

# Safeguarding children who may have been trafficked

Practice guidance



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## 1: Introduction

1.1 Child trafficking is a very serious issue which can have a devastating and lasting impact on its victims. Children can be trafficked into, within and out of the UK. The Government is absolutely committed to tackling this issue and in July 2011 published a new *Human Trafficking Strategy* for the UK which sets out the steps it will take together with the action needed and responsibilities of a whole range of partners who also have roles to play.

1.2 The Government's ratification of the *Council of Europe Convention on Action Against the Trafficking in Human Beings* on 17 December 2008 was a major step in enhancing the UK's commitment and capability to combat human trafficking. The Government aims to continue to build on this and has applied to opt in to the *EU Directive on Human Trafficking* and work with other countries in Europe and internationally to drive up standards in tackling trafficking. It will also work to prevent and reduce human trafficking to the UK and to ensure trafficking victims receive the help and support they need.

1.3 This non-statutory good practice guidance is for agencies in England which are likely to encounter, or have referred to them, children and young people who may have been trafficked. It is intended to help agencies safeguard and promote the welfare of children who may have been trafficked. It is supplementary to, and should be used in conjunction with, the Government's statutory guidance, *Working Together to Safeguard Children* (2010)<sup>1</sup>. All local procedures developed to safeguard trafficked children should be consistent with *Working Together to Safeguard Children*.

### Definitions

1.4 Article 3 of the *Palermo Protocol To Prevent, Suppress And Punish Trafficking In Persons, Especially Women And Children, Supplementing the United Nations Convention Against Transnational Organised Crime to the UN Convention (2000)* (ratified by the UK on 6 February 2006) defines trafficking as:

- a. "*Trafficking of persons*" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

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<sup>1</sup> *Working Together to Safeguard Children: A guide to interagency working to safeguard and promote the welfare of children* (HM Government 2010), <http://www.education.gov.uk/publications/eOrderingDownload/00305-2010DOM-EN-v3.pdf>

- b. *The consent of a victim of trafficking in persons to the intended exploitation set forth in sub-paragraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;*
- c. *The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;*
- d. *“Child” shall mean any person under eighteen years of age.*

1.5 In this practice guidance a child is defined according to the Children Acts 1989 and 2004 as anyone who has not yet reached their 18th birthday. References to ‘children’ therefore mean ‘children and young people’. As stated in *Working Together to Safeguard Children*, the fact that a child has reached the age of 16 does not change his or her status or entitlement to services or protection under the relevant legislation.

1.6 *The Palermo Protocol* establishes children as a special case. Any child transported for exploitative reasons is considered to be a trafficking victim, whether or not they have been forced or deceived. This is partly because it is not considered possible for children to give informed consent. Even when a child understands what has happened, they may still appear to submit willingly to what they believe to be the will of their parents or accompanying adults. It is important that these children are protected too.

## 2: The problem of child trafficking

### What evidence is there of child trafficking?

2.1 The trafficking of children is a clandestine activity, which makes it difficult to identify victims and record their numbers. However, data on people suspected of being victims of trafficking is now being collated through the National Referral Mechanism (NRM) which was established in April 2009. Between 1 April 2009 and 31 March 2011, 390 potential child victims of trafficking were referred through the NRM. In addition, evidence from successive reports from the Child Exploitation and Online Protection Centre (CEOP) indicate that there are approximately 300 child trafficking victims identified in the UK per annum<sup>2</sup>. It is expected that our estimate of the numbers of children trafficked will improve as cases are routinely referred by local authorities and other agencies to Competent Authorities<sup>3</sup> under the NRM.

### Why do people traffic children?

2.2 Children are trafficked for many reasons, including sexual exploitation, domestic servitude, labour, benefit fraud and involvement in criminal activity such as pick-pocketing, theft and working in cannabis farms. There are a number of cases of minors being exploited in the sex industry. Although there is no evidence of other forms of exploitation such as 'organ donation or 'harvesting', all agencies should remain vigilant.

### Why is trafficking possible?

2.3 Children may be trafficked from other countries for a variety of reasons. There are a number of factors in the country of origin which might make children vulnerable to being trafficked. The factors listed below are by no means a comprehensive list:

- poverty;
- lack of education;
- discrimination;
- cultural attitudes;
- grooming;
- dysfunctional families;
- political conflict and economic transition and
- inadequate local laws and regulations.

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<sup>2</sup> Our best estimate of the numbers of trafficked children in the UK is based on the Child Exploitation and Online Protection Centre's Strategic Threat Assessments of child trafficking 2009 and 2010 which identified 325 and 287 potential child victims per annum respectively.

<sup>3</sup> The role of the Competent Authorities is to determine if there are reasonable and/or conclusive grounds for a person referred to the National Referral Mechanism to be considered and recorded as a victim of human trafficking. The UK Competent Authorities are the UK Human Trafficking Centre (UKHTC) and a linked but separate Competent Authority in the United Kingdom Border Agency (UKBA), which will assess cases where trafficking is raised as part of an asylum claim or in the context of another immigration process.

## **How are children recruited and controlled?**

2.4 Traffickers use a variety of methods to recruit their victims. Some children are coerced, but most are trapped in subversive ways. For example, children may be promised education or 'respectable' work in restaurants or as domestic servants, or parents may be persuaded that their children will have a better life elsewhere.

2.5 Many children travel on false documents. Even those whose documents are genuine may not have access to them. One way that traffickers exert control over trafficked children is by keeping their passports and threatening children that they will be deported if they escape.

2.6 Even before they travel, children may be subjected to various forms of abuse and exploitation to ensure that the trafficker's control over them continues after the child is transferred to someone else. Methods used to control a child include:

- confiscating the child's identity documents;
- threatening to report the child to the authorities;
- violence, or threats of violence, towards the child;
- threats of violence towards members of the child's family;
- keeping the child socially isolated;
- keeping the child locked up;
- telling children that they owe large sums of money and that they must work to pay this off;
- depriving the child of money; and
- frightening children with threats based on cultural or belief systems, for example, witchcraft or spirit possession.

## **How are children brought to the UK?**

2.7 Any port of entry into the UK might be used by traffickers. There is evidence that some children are trafficked through numerous countries before arriving in the UK.

### **Accompanied children**

2.8 There are many legitimate reasons why children are brought to the UK, such as economic migration with their family, education, re-joining their family or fleeing a war-torn country. Some children will have travelled with their parents or carers.

2.9 However, a number of children arrive in the UK accompanied by adults who are either not related to them or in circumstances which raise child protection concerns. For example, there may be little evidence of any pre-existing relationship between the child and the accompanying adult or even no knowledge about the person who will care for the child. There may be unsatisfactory accommodation in the UK, or perhaps no evidence of parental permission for the child to travel to the UK or stay with the sponsor. These



irregularities may be the only indication that the child could be a victim of trafficking.

2.10 To curb illegal migration and improve children's safeguards, revised global visa regulations were introduced in February 2006. The child's photograph is now shown on the visa, together with the name and passport number of the adult/s who are travelling with the child.

2.11 Some accompanied children may apply for asylum by claiming to have arrived in the UK unaccompanied, after their trafficker has told them that by doing so they will be granted permission to live in the UK and be entitled to claim welfare benefits.

### **Unaccompanied children**

2.12 More is known about groups of unaccompanied children as they often come to the notice of the United Kingdom Border Agency (UKBA). Unaccompanied children may come to the UK seeking asylum (unaccompanied asylum seeking children – UASC), or they may be here to attend school or join their family. A child may be the subject of a private fostering arrangement.

2.13 If the child is unaccompanied and not travelling to his or her customary care giver, or if there are some concerns over the legitimacy or suitability of the proposed arrangement for the child's care in the UK, they will be referred to local authority children's social care services by the UKBA.

2.14 Some groups of children are instructed by their traffickers to avoid contact with authorities. In other cases the traffickers insist that the child applies for asylum as this gives the child a legitimate right of temporary leave to remain in the UK.

2.15 It is suspected that significant numbers of children are referred to local authority children's social care after applying for asylum and some will register at school for up to a term before disappearing again. This could be an indicator that they are a child trafficking victim and agencies should take appropriate action.

### **Child trafficking within the UK**

2.16 Whilst the majority of child trafficking cases known about involve cross border movement, it is also known that child trafficking occurs within the UK. A number of serious cases involving organised child sexual exploitation and trafficking have raised this issue and, whilst this guidance focuses mainly on trafficking from abroad, agencies should be aware of the risks in relation to this type of trafficking.

2.17 Some sections of this practice guidance and of *Working Together to*

*Safeguard Children, What to do if you're worried a child is being abused*<sup>4</sup> (2006) and *Safeguarding Children and Young People from Sexual Exploitation*<sup>5</sup> (2009) advise practitioners of appropriate action to safeguard a child who they suspect may have been trafficked internally within the UK. The list of indicators in Chapter 5 of *Working Together* and the list of indicators in the risk assessment matrix of section 1b of the *Trafficked Children Toolkit* 2011 (see paragraph 3.4) should also help practitioners identify these children. The forthcoming national action plan to safeguard children and young people from sexual exploitation will also help in this respect.

## **The impact of trafficking on children's health and welfare**

2.18 Trafficked children may not only be deprived of their rights to health care and freedom from exploitation and abuse, but may also be denied access to education.<sup>6</sup> The creation of a false identity and implied criminality of the children, together with the loss of family and community, may seriously undermine their sense of self-worth. At the time they are found, trafficked children may not show any obvious signs of distress or imminent harm, but they may be vulnerable to particular types of abuse and may continue to experience the effects of their abuse in the future.

### **Physical abuse**

2.19 This can include:

- beatings;
- being subdued with drugs, on which they then become dependent;
- alcohol addiction; and
- stress/post traumatic stress-related physical disorders such as skin diseases, migraine and backache.

2.20 Some forms of harm might be linked to a belief in spirit possession. *Safeguarding Children from Abuse Linked to a Belief in Spirit Possession*<sup>7</sup> (2007) is intended to help practitioners address the particular needs of children abused or neglected because of a belief in spirit possession.

### **Emotional and psychological abuse**

2.21 Some kind of emotional abuse is involved in all types of maltreatment of a child, including trafficking.

2.22 Trafficked children may:

- feel disorientated after leaving their family environment, no matter how impoverished and difficult. This disorientation can be compounded for some children who have to assume a new identity or have no identity;

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<sup>4</sup> [www.education.gov.uk/publications/standard/publicationDetail/page1/dfes-04320-2006](http://www.education.gov.uk/publications/standard/publicationDetail/page1/dfes-04320-2006)

<sup>5</sup> [www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00651-2009](http://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00651-2009)

<sup>6</sup> *Hidden Children – separated children at risk*, research report published by The Children's Society in November 2009 showed that children may have a range of freedoms, attending school and accessing healthcare while also being exploited through domestic servitude, forced labour or other abuse.

<sup>7</sup> [www.education.gov.uk/publications/standard/publicationDetail/Page1/DFES-00465-2007](http://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFES-00465-2007)

- feel isolated from the local community in the UK by being kept away from school and because they may not be able to speak English.
- fear both the adults who have physical control of them and the threat that they will be reported to the authorities as immigration criminals;
- lose their trust in all adults;
- have low self-esteem and believe that the experience has ruined them for life psychologically and socially. They may become depressed or suicidal;
- worry about people in their families and communities knowing what has happened to them, and become afraid to go home; and
- feel like criminals as a result of the new identity forced on them, which can have long-term consequences for their adult lives.

2.23 All children who have been exploited are likely to suffer some form of mental harm. Usually the longer the exploitation, the more their mental health will deteriorate. This can include:

- psychological distress owing to their sense of powerlessness. In many cases involving violence and deprivation at the hands of their traffickers, it will take the form of post traumatic stress disorder;
- dependent relationships with their abusers;
- flashbacks, nightmares, anxiety attacks, irritability and other symptoms of stress, such as nervous breakdowns;
- a loss of ability to concentrate;
- becoming anti-social, aggressive and angry, and/or fearful and nervous – finding it difficult to relate to others, including in the family and at work; and
- fear of authorities based on past experiences or what they have been told by their traffickers.

### **Sexual abuse**

2.24 Children who have been trafficked may be sexually abused as part of being controlled or because they are vulnerable. In many cases, sexual exploitation is the purpose of the trafficking. Children being sexually exploited are at risk of sexually transmitted infections, including HIV/AIDS; and for girls there is the risk of pregnancy and possible damage to their sexual and reproductive health. The Government has committed to working with partners to develop a national action plan to safeguard children and young people from sexual exploitation.

### **Neglect**

2.25 Trafficked children may also suffer neglect. In particular, they may not receive routine and emergency medical attention (partly through a lack of concern about their welfare and partly because of the need for secrecy surrounding their circumstances). They may also be subject to physical, sensory and food deprivation.

## 3: Role of Local Safeguarding Children Boards

3.1 The objective of Local Safeguarding Children Boards (LSCBs) is to coordinate what is done by their members to safeguard and promote the welfare of children in their local area and to ensure the effectiveness of that work. That can include addressing trafficking as well as other forms of maltreatment.

3.2 LSCBs can work with a range of agencies to coordinate preventative measures and consider trafficking as part of the local needs assessment, where necessary taking action to address it as an explicit part of the LSCB business plan. LSCBs may wish to establish a sub-group specifically to deal with trafficking.

3.3 LSCBs should ensure that local training programmes for practitioners and other professionals cover trafficking issues as appropriate.

### Development of local protocols

3.4 LSCBs are required to develop policies and procedures for safeguarding and promoting the welfare of children in the area of the authority, including policies and procedures in relation to the action to be taken where there are concerns about a child's safety or welfare. It may mean developing local inter-agency protocols to guide action where there are concerns that a child has been trafficked, including sharing concerns about a child's safety and the recording of cases. The protocols can be part of, and in any case should be consistent with, wider LSCB policies and procedures for safeguarding and promoting the welfare of children, with procedures for working with children in need and with relevant aspects of youth offending protocols. The identification of a child who has been trafficked, or is at risk of being trafficked, should always trigger the agreed local child protection procedures to ensure the child's safety and welfare, and to enable the police to gather evidence about abusers and coercers. LSCBs may also wish to use the *Trafficked Children Toolkit*<sup>8</sup>, developed by the London Safeguarding Children Board, to help raise awareness of this issue among local authorities and refer to the London Safeguarding Trafficked Children Guidance (supplementary guidance to the London Child Protection procedures, 4<sup>th</sup> edition 2011).

### Trafficking coordinators

3.5 LSCBs should also identify trafficking coordinators who can ensure a coordinated campaign of information-sharing to support the safeguarding agenda between local authorities, police and the NRM Competent Authorities to ensure a full picture is provided on child NRM referrals and secure the best safeguarding outcome for the child.

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<sup>8</sup> [www.londonscb.gov.uk/trafficking/](http://www.londonscb.gov.uk/trafficking/)

## 4: Role of specific agencies and services

4.1 Safeguarding and promoting the welfare of children depends on effective joint working between agencies and professionals that have different roles and types of expertise. In the case of trafficked children it is particularly important that links are established between statutory agencies and the voluntary and community sectors.

### All agencies

4.2 It is the responsibility of all those who work or are in contact with children to safeguard and promote their welfare. The statutory duties of a range of statutory bodies and persons are explained in the Government's guidance *Making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004*<sup>9</sup> (2007) and *Safeguarding Children and Safer Recruitment in Education*<sup>10</sup> (2006).

4.3 Whenever agencies come into contact with a child who has arrived in the country unaccompanied and is not in contact with local authority children's social care, or a child who is accompanied, but about whose safety or welfare they have concerns, they should consult and follow the guidance set out in Chapter 5 of *Working Together to Safeguard Children*.

### Local authority children's social care

4.4 Local authorities have a general duty to safeguard and promote the welfare of all children in need in their area, regardless of their immigration status. They also have responsibilities for unaccompanied children, as well as those who arrive in the UK with their parents and about whose safety and welfare there are concerns.

4.5 Where a child has been referred to the local authority because of trafficking concerns, children's social care should decide within 24 hours whether to undertake an initial assessment to determine whether the child is a child in need and, where appropriate, following a strategic discussion, initiate a section 47 enquiry (Children Act 1989). The Munro Review highlighted the importance of making a proportionate assessment in order to get help to children and families quickly.

### Local authority children missing education teams

4.6 In England local authorities have a statutory duty to identify children missing from education (*Revised Statutory Guidance for local authorities in England to identify children not receiving education*<sup>11</sup> (January 2009)). Where they have concerns about children who may have been trafficked, the named

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<sup>9</sup> [www.education.gov.uk/publications/standard/publicationdetail/page1/DFES-0036-2007](http://www.education.gov.uk/publications/standard/publicationdetail/page1/DFES-0036-2007)

<sup>10</sup> [www.education.gov.uk/publications/standard/publicationdetail/page1/dfes-04217-2006](http://www.education.gov.uk/publications/standard/publicationdetail/page1/dfes-04217-2006)

<sup>11</sup> [www.education.gov.uk/publications/standard/publicationDetail/Page1/STATUTORY-LA-GUIDE](http://www.education.gov.uk/publications/standard/publicationDetail/Page1/STATUTORY-LA-GUIDE)

contact or team responsible for identifying children missing from education should contact their social care colleagues or the police immediately following the same procedures used for all children.

## **Education services**

4.7 Children trafficked into the country may be registered at a school for a term or longer, before being moved to another part of the UK or abroad. This pattern of registration and de-registration may be an indicator that a child has been trafficked. However, practitioners should always bear in mind that not all children who go missing from education have been victims of trafficking. For example, there may be instances of children from communities that move around – Gypsy, Roma, traveller or migrant families – who collectively go missing from school.

## **Health services**

4.8 When children or their carers state that a child is resident outside the UK, reception staff should always record the current holiday address as well as their home address abroad. Staff should be alert to local holiday addresses in case patterns emerge that suggest large numbers of children are moving in and out of the same address. Health visitors and senior nurses who may follow up visits to Emergency Departments/Walk-in Centres and doctors who provide statutory health checks and reviews on looked after children should also be alert to child trafficking concerns.

4.9 The Department of Health (DH) is keen to build on the findings of the independent Taskforce on the health service response to Violence Against Women and Children which reported in March 2010. In order to improve the health service response to victims of trafficking, DH is working with the Women's Health and Equality Consortium (WHEC), on a project which commenced in autumn 2011, to agree specific actions to promote greater awareness of key issues and develop guidance on identifying and responding to victims. Part of the approach will include work to enable health professionals to become first responders. The Department of Health has also recognised the need for better understanding of the issues around health and trafficking and has therefore invited bids for research in this area. The winning research bid is due to be announced in December 2011.

## **Youth offending teams**

4.10 Staff working in Youth Offending Teams (YOTs) may encounter children from abroad or others who have been trafficked. Children who have been trafficked may be reluctant to disclose the circumstances of their exploitation or arrival in the UK for fear of reprisals by the trafficker, owner or pimp or out of misplaced loyalty to them. This reluctance to disclose the real circumstances in which the child arrives in the country will have implications for a number of youth criminal justice processes. Parenting and carer assessments may be difficult as adults presenting as carers may be

implicated in the trafficking process and would not be acting in the best interests of the child. In addition, age verification processes may have to be put in place.

## Police

4.11 Under section 46 of the Children Act 1989, when the police are concerned that unless they take action the child is likely to suffer significant harm, they may use their powers either to remove a child to a safe place or prevent the child's removal from a safe place, for example a hospital. There are a number of specialist teams (which are separate from the child abuse investigation teams) in police services across the UK that have expertise in dealing with trafficking cases. There are also joint intelligence teams in key locations across the country comprising immigration, police and other agencies which help to identify child protection concerns.

4.12 In addition to having child abuse investigation teams, the Metropolitan Police Service is part of an integrated team called Paladin. This is made up of police and immigration officers who specialise in child safeguarding issues.

4.13 The Paladin team is located at various ports in London and undertakes proactive and preventative initiatives against the trafficking of children. The team also investigates specific trafficking and migration offences, as well as providing an advisory service on child trafficking issues to child abuse investigation teams in other police forces.

4.14 It is important that officers investigating offences committed by children who may have been trafficked are able to recognise and identify such cases. The child's welfare needs and safety should be taken into account and appropriate safeguarding processes should be followed. The Association of Chief Police Officers (ACPO) child abuse guidance<sup>12</sup> refers to trafficking and the safeguarding of children.

4.15 When a child is found involved in criminal activities such as cannabis cultivation, guidance to law enforcement agencies now requires them to follow procedures published by the Association of Chief Police Officers (ACPO) which puts the protection of the child at the forefront. The guidance (Position from ACPO's Lead on Child Protection and Cannabis Cultivation on Children and Young People Recovered in Cannabis Farms<sup>13</sup>) issued in 2010 sets out that the police should work with local authorities to ensure early identification of trafficked victims before entering any suspected cannabis farm. In the planning stage of any proactive operations or other police interventions on cannabis farms, dual operational planning should focus not only on the recovery of illegal drugs and the arrest of members of criminal enterprises, but also on the safeguarding of any children who are being exploited on the premises.

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<sup>12</sup> ACPO Guidance, Investigating Child Abuse and Safeguarding Children, 2<sup>nd</sup> Edition, p32, s.1.4.8., <http://www.ceop.police.uk/Documents/ACPOGuidance2009.pdf>.

<sup>13</sup> [http://www.ceop.police.uk/Documents/ceopdocs/externaldocs/160810\\_ACPO\\_lead's\\_position\\_on\\_CY\\_P\\_recovered\\_from\\_cannabis\\_farms\\_FINAL.pdf](http://www.ceop.police.uk/Documents/ceopdocs/externaldocs/160810_ACPO_lead's_position_on_CY_P_recovered_from_cannabis_farms_FINAL.pdf).

## Crown Prosecution Service (CPS)

4.16 The CPS has issued legal and policy guidance on prosecuting cases involving children and young people as victims and witnesses of crime and, in some circumstances, as defendants. *Safeguarding Children: Guidance on Children as Victims and Witnesses*<sup>14</sup> details the measures that prosecutors can take to safeguard children in the course of criminal proceedings to ensure the child is given appropriate support and there is consideration as to what is best for the child if a criminal prosecution proceeds. Children are particularly vulnerable to trafficking and exploitation and are likely to require extra support. Child trafficking is first and foremost a child protection issue; child victims are likely to be in need of welfare services and, in many cases, protection and safeguarding. Although the main responsibility for children's welfare and safety will usually lie with other agencies such as social care, health and education services, the CPS will engage positively with other authorities and agencies to support them in safeguarding children and in deciding the best way to help them. As children are often trafficked into criminal activities, their first encounter is likely to be with law enforcement. In these circumstances prosecutors must work with law enforcement and organisations that support child victims of trafficking, to ensure that all relevant information is available and that all appropriate assessments are undertaken.

4.17 The use of a child in a criminal enterprise is a form of child abuse. Children who may be forced into sexual exploitation, coerced into committing crimes or used by adults to commit offences will be treated by the CPS as victims. More detailed guidance to prosecutors expands on these provisions. In cases where young victims are facing charges for offences committed whilst in a coerced situation, for example when they have been trafficked, the CPS will intervene. The prosecutor will give consideration to discontinuing a prosecution, on public interest grounds, where information or evidence has been obtained to support that.

4.18 In some cases, there may be consideration of pre-trial therapy for child victims to provide them with both emotional support and counselling to decrease their distress or psychological symptoms and behaviour, or improve their personal functioning. Whether a vulnerable or intimidated witness should receive therapy before trial is not a decision for the police or prosecutors. However, prosecutors should have regard to multi-agency guidance, *Provision of Therapy to Child Witnesses Prior to a Criminal Trial*<sup>15</sup>

4.19 Support is available in some areas from specialised child witness support schemes and studies suggest that children benefit greatly from such support before, during and after trials, where they exist.

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<sup>14</sup> [www.cps.gov.uk/legal/v\\_to\\_z/safeguarding\\_children\\_as\\_victims\\_and\\_witnesses/](http://www.cps.gov.uk/legal/v_to_z/safeguarding_children_as_victims_and_witnesses/).

<sup>15</sup> <http://www.cps.gov.uk/publications/prosecution/therapychild.html>.



## **United Kingdom Border Agency (UKBA)**

4.20 The UKBA may be the first official agency to have contact with child victims of trafficking. Its interventions may be triggered by the particular circumstances of the case or as a result of specific intelligence about trafficking. UKBA is likely to be a source of referrals to child welfare agencies.

4.21 Effective from 2 November 2009, section 55 of the Borders, Citizenship and Immigration Act 2009 introduced a statutory duty for the Home Secretary to make arrangements to ensure that UKBA functions (and services carried out by third parties on UKBA's behalf) are discharged having regard to the need to safeguard and promote the welfare of children who are in the UK. This statutory duty extends to UKBA staff and those acting on behalf of UKBA when carrying out immigration functions in relation to children within the UK. As a matter of policy, UKBA staff working overseas are also expected to abide by the spirit of the new duty.

4.22 The general guidance interprets UKBA's contribution to safeguarding and promoting the welfare of children as being concerned with ensuring good treatment and interactions with children through the immigration process and exercising vigilance to identify children who may be at risk of harm. It does not impose any new functions or override existing functions.

4.23 At the border, the immigration officer's role, alongside considering the eligibility of the child for entry into the UK, is to be alert to the need to keep children safe from harm. When an interview is considered necessary, every care should be taken to conduct it in the light of the child's circumstances and understanding. In most circumstances the interview will be conducted by a specially trained officer with knowledge of child protection issues. Once a child has disclosed information indicating they may have been trafficked, or information highlighting a concern that they may be at risk of harm or a child in need, or the interviewing officer suspects this may be the case, an immediate referral to children's services should be made. Where there is a belief that a criminal offence may have occurred, the matter should be reported to the police.

4.24 It is important for all agencies concerned with protecting children who have been trafficked to develop good working arrangements with the UKBA. In addition, it is important that the UKBA establishes good contacts with local authority children's social care services and, where appropriate, UKBA officials are invited to take part in the work of LSCBs. Children who, irrespective of their immigration status, are believed to be at risk of harm, will be referred to agencies with statutory responsibilities for safeguarding children's welfare, primarily the local authority children's social care and/or the local police.

4.25 UKBA officials may identify trafficking concerns at the border, on enforcement raids or through immigration applications made on behalf

of children. UKBA officers will not only be a source of referral to children's social care or the police but may assist with developing child protection and care plans. UKBA also hosts one of the UK's Competent Authorities under the National Referral Mechanism and has trained specialists in place to consider victim status under the *Council of Europe Convention on Action against Trafficking in Human Beings*. Under legislation, only UKBA officers can make decisions that impact on the immigration status of Non-European Area nationals who are subject to immigration control.

## **UK Human Trafficking Centre (UKHTC)**

4.26 The UKHTC<sup>16</sup> is made up of staff from various disciplines bringing a multi-agency approach to the Centre's response to trafficking both into and within the UK. It is part of the Serious Organised Crime Agency (SOCA) and will form part of the National Crime Agency (NCA), to be established in 2013. It aims to improve and coordinate the law enforcement response to human trafficking, working closely with its partners in delivering a diverse set of programmes. A number of these are targeted campaigns on preventing and reducing human trafficking and improving knowledge and understanding of the problem through best practice and training. The UKHTC provides a 24/7 tactical advice service which, although primarily aimed at advising the police when carrying out investigations, can also assist other practitioners in responding to concerns about child trafficking. The UKHTC hosts one of the UK's Competent Authorities under the NRM and alongside the UKBA has trained specialists in place to consider victim status under the *Council of Europe Convention on Action against Trafficking in Human Beings*. UKHTC makes such decisions when a potential victim is referred by an agency other than UKBA and the individual is not previously known to UKBA.

## **Child Exploitation and Online Protection Centre (CEOP)**

4.27 CEOP<sup>17</sup> adopts a child-centred approach to all areas of its business and works closely with SOCA, ACPO, the UKHTC and relevant statutory and non-statutory stakeholders on all issues relating to child trafficking. It will be a key part of the NCA, to be established in 2013.

4.28 CEOP carries out regular assessments of the nature and scale of child trafficking. This information informs the development of policing policy, good practice and training requirements. CEOP also delivers prevention work in source countries through its International Child Protection Network. CEOP has seconded a law enforcement liaison officer to the NSPCC's Child Trafficking Advice and Information Line (CTAIL) for providing professional guidance and advice to professionals involved in cases of child trafficking and delivering awareness-raising initiatives.

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<sup>16</sup><http://www.soca.gov.uk/about-soca/about-the-ukhtc>.

<sup>17</sup><http://ceop.police.uk/>.

## **Community groups, including faith groups, and the voluntary sector**

4.29 Community groups, faith groups and voluntary organisations may be the first to come into contact with a trafficked child. Through their reach into local communities, and their extensive knowledge and experience in working in different ways with the most vulnerable children and young people, they may well be best placed to reach children who may have been trafficked. It is important that there are good working relationships between these organisations and statutory agencies.

4.30 These bodies have access to faith and community leaders in hard to reach communities, locally and nationally. This means they have an important role to play in conveying strong messages about the need to protect children within their communities. They may help to mediate and build confidence where an individual feels that a child is in trouble or may have been trafficked, but does not know what to do in the child's best interests.

4.31 Building the confidence of local faith leaders to believe that the local authority will do the right thing, and making use of their moral leadership role, may build the confidence of the wider minority community. With established organisational and communication networks, these groups can play an important role in raising public awareness of child trafficking.

4.32 The NSPCC is the only voluntary organisation authorised to initiate proceedings to protect children under the Children Act 1989, but other voluntary and community organisations often play a key role in safeguarding children. They need to work effectively with LSCBs and should make their staff aware of their responsibilities for safeguarding and promoting the welfare of children, and how they should respond to child protection concerns in line with *Working Together to Safeguard Children* and with the guidance in this document. Where such concerns exist, these should be brought to the attention of the local authority or the police. Contact details for voluntary sector organisations that have specific experience of child trafficking can be found in Appendix 3.

## 5: Action for Services

5.1 The purpose of this section is to highlight issues additional to the processes for managing individual children outlined in Chapter 5 of *Working Together to Safeguard Children* and in *What to do if you're worried a child is being abused*. Appendix 2 of this guidance sets out what practitioners and volunteers in the different agencies should do when they suspect that a child may have been or is being trafficked.

### Identifying trafficked children

5.2 Identifying trafficked children at ports of entry is likely to be difficult as they may not be showing obvious signs of distress. At this stage the children are unlikely to see themselves as being at risk of harm from the trafficker. It is likely that the child will have been coached with a story to tell the authorities in the UK and warned not to disclose any detail beyond the story, as this would lead to them being deported.

5.3 All practitioners who come into contact with children and young people in their everyday work need to be able to recognise children who have been trafficked and be competent to act to support and protect these children from harm. Practitioners may have to act on and respond to cases where they suspect a child might have been trafficked.

5.4 The nationality or immigration status of the child does not affect agencies' statutory responsibilities under the 1989 or 2004 Children Acts. These issues should be addressed in discussion with the UKBA **only when** the child's need for protection from harm has been addressed and should not hold up action to protect the child from harm.

5.5 All agencies working with children who may have been trafficked into and within the UK should work together to safeguard and promote their welfare, providing the same standard of care that is available to any other child in the UK. This may be the crucial intervention which breaks the cycle of the child being vulnerable to continuing or further exploitation.

### Possible indicators that a child may have been trafficked

5.6 There are a number of indicators which suggest that a child may have been trafficked into the UK, and may still be controlled by the traffickers or receiving adults. These are as follows:

#### At port of entry

##### 5.7 *The child:*

- has entered the country illegally;
- has no passport or other means of identification;
- has false documentation;

- possesses money and goods not accounted for;
- is malnourished;
- is unable to confirm the name and address of the person meeting them on arrival;
- has had their journey or visa arranged by someone other than themselves or their family;
- is accompanied by an adult who insists on remaining with the child at all times;
- is withdrawn and refuses to talk or appears afraid to talk to a person in authority;
- has a prepared story very similar to those that other children have given;
- exhibits self-assurance, maturity and self-confidence not expected to be seen in a child of such an age;
- does not appear to have money but does have a mobile phone; and/or
- is unable, or reluctant to give details of accommodation or other personal details.

5.8 *The sponsor:*

- has previously made multiple visa applications for other children and/or has acted as the guarantor for other children's visa applications; and/or
- is known to have acted as the guarantor on the visa applications for other visitors who have not returned to their countries of origin on the expiry of those visas.

**Whilst resident in the UK** (in addition to those listed above)

5.9 *The child:*

- receives unexplained/unidentified phone calls whilst in placement/temporary accommodation;
- shows signs of physical or sexual abuse, and/or has contracted a sexually transmitted infection or has an unwanted pregnancy;
- has a history with missing links and unexplained moves;
- has gone missing from local authority care;
- is required to earn a minimum amount of money every day;
- works in various locations;
- has limited freedom of movement;
- appears to be missing for periods;
- is known to beg for money;
- performs excessive housework chores and rarely leaves the residence;
- is being cared for by adult/s who are not their parents and the quality of the relationship between the child and their adult carers is not good;
- is one among a number of unrelated children found at one address;
- has not been registered with or attended a GP practice;
- has not been enrolled in school;
- has to pay off an exorbitant debt, e.g. for travel costs, before having control over own earnings;

- is permanently deprived of a large part of their earnings by another person; and/or
- is excessively afraid of being deported.

5.10 The indicators above should not be read as a definitive list and practitioners should be aware of any other unusual factors that may suggest a child might have been trafficked. They are intended as a guide, which should be included in a wider assessment of the young person's circumstances.

5.11 It is also important to note that trafficked children might not show obvious signs of distress or abuse and this makes it difficult to identify children who may have been trafficked. Some children are unaware that they have been trafficked, while others may actively participate in concealing that they have been trafficked.

## **Children trafficked within the UK**

5.12 Children and young people who have been groomed and coerced into sexual exploitation should be subject to the safeguarding measures outlined in *Safeguarding Children and Young People from Sexual Exploitation*, the Department for Education's (formerly DCSF's) supplementary guidance to *Working Together to Safeguard Children*.

5.13 Children or young people may be trafficked from town to town or city within the UK, having been groomed and coerced into sexual exploitation. There are a number of indicators associated with this form of abuse that are displayed by young people in this situation. These indicators are contained in the recent CEOP report *Out of Mind, Out of Sight*, produced following their assessment of the scope and nature of child sexual exploitation and localised grooming. The Government is working with partners to develop a national action plan to safeguard children and young people from sexual exploitation, to be published this autumn.

## **Action to safeguard and promote the welfare of trafficked children**

5.14 UKBA staff who are concerned that a child may have been trafficked should refer the child to local authority children's social care and the NRM. Trafficked children may go missing shortly after asylum screening and, therefore, UKBA staff should confirm the referral to children's social care in writing as soon as possible, but always within 48 hours.

### **Referral**

5.15 When a professional, or another person, contacts local authority children's social care with concerns about whether a child may have been trafficked, the local authority should decide on a course of action within 24 hours. In these circumstances prompt decisions may be

required in order to act before the child goes missing. These will normally follow discussions with the person making the referral, and will also involve other professionals and services as necessary (including those mentioned in the section above on support services to practitioners).

5.16 The social worker should clarify with the referrer what his/her concerns are. They need to find out why they made the referral, what led them to believe the child may be trafficked or in the UK illegally; and they should ask them to put their concerns in writing to ensure an accurate and clear audit trail is maintained. See paragraphs 5.19 – 5.37 in *Working Together to Safeguard Children*.

5.17 Evidence that the child may be a trafficked victim must be recorded for referral into the UK's victim identification framework, the NRM, to enable the UKHTC/UKBA Competent Authority to assess and make an independent decision as to whether the child is a victim of trafficking or not under the *Council of Europe Convention on Action against the Trafficking in Human Beings*.

5.18 The *Trafficked Children Toolkit*<sup>18</sup>, developed by the London Safeguarding Children Board, was launched in February 2011 and is available as a resource for use by all local authorities. The toolkit will help professionals to assess the needs of the child and the continuing risks that they may face, and to refer their case to the Competent Authority.

### **Initial assessment**

5.19 An initial assessment of the child's needs and circumstances should be undertaken in accordance with *Working Together to Safeguard Children*.

### **Immediate protection**

5.20 If there is a risk to the life of the child or a likelihood of serious immediate harm, an agency with statutory child protection powers<sup>19</sup> should act quickly to secure the immediate safety of the child. In some cases it may be necessary to ensure either that the child remains in a safe place or is removed to a safe place. This could be on a voluntary basis, or by obtaining an emergency protection order (EPO). The police also have powers to remove a child, but these powers should only be used in exceptional circumstances if, for example, there is insufficient time to seek an EPO, or for reasons relating to the immediate safety of the child. When there is a suspicion that a child is a victim of trafficking, evidence of a risk to the life of the child may not be immediately apparent. However, in all cases there is a likelihood that a child victim of trafficking is at risk of serious immediate harm.

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<sup>18</sup> See footnote 8.

<sup>19</sup> Agencies with statutory child protection powers are the local authority, the police and the NSPCC.

5.21 Emergency action addresses only the immediate circumstances of the child(ren). It should be followed quickly by section 47 enquiries.

### **Specific action during an initial assessment**

5.22 The initial assessment should be led by a qualified and experienced social worker. All relevant information (including historical information) should be taken into account. This includes seeking information from relevant services if the child and family have spent time abroad. Professionals from agencies such as health, local authority children's social care or the police should request this information from their equivalent agencies in the country or countries in which the child has lived. Information about who to contact can be obtained via the Foreign and Commonwealth Office on 0207 008 1500 or the appropriate Embassy or Consulate based in London (see the London Diplomatic List (The Stationery Office), ISBN 9780115917967 or the FCO website [www.fco.gov.uk](http://www.fco.gov.uk)).

5.23 During the initial assessment, a social worker should check all the documentation held by the referrer and other relevant agencies. Documentation should include (if available), passport, Home Office papers, birth certificate and proof of guardianship. This list is not exhaustive and all possible types of documentation should be considered. A recent or new photograph of the child should be included in the social worker's file together with copies of all relevant identification documentation.

5.24 When assessing any documentation attention should be given to the details. If a passport is being checked the official should:

- verify the date of issue;
- check the length of the visa;
- check whether the picture resembles the child;
- check whether the name in the passport is the same as the alleged mother/father, and if not, why not; and
- check whether it appears to be original and take copies to ensure further checks can be made if necessary.

5.25 Immigration staff will be able to provide a clear explanation of the immigration process, documentation needed, leave to enter the UK and give an opinion on the validity of particular documents.

5.26 Even if there are no apparent concerns, child welfare agencies should continue to monitor the situation until a child is appropriately settled. The social worker should advise the referrer of their decision and the proposed plan. In each case of a child with immigration issues, UKBA should be informed so that they can coordinate the immigration processes with the child's protection plan.

### **Decision to interview as part of section 47 enquiries**

5.27 Once the relevant information has been gathered, the social worker and their supervising manager, together with the police, should decide whether to convene a strategy discussion and then whether to conduct a joint interview



with the child and if necessary, with the family or carers. The discussion could involve the UKBA and an appropriately trained police officer. It may be helpful to involve immigration officials in this decision as outstanding immigration concerns may need to be resolved.

5.28 In the longer-term, information gathered at an interview might help to resolve the child's immigration status. Intelligence gathered from the interview could also stop others being trafficked from overseas.

5.29 Where it is decided that the child and family should be visited and interviewed, the child should be seen by the lead social worker together with any other interviewer, without his or her caregivers present when appropriate, within a timescale which is appropriate to the nature of the concerns, according to the agreed plan. Children who are being trafficked will usually stick to their account and not speak until they feel safe and comfortable and therefore it is preferable for the child to be interviewed in a safe environment, without the carers being nearby. Interpreters should be used where English is not the child's preferred language. Under no circumstances should the interpreter be the sponsor or another adult purporting to be a parent, guardian or relative.

5.30 The interview should focus on the following areas:

- family composition, brothers, sisters, ages;
- parents' employment;
- tasks done around the house;
- length of time in the UK;
- where they lived in their country of origin;
- where they went to school in their country of origin; and
- who cared for them in their country of origin.

5.31 The adults in the family should be interviewed separately covering the same areas. A comparison can then be made between the answers to ensure they match.

5.32 All documentation should be seen and checked. This includes Home Office documentation, passports, visas, utility bills, tenancy agreements, and birth certificates. Particular attention should be given to the documentation presented to the school at point of admission. It is not acceptable to be told that the passport is missing or that the paperwork is missing. It is extremely unlikely that a person does not know where their paperwork/official documentation is kept and this information could be considered as an indicator that the child may have been trafficked.

5.33 The interview should be conducted as fully and completely as possible, both to ensure accuracy and to avoid intrusion into the family for a longer period than is absolutely necessary.

5.34 Child trafficking victims are particularly vulnerable and the experiences they may have encountered are likely to have been traumatic. All agencies involved in supporting and protecting these vulnerable children will have their

best interests at heart, but it is critical that the processes used by agencies including local authorities, the police and UKBA contribute to a streamlined approach to gathering information on the child's needs and experiences. The Government are committed to minimising the impact on child victims and to ensuring that child victims are not unnecessarily asked to recount their experiences to different agencies. The NRM provides a valuable and useful tool for agencies to gather and share information on potential victims. Current work aimed at raising the awareness of the NRM will help ensure agencies coordinate and share information to ensure the needs of child victims are appropriately assessed and met. Through referrals the NRM is also building an important picture of the scale and nature of child trafficking.

### **On completion of section 47 enquiries**

5.35 On completion of the section 47 enquiries, a meeting should be held with the social worker, their supervising manager, the referring agency as appropriate, the police and any other professionals involved to decide on future action. Further action should not be taken until this meeting has been held and multi-agency agreement obtained to the proposed plan unless emergency action is required.

5.36 Where it is found that the child is not a family member and is not related to any other person in this country, consideration should be given as to whether the child needs to be moved from the household and/or legal advice sought on making a separate application for immigration status.

5.37 Any law enforcement action regarding fraud, trafficking, deception and illegal entry to this country is the remit of the police. The local authority should assist in any way possible. However, the responsibility for taking legal action usually remains with the criminal justice agencies (exceptions include benefit fraud which is the responsibility of the Department of Work and Pensions).

### **Issues for professionals to consider when working with trafficked children**

5.38 The following services are likely to be necessary to address the child's needs:

- appropriately trained and CRB checked independent interpreters;
- counselling;
- child and adolescent mental health services (CAMHS);
- independent legal advice;
- medical services;
- sexual health services;
- education;
- family tracing and contact (unless it is not consistent with their welfare); and if appropriate, repatriation.

5.39 The child will also need:

- someone to spend time with them to build up a level of trust;

- to be interviewed separately. Children and young people will usually stick to their account and not speak until they feel comfortable;
- a safe placement if they are victims of an organised trafficking operation;
- their whereabouts to be kept confidential;
- legal advice about their rights and immigration status;
- discretion and caution to be used in tracing their families;
- a risk assessment to be made of the danger the child will face if he or she is repatriated; and
- where appropriate, accommodation under section 20 of the Children Act 1989 or on application of an interim care order.

5.40 Practitioners should:

- consider interviewing children in school as they may feel more able to talk;
- consider contacting children and young people by phone, email or text;
- ensure that carers are not nearby; and
- ensure that interpreters are agency approved and are CRB checked.

## **Age assessment / disputes**

5.41 Young people may have no identifying information on them, their documents may be false or they may have been told to lie about their age to evade attention from the authorities. Some victims may claim to be children when they are in fact over 18 years of age.

5.42 Where it is not clear whether the young person is a child (i.e. under 18 years of age) then, in accordance with the *United Nations Convention of the Rights of the Child*, the young person should be treated as a child. This approach is also adopted by the *Council of Europe Convention on Action against Trafficking in Human Beings*.

5.43 Where there is uncertainty about a suspected victim's age, children's services will be responsible for assessing their age. The local authority in whose area the victim has been rescued will have responsibility for the care of the child as required by the Children Act 1989. The process by which a child's age is assessed is known as a 'Merton Compliant' Age Assessment, following the principles laid down in a 2003 case involving Merton Council (*B v London Borough of Merton* (2003) EWHC 1689 (Admin)).

5.44 The court should consider any evidence of age that is available, which may include documentary evidence such as a passport, school records or a Police National Computer (PNC) printout verified by fingerprints as well as oral evidence from people who know the child.

5.45 For further reference on age assessment, refer to *R (on the application of A) v London Borough of Croydon* (2009); *R (M) v London Borough of*

Lambeth (2009).<sup>20</sup> In this case, the Supreme Court held that the local authority must make a decision as to the child's age in the first instance, and that if there is a dispute thereafter, it is for the court to decide whether the young person is a child.

## **De-briefing child victims**

5.46 The purpose of de-briefing children and young people who have, or may have been trafficked, is to gain information and intelligence. Planning is essential when considering de-briefing. A child or young person may already have been interviewed by the UKBA, police or the local authority. Further interviews may not be necessary as the sharing of this information may provide the required intelligence. This would be the most favourable outcome, achieved by agencies coordinating information through an information sharing meeting.

5.47 If a further de-brief interview is required, it is best practice for professionals who already have a positive rapport with the child or young person to conduct the interview, using an interpreter where English is not the child's preferred language.

5.48 The planning for a de-brief interview must include planning for the possibility that immediate action may be required by the police or the local authority and plans should be put in place for supporting the child or young person after the interview.

5.49 The de-brief interview should be conducted within a multi-agency approach. CTAIL and CEOP offer advice and guidance on this process.

## **Supporting child witnesses**

5.50 Assessing the willingness and capacity of a child victim to testify in court against a trafficker is complicated. This also applies to the process of gathering information that might support care proceedings. The child usually fears reprisal from the traffickers and/or the adults with whom he or she was living in the UK if they co-operate with children's social care or the police. For children trafficked from abroad an additional level of anxiety may exist because of fear of reprisals against their family in their home country. They may also fear being deported because they have entered the UK illegally. Trafficked children may also have been forced to commit criminal offences while they are in a coerced situation. Children, who might agree to testify in a criminal case, fear that they will be discredited in court because they were coerced into lying on their visa applications or immigration papers. No child should be coerced into testifying in court against a trafficker.

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<sup>20</sup> [http://www.supremecourt.gov.uk/docs/uksc\\_2009\\_0106\\_judgment.pdf](http://www.supremecourt.gov.uk/docs/uksc_2009_0106_judgment.pdf)

## **Returning trafficked children to their country of origin**

5.51 In many cases, and with advice from their lawyers, trafficked children apply to the UKBA for asylum or for humanitarian protection. This is often because of the high risk they face of coming to harm if they are forced to return to their countries of origin. All such claims must be carefully considered. Among the factors to consider if the child is deported is the risk of him or her being re-trafficked with the possibility of further exploitation and abuse. When considering the child's application it will be important to gather information about the child's family, community and general conditions in the country of origin.

5.52 If the child does not qualify for asylum or humanitarian protection, and adequate reception arrangements are in place in the country of origin, the child will usually have to return. The process of returning the child should be handled sensitively and will require close cooperation between the UKBA and the child's social worker.

5.53 It is important that appropriate steps are taken to minimise the possibility of the child going missing once a decision to return him or her to their country of origin has been made. Equally, the social worker may be best placed to reconcile the child to being returned, and in helping the child access the assistance with reintegration which is available through voluntary return schemes (which are always the preferred way of carrying out any return to the child's country of origin).

## **Particularly vulnerable groups of children**

### **Private fostering**

5.54 Private fostering is defined in section 66 of the Children Act 1989. A private fostering arrangement arises when a child under 16 years (or under 18 if disabled) is to reside for more than 28 days in the care of someone who is not a parent, close relative, or someone with parental responsibility (a close relative is defined as a grandparent, brother, sister, uncle or aunt whether of the full blood or half blood or by marriage or civil partnership or step-parent).

5.55 Parents and private foster carers are required to notify the local authority of a private fostering arrangement. A person who proposes to foster a child privately must notify the appropriate local authority of the proposal at least six weeks before the private fostering arrangement is to begin; or where the private fostering arrangement is to begin within six weeks, immediately.

5.56 Many private fostering arrangements are not notified to the local authority for a variety of reasons, not all of them associated with a risk of serious harm. Identifying a child who is privately fostered is not the same as identifying a child who has been trafficked. Nevertheless, some children in private fostering may well have been trafficked, including on tourist visas and with promises of education and good healthcare. They are vulnerable to being exploited in domestic servitude, other forms of forced labour, or even to sexual exploitation. It is difficult for practitioners to identify these children and, therefore, to track their movements and hence monitor their welfare. The

section above on identification should help (paragraphs 5.6 – 5.13). However, it is important to consider whether a carer, whether or not they present as a relative, is maintaining a private fostering arrangement in order to exploit a child for their own gain.

5.57 Staff or volunteers in an agency who believe that a child may be privately fostered, whether or not they have suspicions or concerns about trafficking or other forms of abuse, should contact local authority children's social care. Local authorities have the following statutory duties in relation to private fostering:

- identifying private fostering arrangements;
- visiting the home and assessing the suitability of the arrangement in terms of the child's welfare; and
- visiting the child regularly, and monitoring and keeping records of the placement.

5.58 Such enquiries should help practitioners be alert to signs that the child is being exploited.

5.59 Local authorities are required to raise awareness within their local communities of the obligations to notify them about a private fostering arrangement (paragraph 7a of section 8 of the Children Act 1989 inserted by section 44(7) of the Children Act 2004) and to ensure that staff and volunteers in all agencies encourage such notifications.

### **Trafficked children who are in care**

5.60 Under section 17 of the Children Act 1989 the local authority has a general duty to safeguard and promote the welfare of children in their area.

5.61 Where a young person, such as, for example, an UASC, presents to a local authority as having no parent or guardian in this country, then in fulfilling its duties to assess and respond to their needs, the local authority may conclude that it should accommodate the young person using its powers under section 20 of the Children Act 1989<sup>21</sup>. In these circumstances, the local authority will have duties towards the young person as a looked after child. Then, like other looked after children, a UASC must have a care plan (which becomes the pathway plan when they are aged 16 or over and are entitled to care leaving support) based on a thorough needs assessment outlining how the local authority proposes to meet their needs.

5.62 The assessment of needs to inform the care plan should cover the same dimensions of need as the assessment for any other looked after child. However, in addition, for children who may have been trafficked, the assessment should include:

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<sup>21</sup> Refer to Circular LAC (2003)13 Guidance on Accommodating Children in Need and their Families. [www.dh.gov.uk/prod\\_consum\\_dh/groups/dh\\_digitalassets/@dh/@en/documents/digitalasset/dh\\_4012756.pdf](http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/documents/digitalasset/dh_4012756.pdf)

- establishing relevant information about the child's background;
- understanding the reasons the child has come to the UK; and
- assessing the child's vulnerability to the continuing influence/control of his or her traffickers and the risks that they will go missing.

5.63 Responding to this information ensures that the care plan includes a risk assessment setting out how the local authority intends to safeguard the young person so that, as far as possible, they can be protected from any trafficker to minimise any risk of traffickers being able to re-involve a child in exploitative activities. This plan should include contingency plans to be followed if the young person goes missing.

5.64 Given the circumstances in which potentially trafficked young people present to local authorities, it is extremely important that any needs assessments and related risk assessments are sensitively managed. It should allow for the child to be in a safe place before any assessment takes place and for the possibility that they may not be able to disclose full information about their circumstances immediately as they, or their families, may have been intimidated by traffickers.

5.65 Therefore, it will be important that:

- the location of the child should not be divulged to any enquirers until they have been interviewed by a social worker and their identity and relationship/connection with the child established, if necessary with the help of police and immigration services.
- foster carers/residential workers should be vigilant about anything unusual e.g. waiting cars outside the premises and telephone enquiries.
- the local authority should continue to share information with the police, which emerges during the placement of a looked after child who may have been trafficked, concerning potential crimes against the child, the risk to other children, or relevant immigration matters.

5.66 Where adults claim a family connection to the child, then the local authority should take steps to verify the relationship between the child and these adults and exercise due caution in case they are a trafficker or a relative colluding with trafficking or exploitation of the child.

5.67 Anyone approaching the local authority and claiming to be a potential carer, friend, member of the family etc, of the child, should be investigated by the local authority, the police and UKBA. Normal procedures for reuniting a child with their family should be followed. Where a child may have been trafficked it will be necessary to ensure that a risk assessment takes place before they are reunited – establishing that the adult concerned is who they say they are and is able to keep the child safe and exercise responsibility for their care.

5.68 It is important that no assumptions are made about young people's language skills and that assessments can call on the services of impartial

interpreters/translators with the necessary competences in responding to children.

5.69 The local authority responsible for the child should try to identify, locate and make contact with the child's parents in the country of origin to seek their views. UKBA may be able to help with this, as may the Foreign and Commonwealth Office (FCO) consular directorate. See paragraph 5.23 for FCO contact details.

### **Independent Reviewing Officers and advocates**

5.70 Where a child becomes looked after, local authorities must allocate the child a social worker who will assess their needs and draw up a care plan which sets out how the authority intends to respond to the full range of a child's needs. This must take into account the child's wishes and feelings. For children who may have been trafficked, the social worker's assessment should identify the child's vulnerability to the continuing control of his or her traffickers. The local authority should then place the child with a carer (foster or residential) who has the necessary skills and experience to support them in a safe environment.

5.71 Each child must also be allocated an Independent Reviewing Officer (IRO) responsible for chairing reviews of their care plans at regular intervals. Amongst other duties, IROs must make sure that the child understands the plan for their care and is able to take an active part in the formation of the plan. The IRO must also ensure that the child's safety and wellbeing is continually promoted and that the child is aware of their entitlement to the services of an independent advocate to represent them if they so wish.

5.72 Recently published guidance for IROs (the IRO Handbook<sup>22</sup>) makes clear that every child has the right to be supported by an advocate. The local authority must have a system in place to provide written, age appropriate information to each looked after child about the function and availability of an advocate and how to request one.

### **Missing children**

5.73 CEOP took on national responsibility for missing children on 1 July 2011. They work in partnership with police forces, non-governmental organisations and the wider child protection community.

5.74 The Government acknowledges the risk that trafficked children who are being looked after may go missing. It is therefore essential that, where a trafficked child is identified and placed in local authority care, specific arrangements are put in place to safeguard the child from the risks of going missing or being re-trafficked. Where a child goes missing, these cases should be urgently reported to the police. However, several local authorities have minimised the number of children going missing as a result of effective

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<sup>22</sup><https://www.education.gov.uk/publications/eOrderingDownload/DCSF-00184-2010.pdf>



multi-agency arrangements leading to concerted efforts to ensure unaccompanied children are well looked after.

5.75 Local authorities should consider seriously the risk that a trafficked child is likely to go missing and take this into account in planning that child's care. A contingency plan could include contact details of agencies that should be notified if a potentially trafficked young person goes missing, including the police and the UKBA.

5.76 The Missing People charity<sup>23</sup> have a team that offers support to local authorities when young people in their care go missing and they can advise on issues such as contact with other police forces and national publicity.

5.77 Where missing children come to the attention of local authority children's social care or the police, a 24 hour enquiry service available from the UKHTC may help in providing guidance. Additionally, social workers, police and other practitioners can contact the CTAIL helpline (0800 107 7057).

5.78 In 2009 the Government issued *Statutory Guidance on children who run away and go missing from home and care*.<sup>24</sup> In June 2011 Ministers committed to revising the guidance. The guidance sets out the steps to be followed whenever any child goes missing from where they are living (either with their families, or foster carers, or a residential setting). The guidance sets out strategies and procedures for collaborative action on missing children and advises on prevention, risk assessment and providing support to carers. All local authorities should appoint a designated senior manager with responsibility for monitoring missing from care incidents, so that trends can be identified and action taken in conjunction with the LSCB to respond to the problem. Trends should also be shared with the LSCB. The designated senior manager has the potential to take an important strategic role in identifying whether there are any particular patterns of children, such as unaccompanied asylum seeking children, going missing that could provide evidence suggesting that young people are being trafficked, which might be used by a local authority to inform their analysis as to how they might better safeguard these children.

5.79 As it is recognised that children who go missing shortly after Asylum Screening Unit (ASU) screening may have been trafficked, immigration staff should follow an agreed process to inform the appropriate authorities.

5.80 A number of local authorities have also put into place measures to reduce the instances of children going missing within their local areas. We would advise contact with these practitioners for advice on their approach and methods.

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<sup>23</sup> [www.missingpeople.org.uk/](http://www.missingpeople.org.uk/)

<sup>24</sup> [www.education.gov.uk/childrenandyoungpeople/safeguarding/a0066653/young-runaways](http://www.education.gov.uk/childrenandyoungpeople/safeguarding/a0066653/young-runaways)

## **Case studies: tackling the issue of trafficked children who go missing from care**

### **London Borough of Hillingdon**

Between 2007 and 2009, 79 young people in the Hillingdon area went missing shortly after arriving in the country. Many of these were potential trafficking victims who had been brought into the country. Hillingdon established an operational model in partnership with law enforcement agencies with the aim of disrupting the issue. Hillingdon's work on this includes:

#### **Education**

- The Hillingdon schools child protection (CP) advisor has arranged twilight briefing sessions for the designated CP teachers in each school to highlight the London SCB *Trafficked Children Toolkit* and how to identify children who may have been trafficked, or may be at risk of going missing.
- The LSCB website includes a page on child trafficking, with a hyperlink to the Hillingdon Schools Education Network.
- Head teachers and school governors have been briefed on child trafficking and what to do if children go missing from the school roll.
- The LSCB has sponsored a comprehensive multi-agency training programme on child trafficking, missing children and private fostering. This programme is evaluated at the end of each year to ensure that it is fit for purpose and reflects up-to-date research and best practice.
- Residential staff and foster carers have been given bespoke training on how to talk to children and advise them about the risks of trafficking and/or going missing. Written guidance has been produced to assist them in this task.

#### **Prevention**

- BAA give permission for high profile flights to be targeted (e.g. over the school summer holidays) for an awareness-raising exercise. Staff from the Paladin team and social workers spoke directly to passengers about the risks associated with children going missing, including forced marriage and female genital mutilation.
- The LSCB has developed a community engagement group which has made contact with minority communities such as the Somali community and West African church groups in the borough. Informal briefings have been given to these groups in their own language about the dangers associated with children going missing and also the prevalence of child trafficking for reasons of benefit fraud and domestic servitude.

#### **Intelligence**

- A multi-agency operational group made up of frontline staff meets every six weeks to discuss and assess the situation of every child reported missing to the police in Hillingdon. This includes any children at risk of trafficking on arrival at the airport. This group uses and applies the

trafficking toolkit to help identify trafficking issues, create child safeguarding plans, and arrange the de-briefing of victims.

- A small group of managers from UKBA, children's social care, Paladin and the police meets fortnightly to share profile data and information relating to every unaccompanied child arriving through the airport.

## **Communication**

- The Senior Local Safeguarding Children Board (LSCB) is comprised of senior managers working at the strategic level, from a range of agencies such as UKBA, police, health and the local authority. The LSCB produces an annual report which is shared at chief executive level with each of the partner agencies. The annual report includes a section on child trafficking and missing children. This ensures that these safeguarding concerns are formally communicated as part of the strategic priorities within each agency.
- The LSCB trafficking, exploitation and missing children sub-group is made up of middle managers. Its role focuses on policy, procedure and training. This group meets six to eight times a year and includes representatives from CEOP, police, UKBA, as well as local authority teams and non-governmental organisations.
- The LSCB in Hillingdon has established communication with organisations in other countries which deal with child trafficking and children who have gone missing (e.g. the Red Cross in Denmark).
- The LSCB website contains comprehensive information on child trafficking and missing children including current research, which is used by professionals and members of the public.
- Leaflets are available in 12 different languages on the website warning against the hazards of child trafficking and children who go missing.

## **Support**

- The Safeguarding Children and Quality Assurance Unit have been given the lead in preventing children from going missing and countering child trafficking. Several managers have been trained at an advanced level, so that they can offer support to practitioners on these key issues, through consultation and team briefings.
- Foster carers who have children placed with them who are at risk of going missing, or where there is a suspicion of child trafficking, are supported out of hours by social workers from the fostering team who are trained, and who are on stand-by duty by phone and email.

For more information contact Paul Hewitt (contact details in Appendix 3)

## **Hertfordshire**

Hertfordshire have multi-agency work in place through the formation of the Hertfordshire Anti-Trafficking Board. This is a multi-agency board co-chaired by children's services and the police with representation from health, education and adult services as well as UKBA, ECPAT and Stop the Traffic.

Their approach has been to adopt a police model called EPICS - Education, Prevention, Intelligence, Communication and Support. This has deterred traffickers from operating in Hertfordshire.

Hertfordshire consider that it has been important for them to reflect on the stage of trafficking the child is experiencing at the point of intervention. They have noted that children go missing within 48 hours of arrival in Hertfordshire. Children are unlikely to be aware of the fate that awaits them as they are invariably in transit to another part of the country (usually a major city). Given this context, the local authority have focused on ensuring the child is able to build a level of trust with the professionals they meet so that they know where to go if they need help; they are made aware of their situation and they undermine the traffickers' message that if they say anything they will be treated as offenders rather than victims.

Hertfordshire's work also includes:

### **Education**

- Integrated training programme for designated teachers which look at identification and reporting of trafficking concerns.
- Hertfordshire Police have delivered a specialist training programme to foster carers about missing children and identifying risks relating to trafficking.
- Local health services have issued guidance to all GPs, A&E departments and health visitors about reporting concerns about trafficking.
- A Hydra training programme is due to be launched later this year which will provide an immersive learning experience for developing an inter-agency awareness and response to trafficking issues.

### **Prevention**

- Continuing to conduct joint operations with Hertfordshire Police, conducting lorry stops and handing out leaflets about the illegal transport of people.
- Working with Stop the Traffic to develop a project to heighten awareness of trafficking issues within the local communities of Hertfordshire.
- Working with the local community to produce stickers about reporting trafficking to put in taxis. The police have also agreed to provide a protocol on working with taxi drivers who wish to report concerns about passengers who may be trafficked.

### **Intelligence**

- The police have engaged with women and children who they have identified as potential victims during brothel and cannabis house raids. This has led to successful prosecutions of people about whom they have given evidence or intelligence.

- Developing a 'first 48 hours' response which includes out of hours resources to support young people who may have been trafficked. A part of this approach is to gain intelligence about trafficking operations.
- Linking work to wider areas such as missing persons and victims of sexual exploitation initiatives within the authority. As Chair of the Hertfordshire Anti-Trafficking Board, they sit on the police strategic missing person's board.

### **Communication**

- The Hertfordshire Anti-Trafficking Board has become an increasingly valued resource by partner agencies as a reference point to gain and share information about local, national and global trafficking patterns. This has proven especially effective in enabling voluntary groups (e.g. Stop the Traffic) to communicate concerns to the police.
- A recent HCC highlighted the work of the Hertfordshire Anti-Trafficking Board in recruiting carers to work with this group.

### **Support**

- Foster carers are receiving additional support from their service about trafficking issues. This includes publications from partner agencies as well as bespoke briefings.
- Specialist foster carers are flagged as such to professionals who make referrals out of hours to ensure the agreed protocol with police is followed.

For further information on Hertfordshire's methods and sharing of best practice, please contact Laurence Chester (contact details in Appendix 3).

### **Operation Newbridge**

Operation Newbridge was developed in West Sussex to respond to concerns about a number of children who arrived at Gatwick Airport. These young people were believed to be victims of trafficking and taken into local authority care, but subsequently went missing. A local multi-agency protocol was developed involving the local authority, UKBA and Sussex Police. Clear procedures were laid down for each agency to follow where a trafficked child was identified. The operation was highly successful in reducing the instances of children at risk of being trafficked going missing from the care of the local authority.

For further details please contact Detective Inspector Jon Gross (contact details in Appendix 3).

## 6: The National Referral Mechanism

### Overview and role of Competent Authority

6.1 In accordance with the requirements of the *Council of Europe Convention on action against Trafficking in Human Beings*, the UK has a national referral mechanism for identifying and recording victims of trafficking and ensuring that they are provided with appropriate support wherever they are in the UK.

6.2 Decisions about who is a victim of trafficking are made by trained specialists in designated 'Competent Authorities'. The UKHTC and UKBA act as the UK's Competent Authorities with responsibility for the final decision on whether a frontline professional's grounds for believing that the child has been trafficked are founded i.e. whether the child is or is not a victim of trafficking.

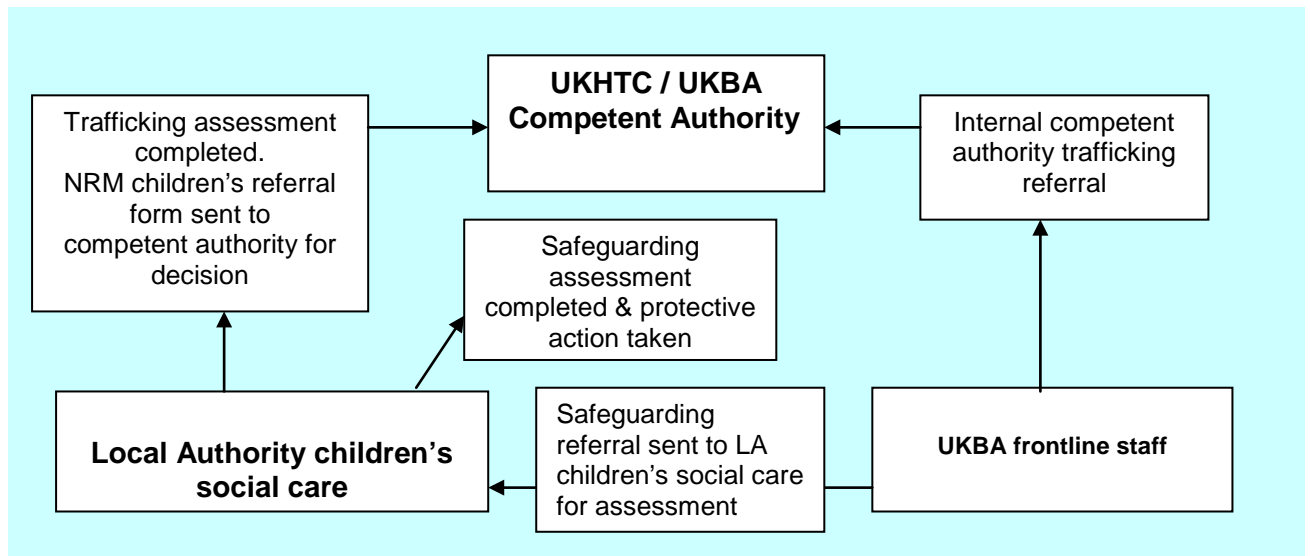
6.3 As referrals are collated through the NRM process, the build up of evidence concerning child trafficking will inform policy makers and operational staff to take the necessary decisions and actions to combat child trafficking. In this sense NRM referrals and the intelligence they provide contribute directly to UK efforts to tackle human trafficking and may ultimately lead to a reduction in the number of children who are trafficked and require safeguarding by a local authority.

6.4 Referrals into the NRM will also provide a national picture of numbers of children trafficked, as well as supporting evidence which will assist in building up intelligence such as trends, routes of travel and details which may assist in leading to the arrest and conviction of those who commit this terrible crime.

6.5 NRM referrals will also help the local authority ensure there is an appropriate response for the child by ensuring all available information is gathered and shared quickly between partners. This will allow the child's needs to be addressed and mitigating factors taken into account, such as the risk of the child going missing.

6.6 Where necessary, the Competent Authority will also assist in regularising a child's immigration status. This will assist the child in accessing particular services.

**National Referral Mechanism overview:**



6.7 The National Referral Mechanism comprises a four stage process for establishing formally that a child is a victim of trafficking:

**Stage one – safeguarding assessment**

6.8 In the first stage a frontline professional identifies that the child may be trafficked and undertakes a safeguarding assessment.

6.9 With support, as required, from the local trafficked children lead and using information from the safeguarding assessment, the professional completes the trafficking assessment tool, which forms part of the London Safeguarding Children Board *Trafficked Children Toolkit*. This should assist the professional to describe the safeguarding concerns.

**Stage two – referral to a competent authority**

6.10 In cases where the frontline professional suspects that a child may have been trafficked, local authority children’s social care will refer the case to a Competent Authority by sending the child NRM referral form to UKHTC. This will be in addition to acting promptly before the child goes missing and initiating an assessment of the child’s levels of need / risk of harm. Practitioners should be aware that the safeguarding of the child takes precedence and their needs should be addressed. An NRM referral should not prevent immediate safeguarding actions taking place, although information from the NRM assessment may be helpful to those considering the safeguarding response.

**Stage three – ‘reasonable grounds’**

6.11 Once the case has been formally referred, the Competent Authority will consider the details supplied on the First Responder Form along with any

other evidence and apply a 'reasonable grounds' test to consider if the statement "I suspect but cannot prove" that the person is a victim of trafficking holds true. Local authority children's social care may be required to supply further information at this stage if there is insufficient information available.

6.12 The child will be granted an extendable reflection and recovery period if the Competent Authority finds there are reasonable grounds to believe the child is a victim of trafficking. During this time UKBA will suspend removal action. This will allow for a fuller assessment of whether the child is a victim of trafficking. The 45 day period is also a period in which scope for criminal investigation can be explored.

#### **Stage four - conclusive decision**

6.13 Following a positive reasonable grounds decision, Competent Authorities are required to make a second identification decision, which is to conclusively decide if the individual is a victim of trafficking. As part of this decision, local authority children's social care will be consulted and are expected to feed in any further information that may aid the decision making process.

6.14 Local authority children's social care can at any stage consider accessing assistance with reintegration available through voluntary return schemes (which are always the preferred way of carrying out any return to the child's country of origin).

6.15 Following a negative reasonable grounds or conclusive decision the child may still have safeguarding needs especially if they are unaccompanied. Social workers should continue to make their own assessments of a child's care needs in line with the statutory duty placed on local authorities by virtue of the Children Act.



## Appendix 1: Policy and legislation

### International

International agreements and legal instruments relevant to trafficked and exploited children include:

- EU Directive on Human Trafficking
- Council of Europe Convention on Action against Trafficking in Human Beings (2005).
- The Yokohama Global Commitment agreed at the Second World Congress on the Commercial Sexual Exploitation of Children (Yokohama, 2001).
- The United Nations Convention on the Rights of the Child (United Nations, 1989), its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (2000) and the Optional Protocol on the Involvement on Children in Armed Conflict (2000).
- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime (2000).
- International Labour Organisation (ILO) Convention 182 concerning the Elimination of the Worst Forms of Child Labour (2000).
- The Declaration and Agenda for Action agreed at the First World Congress on the Commercial Sexual Exploitation of Children (Stockholm, 1996).

In 2000 trafficking became enshrined in international law for the first time through the Palermo Protocol within the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

### UK

UK legislation and guidance relevant to trafficked and exploited children includes:

- The Children Act 1989.
- Adoption and Children Act 2002.
- The Nationality, Immigration and Asylum Act 2002.
- The Sexual Offences Act 2003.
- The Asylum and Immigration (Treatment of Claimants etc) Act 2004.
- The Children Act 2004.
- Coroners and Justice Act 2009.
- Policing and Crime Act 2009.
- What to do if you're worried a child is being abused (2007).
- Safeguarding Children and Young People from Sexual Exploitation (2009).
- Working Together to Safeguard Children (2010).

The UK Borders Act 2007 requires the Secretary of State to publish a *Code of Practice for Keeping Children Safe from Harm*, which UKBA officials are

required to have regard to when dealing with children in the UK identified as being at risk of harm.

The UK Borders Act 2007 ensures that acts of trafficking aimed at the UK and carried out overseas, irrespective of the nationality of the offender, are liable to prosecution. It also ensures that any acts to traffic an individual which are committed after the individual has arrived in the UK but before they have passed through passport control are liable to prosecution (for example, providing a child with a false passport after they have disembarked from the aircraft).

The Sexual Offences Act 2003, which came into force on 1 May 2004, introduced wide-ranging offences covering trafficking into, out of, or within the UK for any form of sexual offence. These carry a 14 year maximum penalty. An offence of 'trafficking for exploitation', which covers non-sexual exploitation, including trafficking for forced labour and the removal of organs, was included in the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004.

The trafficking of children is included under the trafficking offences contained in the Sexual Offences Act 2003 and the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004. In addition, the Sexual Offences Act 2003 introduced new offences of abuse of children through prostitution and pornography which aim to protect children under the age of 18. These cover a range of offences, including paying for the sexual services of a child, for which the penalty ranges from seven years to life depending on the age of the child; and causing, facilitating or controlling the commercial sexual exploitation of a child in prostitution or pornography, for which the maximum penalty will be 14 years imprisonment.

The offences of people trafficking and of prostitution and child sex are included as lifestyle offences under the Proceeds of Crime Act 2002, which means that a conviction for these offences may be followed by an order for the payment of the proceeds of those crimes and assets may be seized. The Director of the Assets Recovery Agency also has powers to recover property obtained through unlawful conduct, even if that conduct took place abroad and even if there has not been a criminal prosecution.

The Policing and Crime Act 2009 created a new offence under section 53A of the Sexual Offences Act 2003 of paying for the sexual services of a prostitute subjected to force etc.

The Coroners and Justice Act 2009 created an offence of holding another person in slavery or servitude or to require another person to perform forced or compulsory labour.

## Appendix 2: Table showing appropriate responses for safeguarding trafficked children

Staff in any of the settings or circumstances in this table may become aware, immediately or over time, of the quality of relationships, patterns of behaviour displayed, or inconsistent/contradictory information provided to them or by their clients, which raises concerns that a child has been or is being trafficked and exploited. This table provides non-exhaustive indicators of actions which should be considered and/or taken by frontline practitioners/volunteers and their supervising managers.

<b>Setting/circumstance where a child may be identified as a trafficked child</b>	<b>Practitioner or volunteer who may identify a child who has been trafficked</b>	<b>Initial action &amp; assessment within a single agency where there are concerns that a child may have been trafficked</b>
<p><b>Schools, colleges, education</b> <i>(Application for school place, child starts/is attending school, talks to school nurse or unexpectedly leaves school)</i></p>	<p>Teacher, school nurse, classroom assistant, other support staff, reception/administrator</p>	<ul style="list-style-type: none"> <li>• The practitioner discusses concerns with the senior designated member of staff with responsibilities for safeguarding children</li> <li>• The concerns should be considered in the light of information about trafficked children in this guidance.</li> <li>• Staff should not do anything which would heighten the risk of harm or abduction to the child. They should refer the case to children's social care or the police.</li> </ul>
<p><b>Health services e.g.: GP, Emergency Departments, GUM, Community Contraceptive Services, Ambulance Service, maternity services, hospitals and specialist services</b> <i>(An adult takes a child to the GP/A&amp;E, GUM, Community Contraceptive Services, or an unaccompanied child seeks services, maternity services/health visitor talk to women and visit homes, looked after child or other child sees community paediatrician, optician, dentist)</i></p>	<p>GP, practice nurse, health visitors, hospital staff, maternity staff, adult mental health and CAMHS practitioners</p>	<ul style="list-style-type: none"> <li>• Practitioner discusses concern with the named/designated doctor or nurse with safeguarding children responsibility</li> <li>• The concerns should be considered in the light of information about trafficked children in this guidance.</li> <li>• Staff should not do anything which would heighten the risk of harm or abduction to the child. They should refer the case to children's social care or the police.</li> </ul>
<p><b>Police</b> <i>(Family or unaccompanied child comes to notice through criminal activity, illegal immigrant status, domestic violence home visits, missing persons referrals or other)</i></p>	<p>Police officer, community safety officer</p>	<ul style="list-style-type: none"> <li>• Local police complete a Coming to Notice (CTN) report and send it to the appropriate police team.</li> <li>• Local police discuss case with CAIT</li> <li>• Further investigation is undertaken as appropriate</li> </ul>

Setting/circumstance where a child may be identified as a trafficked child	Practitioner or volunteer who may identify a child who has been trafficked	Initial action & assessment within a single agency where there are concerns that a child may have been trafficked
<p><b>Local authority children's social care</b>  <i>(Adult(s) and child/ren or an unaccompanied child seeks help directly from the referral and assessment team', a child already receiving services or looked after is identified as being trafficked, a referral of concern is received from another agency/person)</i></p>	<p>Children's social worker, family support worker, foster carer, reception/ administrator, residential worker, children's rights officer</p>	<ul style="list-style-type: none"> <li>Children's social care social worker discusses case with their supervising line manager, foster carer with the child's social worker, children's rights officer with the child's social worker.</li> <li>The concerns should be considered in the light of information about trafficked children in this guidance.</li> <li>Further checks can be made by the child's social worker HOWEVER not if this will heighten risk of harm or abduction to the child</li> </ul>
<p><b>Local Authority Asylum Team</b>  <i>(The child, accompanied or unaccompanied, has been referred by children's Social Care Referral and Assessment Team to their local authority's asylum team who then have concerns about the child being trafficked)</i></p>	<p>Asylum team social worker</p>	<ul style="list-style-type: none"> <li>Asylum team staff discuss case with their supervising line manager</li> <li>The concerns should be considered in the light of information about trafficked children in this guidance.</li> <li>Contact Children's Social Care Referral and Assessment Team in own local authority.</li> </ul>
<p><b>Youth Offending Teams, youth clubs &amp; Connexions</b>  <i>(The child, accompanied or unaccompanied, commits an offence and is referred to the YOT, joins or attends a youth club, receives services from Connexions)</i></p>	<p>YOT practitioner, youth worker, youth work volunteer, Connexions Personal Advisor, reception/administrator</p>	<ul style="list-style-type: none"> <li>YOT practitioners discuss case with their supervising line manager, youth worker and volunteer with their team leader</li> <li>The concerns should be considered in the light of information about trafficked children in this guidance</li> <li>Staff should not do anything which would heighten the risk of harm or abduction to the child. They should refer the case to children's social care or the police.</li> </ul>
<p><b>Immigration Service, Asylum Screening Unit, Refugee Council's Children's Panel</b>  <i>(Adult(s) and child/ren or an unaccompanied child present at port of entry or at Lunar House in Croydon after entering the UK. In the latter case they may have first made contact with another service e.g. children's social care)</i></p>	<p>Ports immigration officer, asylum screening staff at Croydon and Liverpool</p>	<ul style="list-style-type: none"> <li>Immigration and screening staff member: <ul style="list-style-type: none"> <li>a) considers the case in the light of information about trafficked children in this guidance</li> <li>b) makes further checks where possible</li> <li>c) discusses concern with the designated officer with safeguarding children responsibility</li> <li>d) discusses the case with children's social care and police colleagues located at port of entry.</li> </ul> </li> </ul>

Setting/circumstance where a child may be identified as a trafficked child	Practitioner or volunteer who may identify a child who has been trafficked	Initial action & assessment within a single agency where there are concerns that a child may have been trafficked
<p><b>Fire Service</b> <i>(Family or unaccompanied child comes to notice through fire-related or other accidents and incidents)</i></p>	<p>Fire Service staff</p>	<ul style="list-style-type: none"> <li>• Fire service staff member discusses concern with the designated officer with safeguarding children responsibility</li> <li>• The concerns should be considered in the light of information about trafficked children in this guidance.</li> <li>• Staff should not do anything which would heighten the risk of harm or abduction to the child. They should refer the case to children's social care or the police.</li> </ul>
<p><b>Local Authority Housing</b> <i>(Homeless adult(s) and child/ren or an unaccompanied child apply to be housed)</i></p>	<p>Housing officer, reception/administrator</p>	<ul style="list-style-type: none"> <li>• Housing staff member discusses case with the designated officer with safeguarding children responsibility</li> <li>• The concerns should be considered in the light of information about trafficked children in this guidance</li> <li>• Staff should not do anything which would heighten the risk of harm or abduction to the child. They should refer the case to children's social care or the police.</li> </ul>
<p><b>Jobcentre Plus</b> <i>(Adult(s) and child/ren or an unaccompanied child apply for, or notify alterations in, benefits)</i></p>	<p>Benefits officer, assessor, reception/administrator</p>	<ul style="list-style-type: none"> <li>• Benefits service staff member discusses case with the designated officer with safeguarding children responsibility</li> <li>• The concerns should be considered in the light of information about trafficked children in this guidance</li> <li>• Staff should not do anything which would heighten the risk of harm or abduction to the child. They should refer the case to children's social care or the police.</li> </ul>

Setting/circumstance where a child may be identified as a trafficked child	Practitioner or volunteer who may identify a child who has been trafficked	Initial action & assessment within a single agency where there are concerns that a child may have been trafficked
<p><b>Local Authority Leisure Centres, Libraries</b>  <i>(Adult(s) and child/ren or an unaccompanied child use leisure centres or libraries)</i></p>	<p>Leisure centre worker, librarians, reception/ administrators</p>	<ul style="list-style-type: none"> <li>Leisure centre and libraries' staff member discusses case with the designated officer with safeguarding children responsibility</li> <li>The concerns should be considered in the light of information about trafficked children in this guidance.</li> <li>Staff should not do anything which would heighten the risk of harm or abduction to the child. They should refer the case to children's social care or the police.</li> </ul>
<p><b>Independent private &amp; voluntary agencies</b>  <i>(Families and children, including unaccompanied children, receive a range of social care and other services from these agencies)</i></p>	<p>Solicitor, interpreter and others including voluntary and private agency staff coming into contact with children, young people and families</p>	<ul style="list-style-type: none"> <li>Solicitors, interpreters and others coming into contact with children should telephone the local children's social care services or police and discuss their concerns</li> <li>Agree the next steps with children's social care or the police</li> </ul>
<p><b>Community, faith groups and others</b>  <i>(Families and children, including unaccompanied children, participate in a range of social care and other services from these agencies)</i></p>	<p>Organisers &amp; volunteers for community and private sports, music, drama, church and other activities</p>	<ul style="list-style-type: none"> <li>Concerned adult discusses case with the designated person with safeguarding children responsibility</li> <li>The concerns should be considered in the light of information about trafficked children in this guidance</li> <li>HOWEVER concerned, adults should not do anything which could heighten risk of harm or abduction to the child. They should refer the case to children's social care or police</li> </ul>

## Appendix 3: Useful contacts

### **NSPCC Child Trafficking Advice and Information Line (CTAIL)**

The NSPCC Child Trafficking Advice and Information Line<sup>25</sup> provides advice and information to professionals across the UK in statutory and non-statutory services. They work together with other professionals, giving social work and police advice where there are concerns that a child may have been trafficked. CTAIL offer professionals free awareness-raising presentations, one-off advice on the telephone, or can open a case and provide ongoing support in the form of consultation. They make referrals to other agencies, attend meetings and depending on the circumstances of the case, the practitioners complete trafficking assessment reports as directed by solicitors or other professionals. The practitioners also offer direct work for foster carers caring for trafficked children and have a large young people's participation group who work with CTAIL in providing knowledge and insight into child trafficking.

Recently CTAIL became a NRM First Responder and can refer children directly into the mechanism.

A referral can be made to CTAIL by:

- Contacting their free phone number: 0800 107 7057 or
- Emailing the team: [CTAIL@nspcc.org.uk](mailto:CTAIL@nspcc.org.uk).

### **Children and Families Across Borders (CFAB)**

CFAB<sup>26</sup> promotes and protects the rights and welfare of children across international borders. It is an independent charity and part of an international network of agencies, which facilitates a global exchange of social work services to ensure children are safeguarded when they cross international boundaries and that their right to family life is respected. CFAB is the only agency in the UK that formally liaises directly with social services in countries of origin.

CFAB seeks positive outcomes for children and their families facing social, legal or personal issues with an international dimension - assisting children who have been separated from their families as a consequence of divorce, migration, seeking asylum, trafficking and abduction.

CFAB operates on both a micro and macro level, providing inter-country casework services directly to individuals and families or in partnership with relevant authorities, as well as delivering advice and training about inter-country social work and seeking to influence policy and practice in the UK.

CFAB:

- provide direct casework services to benefit children and families;

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<sup>25</sup> [www.nspcc.org.uk/ctail](http://www.nspcc.org.uk/ctail)

<sup>26</sup> [www.cfab.uk.net](http://www.cfab.uk.net)

- highlight under-reported issues so that more vulnerable children can be identified and assisted;
- advocate for children, ensuring their best interests are paramount and that their right to family life is respected;
- train social workers, police officers, health staff and other key professionals so that their knowledge of international child welfare issues is enhanced and their responses to these issues improved;
- assist with obtaining overseas DNA tests, social service and police checks; and
- support with voluntary return and reintegration of victims of trafficking, ensuring appropriate levels of support in country of origin.

For further information, contact CFAB on 0207 735 8941 or [www.cfab.uk.net](http://www.cfab.uk.net).

Canterbury Court, Unit 1.03  
1-3 Brixton Road  
London SW9 6DE

## **Refugee Council Children's Panel**

The Refugee Council<sup>27</sup> Children's Panel employs 12 advisers who travel all over the country to support separated children seeking asylum. The advisers offer support to children who:

- have applied for asylum on entering the UK;
- have lived in the UK for some time before applying for asylum;
- are abandoned by relatives, agents or friends;
- have been picked up by the police;
- are in detention centres or prisons; or
- are living on the streets or are already in the care of the local authority, carers or community groups.

The support provided includes:

- assisting children in accessing legal representation;
- guiding children through the asylum procedures;
- if necessary, accompanying children to asylum interviews, tribunal and appeal hearings, magistrates and crown court appointments;
- building up a support network for children involving a range of statutory and non-statutory service providers; and
- accompanying children to appointments with GPs, hospitals, local authority children's social care or other agencies.

The nature of the work of the Children's Panel is such that they may well gather information which enables them to identify and refer children who are trafficked.

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<sup>27</sup> [www.refugeecouncil.org.uk/howwehelp/directly/children](http://www.refugeecouncil.org.uk/howwehelp/directly/children)



The Refugee Council Children's Section also employs a specialist Girls' and Young Women's Adviser, based in London, who works only with victims of trafficking, offering intensive 1-1 support.

For further information or to make a referral, call the Advice and Referral line on 020 7346 1134.

## Other useful contacts

### United Kingdom Human Trafficking Centre

Tel: 08447 782 486  
[UKHTC@soca.x.gsi.gov.uk](mailto:UKHTC@soca.x.gsi.gov.uk)

### CEOP

33 Vauxhall Bridge Road,  
London SW1V 2WG  
Tel: 020 7238 2320/2307  
[www.ceop.police.uk](http://www.ceop.police.uk)

### Children's Legal Centre

Tel: 01206 872 466  
[www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

### ECPAT UK

Grosvenor Gardens House  
35-37 Grosvenor Gardens  
London SW1W 0BS  
Tel: 020 7233 9887  
[info@ecpat.org.uk](mailto:info@ecpat.org.uk)  
[www.ecpat.org.uk](http://www.ecpat.org.uk)

### UNICEF

UNICEF House  
30a Great Sutton Street  
London EC1V 0DU  
Tel: 020 7490 2388  
[www.unicef.org.uk/Contact-us/](http://www.unicef.org.uk/Contact-us/)

### AFRUCA (Africans Unite Against Child Abuse)

Unit 3D/F Leroy House  
436 Essex Road  
London N1 3QP  
Tel: 0844 660 8607  
[www.afruca.org](http://www.afruca.org)

### Childwatch

19 Springbank  
Hull  
East Yorkshire HU3 1AF  
Tel: 01482 325 552  
Fax: 01482 585 214  
[www.childwatch.org.uk](http://www.childwatch.org.uk)

### CROP

34 York Road  
Leeds LS9 8TA  
Tel: 0113 240 3040  
[info@cropuk.org.uk](mailto:info@cropuk.org.uk)  
[www.cropuk.org.uk](http://www.cropuk.org.uk)

### London Borough of Hillingdon

Paul Hewitt  
Service Manager  
Safeguarding Children and  
Quality Assurance  
Tel: 01895 250111 ext 0410  
[Phewitt@hillingdon.gov.uk](mailto:Phewitt@hillingdon.gov.uk)

### Hertfordshire County Council

Laurence Chester  
CSF, Apsley 2, Brindley Way,  
Hemel Hempstead,  
Herts HP3 9BF  
[laurence.chester@hertsc.gov.uk](mailto:laurence.chester@hertsc.gov.uk)

### Operation Newbridge

DI Jon Gross  
Sussex Police  
Specialist Crime Directorate  
Sussex House, Crowhurst Road  
Hollingbury  
Brighton  
East Sussex BN1 8AF  
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