Safeguarding Children who may have been Trafficked Procedure

## Introduction

The definition of trafficking contained in the ‘Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children’ (ratified by the UK in 2006) is as follows:

“Trafficking of persons” shall mean the 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
* 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.

Many children travel to the UK on false documents. The creation of a false identity for a child can give a trafficker direct control over every aspect of the child's life. Even before they travel to the UK, children may be subject 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. Traffickers may use coercive control such as abduction or kidnapping as well as by subversive methods such as promise of education or consistent employment.

Any port of entry into the UK may be used by traffickers via air, rail and sea and, as checks on main entry points are increased, evidence suggests that traffickers are using more local entry points.

There is increasing evidence that children of both UK and other citizenship are being trafficked internally within the UK for very similar reasons to those outlined above. There is evidence of teenage girls and boys born in the UK being targeted for internal trafficking between towns and cities for sexual exploitation.

## Identification of Trafficked Children

All practitioners who come into contact with children and young people in their everyday work need to be able to recognise children who have been trafficked and be competent to act to support and protect these children from harm.

The nationality or immigration status of the child does not affect any agency's statutory responsibilities to safeguard and promote the welfare of children. Nationality and immigration issues should be discussed with the UK Visas and Immigration service only when the child's need for protection from harm has been addressed and should not hold up action to protect the child.

Possible indicators

Professionals should be aware of the possible indicators but identification of trafficked children may be difficult as they might not show obvious signs of distress or abuse. Some children are unaware that they have been trafficked.

The following indicators are not a definitive list and are intended as a guide to be included in a wider assessment of the child's circumstances.

At port of entry, the child:

* Has entered the country illegally, has no passport or means of identification or has false documentation;
* 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 similar to those that other children have given;
* Is unable or is reluctant to give details of accommodation or other personal details.

Whilst resident in the UK, the child:

* Does not appear to have money but does have a mobile phone;
* Receives unexplained/unidentified phone calls whilst in placement / temporary accommodation;
* Has a history of missing links and unexplained moves;
* Is required to earn a minimum amount of money every day, works in various locations, has limited amount of movement, is known to beg for money;
* 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.

For children internally trafficked in the UK, indicators include:

* Physical symptoms indicating physical or sexual assault;
* Behaviour indicating sexual exploitation;
* Phone calls, text messages, emails or social media messaging being received by the child from adults outside the usual range of contacts;
* The child persistently going missing; missing for long periods; returning looking well cared for despite having no known base;
* The child possessing large amounts of money; acquiring expensive clothes/mobile phones without plausible explanation;
* Low self-image, low self-esteem, self-harming behaviour, truancy and disengagement with education.

## Referrals

Any agency or individual practitioner or volunteer who has a concern regarding the possible trafficking of a child should immediately make a referral under [**Safeguarding Referrals Procedure**](https://lincolnshirescb.proceduresonline.com/p_refer_proce.html). Practitioners should not do anything which would heighten the risk of harm or abduction to the child. Prompt decisions are needed when the concerns relate to a child who may be trafficked in order to act before the child goes missing.

National Referral Mechanism (NRM)

Agencies have a duty to notify the Home Office about any potential victims of Modern Slavery which encompasses trafficking. For potential victims, under 18, this duty is satisfied through the completion of the NRM. A child does not have to consent for an NRM referral to be made (see [**National Referral Mechanism Guidance: Adult (England and Wales)**](https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales#the-components-of-modern-slavery) sections 5.1 & 5.2).

If the victim of modern slavery/ trafficking is under 18, this is child abuse. The completion of the NRM does not replace organisations statutory safeguarding duties under *Working Together to Safeguard Children 2023*. If professionals are concerned that a child is a victim of modern slavery/trafficking, they must report and/or escalate concerns following their organisations safeguarding procedures, which includes referral to Lincolnshire County Council (LCC) Children Services (see [**Safeguarding Referrals Procedure**](https://lincolnshirescb.proceduresonline.com/p_refer_proce.html)).

This referral mechanism can be used to provide additional safeguarding support to CSE victims and children exploited for criminal offences such as county lines, pickpocketing or cannabis cultivation may also be victims of modern slavery including human trafficking. An NRM referral must be made for any CSE or CCE victim where there are reasonable grounds to believe that they may be a victim of modern slavery (including slavery or human trafficking). A first responder can make a referral where it is 'suspected but cannot [be] prove[n]' the identified child is a victim of slavery or human trafficking.

Further information can be found via [**National referral mechanism guidance (England and Wales)**](https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales).

[**Click here to access the National Referral Mechanism, Report Modern Slavery form**](https://www.modernslavery.gov.uk/start) if you are with the Police or other [Designated Organisations](https://www.modernslavery.gov.uk/designated-organisations).

Lincolnshire's Multi Agency Child Exploitation (MACE) model's key objective is to identify, manage and tackle Child Exploitation in Lincolnshire. The weekly MACE business is determined by information submitted on the Child Exploitation Screening Tool, which must be completed when any concerns of child exploitation are suspected. This key source of information contributes to the understanding and response to child exploitation within Lincolnshire.

## Social Work Assessment

Specific action during the Social Work Assessment of a child who is possibly trafficked or a victim of compulsory labour, servitude and slavery should include:

* Seeing and speaking with the child and family members as appropriate - **the adult purporting to be the child's parent, sponsor or carer should not be present at interviews with the child, or at meetings to discuss future actions**;
* Drawing together and analysing information from a range of sources, including relevant information from the country or countries in which the child has lived. All agencies involved should request this information from their counterparts overseas. Information about who to contact can be obtained via the [Foreign, Commonwealth & Development Office](https://www.gov.uk/government/organisations/foreign-commonwealth-development-office) or the appropriate Embassy or Consulate in London;
* Checking all documentation held by child, the family, the referrer and other agencies. Copies of all relevant documentation should be taken and together with a photograph of the child be included in the social worker's file.

Even if there are no apparent concerns, child welfare agencies should continue to monitor the situation until the child is appropriately settled.

## Strategy Discussion and Section 47 Enquiries

The Strategy Discussion should decide whether to conduct a joint interview with the child and, if necessary, with the family or carers. Under no circumstances should the child and their family members or carers be interviewed together.

Professional interpreters, who have been approved and DBS 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 the parent, guardian or relative**.

## Multi-Agency Meeting

On completion of a Section 47 Enquiry a multi-agency meeting should be held convened by the social worker, and involving the social worker's supervising manager, the referring agency if appropriate, the Police and other relevant professionals 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, including the need for a Child Protection Conference and possible Child Protection Plan.

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

Any law enforcement action regarding fraud, trafficking, deception and illegal entry to this country is the remit of the Police and the local authority should assist in any way possible.

## What Trafficked Children Need

Trafficked children need:

* Professionals to be informed and competent in matters relating to trafficking and exploitation;
* Someone to spend sufficient time with them to build up a level of trust;
* Separate interviews - at no stage should adults purporting to be the child's parent, sponsor or carer be present at interviews or at meetings with the child to discuss future action;
* Safe placements if children are victims of organised trafficking operations and for their whereabouts to be kept confidential;
* Legal advice about their rights and immigration status;
* Discretion and caution to be used in tracing their families;
* Risk assessments to be made of the danger if he or she is repatriated;
and
* Where appropriate, accommodation under Section 20 of the Children Act 1989 or an application of an Interim Care Order.

## Returning Trafficked Children to their Country of Origin

In many cases, trafficked children can apply to the UK Visas and Immigration service for asylum or for humanitarian protection. For some, returning to their country of origin presents a high risk of being re-trafficked, further exploitation and abuse.

If a child does not qualify for asylum or humanitarian protection and adequate reception arrangements are in place in the country of origin, the child will usually have to return. It is important that this is handled sensitively and with assistance with reintegration which is available through voluntary return schemes.

## Trafficked Children who are Looked After

Trafficked children identified as Unaccompanied Asylum Seeking Children (UASC) may be accommodated by the Local Authority under Section 20 of the Children Act 1989.

The assessment of their needs to inform their Care Plan should include a risk assessment of how the local authority intends to protect them from any trafficker being able to re-involve the child in exploitative activities. This plan should include contingency plans to be followed if the child goes missing.

Whilst the child is Looked After, residential and foster carers should be vigilant about, for example, waiting cars outside the premises, telephone enquiries etc.

The Local Authority should continue to share with the Police any information which emerges during the placement of a child who may have been trafficked, concerning potential crimes against the child, risk to other children or relevant immigration matters.