

NSPCC Response to All Party Parliamentary Group on Runaway and Missing Children and Adults

CHILDREN TRAFFICKED INTO THE UK GOING MISSING

This paper is submitted in response to a call for evidence by the All Party Parliamentary Group on Runaway and Missing Children and Adults' inquiry into looked after children who go missing from care.

The submission has been written by Child Trafficking Advice and Information Line (CTAIL) of the NSPCC.

The NSPCC

The National Society for the Prevention of Cruelty to Children (NSPCC) is the UK's leading charity specialising in child protection and the prevention of cruelty to children.

The NSPCC aims to end cruelty to children in the UK over future generations. In pursuit of our vision we will:

- Create and deliver services for children which are innovative, distinctive and demonstrate how to enhance child protection most effectively;
- Provide advice and support to ensure that every child is listened to and Protected;
- Provide advice and support to adults and professionals concerned about a child and if necessary take action to protect the child;
- Work with organisations which work with children to ensure they effectively protect children and challenge those who do not;
- Campaign for changes to legislation, policy and practice to ensure they best protect children;
- Persuade everyone to take personal responsibility for preventing cruelty to children;
- Inform and educate the public to change attitudes and behaviours towards children;
- Use our statutory powers as necessary to protect children.

NSPCC Child Trafficking Advice and Information Line (CTAIL)

Since September 2007, CTAIL has provided a UK-wide service to professionals offering social work and police advice to inform and support professionals in their work with children where there is a trafficking concern.

The service offers a telephone duty line, awareness raising presentations, individual case consultation, attends strategic trafficking meetings, child protection strategy and

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professional meetings together with preparing court reports on behalf of trafficked children and young people. The team have the participation of young people who have first-hand experience of being trafficked to assist in developing the team and other professionals understanding to child trafficking.

The information on each child's case is recorded and collated, anonymised before sharing with our donor Comic Relief and partner agencies Home Office and CEOP. The data from our service and other agencies is collated by CEOP to produce publications informing professionals of figures and trends of child trafficking.

CTAIL's data and trends

Since CTAIL began in September 2007, we have had 715 referrals of children where there are concerns for trafficking. Each year our referrals have increased with more professionals across the UK becoming aware of our service. Over the past year we have received 158 referrals.

The children have been trafficked from Africa, Asia, South American and European countries into the UK to be exploited for sexual exploitation, domestic servitude, criminal activity, such as cannabis cultivation and street crime, for benefit fraud and forced marriage.

With some of the children referred to us, it is not always clear at the beginning whether trafficking has happened or intended to happen, as a social worker may not have completed an assessment to establish:

- The child's needs;
- Parenting capacity and,
- Environmental factors

It is also not clear whether trafficking was intended, as the child may have been identified at a border before the exploitation happened. However, what is important in these situations is that professionals recognise the indicators for trafficking and the vulnerability of the child, given the child is in a different country from their home, possibly orphaned and separated from their parents or formal carers.

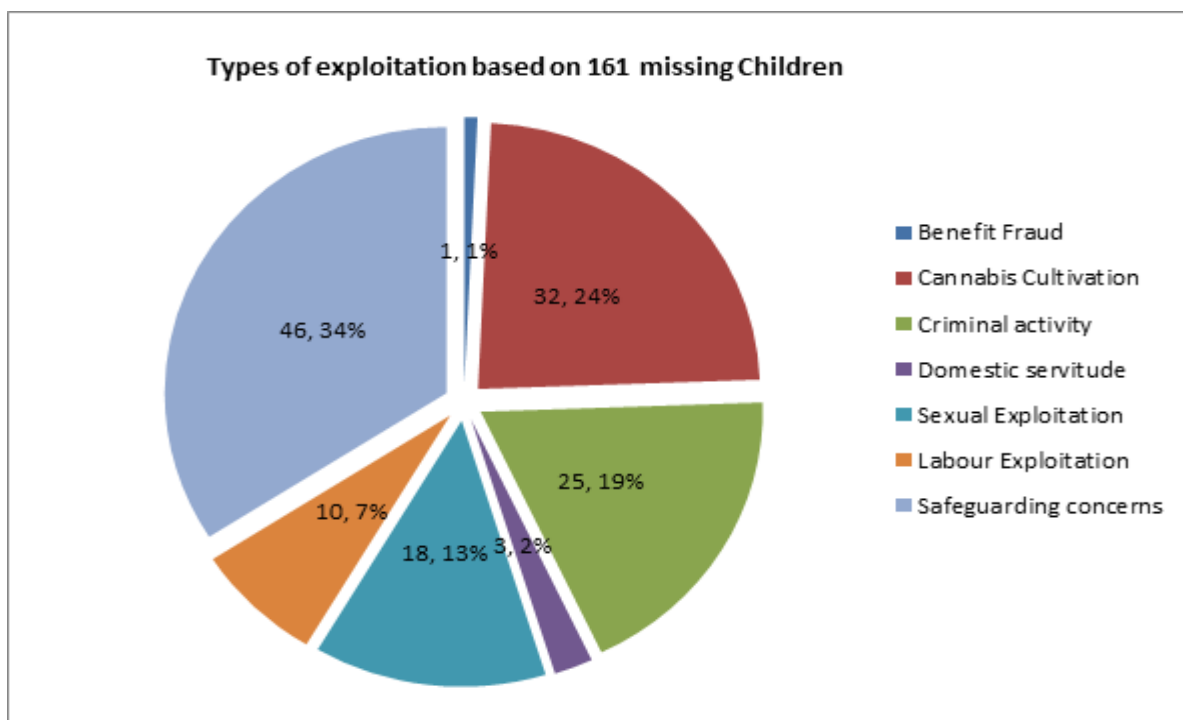
CTAIL's data shows that children are often exploited for more than one reason, such as for domestic servitude or moving drugs as well as being sexually exploited. What is evident for all the children referred to us, is that they experience high levels of

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other forms of abuse, such as physical abuse, juju curses¹, or neglected by not receiving schooling or health care.

CTAIL data of Missing children

- The referred children's ages have ranged from 2 months to 18 years, with 94 of the older children being age disputed.
- 26 children came from Vietnam, 21 from Nigeria and the remaining 47 coming from a range of countries.
- Of the 715 children referred, 127 were 10 years of age and under, of these 13 were missing at some point. Of the 588 children aged between 10 -18 (including age disputed) 148 went missing at some point.
- Of the 715 children coming to CTAIL's attention since 13th September 2007 until 19th April 2012, 161 children have been reported missing at some time.
- Of the 161 missing children, 73 are still missing. 26 have been found. 11 returned and 18 unknown.
- Of the trafficked children who went missing, 58% were being exploited for criminal activity (street crimes) and cannabis cultivation



¹ A juju curse is a ceremony or process carried out by traffickers intended to make the trafficked child too scared to leave their situation for fear of severe consequences.

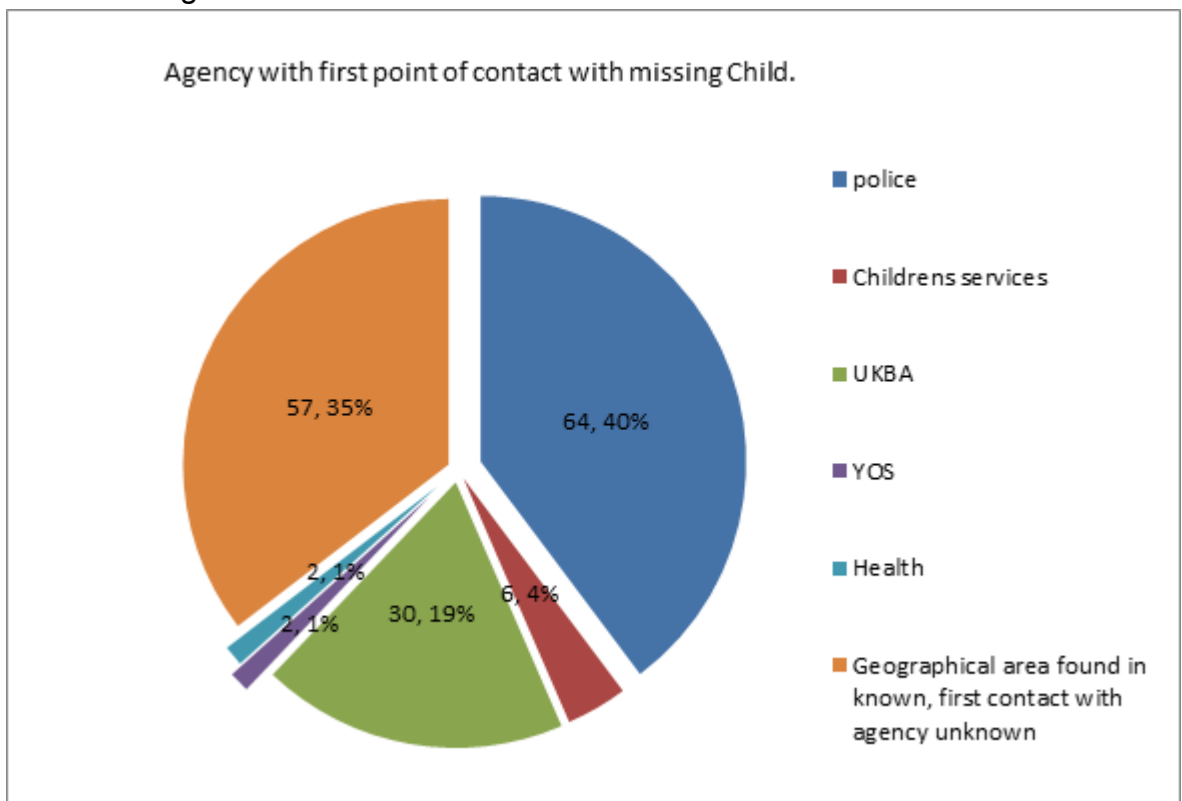
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- The ethnicity of the highest groups of children missing or their whereabouts are not known are:

64 Vietnamese

33 Chinese

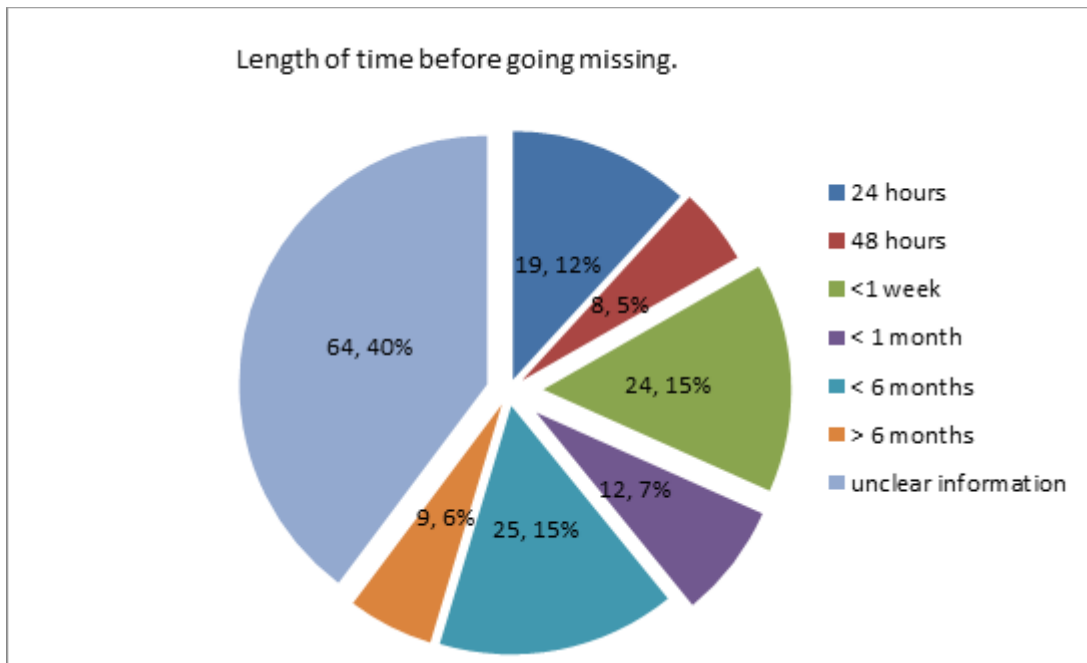
12 Nigerian.



- Out of the 161 children who went missing the places they went missing from are:
 - 61 foster care;
 - 27 B&B/hostel/hotel ;
 - 16 Supported lodgings;
 - 17 living with adults whose relationship is unclear.
- Of the 161 children who went missing where trafficking was a concern, children's services and police responded to 73 children with an initial child protection strategy meeting and reported the child missing.

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- When CTAIL contacted children's services and police about a trafficked child going missing, children's services knew nothing about 44 of them and police knew nothing regarding 32.
- For 17 of the children, police reported them as wanted for criminal or immigration offences.



CASE STUDY

Two boys from Bangladesh were brought to the UK by a man saying he was their father, he then returned to Bangladesh, where he was arrested on suspicion of trafficking a number of other children.

During a joint operation between UKBA and Police the younger boy was found locked in a small room of a flat. The adults were arrested on suspicion of trafficking and neglect and the child was taken into local authority care. The 14 year old boy has remained missing since entering the UK. Two police forces disputed responsibility for dealing with him, resulting in the child not being entered onto any National Police System and being circulated as missing.

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The Police Liaison Officer for NSPCC CTAIL remained in contact with the referrer and contacted other Police departments, the Home Office, National Police Improvement Agency and Child Exploitation Online Protection at various stages throughout the year in an effort to raise the safeguarding concerns for the vulnerable 14 year old missing boy.

The boy was eventually circulated, but only as locate/trace. This meant he was circulated on the police system and if police came into contact with him his name would come to their attention, but there would be no enquires into his case as a missing person.

This means a 14 year old young person is missing but not circulated by the police, as ACPO guidance states children should be.

This case reflects the problems that young people and children face if unaccompanied entering through UK borders and go missing. The cross border (county) disputes regarding responsibility and investigation of the missing person overshadow the principle concern which must be the safeguarding and child protection concerns of a vulnerable missing child who has been brought into the UK.

Quote from professional “These children are brought up to do this, they are conditioned for it”

Some professionals do not understand that trafficked children are victims or hold discriminatory attitudes.

CTAIL’s concerns for missing trafficked children

What is concerning, is that when a trafficked child disappears we do not know what has actually happened to them until the child reappears and assessments or investigations have been carried out.

CTAIL have been involved in children’s case where they appear to go missing, but then they are found in a completely different part of the country, sometimes within hours, being exploited again either for cannabis cultivation or street crime. Other children have gone missing and then come back to our attention as UKBA have

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picked the child up at the border, being trafficked out of the UK to be sexually exploited in another country.

It is important for professionals dealing with missing children to have full appreciation of the risks and vulnerabilities that apply to those children. Where there is evidence or intelligence that a child has gone missing to be trafficked or following grooming for exploitation, the investigation to find the child must be treated as high risk. These children are extremely vulnerable and immediate effective steps must be taken to find them and take them to a safe place. The police will need to assign the correct level of resourcing, including the deployment of officers with the right levels of skills and experience. The fact that a child came into care following being trafficked or groomed is itself compelling evidence that they are missing to be exploited again.

There are particular concerns for trafficked and groomed children because they may be coerced into leaving safety for fear of threats to their families, their perceived debt bondage and fear of juju curses. So, what may appear to be a child leaving a safe place voluntarily, may in fact be action under duress.

When trafficked children disappear they are usually referred to as missing and sometimes wanted. Wanted, if they have been involved in a criminal offence such as cannabis cultivation, street crimes or for immigration offences (Professionals can sometimes forget that the forged documents have been provided for by the adult trafficker, in order to get them into the UK and to exploit them).

Child trafficking is child abuse. It requires a child protection response with police investigations given it is also an organised criminal activity. Child trafficking is a criminal offence. The police investigation should concentrate on finding the missing child because he/she is vulnerable. Where there is evidence or intelligence that a child is missing and in the hands of traffickers, then the vulnerability of that child increases enormously and the vigour and resources put into finding him/her should reflect this.

Children cannot give informed consent to being trafficked under the 2000 United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (often referred to as the Palermo protocol), therefore agencies with a responsibility for children need to review how they describe and respond to children where there are concerns for trafficking and not being where they should be, in order to safeguard them appropriately. Especially given that these children and young people are separated and orphaned, in a foreign country with no parent or

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carer to advocate for them or escalate the concerns that they have been abused, exploited and now „missing’.

CASE STUDY

‘Juliette’ is a 16 years old girl who came into the UK on a false passport arranged by her trafficker which indicated that she was a 32 year old woman. She was caught by an immigration officer and detained for questioning by police. When the police came she told them she was a 16 year old girl and gave an account of how she had been trafficked to the UK with the promise of work. Police did not believe she was a child and arrested her on the basis of the age on the passport.

No referral was made to children’s services and no one considered that she was a victim of child trafficking.

Juliette was placed on remand in an adult prison. An NGO working with adult victims of sexual exploitation realised that she was a child and made a referral to children’s services and the NSPCC Child Trafficking Advice and Information Line. Through multi-agency work which identified her as a victim of child trafficking. Juliette was released after spending almost a month in prison. She was taken into local authority care and placed in a children’s home. After two weeks in care, she went missing.

Police and children’s services suspected she was re-trafficked and circulated her as a missing person. Police suspected that her traffickers were able to maintain contact with her while she was in care. She was found on her way to another European country and investigations showed that a third party had paid for her ticket. She was brought back to the UK, police contacted CTAIL for advice and it was highlighted that she was at serious risk of harm and then placed in secure accommodation whilst police investigation took place.

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Responses to 'Safeguarding trafficked children who go missing from care'.

10. Please give your assessment of how well your local authority complies with the children Act duties to safeguard and protect trafficked/exploited children. Does your local authority provide an effective standard of care and suitable accommodation for all trafficked or exploited children. How do they ensure the child's best interests are at the centre of their decision making?

A. Given that CTAIL is a national service, we have seen a vast range of differing responses from local authorities across the country, ranging from some local authority workers not thinking child trafficking is their issue, but an immigration issue. To others who place children in hostels under section 17 Children Act 1989. , Other local authorities accommodate children under section 20 Children Act 1989, although there are no parents to sign and agree for their child to be accommodated. We have also seen practice in Northern Ireland where full care orders have been taken. For some children who are at serious risk of harm from serious organised crime networks, where there has been evidence to demonstrate this, then secure accommodation may need to be sought.

It is crucial that young people's views are sought and involve them in child protection and future plans. Young people from our advisory group have informed us that they need time to build relationships, need to be believed and have a key-worker that they can contact anytime for help advice and practical support.

11. Are there any differences in local authority care and accommodation provision for children under immigration control (UASC) compared to services provided to other looked after children.

A See above

12 Government's 2011 Human Trafficking Strategy commits to tackling the issue of trafficked children who go missing from care. What can local authorities and voluntary organisations do to better safeguard trafficked and exploited children and ensure that they do not go missing from care.

A Recognise the push and pull factors which cause young people to go missing. Semi-independent living can be a factor in some trafficked children going missing

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from care as they do not have the sense of belonging and nurturing that some children derive from being part of a foster family. Without this surrogate family some children have nothing to stay in placement for so the „pull’ factors presented by the traffickers become more appealing.

Equally foster care does not work for all children. Assessments and placement planning should be done on a case by case basis.

Professionals need to understand that trafficked children may go missing back to traffickers as they fear the harm they or their families may come to, also the belief that they owe huge debts to traffickers.

It is important to expand professionals’ knowledge that this is international and organised crime and that the levels of risk to the child are that much higher.

13 How can police better identify, track, protect and safeguard trafficked or exploited children who have gone missing from care. Please do give your assessment of police responses to trafficked children in your area.

A. Whilst guidance is clear that no missing child should ever be categorised as „low risk’ CTAIL’s case experience demonstrates some migrant/ trafficked children are treated as „low risk’ (there is also a recent example of a trafficked child not being classed as „missing’ at all, the referrer was told it was UKBA’s responsibility and that the child could not be missing as he has no status in the UK). This discriminatory practice first needs to be acknowledged, and then addressed.

The NSPCC CTAIL database shows that even before being identified and placed in care, trafficked children are most likely to come in contact with the police than any other agency. They are often identified at the port of entry or in exploitative situations (cannabis cultivation and pick pocketing). If the police are aware of indicators of trafficking and added vulnerabilities the children should be viewed as vulnerable who need to be referred to children’s services.

Children from the CTAIL’s young people advisory group have said that the first time they come in contact with the police they find it very hard to talk through telephone interpreters. They have been brainwashed by their traffickers that police are corrupt, abusive and will deport them back. This may also correspond with their own experience with law enforcement agencies in the home country or during the journey.

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If they are spoken to and explained that the police are not going to physically abuse them and there will be an immigration process as opposed to immediate removal, they are more likely to trust the police.

Police practice could be improved, if child trafficking was included in basic core training, in order for them to understand it is child abuse, requires a child protection response and being dealt with as medium or high risk when reporting missing and understanding the international organisationally element of it when conducting enquires.

CTAIL would recommend a multi-agency response, with follow-up de-briefing conducted by specially trained officers or the officers could oversee another professional carrying out the interview who the young person has already built a rapport with, giving the young person a better opportunity to share information and for the police to obtain intelligence.

14 How would providing a guardian for separated migrant children as set out in the International Legislation help protect trafficked or exploited children going missing from care.

Trafficked children need a consistent response from all agencies.

Every child where there are concerns or indicators for trafficking needs to be thoroughly assessed under the assessment framework with consideration to their family back home, future planning, risk factors, this is carried out by a local authority social worker. Children should have a key professional who they can access when they want to, this may not be their social worker, but whom would liaise with. This key professional should be a consistent support in their lives.

Currently there is provision of guardians for all children who go through the care system. This should be available to trafficked children who are placed in care. The NSPCC feels that imposing an additional „guardian’ outside the already existing CAFCASS system should not be the focus, the focus should be to make the mainstream services available to all children subject to immigration control.

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CTAIL recommendations:

1. Child trafficking is child abuse that requires a child protection response.
2. Police should consider, as part of their initial assessment of a missing person report, whether the child has been abducted or groomed.
3. Trafficked children to be treated as high risk missing children.
4. There need to be guidelines to how long a case is left open, how it is monitored and reviewed.
5. Agencies need to be informed that Child trafficking is organised crime that will require cross border investigations and assessments.
6. Child trafficking and children going missing should be part of all professionals' qualifying training who work with children, e.g. social workers, police, health teachers etc.
7. Ensuring thorough Core Assessments are carried out to establish child's needs, parent's capacity (lack of parent or assessments needed abroad) and environmental factors.
8. To assess a suitable placement according to each individual child's needs and the risk of harm the child is exposed to.
9. Carers in child's placement to be made aware that the child has been trafficked.
10. Involve young people planning and interviewing on return.
11. Remind agencies across the UK that the Children Act 1989 and 2004 applies to all children in the UK who need protection, irrespective of their immigration status.
12. CTAIL would suggest there is a need for more data collected in a uniform way from statutory and NGOs to obtain better information about trafficked children who go missing from care.