



Staffordshire & Stoke-on-Trent Safeguarding Children Boards

Section 4Kb/F03b

Trafficked Children Toolkit

Contents

Part One

Tools to assist in the identification and assessment of trafficked children

1a) The assessment framework for trafficked children.....	3
1b) Risk assessment matrix for children who may have been trafficked.....	4
1c) Quick referral flowchart	7
1d) Flowchart for safeguarding a trafficked child.....	8
1e) Child trafficking referral checklist	9

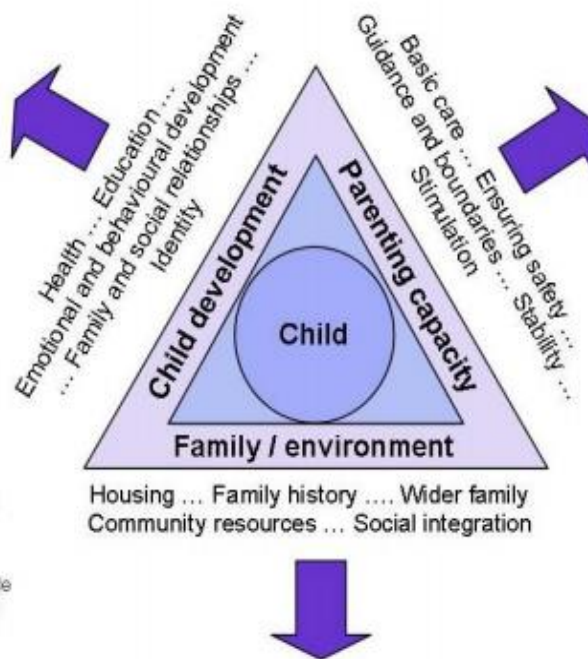
Part Two

Additional information and guidance for professionals

2a) Summary of relevant policy and legislation	10
2b) Role of specific agencies and services	16
2c) Glossary and acronyms	26

1a) The assessment framework for trafficked children

- Returning after missing, looking well cared for despite no known base
- Claims to have been in UK for years but hasn't learnt local language or culture
- Claims to have been exploited through sexual exploitation, criminality, labour exploitation, domestic servitude, drug dealing by another person.
- Physical symptoms of exploitative abuse (sexual, physical etc)
- Underage marriage
- Sexually transmitted infection or unwanted pregnancy
- Excessively afraid of deportation
- Withdrawn and refuses to talk / appears afraid to talk to a person in authority
- Significantly older boyfriend
- Story very similar to those given by others, perhaps hinting they have been coached
- Malnourished
- Exhibits self assurance, maturity and self confidence not expected in a child of such age
- Evidence of drug, alcohol or substance misuse
- Low self image, low self esteem, self harming behaviour including cutting, overdosing, eating disorder, promiscuity
- Sexually active
- Not registered with or attended a GP practice
- Not enrolled in school
- Has money, expensive clothes, mobile phones or other possessions without plausible explanation



- Unable to confirm name or address of person meeting them on arrival
- Gone missing from local authority care
- Accompanying adult previously made multiple visa applications for other children / acted as the guarantor for other children's visa applications
- Accompanying adult known to have acted as guarantor on visa applications for other visitors who have not returned to their countries of origin on visa expiry
- History with missing links or unexplained moves
- Pattern of street homelessness
- Performs excessive housework chores and rarely leaves the residence
- Involved in criminality highlighting involvement of adults (e.g. recovered from cannabis farm / factory, street crime, petty theft, pick pocketing, begging etc)
- Reports from reliable sources suggest likelihood of sexual exploitation, including being seen in places known to be used for sexual exploitation
- Required to earn a minimum amount of money every day
- Accompanied by an adult who may not be the legal guardian and insists on remaining with the child at all times
- Limited freedom of movement
- Unregistered private fostering arrangement
- Cared for by adult/s who are not their parents and quality of relationship is not good
- Placement breakdown
- Persistently missing, staying out overnight or returning late with no plausible explanation
- Truancy / disengagement with education

- Entering or leaving vehicles driven by unknown adults
- Receives unexplained / unidentified phone calls or letters whilst in placement / temporary accommodation
- Adults loitering outside the child's usual place of residence
- Leaving home / care setting in clothing unusual for the individual child (inappropriate for age, borrowing clothing from older people etc)
- One among a number of unrelated children found at one address
- Having keys to premises other than those known about
- Going missing and being found in areas where they have no known links

- Entered country illegally
- Journey or visa arranged by someone other than themselves or their family
- Registered at multiple addresses
- Located / recovered from a place of exploitation (brothel, cannabis farm, involved in criminality etc)
- Permanently deprived of earnings by another person
- Unable or reluctant to give accommodation or other personal details
- Claims to be in debt bondage or "owes" money to other persons (e.g. for travel costs, before having control over own earnings)
- Works in various locations

- No passport or other means of identity
- Receives unexplained / unidentified phone calls whilst in placement / temporary accommodation
- False documentation or genuine documentation that has been altered or fraudulently obtained; or the child claims that their details (name, DOB) on the documentation are incorrect
- Possible inappropriate use of the internet and forming online relationships, particularly with adults
- Accounts of social activities with no plausible explanation of the source of necessary funding

1b) Risk assessment matrix for children who may have been trafficked

- 1.1 The Risk Assessment Matrix is a tool to assist professionals (the term includes unqualified managers, staff and volunteers) in using the available information to focus their thinking and form the basis for discussion about the risk of harm - through trafficking - to a child. This may include deciding that the available information is not enough to form a sound judgement about the risk.
- 1.2 Professionals who have not had specific training should, wherever possible, complete the Risk Assessment Matrix together with their agency's nominated safeguarding children adviser and/or their local trafficked children lead. The Matrix makes the link with the Framework for the Assessment of Children in Need and their Families (the Assessment framework)¹.
- 1.3 A professional may have a lot or a very little information indicating that a child has been or is being trafficked. The professional should look across the whole matrix and tick the description/s of the incidents / circumstances which correspond best to the information available at the time. This is likely to mean ticking several descriptions.

The incidents / circumstances are arranged in the domains of the risk assessment triangle: child development, parenting capacity and family / environment, for ease of reference (see 1a) Assessment Framework for trafficked children, above).

- 1.4 Each scale has the 2 basic components in the UNHCR (2006) definition of trafficking to assist professionals to think through the information they have about a child:
 - Movement into / within the UK
 - ExploitationPlus control, which is included as a key safeguarding concern, and other risk factors.
- 1.5 If the information known to the professional results in ticks in each of the 2 components of the UNHCR definition, then there may be reasonable grounds to believe that the child is trafficked. It does not matter whether the ticks are across the 3 domains or are all in one (eg child development).
- 1.6 If a professional ticks a descriptor which indicates that a child is at risk of harm (e.g. 'physical symptoms of exploitative abuse' or 'under age marriage'), the professional should make an immediate referral to LA children's social care, in line with the local Child Protection Procedures, regardless of whether the child may be trafficked.
- 1.7 Professionals should always keep in mind the possibility that a piece of information, currently not known, could significantly raise the threshold of risk for a child.

¹ http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4_003256

Child Development

Parenting Capacity

Family/Environment

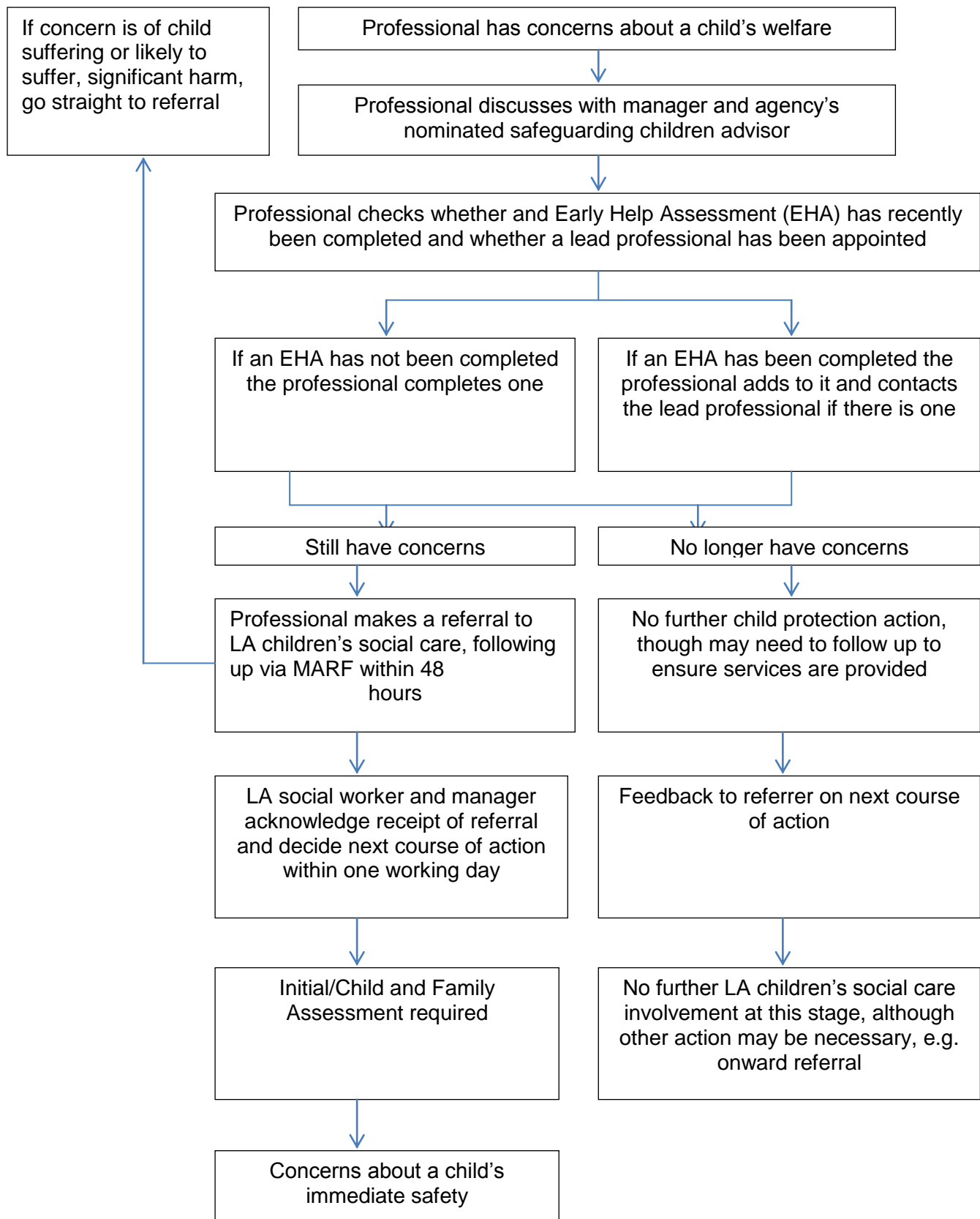
Exploitation	Y	S	Exploitation	Y	S	Exploitation	Y	S
Claims to have been exploited through sexual exploitation, criminality, labour exploitation, domestic servitude			Required to earn a minimum of money every day			Located / recovered from a place of exploitation (brothel, cannabis farm, involved in criminality etc)		
Physical symptoms of exploitative abuse (sexual, physical etc)			Involved in criminality highlighting involvement of adults (eg recovered from cannabis farm/factory, street crime, petty theft pick pocketing, begging etc)			Deprived of earnings by another person		
Underage marriage			Performs excessive housework chores and rarely leaves the residence			Claims to be in debt bondages or "owes" money to other persons (eg for travel costs, before having control over own earnings)		
Physical indications of working (overly tired in school, indications of manual labour – condition of hand/skin, backaches etc)			Reports from reliable sources suggest likelihood of sexual exploitation, including being seen in places known to be used for sexual exploitation			No passport or other means of identity		
Sexually transmitted infection or unwanted pregnancy			Unusual hours/regular patterns of child leaving or returning to placement which indicates probable working			Unable or reluctant to give accommodation or other personal details		
Story very similar to those given by others, perhaps hinting they have been coached			Accompanied by an adult who may not be the legal guardian and insists on remaining with the child at all times			False documentation or genuine documentation that has been altered or fraudulently obtained; or the child claims that their details (name, DOB) on the documentation are incorrect		
Significantly older boyfriend/girlfriend/friends			Limited freedom of movement			Movement into, within or out of the UK	Y	S
Movement into, within or out of the UK	Y	S	Movement into, within or out of the UK	Y	S	Enter country illegally		
Returning after missing, looking well cared for despite no known base			Gone missing from local authority care			Journey or visa arranged by someone other than themselves or their family		
Claims to have been in UK for years but hasn't learnt local language or culture			Unable to confirm name or address of person meeting them on arrival			Registered at multiple addresses		
Other risk factors	Y	S	Accompanying adult previously made multiple visa applications for other children/acted as the guarantor for other children's visa applications			Other risk factors	Y	Y
Withdraw and refuses to talk/appears afraid to talk to a person in authority			History with missing links or unexplained moves			Possible inappropriate use of the internet and forming online relationships, particularly with adults		
Harbours excessive fears/anxieties (eg about an individual, of deportation, disclosing information etc)			Pattern of street homelessness			Accounts of social activities with no plausible explanation of the source of necessary funding		
Shows signs of physical neglect – basic care, malnourishment, lack of attention to health needs			Other risk factors	Y	S	Entering or leaving vehicles driven by unknown adults		
Shows signs of emotional neglect			Unregistered private fostering arrangement			Adults loitering outside the child's usual place of residence		
Socially isolated – lack of positive, meaningful relationships in child's life			Cared for by adult/s who are not their parents and quality of relationship is not good			Leaving home/care setting in clothing unusual for the individual child (inappropriate for age, borrowing clothing from older people etc)		

Behavioural – poor concentration or memory, irritable/unsociable / aggressive behaviour in school or placement			Placement breakdown			Works in various locations One among a number of unrelated children found at one address		
Psychological – indications of trauma or numbing			Persistently missing, staying out overnight or returning late with no plausible explanation			Having keys to premises other than those known about		
Exhibits self assurance, maturity and self confidence not expected in a child of such age			Truancy/disengagement with education			Going missing and being found in areas where they have no known links		
Evidence of drug, alcohol or substance misuse			Appropriate adult is not an immediate family member (parent/sibling)					
Low self image, low self esteem, self harming behaviour including cutting, overdosing, eating disorder, promiscuity			Appropriate adult cannot provide photographic ID for the child					
Sexually active								
Not registered with or attended a GP practice								
Not enrolled in school								
Has money, expensive clothes, mobile phones or other possessions without plausible explanation								

Y = Yes; S = Suspected

1c) Quick referral flowchart

If at any point in this process, professionals suspect or find that a child is suffering or at risk of suffering significant harm – STOP the Early Help Assessment process and make a referral to LA children’s social care



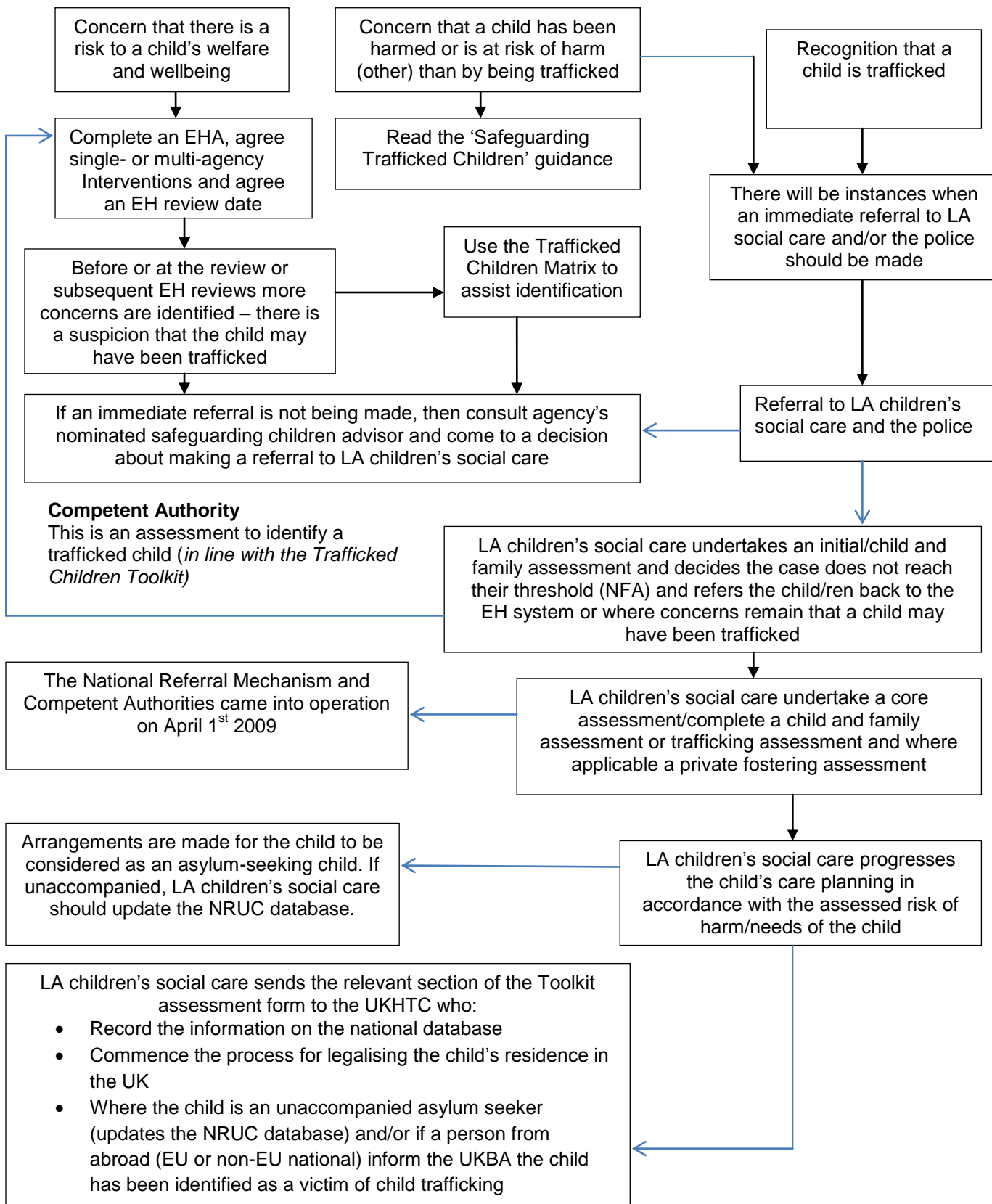
1d) Flowchart for safeguarding a trafficked child

EARLY HELP ASSESSMENT (EHA)

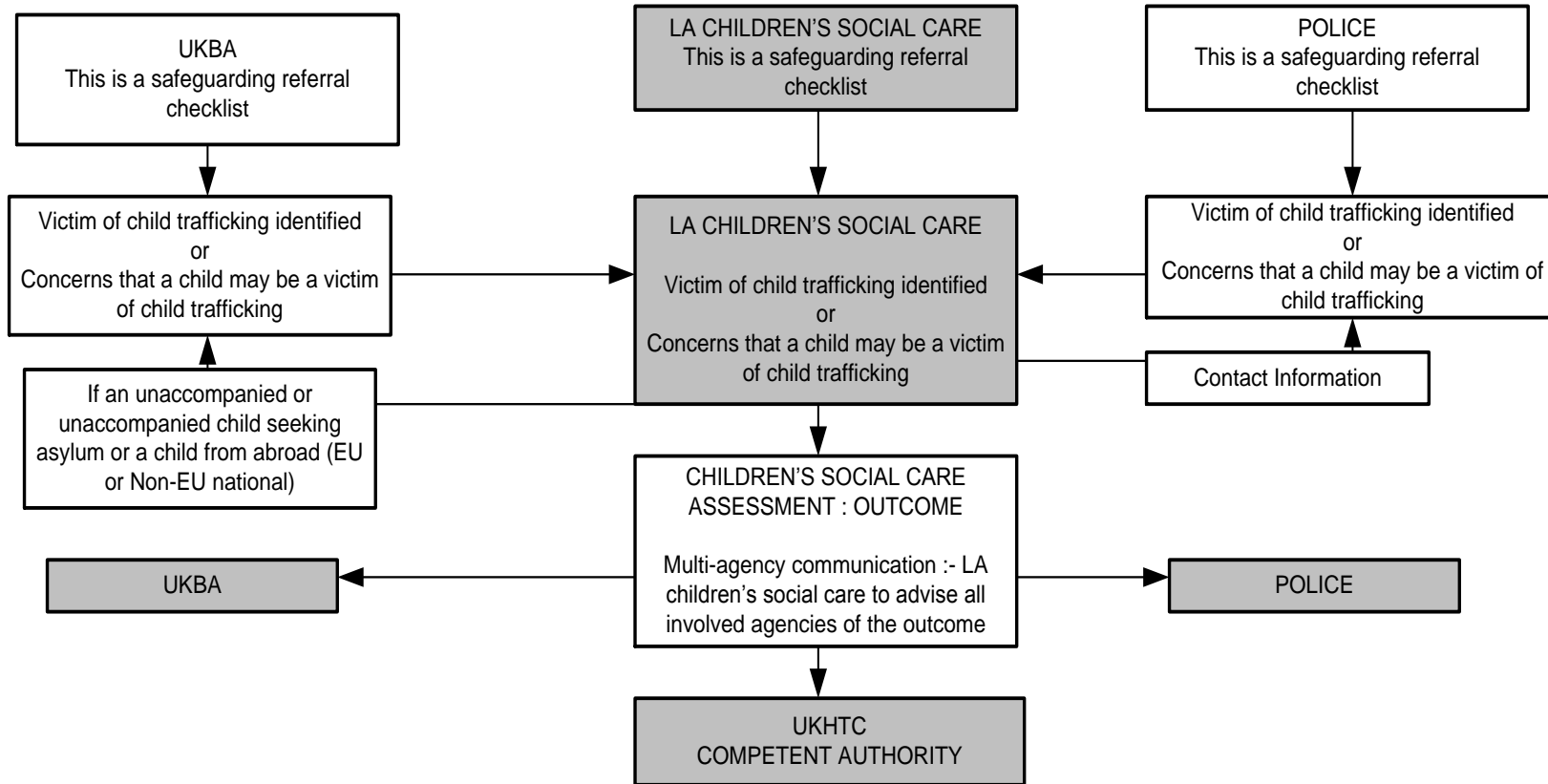
This is a safeguarding assessment

CHILD PROTECTION PROCESS

This is a safeguarding assessment



1e) Child trafficking referral checklist



Are you talking to the right people?

2a) Summary of relevant Policy and Legislation²

International

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

- 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). Article 3 of the Palermo Protocol defines trafficking as:
 - (a) “Trafficking of persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat of 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.
 - (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 sub-paragraph (a) of this article.
 - (d) “Child” shall mean any person under eighteen years of age.
- Council of Europe Convention on Action against Trafficking in Human Beings (2005). Article 10 of the Council of Europe Convention comments on age as follows:
 - (3) When the age of the victim is uncertain and there are reasons to believe that the victim is a child, he or she shall be presumed to be a child and shall be accorded special protection measures pending verification of his/her age.

The official explanatory notes to the Convention state that the point of paragraph 3. is that, while children need special protection measures, it is sometimes difficult to determine whether someone is over or under 18. Paragraph 3 consequently requires Parties to presume that a victim is a child if there are reasons for believing that to be so and if there is uncertainty about their age. Until their age is verified, they must be given special protection measures, in accordance with their rights as defined, in particular, in the United Nations Convention on the Rights of the Child.
- The Yokohama Global Commitment agreed at the Second World Congress on the Commercial Sexual Exploitation of Children (Yokohama, 2001).

²Extracted from Safeguarding children who may have been trafficked (DCSF, 2007). See: <http://publications.everychildmatters.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=HMG-00994-2007>

- 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).

2.2 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].”

United Kingdom

- 2.3. UK Legislation and guidance relevant to trafficked and exploited children includes:
- The Children Acts 1989 and 2004.
 - The Nationality, Immigration and Asylum Act 2002.
 - The Sexual Offences Act 2003.
 - The Asylum and Immigration (Treatment of Claimants etc) Act 2004.
 - Adoption and Children Act 2002.
 - Working Together to Safeguard Children (2010) and its supplementaries.
 - The UK Action Plan on Tackling Human Trafficking (2007).
- 2.4 The Borders Citizenship Immigration Act 2009, sec 55, places a duty on UKBA to have regard to the welfare of children whilst discharging its immigration and nationality functions.
- 2.5 The UK Borders Act 2002 will enhance current 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).
- 2.6. 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.

- 2.7 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 sexual exploitation 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.
- 2.8 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.

Relevant provisions of UK legislation

Children Act 1989, Section 17

- 2.9 A child is defined as 'in need' by Section 17 of the Children Act 1989 if:
- S/he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him/her of services; or
 - His/her health or development is likely to be significantly impaired, or further impaired, without the provision for him/her of such services; or
 - S/he is disabled.

Children Act 1989, Section 20

- 2.10 Every local authority shall provide accommodation for any child in need within their area who appears to them to require accommodation as a result of:
- There being no person who has parental responsibility for him; or
 - His/her being lost or having been abandoned; or
 - The person who has been caring for him/her being prevented (whether or not permanently and for whatever reason) from providing him with suitable accommodation or care.
- 2.11 Every local authority shall provide accommodation for any child in need within their area who has reached the age of 16 and whose welfare the authority consider is likely to be seriously prejudiced if they do not provide him with accommodation.

Children Act 1989, Section 47

- 2.12 Where a local authority has reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm, the authority shall make, or cause to be made, such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child's welfare.
- 2.13 'Harm' is defined as:
- Ill treatment, which includes sexual abuse, physical abuse and forms of ill-treatment which are not physical, for example, emotional abuse;
 - Impairment of health (physical or mental); or
 - Impairment of development (physical, intellectual, emotional, social or behavioural).

- 2.14 This may include seeing or hearing the ill treatment of another (section 31 of the Children Act 1989 as amended by the Adoption and Children Act 2002).

Children Act 1989, Section 67 Private Fostering

- 2.15 Under section 67 of the Children Act 1989 a local authority is under a duty to satisfy itself that the welfare of children who are privately fostered within their area is being satisfactorily safeguarded and promoted and to ensure that such advice is given to those caring for them as appears to the authority to be needed.
- 2.16 A privately fostered child means a child who is under the age of 16 (18 if disabled) and who is cared for, and provided with accommodation in their own home by, someone other than:
- A parent;
 - A person who is not a parent of his but who has parental responsibility for him; or
 - A relative.
- 2.17 A child is not a privately fostered child if the person caring for and accommodating him:
- Has done so for a period of less than 28 days; and
 - Does not intend to do so for any longer period.
- 2.18 A child is not a privately fostered child while:
- He is being looked after by a local authority;
 - He is in the care of any person in premises in which any parent of his; person who is not a parent of his but who has parental responsibility for him; or person who is a relative of his and who has assumed responsibility for his care, is for the time being living:
 - in accommodation provided by or on behalf of any voluntary organisation;
 - in any school in which he is receiving full-time education;
 - in any health service hospital;
 - in any care home or independent hospital;
 - in any home or institution not specified above but provided, equipped and maintained by the Secretary of State; or
 - in the care of any person in compliance with an order under section 63(1) of the Powers of Criminal Courts (Sentencing) Act 2000; or a supervision requirement within the meaning of Part II of the Children (Scotland) Act 1995;
 - He is liable to be detained, or subject to guardianship, under the Mental Health Act 1983; or
 - He is placed in the care of a person who proposes to adopt him under arrangements made by an adoption agency or he is a protected child.
- 2.19 A child who is a pupil at a school, and lives at the school during the holidays for more than two weeks, is under 16 and none of the above exemptions apply is regarded as a privately fostered child during that time.
- 2.20 The usual fostering limit applies to private fostering.
- 2.21 A carer, who is disqualified from being a private foster carer or who lives with someone else who is disqualified, cannot privately foster without the consent of the local authority. There is a right of appeal against the refusal of consent.

- 2.22 A local authority is empowered to prohibit a carer from being a private foster carer if they are of the opinion that:
- The carer is not a suitable person to foster a child;
 - The premises in which the child is, or will be accommodated, are not suitable; or
 - It would be prejudicial to the welfare of the child to be, or continue to be, accommodated by that carer in those premises.
- 2.23 A prohibition may prevent the carer fostering anywhere in the area, restrict fostering to specific premises, or restrict fostering a particular child in those premises. There is a right of appeal against the imposition of a condition.
- 2.24 The local authority may also impose requirements on a carer affecting:
- The number, age and sex of the children to be fostered;
 - The standard of accommodation and equipment;
 - Health and safety arrangements; and/or
 - Specific arrangements for the children to be fostered.
- 2.25 The local authority must be given notice of the placement by both the parent and the carer and any other person involved in its arrangement.
- 2.26 The local authority must be satisfied as to the suitability of each arrangement notified to it.
- 2.27 Regulations prescribe the frequency that a privately fostered child must be visited.
- 2.28 Where a local authority is not satisfied that the welfare of a privately fostered child is being satisfactorily safeguarded or promoted it must take such steps as are reasonably practicable to secure the care of the child is undertaken by a parent, a holder of parental responsibility, or a relative (unless not in the interests of the child to do so) and consider exercising its functions under the Children Act 1989.

Nationality, Immigration and Asylum Act 2002, Section 54

- 2.29 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.
- 2.30 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.
- 2.31 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

- 2.32 Section 55 applies to those who have made or are intending to make an asylum claim in the UK. It prevents UKBA 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.
- 2.33 Section 55 does not apply to accompanied minors.
- 2.34 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. Families can access asylum support via the voluntary grant funded One Stop Service once UKBA has accepted the claim and provided written confirmation of this.

Parental responsibility

- 2.35 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.
- 2.36 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.
- 2.37 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.
- 2.38 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 Patients' 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.
- 2.39 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.

2b) Role of specific agencies and services

Statutory services

LA children's social care

- 2.1 LA children's social care has a general duty to safeguard and promote the welfare of all children in need in their area, regardless of their immigration status. They have responsibilities for unaccompanied children, as well as those who arrive in the UK with their parents and for whom there are concerns regarding their safety and welfare.

Local authority asylum teams

- 2.2 Many local authorities have asylum teams who have responsibility for families, single adults and unaccompanied young people for whom there are no concerns in addition to their migrant status. Where there are specialist asylum teams, there should be a locally agreed joint protocol with other children's social care teams and relevant agencies. Some local authorities offer services to children seeking asylum within their mainstream children's social care teams.

Local authority children missing education teams

- 2.3 In England, local authorities have a statutory duty to identify children missing from education (Statutory Guidance for local authorities in England to identify children not receiving education (DCSF, 2007)). The named contact or team responsible for identifying children missing from education should be competent and confident to respond to children who may have been trafficked.

Education Services

- 2.4 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. It has been identified as a particular concern in schools which are situated near ports of entry, but professionals should be alert to this possibility in all schools. However, professionals should always bear in mind that not all children who go missing from education have been victims of trafficking.
- 2.5 If a member of the school staff suspects that a child may have been trafficked they should act immediately to inform the senior member of staff with designated responsibility for child protection and ensure that police or LA children's social care are contacted immediately. Children trafficked into the country may be registered at a school for a term or so, before being moved to another part of the UK or abroad again. Schools therefore need to be alert to this pattern of registration and de-registration. This pattern has been identified in schools near ports; however it could happen anywhere in the UK.

Health Services

- 2.6 Trafficked children may be seen at the full range of health settings – Accident & Emergency services, Walk-in Centres, minor injury units, Genito-Urinary Medicine (GUM) clinics, sexual health services, community contraceptive services, GPs, primary care trusts and by school nurses. Professionals should be alert to potential signs of abuse and trafficking including inconsistencies in addresses, any deliberate vagueness with children or carers being unable to give details of next of kin, names, telephone numbers or other personal details.

When children or their carers give addresses in other countries, stating that the child is resident outside of 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.

- 2.7 Health visitors and senior nurses who may follow up visits to Accident and Emergency and Walk-in Centres and doctors who provide statutory health checks and reviews on looked after children, should also be alert to child trafficking concerns.

Youth Offending Services

- 2.8 Staff working in Youth Offending Services (YOS) may encounter trafficked children who have been charged with criminal offences, such as when involved in cannabis farms or pick-pocketing.
- 2.9 A child's reluctance to disclose the real circumstances in which s/he arrived 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.
- 2.10 If a YOS professional suspects a child may have been trafficked, safeguarding procedures should be followed immediately, and the LA children's social care and police should be contacted.

Police

- 2.11 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 to either 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. Police services should take all necessary steps to ensure that children at risk of being trafficked do not fall through the gap between operational teams.
- 2.12 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. A designated police officer will act as a single point of contact for considering any issues related to child trafficking. The Association of Chief Police Officers (ACPO) has issued guidance to all police services to this effect.

Crown Prosecution Service (CPS)

- 2.13 The CPS policy guidance *Safeguarding Children: Guidance on children as victims and witnesses* provides detailed practical and legal guidance to prosecutors dealing with cases that involve children and young people as victims and witnesses. It does not deal with children who offend – separate guidance is available in relation to youth offenders. The guidance goes on to deal in more detail with measures that can be taken to help safeguard children in the course of criminal proceedings, but the position can be summed up in the following principles: expedition; sensitivity; and fairness. Whatever the offence, prosecutors should consider the position of the child and what can be done, having regard to the role and the powers of the prosecutor, to safeguard the child.
- 2.14 There are specific provisions in the *Code for Crown Prosecutors* to ensure that young people are not inappropriately criminalised. Paragraphs 8.8 and 8.9 of the Code require the Crown prosecutor to consider the interests of a child or youth when

deciding whether it is in the public interest to prosecute. Cases involving children are usually only referred to the CPS for prosecution if the child has already received a reprimand and final warning. Reprimands and final warnings are intended to prevent re-offending.

- 2.15 The use of a child in a criminal enterprise is a form of child abuse. A child who is forced into sexual exploitation will be treated by the CPS as an abused child and a victim who needs help, rather than as a defendant. Professionals should refer to the relevant local procedure. The same consideration will be given to those who are coerced into committing crimes or used by adults to commit offences. CPS will prosecute people who organise sexual exploitation and who benefit financially from abusing children.
- 2.16 More detailed guidance to prosecutors expands on these provisions. In cases where there is evidence that a young person has committed an offence whilst in a coerced situation, for example when they have been trafficked, the prosecutor will have to consider whether or not the coercion amounts to a defence of duress. Where it does not amount to a defence and there is sufficient evidence for a prosecution, the prosecutor will consider the circumstances of the young person when deciding whether or not it is in the public interest to bring a prosecution.

UK Borders Agency (UKBA)

- 2.17 UKBA is an executive agency of the Home Office which has assumed responsibility for managing immigration control in the UK. It 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 by international intelligence about trafficking. UKBA is likely to be a source of referrals to child welfare agencies.
- 2.18 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. They should ensure that immigration processes and decisions made in respect of children take into account their individual situation, views and welfare.
- 2.19 When working with children, officers should operate in accordance with their obligations under section 55 of the *Borders Citizenship and Immigration Act 2009*. 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.

- 2.20 It is important for all agencies concerned with protecting children who have been trafficked to develop good working arrangements with UKBA. In addition, it is important that UKBA establishes good contacts with LA children's social care services and, where appropriate, takes part in LSCBs.
- 2.21 Immigration officers identify children from abroad who may be at risk of being trafficked. Children who, irrespective of their immigration status, are believed to be at risk of harm, are referred to agencies with statutory responsibilities for safeguarding children's welfare, primarily the LA children's social care and/or the local police. Records for these children exist both within UKBA and with the receiving agency. In addition, when a child is interviewed every effort is made to identify sponsors and others who come to collect the child to ensure that they are legitimately able to do so, and that they do not pose a threat to the child's safety and welfare.
- 2.22 Applications for immigration status made on behalf of children may give rise to concerns that they are victims of trafficking. UKBA caseworkers 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.
- 2.23 The UK Borders Citizenship and Immigration Act 2009 refers to the Government having regard to the need to safeguard and promote the welfare of children when discharging its immigration duties.

UK Human Trafficking Centre (UKHTC)

- 2.24 The UKHTC was established in October 2006, following a proposal from ACPO. It comprises staff from various disciplines bringing a multi-agency approach to the Centre's response to trafficking both into and within the UK.
- 2.25 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 UKHTC's approach to preventing and reducing human trafficking is to ensure that victims are adequately safeguarded and protected from harm.
- 2.26 The UKHTC is also a key agent in the UK's national referral mechanism for trafficked children (and adults). For a description of the national referral mechanism, the UKHTC and UKBA will act as the Competent Authorities with responsibility for the final decision on whether a frontline professional's 'reasonable grounds' for believing that the child has been trafficked are met i.e. whether the child is or is not a victim of trafficking.

Support Services

Child Exploitation and Online Protection Centre (CEOP)

- 2.27 The Government established CEOP¹⁹ in April 2006 to protect children from sexual abuse and exploitation and sexual abuse originating from the internet. It adopts a child-centred approach to all areas of its business. CEOP works closely with the Serious Organised Crime Agency (SOCA), the Association of Chiefs of Police Officers (ACPO), the UKHTC and relevant statutory and non-statutory stakeholders on all issues relating to child trafficking.

- 2.28 CEOP will assess annually the nature and scale of child trafficking. This information, along with other intelligence and data, will inform the development of policing policy, good practice and training requirements.
- 2.29 CEOP draws on examples of best practice to develop guidance for law enforcement around the identification of victims of child trafficking.

NSPCC Child Trafficking Advice and Information Line (0800 107 7057)

- 2.30 The NSPCC Child Trafficking Advice and Information Line for staff is supported by the Home Office, in partnership with NSPCC, ECPAT UK⁴, CEOP and Comic Relief. It offers direct advice and assistance to professionals in statutory and non-statutory services responsible for children who show signs of having been trafficked about how to meet their needs and safeguard them from harm or further harm. The Trafficking Advice and Information Line can be accessed either by telephone or face-to-face by appointment through their Case Consultancy Service.
- 2.31 The advice line is a conduit for professionals to discuss issues and possible actions about any children who may have been trafficked or who still are being trafficked. The line supports referrals to other agencies and charities where a particular issue could be resolved by them.
- 2.32 The service works closely with a range of other agencies and experts on child trafficking through an advisory group in order to ensure that the advice given is up to date, relevant and useful. The advice line share good practice and intelligence with CEOP and the UKHTC.

Children and Families Across Borders (CFAB)

- 2.33 CFAB promotes and protects the rights and welfare of children across international borders (guided by the UN Convention on Human Rights and on the Rights of the Child). 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 formerly liaises directly with social services in countries of origin.
- 2.34 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.
- 2.35 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 work in five ways. They:

- Provide direct casework services to benefit children and families;
- 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;

⁴ *End Child Prostitution, Child Pornography and the Trafficking of Children: www.ecpat.org.uk*

- Lobby and advise Government to ensure legislation, regulations, policies and procedures support the best interests of children separated across international borders from their families.

Refugee Council Children's Panel

2.36 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.
- The support provided by the advisers includes:
 - assisting children in accessing legal representation;
 - guiding children through the asylum procedures;
 - accompanying children to asylum interviews, tribunal and appeal hearings, magistrates and crown court appointments, if necessary;
 - 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, LA children's social care or other agencies.

2.37 The Panel also offers support to children at a drop-in advice service where they can get good quality meals, showers, second-hand clothes and help with tracing missing relatives. 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.

Community groups, including faith groups, and the voluntary sector

2.38 Community groups, faith groups and voluntary agencies play an important role in identifying children who may have been trafficked. Through their reach into local communities, and their extensive knowledge and experience in working in different ways with the most vulnerable children, these agencies may well be best placed to reach children who may have been trafficked. It is important that good working relationships are developed between these agencies and the statutory agencies working to safeguard and promote the welfare of children.

2.39 These bodies can be trusted agencies in minority communities that may not have a high degree of trust in state sector agencies. They 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 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 for the best.

2.40 Building the confidence of local faith leaders to believe that the right thing will be done by the local authority, 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 the issues around child trafficking.

- 2.41 The NSPCC is the only voluntary agency authorised to initiate proceedings to protect children under the Children Act 1989, but other voluntary and community organizations often play a key role in safeguarding children. They need to work effectively with LSCBs and should make their paid and voluntary 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 the local Safeguarding Board Policy and Procedures.
- 2.42 Community groups, faith groups and voluntary agencies may be the first to come into contact with a trafficked child. Protecting them and promoting their welfare depends on the awareness and co-operation of community groups, neighbours and the public. Where such concerns exist, these should be brought to the attention of the local authority or the police.

National referral mechanism and other agency contacts

For initial advice on trafficking matters contact: **UKHTC:** 0114 252 3891
For initial advice on immigration matters contact: **UKBA:** 0161 261 1640
For advice on accommodation providers contact: **UKHTC:** 0114 252 3891

Competent authority

UKBA UKHTC

Amadeus House Tel: 0114 252 3891
Mondial Way Mob: 07770 267286
Hayes Fax: 0114 228 6456
UB3 5AR Web: www.ukhtc.org
Tel: 020 3014 8012
Fax: 020 3014 8186

Home Office

Project Manager

Organised Immigration Crime Team
UK Border Agency
Home Office, 6th Floor, Green Park House, 29 Wellesley Rd, Croydon, CR0 2AJ
Tel: 020 8760 2477
Mobile: 07717 730234
Fax: 020 8760 2941

Other agencies

Missing People

Local Authorities fund the Missing People's Missing from Care Team that provides a specialist service to LA children's social care when any of their 'looked after' children go missing. LA children's social care professionals can contact the Missing from Care Team on 020 8392 4527.

Missing People is dedicated to helping missing people, their families and those who care for them. It has information sharing agreements with the police.

Missing People's 24-hour Freefone confidential Helpline 0500 700 700 takes calls from families and police reporting missing people.

Missing People's Runaway Helpline 0808 800 70 70 is a national 24 hour freefone Helpline for anyone aged 17 or under who has run away or been forced to leave home. Confidential advice is given, referrals made to other organisations and it can help a child or young person get to a place of safety or pass on a message

Children's Legal Centre

Tel: 01206 872 466

www.childrenslegalcentre.com

The Refugee and Asylum Seeking Children's Project at the Children's Legal Centre aims to help non-immigration specialist professionals working with asylum seeking and refugee children find out about this group of children's rights and entitlements.

Details of the appropriate consulate or embassy in London can be found in the London Diplomatic List

(ISBN 0 11 591772 1), available from the Stationary Office

Tel: 0870 600 5522.

Or on the website: www.fco.gov.uk

Children and Families Across Borders

Canterbury Court, Unit 1.03 1-3 Brixton Road London, SW9 6DE
Tel: 020 7735 8941 info@cfab.uk.net
www.cfab.uk.net

Foreign and Commonwealth Office

Tel: 020 7008 1500
www.fco.gov.uk

CEOP

33 Vauxhall Bridge Road, London SW1V 2WG
Tel: 020 7238 2320/2307
www.ceop.gov.uk

ECPAT UK End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes Grosvenor Gardens House, 35–37 Grosvenor Gardens, London SW1W OBS

Tel: 020 7233 9887
www.ecpat.org.uk or info@ecpat.org.uk

ECPAT are a leading children's rights organisation campaigning against the commercial sexual exploitation of children in the UK and on its international aspects. In particular, they focus on the protection of trafficked children and children exploited in tourism and the prevention of such crimes

UNICEF

Africa House, 64–78 Kingsway, London WC2B 6NB
Tel: 020 7405 5592
www.unicef.org.uk/contact/contact.asp

UNICEF's work to combat child trafficking focuses on poverty reduction, education and life skills, strengthening of existing laws, and care of the victims.

Afruca (Africans Unite Against Child Abuse)

Unit 3D/F Leroy House, 436 Essex Road, London N1 3QP
Tel: 020 7704 2261
www.afruca.org

AFRUCA - Africans Unite Against Child Abuse was established in May 2001 as a platform for advocating for the welfare of African children. In particular, AFRUCA has been at the forefront of efforts to denounce the trafficking of African children to the country. It has drawn attention to the growing phenomenon through organising activities, and engaging at different levels with policy-makers, other NGOs and within the African community.

Childwatch

19 Springbank, Hull, East Yorkshire HU3 1AF
Tel: 01482 325 552
Fax: 01482 585 214
www.childwatch.org.uk

Childwatch is a registered charity working for the good of children and adults who have been abused, offering free confidential counselling and support to victims of abuse.

CROP

34 York Road, Leeds, LS9 8TA

Tel: 0113 240 3040

Email: info@cropuk.org.uk

Website: www.crop1.org.uk

CROP is a voluntary organisation working to end the sexual exploitation of children by pimps and traffickers. 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.

2c) Glossary and Acronyms

Glossary

Child	Children 0 to 17 years and adolescents up to their 18th birthday
Early Help Assessment (EHA)	The EHA is a standardised approach to conducting an assessment of a child's additional needs and deciding how those needs should be met. It can be used by practitioners across children's services in England. The EHA is intended to provide a simple process for a holistic assessment of a child's needs and strengths, taking account of the role of parents, carers and environmental factors on their development.
Framework for the Assessment of Children in Need and their Families	This Framework is a systematic way for professionals to assess a child's needs and whether s/he is suffering or likely to suffer significant harm, what actions must be taken and which services would best meet the needs of the child and family. All professionals should be competent to contribute to an assessment, which is usually led by LA children's social care under the Children Act 1989.
Nominated safeguarding children adviser	The person in each agency who has responsibility for child protection issues in that agency and provides child protection advice to frontline professionals / clinicians, e.g. child protection lead in schools, designated and named doctors and nurses etc.
Parent	Parent or carer
Professional / staff / staff member	Any individual/s working in a voluntary, employed, professional or unqualified capacity, including foster carers and approved adopters.

Acronyms

ACPO Association of Chief Police Officers
ARC Application Registration Card
ASUs Asylum Screening Units
CAIU Child Abuse Investigation Unit
CAMHS Child and Adolescent Mental Health Services
CEOP Child Exploitation and Online Protection Centre
CTN Coming To Notice
CROP Coalition for the Removal of Pimping
DBS Disclosure And Barring Service
DFE Department for Education
DH Department of Health

ECPAT End Child Prostitution, Child Pornography and Trafficking of Children
EHA Early Help Assessment
GUM Genito-Urinary Medicine
ILO International Labour Organisation
LAC Looked After Child(ren)
LSCB Local Safeguarding Children Board
NASS National Asylum Support Services
NRM National Referral Mechanism
NRUC National Register for Unaccompanied Children
NSPCC National Society for the Prevention of Cruelty to Children
UAS Unaccompanied Asylum Seeker
UASC Unaccompanied Asylum Seeking Child(ren)
UNICEF United Nations Children's Fund
UKBA UK Borders Agency
UKHTC United Kingdom Human Trafficking Centre
YOS Youth Offending Service