



Camden Safeguarding Adults Partnership Board Multi-Agency Cuckooing Guidance

Version 3

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1. Purpose

- 1.1. The purpose of this guidance is to provide information on how to identify signs of cuckooing and how to support people of all ages, 18 and over, who are at risk of cuckooing and may need statutory safeguarding. This guidance is intended for all staff within the London Borough of Camden and Camden & Islington Mental Health Trust (C&I), commissioners, health workers, housing staff, providers and contractors commissioned on behalf of the council, and other partner agencies on the Camden SAPB, such as the London Fire Brigade and voluntary sector agencies.
- 1.2. This guidance also aims to support partners to deal with cases involving cuckooing and be aware of other organisations or departments they may need to contact. This can include Adult Social Care, MASH, housing, community safety, mental health teams, and Police.
- 1.3. The words *person alleged to be causing harm* have been used throughout this guidance. Other services may refer to these persons as perpetrators, prosecuted offenders and gangs involved in cuckooing.

2. What is cuckooing?

- 2.1. Cuckooing is the practice of taking over a person's home, usually in order to establish a base for criminal activities. It is the term used when a person alleged to be causing harm uses the home of an adult at risk to handle cash proceeds of crime, to store and/or supply drugs, weapons or engage in other criminal activities, and is a form of criminal exploitation. It involves utilising the accommodation as a place to stay and involves safeguarding issues of coercion and control of the person, which may often begin under the guise of befriending..
- 2.2. Adults who are at risk often have care and support needs, as outlined in the Care Act 2014, or may require an assessment of these needs. They can be an older person living alone, a person with physical or learning disabilities or a mental health condition. Adults with a substance misuse or criminal history can also be at risk, as well as individuals who are socially isolated and lonely who look for friendship in any form. A person's ethnicity, gender, age or sexuality does not preclude or exclude them from risk.
- 2.3. The person alleged to be causing harm may gain access to the individual's home by befriending them, using coercion or offering them free illegal drugs in exchange for using their home as a base for criminal activities. The person alleged to be causing harm may also use people to befriend the victim and become their partner. That person will then introduce their friends to the adult at risk and they may take over the property.
- 2.4. People alleged to be causing harm move around and may rotate through several properties (staying for short periods in each home and then moving on). The home may be used for a few hours, days or even longer in order for them to avoid detection by the Police.
- 2.5. Adults at risk may become homeless (or at risk of homelessness) as a result of people taking over their property or may be subject to enforcement action for breach of tenancy

or licence from landlords. They may also be at risk of domestic abuse, financial abuse, sexual exploitation, modern slavery, violence, physical and psychological/emotional abuse.

- 2.6. Cuckooing is often linked to county lines. The term 'County lines' is used to describe when illegal drugs are transported from one area to another, often by children or adults at risk. Further information can be found in appendix 1.
- 2.7. Cuckooing can often also be linked to other forms of exploitation and crime such as mate crime, modern slavery and human trafficking. Further information can be found in [Camden's Modern Slavery Guidance](#). The person alleged to be causing harm may exploit both adults and children. Definitions can be found in appendix 1.

3. Signs to look out for

- 3.1. There are several potential signs/triggers to look out for and many of these are the same as other forms of exploitation and abuse. This is not an exhaustive list:
 - The individual being isolated or withdrawn, which is uncharacteristic for them
 - Lack of funds and no food in the house
 - Change in behaviour such as being scared or an increase in drugs or alcohol misuse by the individual
 - Appears depressed or signs of self-neglect (unkempt)
 - An increase in the number of vehicles visiting the property. This includes new vehicles or an increase in the number of taxis or hire cars
 - An increase in the number of people coming and going from the property, especially late at night and the early hours of the morning
 - Disengagement from support services, this can include a reduction in the number of health and social care workers visiting the individual
 - An increase in anti-social behaviour in and around the property
 - Sudden accumulation of rent arrears and other debts with no history of defaulting on payment
 - Individual may be in debt or start selling their items or have their utilities (gas/electricity) disconnected
 - Possessions in the property may become sparse
 - The individual may become involved in crime with no previous history of offending
 - The property may fall into an obvious state of disrepair
 - Other professionals visiting may be aware of unidentified people being in the individual's home
 - Rehearsed statement – 'I am fine, no they are not using my property. They are my carers/friends'
 - The individual is working for free for the person alleged to be causing harm in order to repay a perceived debt
 - Repeat requests from the individual for e.g. repairs or complaining and then withdrawing the complaint
 - Complaints from neighbours regarding drugs and/or alcohol or anti-social behaviour
 - Individual has previously been exploited
 - Upon visiting, the individual may speak to you with the door ajar (half closed) showing an urgency to end the conversation

3.2. Programme Challenger, Manchester's partnership approach to tackling serious organised crime, have identified signs of exploitation and abuse as:

- Are they receiving more calls than normal?
- Are they carrying or selling drugs?
- Are they hanging out with someone that is older or younger than them and controlling?
- Do they have any unexplained injuries?
- Do they seem very reserved and like they have something to hide?
- Are they going missing from home or school?
- Unwillingness to allow entry to the property
- Change in behaviour or attitude
- Change in physical appearance

It is important to remain curious, ask questions, be aware of the impact of trauma and coercion on what people say, and maintain a victim-centred approach.

4. The Reasons Why individuals may not report Cuckooing

4.1. There are various reasons why individuals may choose not to report cuckooing. This is not an exhaustive list.

- They may fear repercussions from the person alleged to be causing harm due to previous threats.
- Individuals may also fear being evicted due to offender activity taking place in their home (including anti-social behaviour).
- Individuals may fear that they will get in trouble with the Police. Section 8 of the Misuse of Drugs Act 1971 states that it is an offence "if an individual knowingly allows activities involving drugs in premises, they either live in or manage."
- The person alleged to be causing harm may also allow the individual to build up a drug debt, that they are unable to pay, leading to threats and violence and they are too afraid to seek help.
- The person could have made new friends but is unaware of their intentions and gain, or be lonely and experiencing social isolation, making them more vulnerable to exploitative befriending.
- The individual may be benefitting from the crime e.g. person alleged to be causing harm is providing them with free drugs.
- The individual may have fluctuating capacity, impaired cognition or a lack of capacity, as well as issues of coercion and potentially being under undue pressure from the person alleged to be causing harm.

5. What to do if you suspect a person is being cuckooed

5.1. The use of professional curiosity, as well as knowing the signs to look for, is vital for the early identification of cuckooing and other forms of abuse, especially given the reasons that people may not report cuckooing. This curiosity is essential to support professionals to ask questions, challenge the information they receive or seek clarity, identify concerns and explore indicators of abuse, and make connections to enable a greater understanding of a person's situation and both their needs and risks.

- 5.2. If you suspect a person is being cuckooed **it is important to make a safeguarding referral to Adult Social Care's Multi-Agency Safeguarding Hub (MASH). If the individual is at risk of immediate harm, please contact the Police via 999 or, if not at immediate risk, contact 101 for a welfare visit by the Police.** Please see the accompanying [Cuckooing Flow Chart](#) for more information on how to respond to cuckooing concerns and the safeguarding process.
- 5.3. The person at risk must be asked for consent to make the safeguarding referral, unless doing so would put them further at risk. However, the London Multi-Agency Adult Safeguarding Policy and Procedures sets out the circumstances when professionals can reasonably override a lack of consent, where this was not possible or the person at risk is reluctant to give their consent to the sharing of safeguarding information. These include:
- Where the adult lacks the mental capacity to make that decision – this must be properly explored and recorded in line with the Mental Capacity Act
 - emergency or life-threatening situations which may warrant the sharing of relevant information with the emergency services without consent,
 - other people are, or may be, at risk, including children,
 - sharing the information could prevent a serious crime,
 - a serious crime has been committed
 - the risk is unreasonably high and meets the criteria for a multi-agency risk assessment conference (MARAC) referral

Consideration of these circumstances must be documented, as well as any issues of capacity and the impact of undue influence and coercion, and a clear rationale given for deciding whether to override consent or not.

- 5.4. Partners and internal services, such as private sector housing services, can report safeguarding concerns under the Care Act 2014 using the [SABP form](#) on the Council wide website (this can be found under 'What should I do if I suspect abuse?' and email it to: asc.mash.safeguarding@camden.gov.uk or call Access and Response on 020 7974 4000 option 1. If you are unable to find the SABP form please email the MASH team to request a copy. If they are any children involved or living at the property, please also report to the children's MASH team on 020 7974 3317 or email LBCMASHadmin@camden.gov.uk
- 5.5. MASH will review the referral to determine immediate risk and whether the individual is known to a worker and/or team in Adult Social Care or Camden and Islington Foundation Trust (C&I). If known MASH will ensure the safeguarding concern is passed to the relevant worker and service accordingly, whilst ensuring immediate risk is addressed. For individuals known to C&I, agreement under Section 75 of the NHS Act 2006 means appropriately trained managers within the Trust act on behalf of the Local Authority to undertake adult safeguarding duties for adults known to their services. The Trust now has its own documentation to capture the safeguarding process and all safeguarding enquiries must be recorded on the C&I electronic patient information system.
- 5.6. When the individual is not known or has been closed to a service for more than 12 months MASH will undertake the initial enquiries under Section 42 of the Care Act 2014

known as a section 42.1 enquiry, to establish whether the person meets the criteria for a statutory safeguarding response, and undertake an assessment of risk by contacting the individual where appropriate and undertaking network checks, before deciding whether the referral should progress to a statutory section 42.2 safeguarding enquiry. It will then be passed to appropriate community social work team or service in Camden and Islington Foundation Trust. For more information on the statutory safeguarding criteria and the enquiry framework, please see sections 5.8 and 5.9, and Appendix 1: Definitions.

5.7. When determining the above MASH will undertake a number of network checks, which may include contacting the following groups of people. This is not an exhaustive list:

- Other local authorities
- GP
- Community Nurse
- Hospital staff
- Police via 101 or MASH Police for advice and support
- Housing Services
- Community Safety/Safer Streets- community mobile services within the local area
- Family/Friends
- Care agencies
- Local organisations who may be supporting the person, such as befriending or the Care Navigator service

5.8. The purpose of a Section 42.1 enquiry is to ascertain whether the individual:

- appears to have care and support needs (whether or not the local authority is meeting any of those needs)
- appears to be experiencing, or is at risk of, abuse or neglect
- and as a result of those needs the individual appears to be unable to protect themselves against the abuse or neglect, or the risk of it.

5.9. If the individual meets these statutory criteria under the Care Act 2014, the safeguarding will move forward onto a section 42.2 enquiry. If they do not, a non-statutory enquiry could be considered where appropriate, or other actions such as a care needs assessment, referral to other agencies or to other risk management forums.

The relevant worker may refer the concern to the community multi-agency risk assessment conference (MARAC) to support with multi-agency working. MARAC is a multi-agency meeting where information on adults at risk is shared to draw up safety plans. The High-Risk Advisory Group also provides a multi-agency way of supporting individuals with complex needs presenting with high risk in order to secure positive and person-centred outcomes. People can refer to the Camden High Risk Advisory Group when single and multi-agency risk processes have been implemented following a concern, yet the risk of harm still remains high. Please see Appendix 1 for referral information.

What steps will be taken by the Team managing the Safeguarding?

5.10. A planning discussion/meeting will be undertaken, which could involve a number of agencies involved in the person's life. The purpose of the meeting will be to ascertain

who is responsible for what action. Where appropriate the individual who is being cuckooed will be invited to these and other meetings.

- 5.11. Assessment of the individual's mental capacity and their need for advocacy would also be considered. If required referrals will be made for a Care Act advocate or Independent Mental Capacity Advocate. The Mental Capacity Act Code of Practice states that, while a person must not be treated as unable to make a decision merely because their decision is unwise, issues worthy of further investigation might include where 'somebody repeatedly makes unwise decisions that put them at significant risk of harm or exploitation or makes a particular unwise decision that is obviously irrational or out of character'. Another consideration is whether the person may be 'influenced by undue pressure' and the impact of coercion and intimidation on the decision-making of cuckooing victims should be explored. Where this may be the case, an application can be made to the High Court to request that it uses its inherent jurisdiction to intervene where somebody has capacity but may not be able to fully exercise their decision-making ability due to issues such as constraint, coercion and undue influence.
- 5.12. Any discussions should look at mitigating risk to the individual concerned, such as, is it safe for the individual to remain in the property.
- 5.13. As part of the enquiry process it may be appropriate and necessary for professionals to conduct visits to the individual at the property. These visits should be carefully planned with the support of the Police and/or Housing Officer. Professionals need to ascertain the risk to the adult(s) and themselves when visiting the person's home. Professionals should consider having key words, which can be used to determine whether the adult is safe, or if it is safe for professionals to visit. Please refer to your organisations lone working and personal safety guidance for further information.
- 5.14. Where possible, risk assessments and safeguarding plans should be created with the support of the individual concerned and with multi-disciplinary input.
- 5.15. It is important that relevant partners minimise the risk of the person being identified. For example, by exploring other places to install key safes, asking care workers not to display their uniform and not pressing other residents' doorbells to gain access into the estate or flat. Please contact Adult Social Care for guidance on key safe policies.
- 5.16. Further safeguarding meetings will be held as required to discuss the findings of the enquiry, agree further actions and safeguarding plans as required, and identify any lessons learned. This should involve all the agencies involved in the enquiry or in supporting the adult and where appropriate, the individual themselves and/or their advocate.
- 5.17. If an individual has been the victim of Cuckooing, it may be necessary to move them to temporary alternative accommodation, with their agreement, in the event that they are at immediate risk of harm. If they are a council tenant, Housing can provide temporary accommodation in an emergency or offer housing in another part of the borough to keep the individual safe.
- 5.18. Neighbourhood housing officers can support existing social housing tenants to explore their options, including the possibility of applying for a housing transfer. Additionally, those at risk of homelessness within 56 days or already homeless have the right to

make a homelessness application, regardless of tenure. This is a statutory service and the homeless initiative team will provide advice and guidance and complete assessments to determine if any statutory duty is required. Here is the [Code of Guidance](#). If someone is at risk and unsafe in their home due to cuckooing, the team could assess if they are homeless as a result, or redirect them to their housing officer for support in exploring other options. Not all those who we have a homelessness duty to are also entitled to temporary accommodation. Referrers are encouraged to consider if the person is safe in the whole of the borough and if not, they could apply to any borough they are safe in with consideration of the dual costs, so need to consider how rents would be met on both properties.

- 5.19. The Community Safety Service seeks to address anti-social behaviour and reduce risk of harm across the borough, including incidences of Cuckooing, and will support Housing and other external housing providers in addressing such matters. The Community Safety Service works in conjunction with numerous partners, including the Police, Housing, NHS and Adult Social Care depending on the circumstances and will support appropriate interventions. For example, where a vulnerable tenant's property has been taken over, Community Safety will coordinate a multi-agency meeting with the relevant agencies and the Council's legal team to explore the most appropriate course of action, taking into consideration the safety of the individual and the wider community. Occasionally it may be necessary to progress to legal enforcement in the form of a Closure Order, where the Police and the Council gather evidence to submit an application before a court to close a property and move the tenant to alternative accommodation. Community Safety often work with other housing providers, imparting advice and support to ensure that interventions are both timely and effective in reducing risk to victims and impact to the community.
- 5.20. Closure orders may be issued as part of the resolution/enforcement stage. Relevant officers can access further information on closure order procedures and community safety panels by referring to the [Housing Practice Guide](#) or by speaking to the neighbourhood housing officer or Community Safety.
- 5.21. Alternatively, it may be possible to support the victim to remain in their property if this is their desired outcome and can be achieved safely, with the right support services and protection plan in place. Consideration should be given to the person's wishes and the impact of moving on their mental and physical wellbeing, balanced with the risk of further harm.
- 5.22. When the safeguarding enquiry is concluded and the risk has been mitigated sufficiently, it is important that relevant partner agencies review the safeguarding plan and risks at regular intervals. Where a victim of cuckooing is returning to a property where the cuckooing took place, a multi-agency risk assessment should take place prior to their return with appropriate safety planning, and a protection plan put in place to prevent reoccurrence. This should be led by the agency leading on this transition or most likely to continue to have involvement, for example Camden Housing where this relates to local authority stock. In circumstances where it is determined that it is not safe for the tenant to return to the property, then Housing Management should consult with Legal regarding issuing Mandatory Possession Proceedings. Other more suitable housing options should be considered.

5.23. The safeguarding process should be clearly documented and shared with relevant networks with due consideration to confidentiality.

5.24. Further information on Safeguarding Adults in Camden can be found on the [Council website](#).

6. Prevention and moving forward

6.1. It is important for partners and communities to identify adults in their local area who might be at risk of being targeted by criminals for the purposes of Cuckooing.

6.2. SAPB partner agencies, including Housing and Community Safety, all need to work together in response to cases of Cuckooing. This is also a preventative approach as it helps to identify and put in place support for other adults at risk of being Cuckooed in the area.

6.3. Joint working in cases of cuckooing is essential. Community Safety work with private tenants and owner occupiers The Housing team may also work with tenant and resident associations to support the local neighbourhood.

6.4. Where the young person may be a care leaver/looked after child or there are children involved, working together with Children's services is essential. Advice and support should be sought from Children's and Adults MASH teams to ensure appropriate joint working is in place for young people transitioning between services who may be at risk.

6.5. Providing the appropriate preventative services will minimise the risk of cuckooing occurring, such as the Integrated Camden Drug service, Community Safety, Mental Health services and voluntary sector services.

6.6. It is important that adults at risk have access to health and social care support services, which can support them effectively and make them less reliant on people who may offer informal support with their care and support needs as a way of befriending with criminal intent. This includes mitigating against social isolation and loneliness that can make people more at risk of this form of exploitation, befriending and coercion, and support with finding alternative forms of companionship and support networks.

6.7. Partners working with vulnerable or socially isolated people should consider the risks of cuckooing to the individual as part of their assessment and risk management strategies. It is important that risk is reviewed on a regular basis for individuals at risk of Cuckooing.

6.8. When services have supported an adult at risk with stopping criminal activity within their home it is important that communities and partnerships work together to prevent reoccurrence and support the individual where possible, with ongoing risk management plan and review, perhaps by developing community safety partnerships

6.9. Raising awareness of cuckooing among residents and encouraging the reporting of concerns is essential, and all partners should consider how they can publicise this information in their respective areas. This could include through direct contact with residents, community events, media engagement, communications such as leaflets and existing newsletters, as well as through the partnership website and the work of the SAPB Engagement Sub-Group.

References

1. Criminal exploitation of children and vulnerable adults: County Lines guidance, Home Office, September 2018
2. London Multi-Agency Adult Safeguarding Policy & Procedures, April 2019.
3. Protecting Children from Criminal Exploitation, Human Trafficking And Modern Slavery: An Addendum, November 2018
4. Programme Challenger, Tackling Serious and Organised Crime Together, <https://www.programmechallenger.co.uk/resources/cuckooing/>
5. Housing Practice Guide - Premise Closures Order guidance

Legislation

1. Environmental Protection Act 1990
2. Anti-social Behaviour, Crime and Policing Act 2014
3. Housing Act 1996 & 2004
4. Care Act 2014
5. Modern Slavery Act 2015
6. Misuse of Drugs Act 1971

Appendix 1: Definitions

- a. **An adult at risk** is someone aged 18 and over who
 - has needs for care and support (regardless of whether these needs are being met by the local authority or not) and
 - Is experiencing, or at risk of abuse or neglect
 - As a result of those needs is unable to protect him or herself against abuse or neglect or the risk of it (Care Act 2014).
- b. **Mate crime** - The [Safety Net Project](#) defines mate crime as "when adults at risk are befriended by members of the community who go on to exploit and take advantage of them." The London Multi-Agency Adult Safeguarding Policy and Procedures states 'mate crime is committed by someone the adult knows and often happens in private.'
- c. **Modern slavery** is defined in the Modern Slavery Act 2015 as 'slavery, servitude and forced or compulsory labour'. It is a form of organised crime in which people are treated as commodities and exploited for criminal gain.
- d. **Human trafficking** is defined in the Modern Slavery Act 2015 as 'the arranging or facilitating of another person's travel with the view of them being exploited by recruiting, transporting or transferring, harbouring or receiving a person or exchanging a person. Trafficking can include travel within the same country.'
- e. **County lines** - The Home Office describes county lines as 'a term used to describe gangs and organised offender 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 adults with care and support needs to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons'.

County lines exploitation is a major cross cutting issue involving trafficking, gangs, drugs, violence, safeguarding, criminal and sexual exploitation and missing persons. Gangs establish a base in the market location, typically by taking over the homes of local adults with care and support needs by force or coercion.¹ Further information can be found in the County Lines guidance by the Home Office.

An inspection by Ofsted, the Care Quality Commission, Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services and Her Majesty's Inspectorate of Probation² found that:

'Children's travel may be 'arranged and facilitated by a person, with the view to them being exploited', which amounts to human trafficking according to section 2 of the Modern Slavery Act 2015. Children may then be forced to work for the drug dealer, often held in the adult at risk's home against their will and under the force of threat if they do not do as they are told. This meets the definition of 'slavery, servitude and forced or compulsory labour' in section 1 of the Modern Slavery Act 2015.

- f. **Closure Order** - A Closure Order is an order which may be made by the Magistrates court on an application by the police or council to close a premises. The court may make a closure order if it is satisfied **a)** that a person has engaged, or (if the order is not made) is likely to engage, in disorderly, offensive or criminal behaviour on the premises, or **b)** that the use of the premises has resulted , or (if the order is not made) is likely to result, in serious nuisance to members of the public, or **c)** that there has been, or (if the order is not made) is likely to be, disorder near those premises associated with the use of those premises, and that the order is necessary to prevent the behaviour, nuisance or disorder from continuing, recurring or occurring.

A closure order is an order prohibiting access to the premises for a period specified in the order. The period may not exceed 3 months. A closure order may prohibit access **a)** by all persons, or by all persons except those specified, or by all persons except those of a specified description.

At any time before the expiry of a closure order, an application can be made to the magistrates court to extend the closure order for a further 3 months.. The period of a closure order may not be extended so that the order lasts for more than 6 months.

- g. **Camden High Risk Advisory Group** provides a multi-agency way of managing work on complex and high-risk cases, such as hoarding, fire risk, and self-neglect. The Group plays a consultative and advisory role and discusses cases which have been presented to them for advice and guidance. The referral form and further guidance can be found on Adult Social Care's [Practice Guide](#).
- h. **Safeguarding** means protecting a person's right to live in safety, free from abuse and neglect.
- A **Section 42.1 Enquiry** is initial information gathering when a concern about abuse or neglect is received, so the Local Authority can establish whether the

¹ Criminal exploitation of children and vulnerable adults: County Lines guidance, Home Office, September 2018

² Protecting Children From Criminal Exploitation, Human Trafficking And Modern Slavery: An Addendum, November 2018

person meets the criteria for a statutory safeguarding response under Section 42 of the Care Act 2014.

- The statutory safeguarding duties apply to an adult who:
 - has needs for care and support (whether or not the local authority is meeting any of those needs)
 - is experiencing, or is at risk of, abuse or neglect
 - as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect
- A **Section 42.2 Enquiry** is where this criteria has been met and the Local Authority has a statutory duty to make (or cause to be made) whatever enquiries it thinks necessary to establish whether and what action needs to be taken to prevent or stop abuse or neglect.

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