



PAN DORSET INTER-AGENCY SAFEGUARDING PROCEDURES

CHAPTER 3

3.13 SAFEGUARDING CHILDREN WHO MAY BE TRAFFICKED

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If you have any comments or queries about the pan-Dorset procedures please contact your agency representative on the Pan Dorset Policy and Procedures Group or notify the LSCB using the following email addresses:

info@dorsetlscb.co.uk

info@bournemouth-poole-lscb.org.uk

SAFEGUARDING CHILDREN WHO MAY HAVE BEEN TRAFFICKED

1. Introduction

This protocol is intended to help agencies and staff safeguard and promote the welfare of children and young people who may have been trafficked. It is supplementary to and should be used in conjunction with the individual management of cases as set out in Chapter 2 of the Dorset, Bournemouth & Poole Inter-Agency procedures and other supplementary protocols in Chapter 3.

Definition

Trafficking of persons has been defined as

“the act of recruitment, transportation, transfer, harbouring or receipt of person, 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 control over another person, for the purpose of exploitation

Exploitation includes, 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”

(Ref: Article 3, Palermo Protocol, UN Convention, 2000 – ratified by the UK in 2006)

Any child or young person who has been transported for exploitative reasons, whether or not they have been forced or deceived, is considered to be a trafficking victim. That is, they cannot consent to any of the above activities even if they appear to submit willingly believing that this is the will of their parents or accompanying adults.

2. Prevalence and reasons for trafficking

As it is a clandestine activity, the extent of trafficking in children is not known but is believed to be increasing as more cases come to light. It is estimated that globally each year around 1.2 million children are victims of human trafficking. A Child Exploitation and Online Protection Centre report (2007) identified 330 potential child victims in the UK. Operation Pentameter, a national police led anti-trafficking operation during a 3 month period in 2006 found 12 child victims of trafficking who were being sexually exploited.

The local situation is not known but as checks have improved at the larger ports of entry more regional airports and sea ports are being used. Dorset has three such ports of entry, Bournemouth International Airport and the cross-channel ferry ports at Poole and Weymouth. In addition the secluded coast-line and facilities for small craft, together with the transitory holiday population and accommodation make it potentially an attractive alternative to traffickers.

There is no single explanation for how and why children might be abused and exploited. Statistics show that both the country from which children are taken and the reason for being brought to the UK vary widely.

Most children are trafficked for financial gain. They may be used for any of the following:

- sexual exploitation
- domestic servitude
- sweatshop, restaurant and other catering work
- credit card fraud
- begging or pick pocketing or other forms of petty criminal activity
- agricultural labour, including tending plants in illegal cannabis farms
- benefit fraud
- drug mules, drug dealing or decoys for adult drug traffickers
- illegal inter-country adoption

Younger children are sometimes trafficked to become beggars and thieves or for benefit fraud. Teenagers are often trafficked for domestic servitude or sexual exploitation

Reasons which contribute to why children and young people become vulnerable to being trafficked.

- Poverty: often the root cause with the promise of a better life and financial gain
- Lack of education: traffickers promise education to parents
- Discrimination: both on gender, girls being seen as more of a financial burden and ethnicity where the child comes from a minority community
- Cultural attitudes to the rights of children and customary expectations regarding child labour
- Grooming
- Dysfunctional families, where children chose to leave home due to abuse and neglect
- Political conflict and economic transitions leading to displacement and loss of social protection
- Inadequate local laws and regulations; not all countries have laws against exploiting child labour and trafficking. Enforcement of existing laws may be hampered by lack of prioritisation, corruption and ignorance.

Children and young people may enter the UK either accompanied by a parent or other adult or may arrive alone seeking asylum. Where accompanied by an adult who is not a parent the child or young person may be particularly vulnerable, especially where there is little evidence of a pre-existing relationship or evidence of parental permission for the child/young person to travel to the UK.

Many children travel on false documents or even if genuine, they may not have access to them as this is a means to control that the traffickers may hold over them.

Missing children and young people are particularly vulnerable to exploitation. There is increasing evidence of children and young people, both UK and other citizenship, being internally trafficked.

3. Recognition

There is no exhaustive list of the signs of trafficking. The risk factors that have been identified in some cases may not all be applicable in others and there may well be others, especially given that children are trafficked for a variety of different purposes. General signs and symptoms of abuse and neglect coexist with specific indicators of sexual exploitation and / or trafficking and issues of concern relating to a child/young person's immigration status. (See Appendix 1)

Even children/young people who understand what has happened may still appear to submit willingly, through fear for themselves or their family, or because they believe their parents have agreed to the situation, or sometimes because of bribes.

4. Impact of trafficking on children's health and welfare

Trafficked children are not only deprived of their right to freedom but also to health care and access to education. The creation of a false identity and implied criminality, together with the loss of family and community, may seriously undermine their sense of self-worth.

As a result of the nature of trafficking and exploitation children and young people may suffer significant harm for the following reasons

Physical abuse may include,

- beatings
- being subdued with drugs leading to a drug dependency
- alcohol addiction
- physical symptoms such as skin problems, headaches, backache which are as a result of mistreatment
- forms of harm linked to a belief in spirit possession (see *Safeguarding Children from Abuse Linked to a Belief in Spirit Possession,2007*)

Emotional and psychological abuse may include

- feeling disorientated and a loss of identity
- being kept isolated away from local community and school because they cannot speak English
- fear of adults who have control over them and the threat of being reported to immigration authorities or police
- loss of trust in adults
- low self-esteem, feeling experiences have ruined them for life; depression and suicidal thoughts
- worrying about what family and community will think and being afraid to go home
- feeling like criminals and long term consequences for adult life
- distress at their sense of powerlessness, particularly where violence or the threat of violence has been used, including where extreme, symptoms of post traumatic stress disorder
- dependent relationships with abusers
- flashbacks, nightmares, anxiety attacks, irritability and other symptoms of stress
- loss of ability to concentrate
- becoming antisocial, aggressive and angry, and / or fearful and nervous, finding social and family relationships difficult

Sexual abuse is an integral part of sexual exploitation. Children and young people who are sexually exploited are at risk of

- sexually transmitted infections, including HIV/AIDS
- unwanted pregnancies
- possible damage to sexual and reproductive health

Neglect may be the result of

- lack of routine health care or emergency medical attention (due to lack of care or the need for secrecy regarding their circumstances)
- Physical, sensory and food deprivation

5. Individual Agencies Roles and Responsibilities

In addition to responsibilities under the statutory functions and expertise of each agency, and the overall duty to work together to safeguard and promote the welfare of all children, the following specific roles should be undertaken where a child or young person may be potentially a victim of trafficking.

Children and young people who belong to communities that are traditionally mobile e.g. Gypsy/Roma traveller or other migrant families, may be known for being missing from settled addresses or from education. Specific procedures for these and other Missing Children should be followed once it is clear that trafficking has been discounted.

5.1 Children's Social Care

There is a duty to safeguard and promote the welfare of all children irrespective of their immigration status. Where a child or young person is referred because of potential trafficking concerns the usual decision making timescales apply. A decision must be made within 24 hours regarding undertaking an initial assessment to determine whether the child is in need or, if the threshold is met for a strategy discussion to decide whether to initiate a section 47 enquiry.

5.2 Schools and other Education Services

Trafficked children may be registered at a school for a term or longer before being moved to another part of the UK or abroad. A pattern of registration and de-registration may indicate that a child or young person is being trafficked. Where concerned a member of school staff should inform the senior member of staff with designated safeguarding responsibilities who should ensure that the police or children's social care are contacted immediately.

When a school place is being requested for a child or young person who was previously living abroad, particular attention should be given to the documentation being presented to the school at the point of admission. It is not acceptable to be told that the passport or other paperwork is missing. It is extremely unlikely that adults do not know where their paperwork/official documentation is.

In addition to the above, it is vitally important to check the document photograph against the child (like for like comparison). If there is any doubt about this, contact the local UK Border Agency forgery officer who can offer assistance.

The named contact or team responsible for identifying children missing from education should be aware of the issue of trafficking and should contact children's social care or the police immediately following the same procedures used for all children.

5.3 Health Services

Trafficked children and young people may be seen at a number of health settings – GPs, Accident & Emergency, Genito-Urinary Medicine (GUM) clinics, community health and contraceptive services, at pharmacies, through school nurses etc. Practitioners should be alert to potential signs of abuse and trafficking particularly where there are,

- inconsistencies in addresses
- vagueness by either the child/young person or the carers regarding the details of next of kin, names, telephone numbers or other personal details

If normal residency is given as outside the UK the current holiday addresses should be recorded as well as the home address abroad. Health staff should be alert to patterns arising in the same local holiday address being given by different children or young people who do not appear to be related, or which suggest large numbers of children moving in and out of the same address.

5.4 Youth Offending Teams

Staff working with young offenders may find young people who have been trafficked are reluctant to disclose circumstances of their exploitation or arrival in the UK for fear of reprisals by the adults on whom they depend or out of misplaced loyalty. Parents or carers may be reluctant to engage in assessments and may be implicated in the trafficking process. Age verification may be required. YOT workers should follow safeguarding procedures where they suspect a young person may have been trafficked.

5.5 Police

The police are a lead agency in the investigation of trafficking there being a number of specialist teams across the UK. In most cases external intelligence will be received by the Police via the Force Intelligence Unit who will act as a point of contact for these specialist teams. The Child Abuse Investigation Teams are likely to receive local information direct from these teams. The local child protection officer will refer any suspected trafficked child or young person to the appropriate children's social care team immediately.

Police officers investigating any offences committed by children and young people should be aware of and recognise indicators of trafficking, referring to their child protection colleagues.

Operation Pentameter 2 is a nationwide operation to identify victims in human trafficking. Where a child is identified within the Dorset area the lead officer for the specialist team will contact the Force Intelligence Unit and advise them of the information. The Police will then ensure that the designated LA lead professional is informed and an initial planning meeting to agree action under the inter-agency safeguarding procedures (Chapter 2) should be convened. If an urgent response is

required then action to remove the child to a place of safety should be the first priority and a multi-agency meeting can be convened once the child is safe. As police operations may occur out of office hours, the Out of Hours Service must be contacted and briefed on agreed plans/action taken as soon as practicable.

Part of the initial considerations will be whether there is a need to take emergency action either under the Police Powers of Protection or by the LA applying for an emergency protection order.

See also section 5 regarding Police responsibility for informing the National Advocate

5.6 Crown Prosecution Service

Under the Code for Crown Prosecutions, when making decisions regarding prosecution the CPS should ensure that young people are not inappropriately criminalised. The use of a child or young person in a criminal enterprise is a form of child abuse. Children and young people who are the victims of trafficking may have been coerced into criminal activity. The prosecutor should consider whether or not the coercion amounts to a defence of duress. Children and young people may also be witnesses in the prosecution of adults and should be given appropriate support.

5.7 United Kingdom Border Agency (UKBA)

Under the UK Borders Act 2007, UKBA officials are required to have regard for the "Keeping Children Safe from Harm" code of practice when dealing with any child identified as being at risk of harm at a port of entry. They should refer to the appropriate LA children's social care team and/or local police.

When interviewing a child, every effort must be made to identify their sponsor and any other adult who comes to collect them, ensuring that they are legitimately able to do so and that they do not pose a threat to the child or young person's welfare. The UKBA will endeavour to seek evidence and reassurances that the accompanying adult, if not a parent or blood relative, is caring for the child/young person with the parent's consent.

Immigration officers are empowered to refer children and young people to LA children's social care in the area the port of entry is located, if their immigration documentation is incorrect or the officer has concerns about their welfare. However, officers have very limited opportunity to assess the child or young person's welfare, and adults bringing children into the country illegally are adept at concealing irregularities in their relationship with the child, including using threats to ensure that the child or young person presents appropriately.

Where it appears that a private fostering arrangement has been made, and there is no evidence that the Local Authority has been notified of or inspected the arrangements, the UKBA will notify the relevant Children's Social Care.

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.

5.8 Community, including Faith groups and Voluntary Sector

Community groups, faith groups and voluntary organisations play an important role in identifying children and young people who may have been trafficked. They also play an important part in working with and supporting young people. It is important that a good working relationship and trust is established between statutory agencies and these groups.

6. Support and Advice Services

Specialist support services can provide specific guidance and support. These are,

UK Human Trafficking Centre: www.ukht.org. Tel: 0114 252 3891

Child Exploitation and Online Protection Centre: www.ceop.gov.uk

NSPCC 24 hour helpline: 020 7825 2802 (specific for the duration of Operation Pentameter 2)

NSPCC Child Trafficking Advice and Information Line: 0800 170 7057

Refugee Council Children's Panel:

www.refugeecouncil.org.uk/howwehelp/directly/children Tel: 020 7346 1134

A card which includes details of these and other support services are available and will be given to children and young people who are recovered by the police through **Operation Pentameter 2**

National Advocate: If recovered through Operation Pentameter 2, the police led co-ordinating group (Gold Command Victim Care Group) will identify an advocate for the child/young person who will provide support and advice to children's social care regarding appropriate care. The advocate will also contact the young person directly once they give their permission. The National Advocate will be expected to have an overview of the young person's circumstances and needs and will be able to prompt and help inform a response by police forces if the young person goes missing after being identified. Responsibility for informing the National Advocate and passing on information is the responsibility of the police

7. Responding to Concerns

The LA children's social care team should follow inter-agency procedures as set out in Chapter 2 but with the following additional issues in mind.

Where a child/young person is recovered by police as a result of Operation Pentameter, it will be important to ensure their immediate safety as well as protecting from harm in the longer term. In these circumstances children's social care should consider commencing care proceedings.

For guidance on the recognition of potential indicators, see appendix 1

7.1 Initial information and referral

- Obtain as much information as possible from the referrer including accessing information from abroad as soon as possible

- Clarify the basis for concerns about possible trafficking and request that these are put in writing
 - A decision regarding action must be made within 24 hours in order to act before the child goes missing
- 7.2 On completion of the initial referral information gathering, the LA children's social care should consider one of four ways forward
- An initial assessment to gather more information.
 - Accommodation of the child under s20 *Children Act 1989* if
 - The child/young person is lost or abandoned, or there is no person exercising parental responsibility
 - The person who has been accommodating the child is prevented, for whatever reason, from providing suitable accommodation or care
 - There is reasonable cause to believe that the child is suffering or likely to suffer significant harm, an emergency protection order may be sought
 - Immediate emergency protection may be necessary using the Police powers of protection
 - A strategy discussion agrees that a section 47 enquiry and core assessment is necessary in line with procedures outlined in Chapter 2
 - No further action

The LA children's social care team must advise the referrer which action is to be taken and make clear to them what information, if any at this stage, can be shared with the child/young person and any accompanying adult

8. Assessments

- Where trafficking is suspected the initial assessment must be led by a qualified and suitably experienced social worker
- It must be carefully planned with all relevant agencies contributing, including agreeing the timing of the different assessment activities
- Consideration must be given as to what information is to be given to the parents or carers
- Initial assessments should involve seeing and speaking to the child and family members (see below interviews). The services of an independent, CRB checked, interpreter should be used where English is not the child/young person's preferred language
- All relevant information should be taken into account, particularly historical information and details of family addresses abroad and dates of movement between countries
- All documentation held by the child/young person, parents and other agencies should be checked for discrepancies. This should include (if available) passport, Home Office papers, birth certificate and proof of guardianship
- Attention should be given to details in the passport, verifying the date of issue; length of visa; whether the picture resembles the child/young person; whether the name in the passport is the same as the alleged mother/father and if not, why not; whether this appears to be an original and taking copies to ensure further checks can be made if necessary

- Take copies of all documents to ensure further checks can be made as necessary
- Age Dispute: a young person may be told to lie about their age e.g. to say they are over 18 years if working in a brothel. If there is any concern that the young person may be under 18, until there is information to the contrary, they should be treated as a child.

9. Interviewing as part of section 47 enquiries

Once a decision has been made at a strategy discussion to conduct a joint interview under no circumstances should the child or young person be interviewed with any family member or carer present and, wherever possible, in a safe environment. The family member or sponsor should **never** be asked to act as an interpreter.

The interview should focus on the following areas:

- family composition, brothers, sister, ages
- parent's employment
- tasks done around the home
- 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
- travel history – how did they travel to the UK and who accompanied them, etc.

The adult of the family should be interviewed separately covering the same areas. A comparison can then be made and discrepancies highlighted. These should then be followed up for an explanation and where possible verified through an independent source.

All documents must be seen and checked. This should include (if available) passport, Home Office papers, birth certificate and proof of guardianship, visas, utility bills, tenancy agreements.

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

Where it is found that the child or young person is not family member and is not related to any other person in this country, further consideration needs to be given to whether this is a viable private fostering arrangement or whether the child/young person needs to be removed from the household and/or legal advice sought on making a separate application for immigration status.

10. Issues for professionals to consider when working with trafficked children and young people

The child or young person is likely to need:

- Safe accommodation if they are victims of an organised trafficking operation
- Their whereabouts to be kept confidential
- Contrary to good practice, contact arrangements with family, friends or other people (by telephone, text etc or in person) to be severely restricted and/or supervised.
- Access to advocacy and legal advice about their rights and immigration status
- Access to health and education
- Discretion and caution to be used in tracing families
- A risk assessment to be made into the danger they may face if they are repatriated
- Support and protection against reprisals if acting as a witness against adults in criminal proceedings

For additional guidance see “**Safeguarding children who may have been trafficked**” HM Government, 2007

11. Particularly vulnerable groups

Children and young people who are in particular groups may be more at risk of exploitation by trafficking. These groups are,

- **Inter-country adoptions:** Those involved in facilitating inter-country adoptions may be doing so for significant financial gain. At no point should profit be made from the process.
- **Private Fostering:** It is thought that many private fostering arrangements are not known to the local authority for a variety of reasons. Children and young people in private fostering arrangements are vulnerable to being exploited in domestic servitude, other forms of forced labour or even sexual exploitation
- **Children who are in Care:** LAs have a duty to assess and accommodate all unaccompanied asylum seeking children (UASC), developing a care plan that becomes a pathway plan. The assessment of needs should include additional areas of enquiry for children and young people who may have been trafficked e.g. relevant background information, reasons for coming to the UK, vulnerability to the continuing influence/control of adults sponsoring their arrival. Establishing trust and a sense of safety/security is essential.

The identity and legitimacy of any adult enquiring about the young person must be established before whereabouts is divulged. The relationship to the young person of any person claiming to be a potential carer/family member/friend must be verified and a risk assessment made prior to reunification.

Foster carers/residential workers should be vigilant about anything unusual e.g. cars waiting outside the premises and telephone enquiries

- **Missing Children:** There is a likely risk that trafficked children and young people will go missing from local authority care and this should be taken into account in planning that child's care. This should include a contingency plan in the event that the child/young person goes missing. The Inter-Agency Missing Children procedures should be followed as soon as the child/young person fails to return to their placement. Schools should be made aware of the risks of possible enticement and/or abduction and should not release a child to an unknown adult.

Possible indicators that a child or young person may have been trafficked

There is no exhaustive list of the signs of trafficking. These indicators are in addition to general concerns and indicators of abuse and neglect:

At the Port of Entry	Whilst Resident	At risk of internal trafficking
<ul style="list-style-type: none"> • has entered country illegally or with parents on genuine visas, then abandoned and forced to claim asylum • has no passport or other ID • has false documents • possess goods / money not accounted for • is malnourished • unable to confirm the name and address of the person meeting them • has had their journey or visa arranged by someone other than their family • is accompanied by an adult who insists on remaining with them at all times • is withdrawn / refuses to talk or appears afraid to talk to a person in authority • has a prepared story that is very similar to those given by other children • excessive maturity / confidence for their age • has no money but has a mobile phone • unable / reluctant to give details of accommodation <p>The Sponsor:</p> <ul style="list-style-type: none"> • has made previous multiple visa applications for other children • has acted as a guarantor for other visitors who have not returned to their country of origin once the visa expired 	<p>As for the Port of Entry but additionally,</p> <ul style="list-style-type: none"> • receives unexplained phone calls • possess money / goods not accounted for • has a history with missing links and unexplained moves • has gone missing from care or is missing for periods without plausible explanation • appears required to earn a minimum amount of money every day • works in various locations • has limited freedom of movement • is known to beg • performs excessive housework and rarely leaves the residence • is being cared for by adults who are not their parents and the quality of the relationship is not good • is one among a number of unrelated children at the same address • is not registered with a GP • has not been enrolled in school • has to pay off large debts • is deprived of large part of their earnings • is excessively afraid of being deported • signs of physical/sexual abuse; contracted sexually transmitted disease; unwanted pregnancy 	<p>Additional indicators include,</p> <ul style="list-style-type: none"> • reliable sources suggest the likelihood of involvement in sexual exploitation • reported seen in places known to be used for sexual exploitation • evidence of drug, alcohol or substance misuse • leaving home / care setting in unusual clothes compared to usual attire, or inappropriate for age including borrowing from older people • adults loitering outside residence • significantly older boyfriend • social activities have no plausible funding source • returning after being missing looking well cared for • acquisition of expensive clothes / goods without plausible explanation • having keys to premises other than those known about • entering or leaving vehicles driven by unknown adults • being found in areas where they have no known links • inappropriate use of the internet and forming on-line relationships, particularly with adults