim.

This section has identified barriers to victim-identification at multiple levels: top-down procedures initiated by the HO, institutional procedures such as the victim/suspect interview, a lack of data-sharing between forces and micro-scale encounters with lawyers that may prevent a child from disclosing victimisation. It has highlighted how different authorities such as the HO and lawyers are perceived to work in ways that are antagonistic to the objectives of the police. The most significant barrier to victim identification was the complexity of the victim-offender overlap compounded by a lack of clear guidance, which draws attention to the importance of police discretion but simultaneously the challenge of reaching a conclusive judgement.

Conclusions

This small-scale exploratory study has sought to address the gap in academic literature in relation to how police decision-making processes operate during the victim-identification stage in CL cases. The results demonstrate that the police's task of identifying child victims of CL is fraught with complexity because children involved in CL can be viewed simultaneously as victims and offenders (HMICFRS 2020). However, arguably the current structures of the police and the CJS which categorise children as either victims or offenders place a responsibility on the police to identify and process children as either a victim or offender.

Similar to Fey's (2023) study, police discretion in this research was found to be associated with a number of different factors such as individual perspectives of children and victims and relatedly interpretations of children's age and demeanour. Situational factors such as being entrusted with large sums of money were also significant although in contrast to Fey's findings, location was not an explicit factor in participants' decisions. Participants recognised that being found in a drug-dealer's flat or on a train would signal involvement in CL but not discount victim status.

Organisational factors were particularly influential. The difficulties in the victim-identification process appeared to be significantly compounded by a lack of clear guidelines on how investigate cases and what points should be considered in a decision to refer a case to the NRM, such as, the importance of age, victim disclosure and previous convictions. The absence of clear guidance in victim-identification procedures appeared to cause officers to over-rely on personal opinion and pre-defined routines, which reduced the likelihood of a child being identified as a victim and referred to the NRM. This is because procedures used to investigate other types of modern slavery offences were found to be misaligned with CL exploitation. Furthermore, some officers lacked sufficient training to be able to exercise professional judgement.

Most notably, officers' perceptions of their own role in policing CL and their duty of care to young people, appeared to have a significant impact on victim-identification. Not all officers viewed themselves to have the same levels of duty of care to potential victims of exploitation. The influence of police culture (Reiner 2000, Loftus 2010) was evident here in particular in some officers' conservative mission focus and their expressed cynicism about young people's victim status. This was disappointing, particularly when considering the vulnerability and high levels of exploitation and harm experienced by children involved in county lines. Although levels of empathy cannot be expected to be found equally across officers, it is priority that officers' duty to safeguard and protect children when policing CL is emphasised in training and in statutory guidance.

Overall, inconsistencies in police decision-making may help to explain why in some instances CL victims are misrecognised as offenders resulting in miscarriages of justice. Misrecognising children solely as offenders, not only violates the non-punishment principle inscribed into UK law which forbids the punishment of those who commit offences due to exploitation (Ofer 2019), but this is likely to be detrimental to the overall life course of a young person and potentially increase mistrust of statutory organisations such as the police. The findings from this study highlight the importance of understanding police decision-making processes and the barriers to victim-identification. In order to determine the wider applicability of the findings more work is needed in this area. Future studies should involve larger sample sizes and a greater number of police forces.

Notes

1. The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children was signed in Palermo, Italy in November 2000. It is a legally-binding instrument which is a supplement to the United Nations Convention against Transnational Organized Crime. Countries that ratify the protocol must criminalise human trafficking and develop anti-trafficking laws, see: <https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/ProtocolonTrafficking.pdf>
2. CCE is an integral part of the process of recruiting and maintaining children's involvement in CL. It occurs when a child is coerced, controlled, manipulated or deceived into perpetrating crime (Home Office, 2018).
3. Information obtained from research interviews
4. Information obtained from research interviews and screening for guidance
5. McLean *et al.*, (2020), note that dealers may distribute drugs to children under the pretence that they are free. This can cause children to incur debt due to their personal drug use, which they are forced to pay this back over an indefinite period by dealing drugs out of their county. Debt bondage may also occur when children are robbed of the drugs in their possession and forced to work indefinitely to repay the value of drugs stolen (CPS, 2022). CLCG may also stage these robberies.
6. Most commonly used to describe the process whereby the homes of vulnerable people are used as a base to sell drugs by CL groups (Spicer *et al.*, 2019).
7. A pre-paid, inexpensive phone that is not typically registered to a user. This makes it harder to trace the user.
8. The Domestic Abuse and Honour Based Violence (DASH) tool provides a means to identify and assess and manage the level of risk to a victim, see: <https://www.dashriskchecklist.co.uk/wp-content/uploads/2021/12/DASH-2009.pdf>.
9. From the Modern Slavery Act (2015) with minor rewording for clarity.

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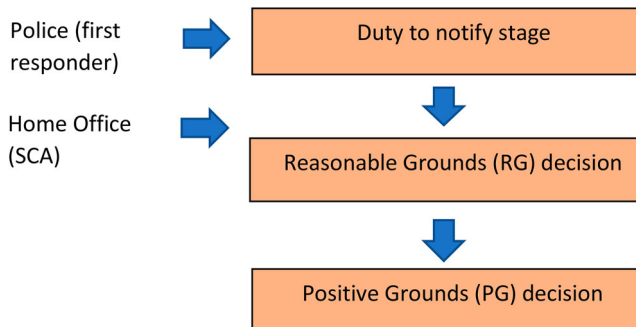
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Appendices

Appendix 1

Explaining how the NRM works

The NRM is essentially a three-stage process as the Figure below shows:



In the first stage of the NRM referral process the police are required to notify the Home Office (HO) who are the Single Competent Authority (SCA), when they suspect an individual is a victim of labour exploitation. The Home Office are responsible for making all NRM decisions.

First responders notify the HO by completing an online form which is returned to the HO (HO 2021). The NRM forms require the police to include as much detail about a potential victim and details about any exploitation suffered. This is so that the HO can assess evidence presented and make an informed judgment about the legal status of an exploited person (ibid).

Decisions from the HO are made in two stages (see Figure above). Firstly, the SCA assesses whether there are reasonable grounds to suspect a child is a victim of exploitation based on the evidence presented. This is known as a Reasonable Grounds (RG) decision and is made on the balance of probabilities. A RG decision can be positive or negative and this should be decided within five working days of the SCA receiving the NRM form (HO 2021). If an individual receives a negative RG decision from the Home Office, the inquiry is terminated.

If a positive RG decision is made this means the HO suspects but cannot yet prove a child is a victim of trafficking, so the inquiry is moved on to the second stage (Home Office 2021). Within a 45-day period following a RG decision, police officers can continue to collate evidence to provide the HO with more information to help make the next stage of the decision-making process and to help assist the police in criminal investigations.

By the end of this 45-day period, a Conclusive Grounds (CG) decision should be made by the HO (HO 2021). At the conclusive stage the HO decides whether there is sufficient information to conclude that a child is a victim of exploitation (HO 2021).

Appendix 2

Research Scenarios

Dean

Dean is 15-year-old white male from London. He has been found on his own in a cuckooed flat in your force area. A duffel bag full of wraps of suspected crack and heroin is also found in the flat. Dean is found with a burner phone with lots of clients on it too. Dean appears clean, physically unharmed and is wearing lots of expensive clothing. When you take him in for interviewing, he responds no comment to most questions and mentions nothing of a criminal group. In his written statement he denies possession of the drugs. He has no previous convictions.

Asif

Asif is a 17-year-old Asian boy from a large city. He was found by the British transport police, on the train in your force area carrying a duffel bag with around 200–300 wraps of suspected crack cocaine and heroin. He claims the bags were not his and that he has been set up. Asif tells officers he is innocent and that they won't find any evidence the bags belong to him yet does not say who he thinks the bags belong to. He is also caught with a burner phone which has messages which indicate he was aware of what was inside the bags before he took them on the train. He tells officers very arrogantly that he is innocent. In his written statement he denies possession of the drugs. Asif has 3 previous convictions for PWITS.

Jayden

Jayden is a 16-year-old mixed-raced boy from your local area. His mother has called the police as he has been beaten up by a gang. Jayden's mother claims the gang is forcing him to sell drugs out of the county. Jayden tells officers he is now in debt to the dealers and confirms his mother's story. Jayden has a history of going missing for periods of up to two weeks and then returning home. He has previously been found in a cuckooed house. Jayden has no previous convictions.

Andrew

A 15-year-old Black boy from London found in cuckooed flat and is scared. He tells officers he was kidnapped by a group of boys he used to work with and sent to the trap house to sell drugs. He writes this in his written statement too and denies possession of the drugs.

Rihanna

Rihanna is 15-year-old Black girl from London. She has been caught with £30,000 worth of crack cocaine and heroin with her in a cuckooed flat in your county. She is on her own. You find a knife, a burner phone containing lots of clients on her person. She has bruises on her arms and looks unclean and thin. She was reported missing a week ago by her care home. This is the fifth time in 3 months she has been reported missing. Rihanna appears confident and composed and admits to selling drugs but claims she is doing so voluntarily because she is earning good money. She has previous convictions for PWITS.

Samuel

Samuel is 17-year-old white boy. He is found 50 miles away from his hometown in a flat. He appears physically unharmed. He was reported missing four days ago. This is the first time he has gone missing. He has no prior criminal convictions. When questioned he confesses, he is selling drugs for a group of older boys from his estate but says he is doing this voluntarily in order to fund his drug addiction.

Candice

Candice is a 14-year-old white girl also from London. She has been found in the flat of a drug user with two other children. One a 14-year-old Somali boy and a 13-year-old Black boy. Candice has one previous conviction for GBH none of the two children have any convictions. Inside the flat is around £5,000 worth of crack and £3,000 in cash. The three children are unclean and scared. During interviews, Candice and the eldest boy answer no comment to questions asked and deny the drugs belonged to them. The youngest boy describes being hit by a man who came to pick up money.

Tobi:

Tobi turns 18 next week. Tobi is a Black Male. Tobi has been found 70 miles away from his urban hometown in a house in your local area. Tobi is found with a deal phone, a zombie knife, crack and heroin. When Tobi is first arrested, he bursts into tears, and confesses he is in debt bondage and is selling drugs for a gang to pay off his debt. Later on, in his written statement Tobi does not mention he is in debt to a dealer, says he was in the flat to visit a friend and denies possession of the drugs.

Melissa:

Melissa is a 17-year-old white female. She has been found with £20,000 on her in a flat with a known drug addict 50 miles away from her hometown. There are only a few drugs in the flat. She appears physically unharmed and is cheerful. When questioned she says she just found the money and the drugs belong to her for personal use.