

SAFEGUARDING TRAFFICKED CHILDREN

CONTENTS:

- 1 Introduction.
 - 2 Definition.
 - 3 Identifying Trafficked Children.
 - 4 Action To Safeguard And Promote The Welfare Of Trafficked Children, including flowcharts on pages 19 – 23.
 - 5 Particularly Vulnerable Groups Of Children.
 - 6 Why People Traffick Children.
 - 7 Why Is Trafficking Possible?
 - 8 How Are Children Recruited And Controlled?
 - 9 How Children Are Brought Into The UK.
 - 10 Internal Trafficking.
 - 11 The Impact Of Trafficking On Children.
 - 12 Further Advice and Information.
- Appendix 1
Useful UK Contacts.
- Appendix 2
Policy And Legislation.

1. INTRODUCTION

- 1.1 Standard child protection processes continue to apply in respect of children and young people who may have been trafficked. This section focuses on issues additional to the core child protection processes as set out elsewhere in this manual. This guidance incorporates the guidance published by DCSF as Working Together to Safeguard Children – Safeguarding Children Who May Have Been Trafficked (2007).
- 1.2 Local Safeguarding Children Boards are responsible for:
 - Ensuring guidance is in place to assist local professionals in their response to child who may have been trafficked;
 - Monitoring the implementation and compliance with guidance;
 - Providing training to support this guidance;
 - Monitoring and reporting on child trafficking referrals within their area and
 - Taking the professional lead to ensure local agencies continue to safeguard children who may have been trafficked.

2. DEFINITION

2.1 The United Nations Protocol to prevent, suppress and punish trafficking in persons, especially women and children, commonly known as 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 deceived. This is partly because it is not considered possible for children to give informed consent. Trafficking can also take place within the UK when young people are moved from one location to another for purposes of exploitation.

2.2.1 The definition of child trafficking used in this guidance is that included in the Palermo Protocol, under Article 3:

“Trafficking in 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.

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 above. A child is any person under eighteen years of age.

3. IDENTIFYING TRAFFICKED CHILDREN

3.1 Anyone who works with children and young people may come into contact with a victim of trafficking. They need to be able to recognise children who have been trafficked and take action to protect these children from harm. This may be the crucial intervention which breaks the cycle of the child being vulnerable to continuing or further exploitation.

Table showing appropriate agency 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, 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.

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
Schools, colleges, Local Authority education staff.	Teacher, school nurse, classroom assistant, reception/administrator	<ul style="list-style-type: none"> The practitioner discusses concerns with the designated teacher with responsibilities for safeguarding

West Midlands Child Trafficking Group Draft Guidance

<p>(Application for school place, child starts/is attending school, talks to school nurse or unexpectedly leaves school)</p>		<p>children</p> <ul style="list-style-type: none"> • The concerns should be considered in the light of information about trafficked children in this procedure • 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
<p>Health services: GP surgery, A&E, Ambulance Service, maternity services, hospitals and specialist services</p> <p>(An adult takes a child to the GP/A&E/GUM, Community Contraceptive Services, or an unaccompanied child seeks services, maternity services/health visitor talk to women and visit homes, LAC or other child sees community paediatrician, optician, dentist)</p>	<p>GP, practice nurse, health visitors, hospital staff, maternity staff, adult mental health and CAMHS practitioners</p>	<ul style="list-style-type: none"> • Practitioner discusses concern with the named/designated doctor or nurse with safeguarding children responsibility • The concerns should be considered in the light of information about trafficked children in this procedure • 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
<p>Police</p> <p>(Family or unaccompanied child comes to notice through criminal activity, illegal immigrant status, domestic violence home visits, missing persons referrals or other)</p>	<p>Police officer, community safety officer</p>	<ul style="list-style-type: none"> • Local police complete a Coming to Notice (CTN) report and send it to the Child Abuse Investigation Team (CAIT) • Local police discuss case with CAIT • Further investigation is undertaken as appropriate
<p>Setting/circumstance where a child may be identified as a trafficked child</p>	<p>Practitioner or volunteer who may identify a child who has been trafficked</p>	<p>Initial action & assessment within a single agency where there are concerns that a child may have been trafficked</p>
<p>Local Authority Children's Social Care</p> <p>(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; a child is identified as being privately fostered)</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"> • Children's Social Care Social Worker discuss case with their supervising line manager, foster carer's with the child's social worker, children's rights officer with the child's social worker • The concerns should be considered in the light of information about trafficked children in this Procedure. • 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
<p>Local Authority Asylum Team</p> <p>(The child, accompanied or unaccompanied, is referred by Children's Social Care Referral and Assessment Team to their Local</p>	<p>Asylum team social worker</p>	<ul style="list-style-type: none"> • Asylum team staff discuss case with their supervising line manager • The concerns should be considered in the light of information about trafficked children in this Procedure.

West Midlands Child Trafficking Group Draft Guidance

Authority's asylum team who then have concerns about the child being trafficked)		<ul style="list-style-type: none"> • Contact Children's Social Care Referral and Assessment Team in own LA
<p>Youth Offending Teams, youth clubs & Connexions</p> <p>(The child, accompanied or unaccompanied, commits an offence and is referred to the YOT, joins or attends a youth club, receives services from Connexions)</p>	YOT practitioner, youth worker, youth work volunteer, Connexions Personal Advisor, reception/ administrator	<ul style="list-style-type: none"> • YOT practitioner's discuss case with their supervising line manager, youth worker and volunteer with their team leader • The concerns should be considered in the light of information about trafficked children in this Procedure. • 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.
The United Kingdom Border Agency	Any member of staff who conducts substantive interviews with children or has regular contact with children in their work.	<ul style="list-style-type: none"> • UKBA staff should: <ol style="list-style-type: none"> a) Consider the case in the light of guidance about trafficked children b) make further checks where possible c) discuss the case with Children's Social Care and Police as appropriate d) make a referral to Children's Services where trafficking is suspected.
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>Fire Service</p> <p>(Family or unaccompanied child comes to notice through fire-related or other accidents and incidents)</p>	Fire Service staff	<ul style="list-style-type: none"> • Fire service staff member discusses concern with the designated officer with safeguarding children responsibility • The concerns should be considered in the light of information about trafficked children in this Procedure. • 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.
<p>Local Authority Housing</p> <p>(Homeless adult(s) and child/ren or an unaccompanied child apply for to be housed)</p>	Housing officer, reception/administrator	<ul style="list-style-type: none"> • Housing staff member discusses case with the designated officer with safeguarding children responsibility, makes further checks where possible • The concerns should be considered in the light of information about trafficked children in this Procedure. • Staff should not do anything which would heighten the risk of harm or

West Midlands Child Trafficking Group Draft Guidance

		abduction to the child. They should refer the case to Children's Social Care or the Police.
<p>Jobcentre Plus</p> <p>(Adult(s) and child/ren or an unaccompanied child apply for, or notify alterations in, benefits)</p>	Benefits officer, assessor, reception/administrator	<ul style="list-style-type: none"> • Benefits service staff member discusses case with the designated officer with safeguarding children responsibility, makes further checks where possible • The concerns should be considered in the light of information about trafficked children in this Protocol. • 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.
<p>LA Leisure Centres, Libraries</p> <p>(Adult(s) and child/ren or an unaccompanied child use leisure centres or libraries)</p>	Leisure centre worker, librarians, reception/administrators	<ul style="list-style-type: none"> • Leisure centre and libraries' staff member discusses case with the designated officer with safeguarding children responsibility • The concerns should be considered in the light of information about trafficked children in this Procedure. • 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.
<p>Setting/circumstance where a child may be identified as a trafficked child</p>	<p>Practitioner or volunteer who may identify a child who has been trafficked</p>	<p>Initial action & assessment within a single agency where there are concerns that a child may have been trafficked</p>
<p>Independent private & voluntary agencies</p> <p>(Families and children, including unaccompanied children, receive a range of social care and other services from these agencies)</p>	Solicitor, interpreter and others, including voluntary and private agency staff coming into contact with children, young people and families	<ul style="list-style-type: none"> • Solicitors, interpreters and others coming into contact with children should telephone the local Children's Social Care Service or the Police and discuss their concerns. • Agree next steps with Children's Social Care and the Police
<p>Community, faith groups and others</p> <p>(Families and children, including unaccompanied children, participate in a range of social care and other services from these agencies)</p>	Organisers & volunteers for community and private sports, music, drama, church and other activities	<ul style="list-style-type: none"> • Concerned adult discusses case with the designated person with safeguarding children responsibility • The concerns should be considered in the light of information about trafficked children in this Protocol. • 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 the Police.

- 3.2 The nationality or immigration status of the child does not affect statutory responsibilities under the Children Act 1989 or the Children Act 2004. In particular the need to protect children from harm remains paramount. These issues should be addressed in discussion with the United Kingdom Border Agency (UKBA) only when the child's need for protection has been addressed and should not hold up action to protect the child from harm.

Possible indicators that a child may have been trafficked

- 3.3 The following indicators are designed to help practitioners identify children and young people who may have been trafficked. They are intended as a guide, which should be included in a wider assessment of the child / young person's circumstances.
- 3.4 It is important to remain alert to any other unusual factors which may suggest a child might have been trafficked and remember that trafficked children may not show signs of distress or abuse and may not know they have been trafficked. Others may actively participate in hiding that they have been trafficked.

At the port of entry

- 3.5 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.

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 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.

The sponsor:

West Midlands Child Trafficking Group Draft Guidance

- 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

3.6 Indicators include, the child:

- does not appear to have money but does have a mobile phone;
- receives unexplained/unidentified telephone calls whilst in placement/temporary accommodation;
- possesses money and goods not accounted for;
- exhibits self assurance, maturity and self-confidence not expected to be seen in a child of such age;
- has a prepared story very similar to those that other children have given;
- 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 malnourished;
- 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.
- is accompanied by an adult who insists on being with the child at all times.

Children internally trafficked within the UK

3.7 These indicators are relevant to sexual exploitation as well as internal trafficking. They include:

- Physical symptoms (bruising indicating either physical or sexual assault);
- Prevalence of a sexually transmitted infection or unwanted pregnancy;
- Young person known to be sexually active;

- Reports from reliable sources suggesting the likelihood of involvement in sexual exploitation;
- Reports that the child has been seen in places known to be used for sexual exploitation;
- Evidence of drug, alcohol or substance misuse;
- Leaving home/care setting in clothing unusual for the individual child (inappropriate for age, borrowing clothing from older people);
- Telephone calls or letters from adults outside the usual range of social contacts;
- Adults loitering outside the child's usual place of residence;
- Significantly older boyfriend;
- Accounts of social activities with no plausible explanation of the source of necessary funding;
- Persistently missing, staying out overnight or returning late with no plausible explanation;
- Returning after having been missing, looking well cared for despite having no known base;
- Missing for long periods, with no known base;
- Placement breakdown;
- Pattern of street homelessness;
- Possession of large amounts of money with no plausible explanation;
- Acquisition of expensive clothes, mobile phones or other possessions without plausible explanation;
- Having keys to premises other than those known about;
- Low self-image, low self-esteem, self-harming behaviour including cutting, overdosing, eating disorder, promiscuity;
- Truancy/disengagement with education;
- Entering or leaving vehicles driven by unknown adults;
- Going missing and being found in areas where the child or young person has no known links; and/or
- Possible inappropriate use of the internet and forming on-line relationships, particularly with adults.

4. ACTION TO SAFEGUARD AND PROMOTE THE WELFARE OF TRAFFICKED CHILDREN

Referral to Children's Social Care

- 4.1 Any agency, individual practitioner or volunteer who has a concern regarding possible trafficking and exploitation of a child should contact Children's Social Care for the local authority in which the child currently resides. Contact can be made out of hours through the Emergency Duty Team. The role of the different agencies in safeguarding trafficked children is set out above in the table.
- 4.2 Children's Social Care will clarify the nature of the concerns with the referrer and ask the referrer to confirm their concerns in writing in order to ensure a clear audit trail. They will consult with other agencies as appropriate and, in particular will:

- check if the carer or guardian or other members of the household understood to be at the residential address are known to the Police, Children’s Social Care or the PCT;
 - in the case of a referral from a school or other educational institution, obtain a copy of the documentation provided at admission;
 - if necessary, consult with the United Kingdom Human Trafficking Centre or the NSPCC Child Trafficking Advice and Information Helpline (see Appendix 1) in order to address any professional concerns which may have arisen;
 - undertake a UKBA check to clarify status of the child/ren and the adult/s caring for them. It is increasingly common practice for the UKBA to have a digital photograph of the child on their database and this may aid identification;
- 4.3 Children’s Social Care will decide on a course of action within 24 hours. Where necessary, including where there is a likelihood that the child may go missing, they will take prompt action within the 24 hours.
- 4.4 Practitioners are advised to consult the trafficking toolkit available at: The “Trafficking Toolkit,” available at www.crimereduction.gov.uk/toolkits/. A list of useful contacts is set out in Appendix 2 at the end of this Section. Our regional UKBS office at Solihull can be contacted for advice (see appendix 1).
- 4.5 Flowchart 1 on page 19 summarises the referral process.

Initial Assessment

- 4.6 Children’s Social Care Services will conduct an initial assessment to decide whether:
- Arrangements for the child have been made by her/his parents/
 - There are grounds to accommodate the child
 - The child is in need of immediate protection
 - A Section 47 Enquiry (Child Protection Enquiry) should be initiated
- If it is believed that the child may have been trafficked this assessment may be very brief and a Section 47 Enquiry should be commenced
- 4.7 At no stage of this process should the adult purporting to be the child’s parent, sponsor or carer be present at interviews with the child, or at meetings to discuss future actions. In undertaking this assessment and all subsequent work with the child, a suitable interpreter must be provided.
- 4.8 Flowchart 2 on page 20 sets out what happens following the Initial Assessment.

Immediate Protection

- 4.9 If there is a risk to the life of the child or a likelihood of serious immediate harm Children's Social Care and the Police will take emergency action to secure their safety prior to pursuing Section 47 Enquiries. Immediate action to secure the child's safety could be on a voluntary basis, following an Emergency Protection Order, or following the use of police powers.
- 4.10 Flow Chart 3 on page 21 sets out the steps in taking urgent action to safeguard children who may have been trafficked.

Specific action during an Initial Assessment

- 4.11 The initial assessment should be led by a qualified and experienced social worker. It should be carefully planned, with clarity about who is doing what, as well as when and what information is to be shared with the parents. The planning process and decisions about the timing of the different assessment activities should be undertaken in collaboration with all those involved with the child and family. The process of initial assessment should involve:
- seeing and speaking to the child (according to their age and understanding) and family members as appropriate
 - drawing together and analysing available information from a range of sources (including existing records); and
 - involving and obtaining relevant information from professionals and others in contact with the child and family.
- 4.12 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, LA 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 0 11 531772 1 or the FCO website www.fco.gov.uk)
- 4.13 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.
- 4.14 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.
- 4.15 Immigration staff will be able to provide a clear explanation of the immigration process, different forms of documents and leave to enter the UK and an opinion on the validity of a document.
- 4.16 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 co-ordinate the immigration processes with the child's protection plan.

Decision to interview as part of S47 Enquiries

- 4.17 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 enquiries may involve the CAIU, other Police Officers, the UKBA and Social Care as required. See Flowchart 4 on page 22.
- 4.18 The strategy meeting must:
- Share information – this will involve UKBA, the police, local authority children's social care and any other relevant professionals.
 - Develop a strategy for making enquiries into the child's circumstances, including consideration of a video interview.
 - Develop a plan for the child's immediate protection, including the supervision and monitoring of arrangements (for looked after children this will form part of the care plan).
 - Agree what information can be given about the child to any enquirers.
 - Agree what support the child requires.
- 4.19 If the child is being sexually exploited, guidance on "Child Sexual Exploitation" must be followed. It may also be helpful to refer to the section on "Safeguarding Children From Abroad."
- 4.20 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. It is important that social workers bear in mind that immigration processes and s47 Investigations are separate.

- 4.21 Where it is decided that the family should be visited and interviewed, standard social work practice should be followed. The child should be seen alone, preferably in a safe environment. The social worker should ensure that the carers are not in proximity. Under no circumstances should the child and their family members or carers be interviewed together. Children will usually stick to their account and not speak until they feel comfortable. Professional interpreters, who have been approved and CRB checked, 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. Every child should be given ample opportunity to disclose any worries away from the presence of the sponsor.
- 4.22 The interview should focus on the following areas:
- family composition, brothers, sisters, ages;
 - parents' employment;
 - tasks done around the house;
 - length of time in this country;
 - where they lived in their country of origin;
 - where they went to school in their country of origin;
 - who cared for them in their country of origin;
 - where they went to school in UK and
 - who has cared for them in UK.
- 4.23 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.
- 4.24 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 the child may have been trafficked.
- 4.25 The interview should be conducted as fully as possible to ensure accuracy and to avoid intrusion into the family for a longer period than is absolutely necessary.
- 4.26 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. See Flowchart 5 on page 23 for information about the process to be followed following a Child Protection Conference.

- 4.27 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 relating to ~~for~~ immigration status.
- 4.28 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

- 4.29 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.
- 4.30 Children and Young People will also need:
- practitioners to be informed and competent in matters relating to trafficking and exploitation;
 - 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 an application for an interim care order.
- 4.31 Practitioners should:
- consider interviewing children in school as they may feel more able to talk;
 - ensure that carers are not in the proximity; and
 - ensure that interpreters are agency approved and are CRB checked.
- Provide the child with a leaflet about their services and provide a telephone number that a child can ring in case they find themselves in danger (many children go missing and may be in need of a number to ring.)

Supporting Child Witnesses

- 4.32 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. Like victims of domestic abuse, 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, having entered the UK illegally. 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 providing information or testifying in court against a trafficker. Children should be allowed plenty of time to reflect on the information they wish to disclose.

Returning Trafficked Children to their Country of Origin

- 4.33 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. This will be done by the child's lawyer and information considered by UKBA.
- 4.34 If the child does not qualify for asylum or humanitarian protection or any form of discretionary leave, 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.
- 4.35 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).

5. PARTICULARLY VULNERABLE GROUPS OF CHILDREN

Private Fostering

- 5.1 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 by the Act as grandparents, brother, sister, uncle or aunt whether of the full blood or half blood or by marriage or civil partnership or step-parent).

- 5.2 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.
- 5.3 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 arrangements 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. Paragraphs 3.1 – 0.3 (above) on identification should help. 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.
- 5.4 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 the local authority children's social care, as set out in paragraph 4.2 above.
- 5.5 Local authorities have the following statutory duties in relation to private fostering:
- To identify private fostering arrangements;
 - To visit the home and assess the suitability of the arrangement in terms of the child's welfare; and
 - To visit the child regularly, and monitor and keep records of the placement.

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

- 5.6 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

- 5.7 Where a young person, such as, for example, a 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. Like other looked after children, a UASC must have a care plan (which becomes the pathway plan when they are aged 16+ and are entitled to care leaving support) based on a thorough needs assessment outlining how the local authority proposes to meet their needs. A trafficked child may, on occasion, be the subject of a care order.

5.8 For children who have been trafficked the following additional factors should be built into the assessment of need and inform the care plan:

- 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.
- Assessing the risks of further exploitation by others.

5.9 This 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.

5.10 Needs assessments and related risk assessments should be sensitively managed and allow for children to be in a safe place before they begin. It may take some time before children, or their families, are able to disclose full information as they or their family may have been intimidated by traffickers. 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. The Social Worker should immediately pass to the Police any information concerning risks to the child's safety.

5.11 Where adults present in this country 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.

5.12 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 re-uniting 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 prior to reunification – 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. Only if the supervising manager is satisfied that all agencies have completed satisfactory identification checks and risk assessments can the child transfer to their care.

- 5.13 It is important that no assumptions are made about a child or young people's language skills and assessments can call on the services of impartial interpreters with the necessary competences in responding to children.
- 5.14 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 Appendix 1 for FCO contact details. Caution will need to be exercised in case a parent has knowingly sold their child to a trafficker.

Missing children

- 5.15 There is evidence that significant numbers of Unaccompanied Asylum Seeking Children (UASC) have also been trafficked and that many of them go missing (back to the traffickers) before being properly identified. It should never be assumed that the child has gone missing solely to avoid immigration procedures. Such children should always be reported to the Police as a matter of urgency. Practitioners should refer to their LSCB Missing Children guidance.
- 5.16 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, where appropriate, the "case owner" in the UKBA. Where there are concerns that a trafficked child has been moved to elsewhere in the country away from their care placement, then it may be desirable to contact the Missing People Helpline:
- <http://www.missingpeople.org.uk/>
- 5.17 Missing People have a team that offers support to local authorities when young people in their care go missing and this service can advise on issues such as contact with other police forces and national publicity.
- 5.18 Any child who goes missing should be reported to the Police as a matter of urgency and the UKBA must also be notified. When the child is looked after the procedure for children missing from care must be followed.
- 5.19 When the police receive the notification of a missing child they should follow the following guidance: The Management, Recording and Investigation of

Missing Persons

(www.acpo.police.uk/asp/policies/Data/missing_persons_2005_24x02x05.pdf)

5.20 The guidance sets out that:

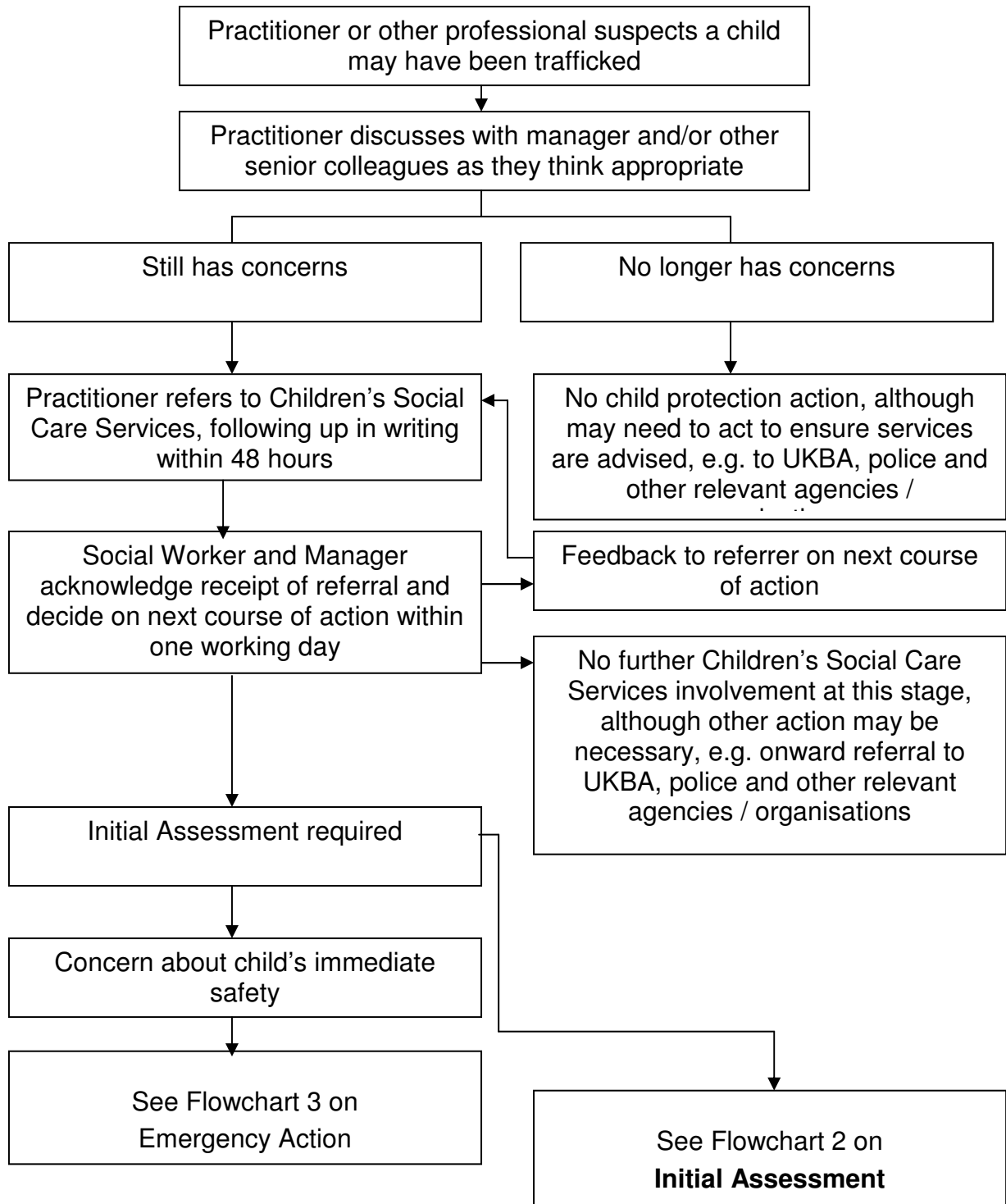
- every missing persons report should be assessed to identify the level of risk (high, medium or low) to the missing person;
- the response should be appropriate to the level of risk;
- the risk assessment should be continuously reviewed; and
- children who go missing from care are vulnerable and the level of risk does not diminish because of frequency of absence.

5.21 Where missing children come to the attention of local authority children's services or the police, a 24 hour enquiry service available from the UKHTC may help in providing guidance. Additionally, to help social workers, police and other practitioners better assist children whom they suspect may have been trafficked, the NSPCC Child Trafficking Advice and Information Help Line (0800 47 7057) can offer support.

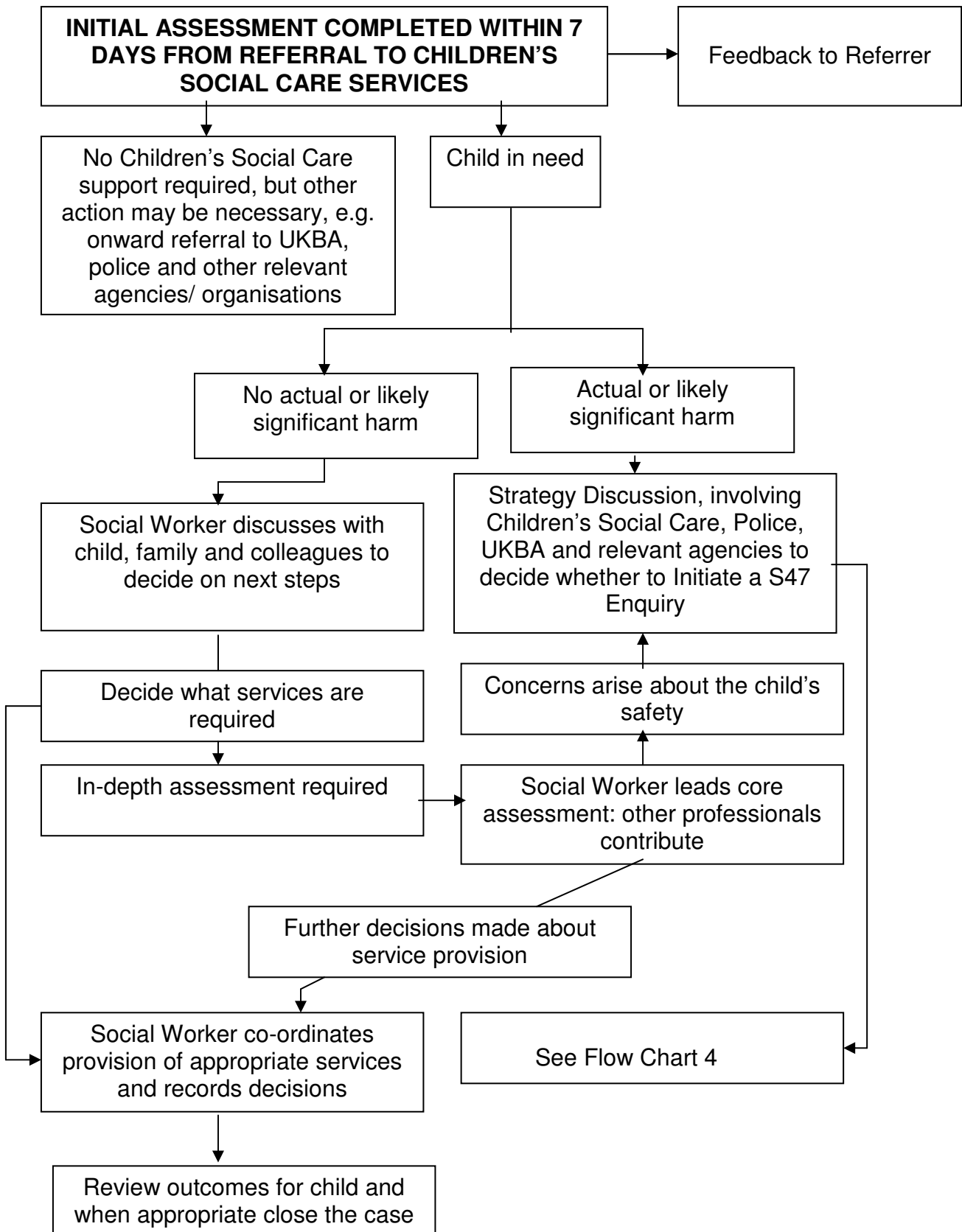
Intercountry adoption

5.22 As noted in paragraph 3.3 above, in some instances children may be trafficked for the purposes of adoption outside their country of origin. The UK Government allows intercountry adoption to take place if it is in the child's best interests and in accordance with the principles of international law, and where safeguards and standards equivalent to those which apply in domestic adoption are applied to protect the welfare of the child. At no point should profit be made from the process. Practitioners who suspect that a child may have been trafficked for purposes of adoption should follow Paragraphs 4.1 – 4.36 above and refer to the Police.

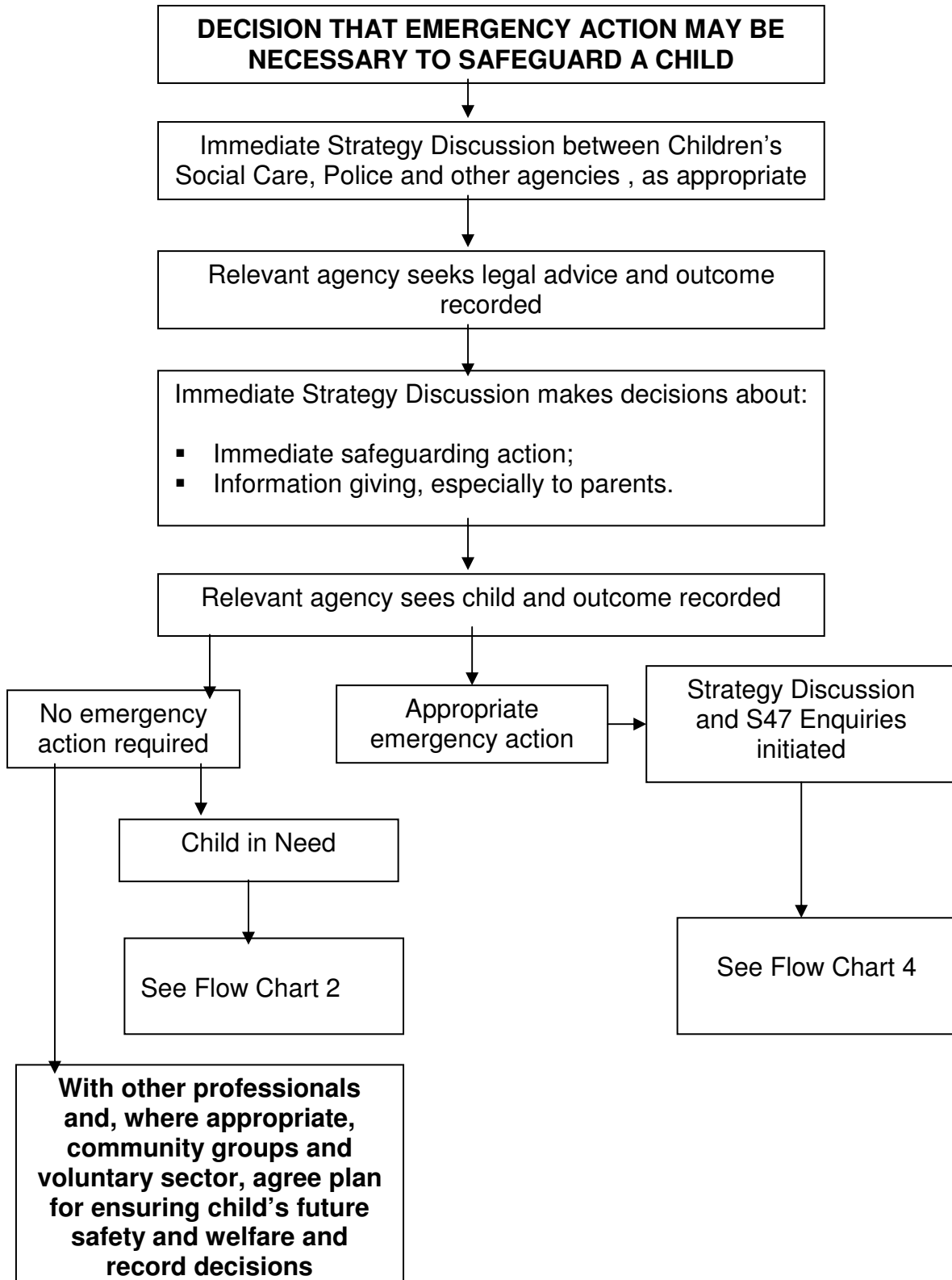
FLOWCHART 1 – MAKING A REFERRAL



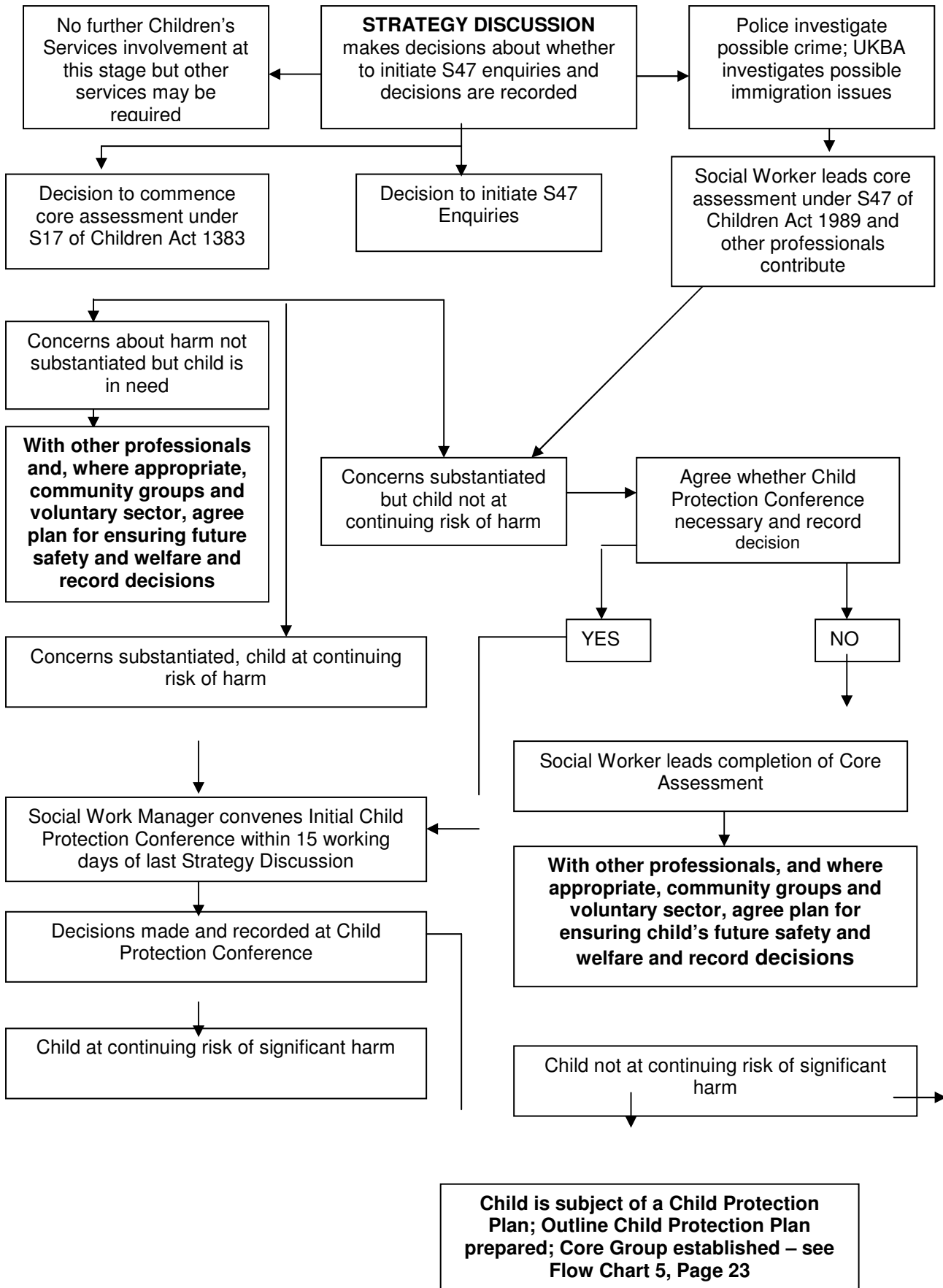
FLOWCHART 2 – WHAT HAPPENS FOLLOWING INITIAL ASSESSMENT



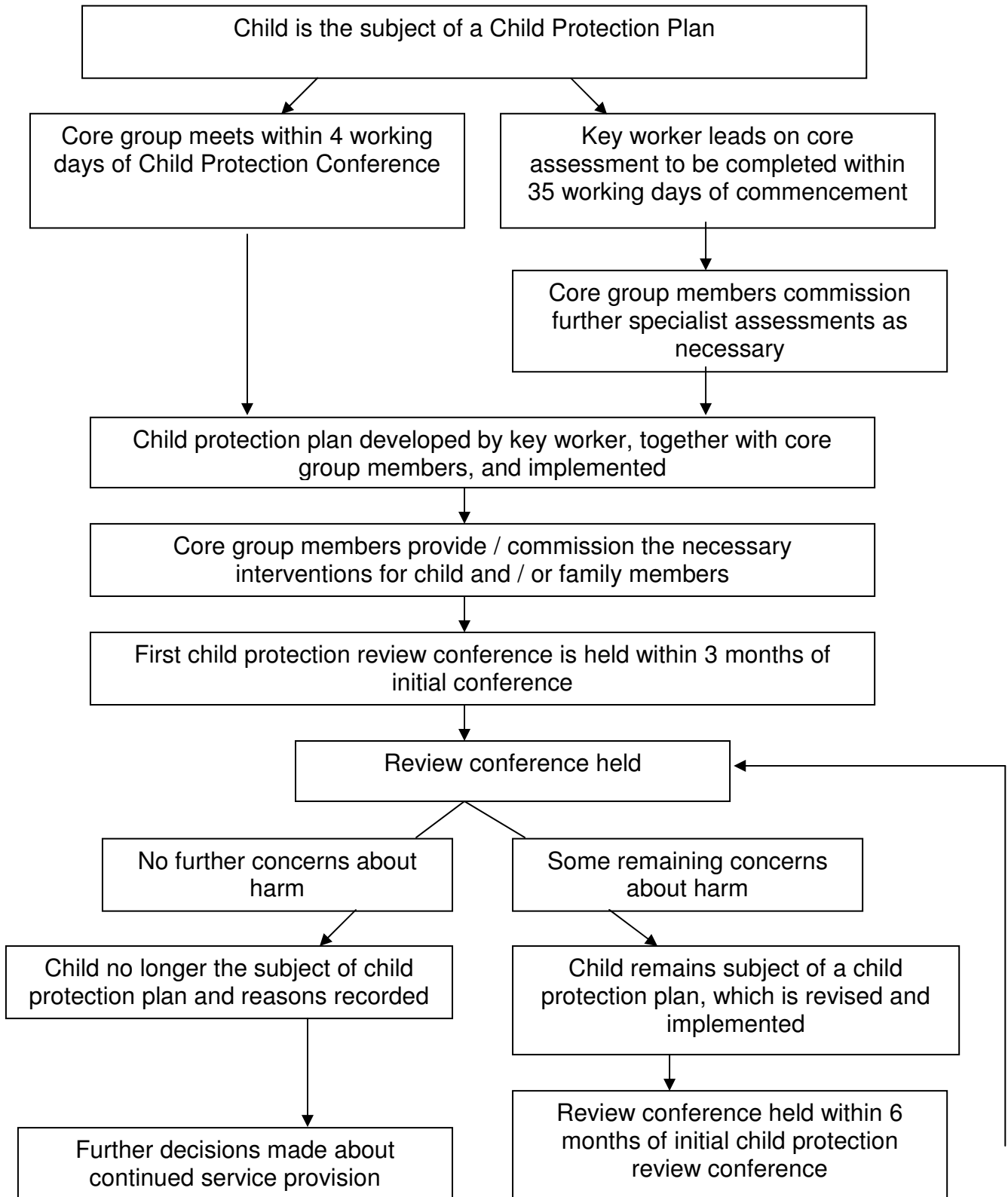
FLOWCHART 3 - URGENT ACTION TO SAFEGUARD A CHILD WHO MAY HAVE BEEN TRAFFICKED



FLOW CHART 4 – WHAT HAPPENS AFTER THE STRATEGY DISCUSSION



**FLOW CHART 5
WHAT HAPPENS AFTER THE CHILD
PROTECTION CONFERENCE INCLUDING THE
REVIEW PROCESS**



6. WHY PEOPLE TRAFFICK CHILDREN

6.1 Most children are trafficked and exploited for financial and material gain. This can take the form of payment from or to the child's parents and, in most cases, the trafficker also receives payment from those wanting to exploit the child once in the UK. Other adults who might receive payments for the trafficking of a child include recruiters, document providers, transporters, corrupt officials and employers.

Some trafficking is by organised gangs, in other cases individual adults or agents traffic children to the UK for their own personal gain. Children may be used for:

- Sexual exploitation
- Domestic servitude
- Sweatshop and restaurant work,
- Drug dealing
- Credit card fraud
- Begging or pick pocketing
- Benefit fraud
- Drug mules, drug dealing or decoys for adult drug traffickers
- Agricultural labour, including tending plants in illegal cannabis production
- Illegal inter-country adoption.
- Forced Marriage.
- Forced organ donation.

6.2 Younger children are often trafficked to become beggars and thieves or for benefit fraud. Teenagers are often trafficked for domestic servitude or sexual exploitation (see guidance on investigations into child sexual exploitation). Patterns of trafficking do change and it is important not to use these trends to make assumptions about a specific case.

6.3 Those involved in facilitating illegal inter-country adoption may deceive the authorities responsible for the adoption process. They often benefit from significant financial gain through payments by prospective adopters who may be unaware of the true circumstances of a child's availability for adoption. This can include payment, coercion or the deception of birth parents into relinquishing a child as well as abducting children. Practitioners who suspect that a child may have been trafficked for the purposes of adoption should notify the police and should refer to the Statutory Guidance for the Adoption and Children Act 2002 for further information.

7. WHY IS TRAFFICKING POSSIBLE?

7.1 Factors in their own country which may make children vulnerable to trafficking include:

- Poverty: in general, this is the root cause of vulnerability to exploitation. The recruiter's promises of work/income is seen by families as a possible escape route from impoverished circumstances. At the very least a child's departure means one less mouth to feed.
- Lack of education: attendance at school has proven to be a key means of protecting children from all forms of exploitation, including trafficking. Traffickers promise education for children whose parents cannot afford to pay school fees or where schools are difficult to access or are of poor quality.
- Discrimination: this can be based both on gender and ethnicity. In some cultures girls' access to education is limited. Girls may be expected to take on additional domestic tasks at a young age for the benefit of the family. In some cultures girls are expected to marry at a very young age, compounding gender inequalities (for some families, marriage itself may be too expensive and other options for girls may be limited). Many trafficking victims are from minority communities who are socially discriminated against and disadvantaged in their own country.
- Cultural attitudes: traditional cultural attitudes can mean that some children are more vulnerable to trafficking than others. In some cultures the rights of children are ignored and they are seen as commodities to be traded. In some countries it is the custom for children to work as domestic servants in households. It is, therefore, possible that a child is taken abroad by a relative, or someone claiming to be a relative, to work as a domestic servant. Sometimes the child, or the family of the child, is promised an education and a better life.
- Grooming: children are sometimes trafficked out of their country of origin after having been groomed for purposes of exploitation. There have also been cases of girls born in the UK who have been trafficked between towns and cities, after being groomed by men known to them for the ultimate aim of exploiting them sexually.
- Dysfunctional families: children may choose to leave home as a result of domestic abuse and neglect, or they may be forced to leave home for a variety of reasons. They then become vulnerable to trafficking, particularly if they become destitute or homeless.
- Political conflict and economic transition: these often lead to movements of large numbers of people and the erosion of economic and social protection mechanisms, leaving children vulnerable.
- Inadequate local laws and regulations: trafficking involves many different events, processes and legislation has been slow to keep pace. Most countries have legislation against exploitative child labour, but not all have laws specifically against trafficking. Even where there is appropriate legislation, enforcement is often hampered by lack of prioritisation, corruption and ignorance of the law.

- Lack of a responsible adult to provide protection: some children may lose their parents during conflict or as a result of natural disasters (earthquake, tsunami, etc) and can thus become very vulnerable to adults who seek to exploit them.

7.2 Whilst there is demand for children in the UK, trafficking will continue to be a problem.

8. HOW CHILDREN ARE RECRUITED AND CONTROLLED

8.1 Traffickers are known to recruit their victims using a variety of methods. Some children are subject to coercion, which could take the form of abduction or kidnapping. However, the majority of children are trapped in subversive ways. For example:

- Children are promised education or respectable work – as in restaurants, domestic servants, etc.
- Parents are persuaded that their children will have a better life elsewhere.

8.2 Many children travel on false documents and for those who do not, the traffickers usually destroy their identification papers.

8.3 Even before they travel children may be subjected to various forms of abuse and exploitation to ensure that the trafficker's control over the child continues after the child is transferred to someone else's care. Such forms of abuse have manifested as:

- Confiscation of the child's identity documents.
- Threats of reporting the child to the authorities.
- Violence, or threats of violence, towards the child.
- Threats of violence towards members of the young person's family.
- Keeping the child socially isolated.
- Keeping the young person locked up.
- Telling some children that they owe large sums of money, e.g. for their air fares, accommodation and food, and that they must work to pay this off – however they never earn enough to do this.
- Depriving the child of money.
- Voodoo or witchcraft, which may be used to frighten children into thinking that if they tell anyone about the traffickers, they and their families will die.

8.4 The trafficker may have duped the child and their parents into believing they are coming to the UK for a better life and therefore not have abused them physically or emotionally at this stage of the process. 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 to do so would be to risk certain deportation.

- 8.5 Identifying these children at ports of entry will be extremely difficult as there may be no obvious signs of distress. They are unlikely to see themselves as being at risk of harm from the trafficker. Depriving children of their true identity, controlling their contact with their parents and involving them in immigration crimes give the traffickers strong and enduring control over child victims.
- 8.6 Where cases of internal trafficking have come to light within the UK, the victims are usually girls who have been befriended by young men and lured into prostitution (see guidance on investigating cases of sexual exploitation). Evidence gathered from families by the Coalition for the Removal of Pimping (CROP) suggests that some girls are lured into prostitution by initially being befriended by a boy known to them or introduced to an 'attractive' older boy. The girls are flattered and subtly coaxed into spending more time with their boyfriend and begin taking time off school and staying away from home. The girl's confidence is gained as she is groomed non-coercively by receiving gifts, experiencing an expensive lifestyle and indulging in alcohol and drug use.
- 8.7 Others girls may be groomed coercively by being forced to comply with their boyfriend's demands. The girl eventually succumbs to sexual exploitation by older men or by a network of perpetrators or by a pimp. At this stage some of the girls may have developed addictions to drugs or alcohol and be held ransom unless they have sex with more men. Whilst the girls are sexually exploited they may be trafficked from one location to another to make it difficult for them to escape.

9. HOW CHILDREN ARE BROUGHT TO THE UK.

- 9.1 Children enter the UK in two key ways: accompanied by adult/s or as unaccompanied minors.
- 9.2 There are three phases in the trafficking process:
- recruitment
 - transit
 - destination
- 9.3 The traffickers might be part of a well organised criminal network, or they might be individuals helping out in only one of the various stages of the operation, such as the provision of false documentation, transport, or places where the child's presence can be concealed.
- 9.4 Any "ports of entry" into the UK might be used by traffickers. There is evidence that some children are trafficked via numerous transit countries and many may cross the European Union border before arriving in the UK. For example there are documented cases of African and Chinese girls being trafficked into the UK via Italy. There is also evidence that the UK has been used as a transit country for girls trafficked into the sex industry in Italy and Canada.

- 9.5 Recent experience suggests that, as checks have improved at the larger ports of entry such as Heathrow and Gatwick airports, traffickers are starting to use smaller ports, as well as other regional airports. Traffickers are also known to use the Eurostar rail service and ferries to UK sea ports.

Accompanied children

- 9.6 There are many legitimate reasons for children being brought to the UK, such as, education, re-unification with family or fleeing a war-torn country. Some children will have travelled with their parents or carers.
- 9.7 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 or even an absence of any knowledge of the sponsor. There may be unsatisfactory accommodation arranged 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.
- 9.8 To curb illegal migration and improve children's safeguards, new global visa regulations were introduced in February 2006. A photograph of the child is now required on the visa, together with the passport number of the adult/s who have been given permission to travel with the child.
- 9.9 Some accompanied children may apply for asylum claiming to be unaccompanied, after being told by their trafficker that by doing so they will be legally granted temporary permission to reside in the UK and be entitled to claim welfare benefits.

Unaccompanied children

- 9.10 More is known about the 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, and this can apply to accompanied children as well..
- 9.11 If the child is unaccompanied and not travelling to be with 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 the relevant local authority children's services by the UK Border Agency (for further guidance see Safeguarding Children From Abroad section of this manual).
- 9.12 Some groups of children will avoid contact with authorities as instructed by their traffickers. In other cases the traffickers insist that the child applies for asylum because this gives the child the legitimate right of temporary "leave to remain" in the UK.

- 9.13 It is suspected that significant numbers of children are referred to local authority children's social care after applying for asylum, and some even register at school for up to a term, before disappearing again. It is thought that they are trafficked internally within the UK, or out of the UK to other European countries.

10. INTERNAL TRAFFICKING

- 10.1 There is increasing evidence that children (both of UK and other citizenship) are being trafficked internally within the UK. This guidance focuses mainly on trafficking from abroad. However, some of the potential impacts on children and young people (paragraphs 8.1 to 8.2 below) are the same. The list of indicators contained in paragraph 3.3 below will help practitioners where there are concerns that a child may have been trafficked internally.
- 10.2 There are documented cases of teenage girls born in the UK being targeted for internal trafficking between towns and cities for sexual exploitation. Such cases are highlighted by Coalition for the Removal of Pimping (CROP) in its paper, Trafficking in Our Midst (Annual Review 2005/06) (<http://www.crop1.org.uk/>). It describes how girls have been lured away from their families to perform sexual acts with groups of older men and threatened with violence if they refuse. The traffickers exerted strong control over the girls who had no means of communicating with family or friends and often had no idea where they were in the UK. The girls complied with the sexual demands to avoid being further assaulted or their family or friends threatened.
- 10.3 The United Kingdom Human Trafficking Centre (UKHTC) (<http://www.ukhtc.org/>) is currently compiling evidence of such cases and this will help to build a better understanding of the nature and spread of internal trafficking of children across the UK. Whilst evidence so far relates to girls, there may be cases of boys being trafficked within the UK.

11. THE IMPACT OF TRAFFICKING ON CHILDREN

- 11.1 Trafficked children are not only deprived of their rights to healthcare and freedom from exploitation, abuse and all forms of violence – they are usually also deprived of their right to an education and the life opportunities this brings. They are in practice denied a childhood. 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.
- 11.2 At the time they are found, trafficked children may not show any obvious signs of distress or imminent harm. However, once children have been trafficked and exploited, they are vulnerable to the following:

Physical harm

This can include:

- Sexually transmitted diseases.

- Beatings and inappropriate chastisement;
- Being subdued with drugs, on which victims then become dependent, thus becoming trapped within the cycle of exploitation;
- The development of alcohol addictions; and
- Physical disorders such as skin diseases, migraine, backache.
- Some forms of harm might be linked to a belief in spirit possession.

Emotional and Psychological harm

- Some kind of emotional abuse is involved in all types of maltreatment of a child, including trafficking. They 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 at all; and
 - isolated from the local community in the UK by being kept away from school and because they cannot speak English.
- They may:
 - 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, and sometimes 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.
- All children who have been exploited are likely to suffer some form of mental harm, usually the longer the exploitation, the more mental health problems that will be experienced. These can include:
 - psychological distress owing to their sense of powerlessness. In many cases involving violence and deprivation at the hands of their traffickers, which can be extreme, 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; and
- 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.

Sexual Abuse

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 an unwanted early pregnancy and possible damage to their sexual and reproductive health. Rape and other forms of sexual abuse can result in ongoing emotional and physical health problems.

Neglect

Trafficked children may also suffer neglect. In particular, they may not receive routine and emergency medical attention (partly through a lack of care 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 and are likely to be kept in isolation. They will have limited or no opportunities to socialise with other children.

12. FURTHER ADVICE AND INFORMATION

UK Human Trafficking Centre (UKHTC)

- 12.1 The UKHTC (<http://www.ukhtc.org/>) was established in October 2006, following a proposal from ACPO. It 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 aims to improve and co-ordinate the law enforcement response to human trafficking, working closely with its partners in delivering a diverse set of programmes. A number of these will be targeted campaigns on preventing and reducing human trafficking and improving knowledge and understanding of the problem through best practice and training. A key element in the Centre's approach to preventing and reducing human trafficking is to ensure that victims are adequately safeguarded and protected from harm. As part of this victim support approach, the UKHTC can provide practitioners with information on accommodation provision for those victims who are 18 and over. This may be relevant if the young person is age disputed and is being treated as an adult.

Child Exploitation and Online Protection Centre (CEOP)

- 12.2 The Government established CEOP April 2006 to protect children from sexual exploitation originating from the internet. It adopts a child-centred approach to all areas of its business and has a dedicated child trafficking unit. CEOP works closely with the Serious Organised Crime Agency (SOCA), ACPO, the UKHTC, the UKBA and relevant statutory and non-statutory stakeholders on all issues relating to child trafficking. Part of the work of the child trafficking unit within CEOP is to draw on examples of best practice to develop guidance for law enforcement around the identification of victims of child trafficking.
- 12.3 Full information on all areas of work as well as online safety messages and access to online reporting can be found at www.ceop.gov.uk or for children at www.thinkuknow.co.uk.

NSPCC Child Trafficking Advice and Information Line (0800 47 7057)

- 12.4 The Advice Line offers direct assistance to professionals in statutory and non-statutory services responsible for children who show signs of having been trafficked and will offer advice on how their needs can be addressed. It also offers guidance by telephone and a case consultancy service by appointment.

Refugee Council Children's Panel

- 12.5 The Refugee Council Children's Panel comprises over 35 advisers who travel all over the country to support unaccompanied asylum-seeking children. The Panel offers 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.
- 12.6 The support provided by the advisers 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 nonstatutory service providers; and
 - accompanying children to appointments with GPs, hospitals, local authority children's social care or other agencies.
 - Support to practitioners who are working with the child.

The "Trafficking Toolkit"

- 12.7 This is available at www.crimereduction.gov.uk/toolkits/ and is recommended to all practitioners.

ECPAT UK

- 12.8 ECPAT UK (<http://www.ecpat.org.uk/>) - End Child Pornography, Child Prostitution and Trafficking of Children for Sexual Exploitation - is a leading children's rights organisation and coalition of children's charities including, Anti-Slavery International, Barnardo's, Jubilee Campaign, NSPCC, Save the Children, World Vision UK, The Body Shop Foundation, The Children's Society and UNICEF UK.

ECPAT UK provides a comprehensive training programme for practitioners on child trafficking based on its current research and campaign work. Up to date resources and fact sheets on key practice areas in child trafficking can be found on their website.

CROP

- 12.9 Information from the Coalition for the Removal of Pimping (CROP) can be found at (<http://www.crop1.org.uk/>). CROP is dedicated to combating sexual exploitation. It supports affected parents (especially through its Parent Support Unit) and presses for multi-agency intervention and the effective use of legislation to target pimps. CROP is currently undertaking research with the UKHTC on internal trafficking.

12.10 AFRUCA

AFRUCA stands for Africans Unite Against Child Abuse. AFRUCA is an organisation concerned about cruelty against the African child. It is the premier organisation promoting the welfare of African children in the UK and has experience and knowledge of the trafficking of African children in the UK. For more information please see their website: www.afruca.org.uk

Voluntary Sector Organisations

- 12.11 Contact details of organisations who have particular experience of child trafficking are included in Appendix 1.

Working Together – Safeguarding children who may have been trafficked (2007)

A copy of the guidance can be found at http://publications.everychildmatters.gov.uk/eOrderingDownload/DCSF_Child%20Trafficking.pdf

Appendix 1: Useful UK Contacts

1. United Kingdom Human Trafficking Centre - 0114 252 3831
www.ukhtc.org
2. NSPCC Child Trafficking Advice and Information Help Line - 0800 47 7057.
3. United Kingdom Border Agency (UKBA) – Midlands and East Region – 0121 713
4. Children’s Legal Centre - www.childrenslegalcentre.com
5. Details of the appropriate consulate or embassy in London can be found in the London Diplomatic List (ISBN 0 11 531772 1), available from the Government Stationary Office – Tel: 0870 600 5522. Or on the website – www.fco.gov.uk
6. International Social Services of the UK, Cranmer House, 3rd Floor, 33 Brixton Road, London SW3 6DD. Tel: 020 7735 8341/4. Fax: 020 7582 0636.
www.issuk.org.uk.
7. Foreign and Commonwealth Office - Tel: 020 7008 1500. www.fco.gov.uk.
8. CEOP (Child Exploitation Online Protection Centre), 33 Vauxhall Bridge Road, London, SW1V 2WG. Tel: 020 7238 2320/2307. www.ceop.gov.uk
3. ECPACT UK (End Child Prostitution, Pornography and Child Trafficking) Grosvenor Gardens House, 35 – 37 Grosvenor Gardens, London, SW1W OBS
Tel: 020 7233 3887. www.ecpat.org.uk or info@ecpat.org.uk
4. UNICEF, Africa House, 64 – 78 Kingsway, London, WC2B 6NB
Tel: 020 7405 5532. info@unicef.org.uk.
11. Afruca (Africans Unite Against Child Abuse), Unit 3D/F Leroy House, 436 Essex Road, London N1 3QP. Tel: 020 7704 2261. www.afruca.org
12. Childwatch, 13 Springbank, Hull, East Yorkshire, HU3 1AF.
Tel. 01482 325 552. Fax. 01482 585 214. www.childwatch.org.uk.
13. Coalition for the Removal of Pimping (CROP), 34 York Road, Leeds, LS38TA.
Tel: 0113 240 3040. Email: info@cropuk.org.uk. (<http://www.crop1.org.uk/>).

A list of worldwide organisations concerned with children's welfare is available at at:

www.nspcc.org.uk/Inform/OnlineResources/CH_Resources.asp_ifega26416.html

Appendix 2 : Policy and Legislation

1. INTERNATIONAL

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

- 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) and 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. The Protocol defines trafficking as:

‘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 [elsewhere in the Palermo Protocol]’

2. UK LEGISLATION

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

- The Children Act 1989
- The Children Act 2004
- The Nationality, Immigration and Asylum Act 2002 (see below)
- The Sexual Offences Act 2003
- The Asylum and Immigration (Treatment of Claimants etc) Act 2004 (see below)

- The Adoption and Children Act 2002
- Working Together to Safeguarding Children (2006)
- What to do if you're worried a child is being abused (2006)
- Safeguarding Children Involved in Prostitution (2006) (currently being revised)
- Safeguarding Children who may have been Trafficked (2007)
- The UK Action Plan on Human Trafficking (2007)
- UK Borders Act 2007

Parental Responsibility

- 2.2 The Children Act 1989 introduced the concept of 'parental responsibility', which means all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property. This legal framework provides the starting point for considering who has established rights, responsibility and duties towards a child.
- 2.3 A child whose parents' whereabouts are not known has no access to parents for consent when making important choices about their life. Whilst the parents still have parental responsibility, they have no way of exercising it.
- 2.4 Children who do not have someone with parental responsibility caring for them can still attend schools, which are normally pragmatic in allowing the carer to make most decisions normally made by the parent.
- 2.5 A child in this position is entitled to health care and has a right to be registered with a GP. If there are difficulties in accessing a GP, the local Patient's Services will assist. Emergency life-saving treatment will be given if required, however, should the child need medical treatment such as surgery or invasive treatment in a non life-threatening situation, the need for consent would become an issue and legal advice would be required.
- 2.6 A main route for a carer to obtain parental responsibility is through obtaining a Residence Order. However, an adult whose immigration status is unresolved cannot apply for a Residence Order.
- 2.7 See [Appendix "D"](#) in Part "D" of this manual for further information about the statutory framework for working with children.

Nationality, Immigration and Asylum Act 2002, Section 54

- 2.8 Section 54 is intended to discourage the concept of 'benefit shopping' within Europe. It is retrospective and applies to anyone who comes within the categories set out below. This is not dependent on the length of time they have been in the UK.

The Act has the effect of preventing local authorities from providing support under certain provisions, including section 21 of the National Assistance Act and section 17 of the Children Act (1989) to:

- Those with refugee status in another European Economic Area state.
- Persons unlawfully present in the UK who are not asylum seekers, including those who have overstayed visa entry limit and those without confirmation of leave to remain.
- Failed asylum seekers who refuse to co-operate with removal directions.

The Act does not, however, prevent the provision of support to children, or the exercise of a power or the performance of a duty to prevent a breach of the European Convention on Human Rights or rights under the European Community treaties.

Nationality, Immigration and Asylum Act 2002, Section 55

2.3 Section 55 applies to those who have made or are intending to make an asylum claim in the UK. It prevents the UK Border Agency from providing asylum support, and local authorities from providing certain support, unless the Secretary of State is satisfied that the person applied for asylum as soon as reasonably practicable after arrival in the UK. The section does not prevent the provision of asylum support to families with dependent children, nor does it prevent the provision of support by the Secretary of State (via UKBA) to prevent a breach of human rights.

2.4 Section 55 does not apply to unaccompanied minors.

2.11 Families with minor dependents and vulnerable cases who have not yet officially lodged an asylum claim can be offered assistance with accommodation (usually overnight) and travel to a UKBA Asylum Screening Unit by social services in order to register the claim with the Home Office. Family can then access asylum support via the voluntary grant funded One Stop Service once UKBA has accepted the claim and provided written confirmation of this.

The Sexual Offences Act 2003

2.12 The Sexual Offences Act 2003, which came into force on 1st 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 and the Asylum and Immigration (Treatment of Claimants, etc.) Act. In addition, the Sexual Offences Act 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 7 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.

- 2.13 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.

UK Borders Act 2007

- 2.14 Section 21 of the UK Borders Act 2007 provides that the Secretary of State shall issue a Code of Practice designed to ensure that, in exercising its functions in the United Kingdom, the UK Border Agency takes appropriate steps to ensure that children are kept safe from harm.
- 2.15 Section 31 of the UK Borders Act 2007 enhances trafficking legislation in two ways. Firstly it ensures that acts of trafficking aimed at the UK and carried out overseas, irrespective of the nationality of the offender, will be liable to prosecution. Secondly, it 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 will be liable to prosecution (for example, providing a child with a false passport after they have disembarked from the aircraft).