

***Grŵp Adolygu Canllawiau  
Amddiffyn Plant Cymru Gyfan***

***All Wales Child Protection  
Procedures Review Group***



# **All Wales Practice Guidance for Safeguarding Children Who May Have Been Trafficked**

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# Contents

<b>Acronyms</b>	<b>page 5</b>
<b>Acknowledgments</b>	<b>page 6</b>
<b>Purpose of the guidance</b>	<b>page 6</b>
<b>Wider policy context</b>	<b>page 8</b>
<b>Definitions</b>	<b>page 11</b>

## Section One

- The problem of trafficking
  - Why do people traffic children? page 13
  - Why is trafficking possible? page 14
  - How children are recruited and controlled page 15
  - How are children brought to the UK? page 17
  - Accompanied children page 17
  - Unaccompanied children page 18
  - Trafficking within the UK page 19
  - Links with private fostering page 20

## Section Two

- Role of specific groups and services page 20
  - Children's Services page 21
  - Police in Wales page 22

- Health Services page 23
  
- Schools and Lifelong Learning page 24
- Leisure, Libraries and Parks Service page 25
- Youth Offending Service page 25
- Crown Prosecution Service page 26
- CAF/CASS CYMRU page 27
- UK Border Agency page 27
- UK Human Trafficking Centre (UKHTC) page 28
- Voluntary Sector page 29
- Faith Community page 29
  
- Welsh and UK organisations that may be able to help
  - Wales Strategic Migration Partnership page 30
  - Wales Refugee Council page 30
  - Child Exploitation Online Protection Centre page 32
  - NSPCC Child Trafficking Advice Information Line page 32

### **Section Three**

- Recognition and assessment of information page 33
- Referral and initial information gathering page 35
- Investigating cases of trafficking page 35
- Multi-agency strategy discussion/meeting page 39
- Decision of interview page 41
- National Referral Mechanism page 42
- Special protection and support measures for victims page 44

## **Appendices**

<b>Appendix 1:</b> Assessment Framework Triangle	page 45
<b>Appendix 2:</b> Trafficking flowchart	page 46
<b>Appendix 3:</b> Issues for professionals to consider when safeguarding trafficked children	page 51
<b>Appendix 4:</b> Good practice guidance for trafficked children in care	page 56
<b>Appendix 5:</b> Legislation	page 63
<b>Appendix 6:</b> Action following trafficking	page 64
<b>Appendix 7:</b> Health issues for consideration by professionals working with trafficked children	page 66
<b>Appendix 8:</b> Useful References and Resources	page 72

# Acronyms

## A guide to acronyms used in the document

ACPO	Association of Chief Police Officers
ARC	Application Registration Card
ASUs	Asylum Screening Units
UKBA	UK Border Agency
CAIU	Child Abuse Investigation Unit
CAMHS	Child and Adolescent Mental Health Services
CEOP	Child Exploitation Online Protection Centre
CTN	Coming To Notice
CRB	Criminal Records Bureau
CROP	Coalition for the Removal of Pimping
CPS	Crown Prosecution Service
CTAIL	Child Trafficking Advice and Information Line
DCSF	Department for Children, Schools and Families (the Department for Education since May 2010)
DoH	Department of Health
ECPAT UK	End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes UK
GUM	Genito-Urinary Medicine
ILO	International Labour Organisation
IND	Immigration and Nationality Directorate
LAC	Looked After Child(ren)
LSCB	Local Safeguarding Children Board
NASS	National Asylum Support Services
NSPCC	National Society for the Prevention of Cruelty to Children
PSR	Pre-Sentence Report
UAS	Unaccompanied Asylum Seeker
UASC	Unaccompanied Asylum Seeking Children

UKBA	United Kingdom Border Agency
UNICEF	United Nations Children's Fund
UKHTC	United Kingdom Human Trafficking Centre
YOS	Youth Offending Service
WAG	Welsh Assembly Government

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The All Wales Child Protection Procedures Review Group would like to thank Cardiff Local Safeguarding Children Board (LSCB) for allowing the group to use their Multi-Agency Protocol for Safeguarding Children Who May Have Been Trafficked as the basis for this All Wales Guidance. In addition we would like to thank Powys LSCB for allowing us to do the same with their Safeguarding Children from Trafficking Guidance - your contribution has been most valuable. In addition, we also want to recognise the work of the Welsh Assembly Government, London Child Protection Committee, End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes UK (ECPAT), UNICEF and NSPCC, whose information in the Home Office and the former Department for Children, Schools and Families guidance we have reproduced here.

## Purpose of the guidance

Article 4 from the United Nations Declaration of Human Rights states that:

***'No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all forms.'***

*Safeguarding Children who may have been Trafficked* published by the Welsh Assembly Government in April 2008 (referred to as *Safeguarding Children* throughout this guidance) imposed a responsibility on Local Safeguarding Children Boards in Wales (LSCBs) to develop inter-agency protocols to guide action where there are concerns that a child has been trafficked, including sharing concerns about a child's safety. The focus of this guidance is on children who might have been trafficked from abroad. However, it is important to recognise that child trafficking should not only be seen as a crime against foreign children being brought into the UK, or in transit to other countries. UK born children may also be recruited for internal trafficking within the UK and the

principles of safeguarding and protecting the well being of these children and in recognising the signs of trafficking hold equally true in these circumstances.

In March 2009, the Children's Commissioner for Wales sought for the first time to try and quantify the incidence of child trafficking in Wales in his report *Bordering on Concern*. The report made a number of recommendations to help protect and safeguard these particularly vulnerable children. Following the publication of the report the Assembly Government has established the All Wales Child Trafficking Group to consider how national action might help local implementation arrangements achieve better levels of safeguarding and protection. The production of all Wales guidance to ensure coordinated and consistent action is pivotal to achieving these aims.

This guidance is intended to provide practice guidance to professionals and volunteers from all agencies to help them effectively safeguard children who are abused and neglected by adults who traffic them into and within the UK for purposes of exploitation. The guidance recognises that the development of a multi-agency approach, which is able to establish long-term responses to addressing trafficking, is likely to be more effective than individual initiatives. The core principles on which this guidance is founded are that:

- children who are, or may have been trafficked are being exploited and are sexually, physically and emotionally at risk, both in the short and long-term;
- children do not make informed choices to enter or remain in a situation where they are victims of exploitation but do so as a result of coercion;
- the primary law enforcement effort must be against the adult traffickers who coerce the children into exploitative situations.

For any intervention to be effective it is essential that all agencies, both statutory and voluntary, work closely together to regularly monitor, report and share key information. This should include the results of intelligence gathering about local sectors where trafficking may occur. Incidences of trafficked victims being identified might include increases in victims presenting, referrals, witnesses and progress with and the results of any local initiatives.

## Wider policy context

From 1 April 2009, frontline agencies, known as First Responders (UKBA, Police, LA, NSPCC and Barnardos) were required to refer all suspected cases of child trafficking to be assessed by designated Competent Authorities (CAs), and this guidance aims to contribute to the effective implementation of the LSCB's responsibility for ensuring:

- effective working between partners, in particular the police, social services and UKBA;
- training programmes for practitioners and other professionals are in place either as part of safeguarding training or as additional training;
- that professionals can find advice on dealing with cases of trafficked children; and
- effective public awareness campaigns and publicising sources of help for victims.

To facilitate the sharing of information, Chief Executives from all agencies should identify lead officers, whose key roles should include:

- forming part of the membership of multi-agency strategy/discussion group when there is suspicion that a child is the victim of trafficking.
- providing advice for members of their own agency and other professionals in the area; and
- providing a forum with other lead officers for gathering statistics at both local and national levels. These can be used to inform strategies to prevent children being trafficked and to safeguard and support those children already identified as victims.

Any response to a suspicion of trafficking must address the child's individual circumstances, including consideration of issues of language, gender, race, culture, religion, disability, sexuality and sexual orientation.



The All Wales Child Protection Procedures Review Group recognises that there is often a difficult balance to be struck when producing guidance. Practitioners need to be provided with enough information to enable them to gain an understanding of the subject area, but not to the extent that the guidance becomes inaccessible to the point of it ending up on a shelf collecting dust. We hope that we have got the balance right. Sections 1-3 provide the reader with a background and context to trafficking, as well as clear guidance on what they need to do when faced with it. The appendices contain supplementary materials designed to assist practitioners develop good practice in carrying out their responsibilities.

In an effort to assist practitioners working with children and young people to recognise and respond to trafficking, the Assembly Government has commissioned ECPAT UK to develop a child trafficking on-line training resource – *In Your Hands* - to help raise awareness of child trafficking and to assist practitioners in the identification and safeguarding of children who might have been trafficked. The training resource can be accessed on the ECPAT UK website - <http://www.ecpat.org.uk> and click on the links for the training section for the Welsh resource - or, if preferred, hard copies of the *In Your Hands* CD Rom is available from Janet Martin in the Assembly Government's Children's Safeguards Team (02920 825600 or email [Janet.Martin@Wales.GSI.Gov.UK](mailto:Janet.Martin@Wales.GSI.Gov.UK)). This resource was launched on 18 October 2010 (the first Anti-Slavery Day in the UK).

This guidance should be read in conjunction with the Assembly Government guidance, and also with the All Wales Child Protection Procedures 2008 and these can be found at:

- <http://new.wales.gov.uk/topics/childrenyoungpeople/publications/guidance/?lang=en>
- <http://www.ssiacymru.org.uk/index.cfm?articleid=298>

Given the nature of trafficking it will also be advisable for readers to familiarise themselves with the following guidance documents:

- National Assembly for Wales Circulars 29/2003 (Guidance on Accommodating Children in Need and their Families) and 23/2005 (Guidance on Support for Asylum Seeking Families and Unaccompanied Asylum Seeking Children (UASC)).
- Safeguarding Children: Working Together Under the Children Act 2004 Chapter 9 (9.96 – 9.99).
- Home Office Circular 10/2004.
- Female Genital Mutilation (2005).
- Bordering On Concern (2009)

- Assembly Government guidance on *Safeguarding Children from Abuse and Neglect linked to a Belief in Spirit Possession* (2008).
- All Wales Protocol: Safeguarding and Promoting the Welfare of Children and Young People who are at Risk of Abuse through Sexual Exploitation (2008).
- The Right to Choose: Multi-agency statutory guidance for dealing with forced marriage (Nov 2008).
- Multi agency practice guidelines: Handling cases of Forced Marriage (July 2009).
- Forced Marriage guidance for local authority and relevant third parties (Oct 2009).
- All Wales guidance on *Safeguarding Children who might be sexually exploited* (January 2011). <http://wales.gov.uk/topics/childrenyoungpeople/publications/exploitation/?lang=en>
- Safeguarding and Promoting the Welfare of Unaccompanied Asylum Seeking and Refugee Children (in development).
- E-learning package from the Foreign and Commonwealth Office - site: [www.fmelearning.co.uk](http://www.fmelearning.co.uk)

In September 2010, the Assembly Government announced the creation of the post of Wales' first anti human trafficking co-ordinator. The post is initially for a year with a possibility of an extension, subject to a review, of up to three years. This appointment will ensure that over the next 12 months it will be possible to collect concrete evidence of the on going scale of need in Wales and provide relevant services for those already affected.

On 14 October 2010, the UK Government announced that it would be developing a new strategy to combat trafficking. The new strategy, to be published early next year, will place greater focus on intercepting traffickers before they reach the UK. The main elements of the strategy will include:

- strengthening international co-operation with countries where criminals are based and bringing together enforcement efforts
- building on the success of child safeguarding teams at UK ports
- using a new National Crime Agency and its border police to provide increased deterrence and vigilance at the border working with front-line professionals to improve help for victims of trafficking.

## Definitions

The two most common terms for the illegal movement of people, 'trafficking' and 'smuggling', are very different. Generally speaking in human smuggling, immigrants and asylum seekers pay people to help them enter the country illegally, after which there is no longer a relationship, whereas trafficked victims are coerced or deceived by the person arranging their relocation; although there may be some crossover when smuggling becomes trafficking. However, there is a difference between adult and child trafficking, where the victim is a child neither coercion nor deception need to be present for the child to be considered trafficked. On arrival in the country of destination the trafficked child or person is denied their human rights and is forced into exploitation by the trafficker or person into whose control they are delivered or sold.

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 06 February 2006) defines trafficking as: (Article 3)

*“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.*

*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 sub-paragraph (a) have been used.*

*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*

*“Child” shall mean any person under eighteen years of age.*

Throughout this document a child is defined according to the Children Acts 1989 and 2004 as anyone who has not yet reached their 18<sup>th</sup> birthday. In this document, 'Children' therefore means 'children and young people'. As stated in *Safeguarding Children*, even though a child of 16 may live independently and be in further education, this does not change his or her status or entitlement to services or protection under the Children Act 1989.

*The Palermo Protocol* (United Nations, 2000) establishes children as a special case. Any child transported for exploitative reasons is considered to be a trafficking victim, whether or not they have been deceived. This is partly because it is considered not possible for children to give informed consent.

Even when a child understands what has happened, they may still appear to submit willingly to what they believe to be the will of their parents or accompanying adults. It is important that these children are still protected.

## Section One

### The problem of trafficking

#### Why do people traffic children?

Most children are trafficked for financial gain. This can take the form of payment from or to the child's parents and, in most cases; the trafficker also receives payment from those wanting to exploit the child once in the UK. Some trafficking is by organised gangs. In other cases individual adults or agents traffic children to the UK for their own personal gain. Children may be used for:

- Sex work.
- Domestic servitude.
- Sweatshop and restaurant work.
- Credit card fraud.
- Begging or pick pocketing.
- Tending plants in illegal cannabis farms.
- Benefit fraud.
- Drug mules, drug dealing or decoys for adult drug traffickers.
- Adoption.
- Organ donation.
- Forced marriage

In some instances, children may be trafficked for adoption outside their country of origin. Those involved in facilitating these arrangements may deceive the authorities responsible for the adoption process and often benefit from significant financial gain through payments by prospective adopters who may be unaware of the true circumstances of a child's availability for adoption. This can include payment, coercion or the deception of birth parents into relinquishing a child as well as abducting children. Practitioners who suspect that a child may have been trafficked for adoption must notify the police.

## Why is trafficking possible?

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

- **Poverty:** this is the main root cause of vulnerability to exploitation. Families see the recruiter's promises of work/income as a possible escape route from impoverished circumstances. At the very least a child's departure means one less mouth to feed.
- **Lack of education:** attendance at school has proved to be a key means of protecting children from all forms of exploitation, including trafficking. Traffickers promise education for children whose parents cannot afford to pay school fees or where schools are difficult to access or are of poor quality.
- **Discrimination:** this can be based both on gender and ethnicity. In some cultures girls are expected to make sacrifices in terms of their education and security for the benefit of the family and they represent less of an investment for the family because their contribution to the family will end when they leave to marry (in some cases marriage itself may be too expensive for the family). Many trafficking victims are from minority communities who are socially discriminated against and disadvantaged in their own country.
- **Cultural attitudes:** alongside the culture of disbelief that trafficking occurs (Bordering on Concern 2009); traditional cultural attitudes can sometimes mean that children are more vulnerable to trafficking than others.
- **Grooming:** children are sometimes trafficked out of their country of origin after having been groomed for purposes of exploitation. There have also been cases of girls born in the UK who have been trafficked between towns and cities, after being groomed by men known to them for the ultimate aim of exploiting them sexually.
- **Family conflict:** children may choose to leave home as a result of domestic abuse and neglect.
- **Political conflict and economic transition:** these often lead to movements of large numbers of people and the erosion of economic and social protection mechanisms, leaving children vulnerable.

- **Inadequate local laws and regulations:** trafficking involves many different events and processes and legislation has been slow to keep pace. Most countries have legislation against exploitative child labour, but not all have laws specifically against trafficking. Even where there is appropriate legislation enforcement is often hampered by lack of prioritisation, corruption and ignorance of the law.
- **Natural disasters:** children left orphaned and displaced following natural disasters may be targeted and removed from their homeland, without the necessary legislative procedures having been adhered to.

## How children are recruited and controlled

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

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

Many children travel on false documents and those who do not may not have access to their documents. One way traffickers exert control over trafficked children is to retain their passports and threaten children that should they escape they will be deported. The creation of a false identity for a child can give a trafficker direct control over every aspect of a child's life, for example by claiming to be a parent or guardian.

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

- Voodoo or witchcraft, which may be used to frighten children into thinking that if they tell anyone about the traffickers, they and their families will die.
- Confiscation of the child's identity documents.

- Threats of reporting the child to the authorities.
- Violence or threats of violence, towards the child.
- Threats of violence towards members of the young person's family.
- Keeping the child socially isolated.
- Keeping the young person locked up.
- Telling some children that they owe large sums of money, e.g. for their airfares, accommodation and food, and that they must work to pay this off. However, they never earn enough to do this.
- Depriving the child of money.

The trafficker may have duped the child and their parents into believing they are coming to the UK for a better life and therefore not have abused them physically or emotionally at this stage of the process. The child will have been coached with a story to tell the authorities in the UK and warned not to disclose any detail beyond the story, as to do so would be to risk certain deportation.

Identifying these children at ports of entry will be extremely difficult as there may be no obvious signs of distress. They are unlikely to see themselves as being at risk of harm from the trafficker. Depriving children of their true identity, controlling their contact with their parents and involving them in immigration crimes give the traffickers strong and enduring control over child victims.

Where cases of internal trafficking have come to light within the UK, the victims are usually girls who have been befriended by young men. Evidence gathered from families by the Coalition for the Removal of Pimping (CROP) suggests that some girls are lured into prostitution by being befriended by a boy known to them or introduced to an 'attractive' older boy. The girls are flattered and subtly coaxed into spending more time with their 'boyfriend' and begin taking time off school and staying away from home. The girl's confidence is gained as she is groomed non-coercively by receiving gifts, experiencing an expensive lifestyle and indulging in alcohol and drug use.

Others may be groomed coercively by being forced to comply with her 'boyfriend's' demands. The girl eventually succumbs to sexual exploitation by older men, by a network of perpetrators, or by a pimp. At this stage some of the girls may have developed addictions to drugs or alcohol and be held ransom unless they have sex with more men. Whilst the girls are sexually exploited they may be trafficked from one location to another to make it difficult for them to escape.



## How are children brought to the UK?

There are two ways a child may enter the UK; either accompanied by adult/s or as unaccompanied minors.

Significant numbers of children are referred to local authority children's services after applying for asylum, and some even register at school for up to a term, before disappearing again. It is thought that they are trafficked out of the UK to other European countries or trafficked internally within the UK. However, recent experience suggests that as traffickers perceive checks have improved at the larger ports of entry such as Heathrow and Gatwick, they are starting to use the smaller regional airports.

Trafficked children have entered Wales via a range of routes and ports (including the asylum process) and are referred to Children's Services by a range of agencies. When questioned most of them appear to have very little knowledge or information about the person/people who brought them into the United Kingdom. Where there are suspicions that a child may have been trafficked and their age is disputed by an agency such as the UKBA (based on their appearance), domestic and international law **(EU Trafficking Convention, Article 10) states that age disputed children have to be given the benefit of the doubt and presumed to be children by the Local Authority until their age is verified.** This places a duty on Local Authorities to provide care, support and protection for age disputed victims of trafficking until a full age assessment has been completed by Children's Services to determine whether they are children or not.

## Accompanied children

Very little is known about accompanied children, some of who will have travelled either legitimately or illegitimately with their parents. Others may be brought in by adults either purporting to be their parents or stating that they have the parents' permission to bring the child. There are many legitimate reasons for children being brought to the UK, such as to seek asylum, economic migration with their family, education, and re-unification with family or fleeing a war-torn country.

To curb illegal migration and improve children's safeguards, new global visa regulations were introduced in February 2006. Safeguards have been introduced and a photograph of the child is now required on the visa, together with the passport number of the adult/s who have been given permission to travel with the child.

Some children who enter the UK accompanied by an adult are believed to subsequently apply for asylum claiming to be unaccompanied, after being told by their trafficker that by doing so they will be legally granted permission to reside in the UK and be entitled to claim welfare benefits.

## **Unaccompanied children**

An Unaccompanied Asylum Seeking Child is a child who is:

*applying for asylum in their own right; and is separated from both parents and is not being cared for by an adult who by law has responsibility to do so. A child may move between the unaccompanied and accompanied categories whilst their asylum applications are under consideration, e.g. where a child arrives alone but is later united with other family members in the UK, or a child arrives with their parents or close relatives but is later abandoned, or a trafficked child, or one brought in on false papers with an adult claiming to be a relative.*

Unaccompanied Asylum Seeking Children should be regarded as children first and are entitled to assessment, support and protection in the same way as any other child and their best interests are paramount. These children are separated from their country of origin and are without the care and protection of their parents or legal guardian. Their status, age and circumstances may well be uncertain in addition to their having witnessed or experienced traumatic events, and they may be suffering the most extreme forms of loss.

There are many reasons why Unaccompanied Asylum Seeking Children may leave their home country. Some of the reasons include:

- fear of persecution, due to their religion, nationality, ethnicity, political opinion or social group;
- parents have been killed, imprisoned or disappeared;
- in danger of being forced to fight or become a child soldier;
- war, conflict;
- poverty, deprivation;
- sent abroad by parents/family.

Unaccompanied children remain the responsibility of the local authority in whose geographical area they seek help. Section 20 of The Children Act 1989 requires Local Authorities to provide accommodation for children in need within their area whose assessed needs require this intervention. If a child is accommodated under Section 20 she/he becomes a 'Looked After Child'. There is a statutory duty placed on local authorities under the Children Act 1989 to assist "children in need" and provide accommodation for certain groups of "children in need". Following the Hillingdon Judgement (2003) guidance provided by the Department of Health (DoH) (2003) and the National Assembly for Wales (NAW) (2005), stipulates that support should be based on the same assessment procedures for citizen children, as set out in the "Framework for the Assessment of Children in Need and their Families" (NAW and the Home Office 2001). In following post-Hillingdon guidance, LAC 29 circular (NAW 2005) stipulates "the assessment of whether the child requires accommodation should first determine whether the child meets one or more of the criteria set out in section 20(1) the *Children Act* (1989). Those criteria are:

- (a) there being no person who has parental responsibility for him;
- (b) his being lost or abandoned; or
- (c) the person who has been caring for him being prevented (whether or not permanently, and for whatever reason) from providing him with suitable accommodation and or care."

## **Trafficking within the UK**

Child trafficking should not only be seen as a crime against foreign children being brought into the UK or in transit to other countries. UK born children may also be recruited for internal trafficking within the UK.

There are documented cases of teenage girls, born in the UK, being targeted for internal trafficking between towns and cities for sexual exploitation. Such cases are highlighted by the Coalition for the Removal of Pimping (CROP) in its paper, *Trafficking in Our Midst*. It describes how girls are lured away from their families to perform sexual acts with individual or groups of older men and are threatened with violence if they refuse. More information about CROP and their research is available at: [www.cropuk.org.uk](http://www.cropuk.org.uk)

## **Links with private fostering**

There are occasions when birth parents that intend to smuggle their children into the United Kingdom for a variety of reasons inadvertently subject their children to traffickers who agree to the contract with a child's birth parents but whose intention is to exploit. The adult in this scenario may be a distant relative or friend of the family. Children of asylum seekers whose parents are not in this country but were brought in by someone, and so were not unaccompanied at the time of arrival, are included in this group. The primary objective of these traffickers is often to access benefits and housing.

Some traffickers may present themselves as private foster carers. The Children Act 1989 defines Private Fostering as occurring when a child under 16 (or under 18 if disabled) is placed for more than 28 days in the care of someone who is not a close relative, guardian or someone with parental responsibility. Close relatives are defined in the Act as parents, step-parents, siblings, brother or sisters of a parent, and grandparents.

## **Section Two**

### **Role of specific groups and services**

*Safeguarding Children: Working Together Under the Children Act 2004*, imposed overarching responsibility on Local Safeguarding Children Boards (LSCBs) for developing guidance on trafficking, and recommended that they work with a range of agencies to deliver preventative measures and consider trafficking as part of a local needs assessment.

***When organisations have concerns that a child/young person may have been trafficked, referrals should be made, using locally agreed referral forms to children's services as soon as a problem, suspicion or concern becomes apparent and certainly within 24 hours. Referrals may be made by telephone, in person, by letter or by fax, but must be followed up with in writing within 48 hours.***

## Children's Services

Trafficked children, or children where there have been concerns expressed about the suspicion of trafficking, must always be dealt with within mainstream child care policies and procedures, including child protection where necessary.

The responsibilities of Children's Services (as a First Responder organisation) towards child victims of trafficking may include:

- Identifying a LA lead for trafficking;
- identifying victims/potential victims according to agreed profiles or receiving referrals from other agencies who have identified them;
- contributing to joint inter-agency profiling of victims/potential victims;
- undertaking initial interviews, including joint interviews with local police, to assess risk, harm and agreed child protection plans;
- providing victims/potential victims with a place of safety, including accommodation by the LA;
- providing support services (e.g. legal advice, counselling);
- monitoring of Looked After Children for signs that they are meeting the traffickers, which may include monitoring phone calls and providing a supportive environment so that the child does not leave with the trafficker. This may necessitate taking legal steps to ensure the protection of the child;
- working with a specialist agency, such as the British Red Cross or NSPCC, in the finding of relatives in country of origin, and verifying what would be in the best interests of the child, and whether they should be able to remain in the UK or if it is safe to return home;
- ensuring that voluntary organisations or other support services are available if they are returned to their country of origin;
- providing advice on whom to contact concerning their immigration status;
- assisting in the identification of possible traffickers masquerading as relatives; and
- ensuring contact with the police and providing information to the police.

## **Police in Wales**

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.

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. These offences may include thefts by groups of children, or the child acting in the role of 'gardener' in a cannabis farm.

Police in Wales have an identified structure for the strategic and operational response to trafficking. This structure is led by a Chief Officer, with senior oversight and operational leads identified in each of the four Welsh Forces. This is to ensure that there is a unified understanding and equitable response to reports of child trafficking.

Police in Wales accept that no single organisation can hope to manage the response to potential victims of trafficking alone. Police have made efforts to collaborate both locally and nationally to prepare for reported cases of trafficking.

Each of the Forces has developed a consultation group made up of practitioners and volunteers from a variety of Local Authority, Health and Government and Non Government Organisations. This group advises on the support of victims of trafficking, and provides an opportunity for gathering intelligence in respect of trafficking. These groups will link into a Wales overview, and will also be involved in National Consultation groups.

On receipt of a report of a potential victim of trafficking, Police will consider the most suitable part of their organisation to respond. Initially this may well be a uniformed officer. In the event that it is likely to be a trafficking investigation, the Force single point of contact should be contacted, who will make the necessary arrangements for specialist officers to deal with the case, in conjunction with their Social Services Department as a Joint Investigation. A senior detective officer from that Force will supervise this.

In every case reported, Police and Social Services will refer this to the Competent Authority. The National Referral Mechanism

established two separate but linked Competent Authorities. The UK Human Trafficking Centre is one of these but the other is the UK Border Agency, which is the competent authority for those cases involving children whose immigration status may be disputed. These will be considered against the National Referral Mechanism, and will be subject of the risk matrix. It is anticipated that the care of trafficked children will be managed by Social Services Departments, with Police involvement in respect of the potential risk that trafficked children will be subject to as a result of efforts by offenders to 'retrieve' the children from Local Authority Care.

## **Health Services**

Trafficked children who need healthcare may present themselves at Accident & Emergency Departments, at specific service clinics that provide health care to Asylum Seekers, Genito-Urinary Medicine (GUM) clinic or to primary care services. Reception staff should be alert to inconsistencies in addresses, deliberate vagueness and children or carers being unable to give details of next of kin, names, telephone numbers etc. Checking a child's details whilst they are still in the department may indicate if they are false details or not.

Health professionals may be one of the first contacts who suspect or are aware that a child has been trafficked/disappeared and therefore play a crucial role identifying such children. Initially the role of the health professional in relation to trafficked/disappeared children is in the recognition and referral stages of the process, and not to investigate suspected cases. However, health professionals may become involved in the investigative stage following the multi-agency strategy/discussion meeting.

If a health professional suspects a child of being trafficked, a referral should be made to the Children's Services. A health representative will attend the multi-agency strategy / discussion meeting convened by Children's Services following the referral. All Local Health Boards have a Safeguarding Team who will offer staff support and guidance for all staff; including assistance to make a referral, sharing information and attending relevant meetings such as strategy meetings.

Services should include the identification and referral on of immediate and ongoing physical and emotional health needs and arrange a general medical, as many such children will have experienced a lack of health care in their own country. They may have been exposed to trauma, be pregnant, require antenatal care, have untreated illnesses and be subjected to malnutrition. 16-18 year olds should also be given advice on sexual health, drug and alcohol issues.

Care pathways (flowcharts) for health professionals should be developed for all aspects of trafficked children issues in order to raise awareness and provide health professionals with advice on how to manage cases.

More details relating to the role of health services in safeguarding and promoting the welfare of children can be found in *Safeguarding Children: Working Together Under the Children Act 2004*.

Further health issues for consideration by professionals working with trafficked children can be found within Appendix 7.

## **Schools and Lifelong Learning**

Schools and Lifelong Learning has an important role in recognising and referring alleged cases of abuse. The role of staff in relation to children abused through child trafficking is in the prevention, recognition and referral stages. The procedures for staff remain the same as those used in cases of child protection. .

It has been identified in schools, which are situated near ports of entry, that trafficked children may be registered at a school for a term before being moved to another part of the UK or abroad. Schools therefore need to be alert to this pattern of registration and de-registration. However, practitioners should be alert to this possibility in all schools in the UK. There may be instances of children from communities that move around: Gypsy, Roma, Traveller or migrant families - who collectively go missing from school.

Children who have experienced certain life events are more at risk of going missing from education. Trafficked children are particularly vulnerable. Schools need, therefore, to be alert to the possibility that a child who goes missing from school may be, or has been, a trafficked child who is living with, or is running away from, an exploitative situation.

LSCBs should develop procedures for monitoring the whereabouts of children identified as being at risk of going missing from education and supplementary guidance relating to children missing from education can be found in Chapter 5 of the Welsh Assembly Government's circular 18/2006 "Educational Records, School Reports and the Common Transfer System.



## **Leisure, Libraries and Parks Service**

The role of staff within this service is primarily one of recognition and referral. Library staff, Park Rangers and Leisure Centre staff will all have some contact with children and young people and as such should be made aware of procedures relating to child protection. Play Services have ongoing regular contact with many vulnerable children and young people across Wales and many children and young people regard workers within Play Services as trusted third parties and as such they deal with a large amount of personal information relating to the children/young people. In the normal course of their work staff may identify patterns of behaviour or may deal with direct disclosure of information.

## **Youth Offending Service**

Staff working in the Youth Offending Service (YOS) may encounter children from abroad or others who have been trafficked. Children who have been trafficked may be reluctant to disclose the circumstances of their exploitation or arrival into the UK for fear of reprisals by the trafficker, owner or 'pimp', or by misplaced loyalty to them. There are cases when children have been charged with criminal offences, for example, when involved in cannabis farms. Social workers, probation officers and any other Youth Offending Service worker should be particularly alert to these issues during the assessment process and within any subsequent interactions with the young person concerned.

If Social Services Childcare does not know the child/young person and s/he wants to claim asylum a referral should be made by the relevant YOS member of staff to the Social Services Department, who in their capacity as a First Responder, will refer the asylum claim to the UKBA or UKHTC.

It is particularly important that there is good liaison and communication between the YOS and Social Services Team if there has been a Court request for the YOS to prepare a PSR on a young person who is a foreign national/asylum seeker.

Relevant information from the Social Services Department should be included within any relevant YOS assessment in order to inform the relevant Court or agency for the purpose of sentencing and planning.

In the event of a young person being made subject of any level of statutory intervention of the YOS, Social Services will be invited to input and contribute to the planning and reviewing processes. This includes young people who may receive custodial sentences and is also relevant in the case of young people in receipt of voluntary interventions from the YOS.

## **Crown Prosecution Service (CPS)**

Policy guidance has been issued by the CPS on prosecuting cases involving children and young people as victims and witnesses of crime and, in appropriate circumstances, as defendants. It sets out CPS policy to guide prosecutors in ensuring that when they are dealing with cases involving children, the child is given appropriate support and there is consideration as to what is best for the child if a criminal prosecution proceeds.

There are specific provisions in the Code for Crown Prosecutors ([www.cps.gov.uk/victims\\_witnesses/further\\_info](http://www.cps.gov.uk/victims_witnesses/further_info)) 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.

The use of a child in a criminal enterprise can be seen as a form of child abuse. Children who may be forced into prostitution will be treated by the CPS as an abused child and victim who needs help, rather than as a defendant. Practitioners should refer to the guidance contained in Safeguarding Children. The same consideration will be given to those who are coerced into committing crimes or used by adults to commit offences. The CPS will prosecute people who organise prostitution and who benefit financially from abusing children.

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 circumstances of the young person will be one of the factors for the prosecutor to consider in deciding whether or not it is in the public interest to bring a prosecution.

## **CAFCASS CYMRU**

CAFCASS CYMRU looks after the interests of children involved in Family Proceedings in Wales and on occasion can be called upon to fulfil this role within cases that originate in Courts in England. CAFCASS CYMRU practitioners, who hold the generic title of Family Court Advisors, work with children and their families, and then advise the Court on what course of action they consider would be in the children's best interests. CAFCASS CYMRU contributes to securing high quality and safe outcomes for each individual child.

Family Court Advisors may at times be required to act in cases where the subject of the proceedings is a child who has previously been domiciled in a country other than the United Kingdom and where the Applicant with whom the child has been placed is described as a "Relative" or "Member of the Extended Family". Examples of the associated Court Proceedings would be where an Application has been made to the Court for a Residence Order, Special Guardianship Order or an Adoption Order. Family Court Advisors should be particularly vigilant in such cases, especially when assessing the background, wishes and feelings of the child involved and the status of those making the application. Similarly, the Family Court Advisor should be mindful that child trafficking is not solely confined to children entering the United Kingdom from another country.

Cafcass (England) has worked collaboratively with colleagues in the Border & Immigration Agency to produce: - "Guidance for the BIA and Cafcass in Cases before the Family Courts – November 2007". CAFCASS CYMRU has followed that initiative and is currently formulating its own with the Border & Immigration Agency.

## **UK Border Agency (UKBA)**

The UKBA is an executive agency of the Home Office, which has assumed responsibility for managing immigration control in the UK. Decisions regarding the admissibility of arriving passengers are made by staff at air and sea ports in accordance with the Immigration Act 1971 (as amended). UKBA may be the first official agency encountered by child victims of trafficking at ports and asylum screening units. They may recognise and assist these children and other people in need of protection. Their interventions may be triggered by the particular circumstances of the case or by international intelligence about trafficking.

There is a UKBA Asylum Screening Centre in Cardiff, where applications for asylum from UASCs can be made. However, this is dependent on trained staff and interpreters being available to undertake interviews. It can take up to two weeks to secure the correct interpreter and agencies should be aware of this delay.

It is important for all agencies concerned with protecting children who have been trafficked to develop good working arrangements with the UKBA. UKBA should also be involved in Local Safeguarding Children Boards where it has a local presence.

When any young asylum seeker is interviewed - currently minors are interviewed by UKBA caseworkers only as part of their asylum claim - a responsible adult (a social worker, foster carer or trained volunteer) must be present. The support of a responsible adult should also be considered in any subsequent interview with a minor held away from their sponsor(s).

In most circumstances a specially trained officer with knowledge of child protection issues will conduct the interview

## **UK Human Trafficking Centre (UKHTC)**

In October 2006, following a proposal from the Association of Chief Police Officers (ACPO), the UKHTC was established. The UKHTC provides a strategic multi agency response to trafficking both into and within the UK. The Centre aims to tackle trafficking from a victim centred, human rights perspective.

To support this approach the Child Exploitation and Online Protection Centre (CEOP) is planning to establish a Child Trafficking Desk to work closely with the UKHTC and relevant stakeholders to assess annually the nature and scale of child trafficking so as to inform the development of police policy, best practice and training requirements. CEOP's scoping report on the nature and scale of child trafficking into and within the UK (commissioned by the Home Office), published in June 2007, highlights the need for greater awareness of child trafficking, better information sharing and improved inter-agency working for safeguarding trafficked children. The involvement of a UKBA member seconded to CEOP will ensure that immigration issues relating to trafficked victims will be appropriately responded to by the agency.

## **Voluntary Sector**

The Voluntary sector in Wales provides a substantial, varied and extensive raft of services delivered to the most vulnerable social groups. Some services in this sector will be targeted specifically at the asylum seeking and refugee population and delivered primarily via the Welsh Refugee Council. Sadly targeted services are few and far between, with a significant shortfall in the areas of therapeutic, family support, legal services and parenting initiatives. Consequently this cohort may access other specialised, or more generic, services delivered across the voluntary sector.

Voluntary sector employees are in a prime position to pick up issues of trafficking. This is partly due to their extensive service coverage and their reach into vulnerable communities, but also because voluntary services are more likely to deliver participative practice which creates more accessible service, better placed to meet user need.

Some voluntary sector organisations have embarked on the task of raising awareness and providing staff training on trafficking across their workforce in line with good safeguarding practice. In Wales we need to ensure that all voluntary sector staff, both in the larger and smaller charities, have access to good quality, affordable awareness raising and training opportunities.

Specific campaigning groups such as those mentioned elsewhere in this document including ECPAT, CROP, and the larger voluntary organisations, work in the fields of research and development and policy and public affairs. Their research and campaigning work in this area has been a significant force in collating intelligence and pushing the trafficking agenda forward.

## **Faith Community (Text awaited)**

The faith community, part of the voluntary sector and with a historic commitment to social justice, provides an extensive range of services to vulnerable members of society.

While the response of the faith community to issues of trafficking has sometimes been slow and uneven, it is nevertheless growing. Moreover, many individuals are motivated by their faith to work with the many mainstream, non-religious charities that combat human trafficking, which means that faith communities' overall contribution is sometimes hidden.

The global networks of faith communities also mean that they have access to accurate information relating to issues of trafficking at a grassroots level in countries throughout the world. Within Wales' faith communities, this often leads to focuses on campaigning, lobbying and fundraising.

Many victims of trafficking, including children, have a strong faith and, as a result, faith communities, working in partnership with others, can offer valuable help in the restoration process. Faith and related cultural practices can sometimes be used by traffickers to control victims and, similarly, in these instances faith communities can play a pivotal role in ensuring the spiritual wellbeing of victims as part of their restoration.

## **Welsh and UK organisations that may be able to help**

### **Wales Strategic Migration Partnership**

Part of the role of the Wales Strategic Migration Partnership (WSMP) is to link in with and inform regional/national strategies and initiatives related to asylum seekers, refugees and migrants, including children. The WSMP also facilitate multi-agency discussions on migration at operational and strategic levels across Wales. Due to the new trafficking procedures that came into force on 1st April 2009 following the Government's implementation of the Council of Europe Convention on Trafficking, and the increased evidence of trafficking in Wales highlighted by recent published high profile reports, the WSMP is working in partnership with a range of organisations on this issue to raise awareness, improve co-ordination and facilitate information sharing around human trafficking. In addition, the Welsh Assembly Government funds a Refugee Children Advice and Information Worker post, at the WSMP. The purpose of the post is to provide a resource to practitioners in Wales, providing advice and information about policy and practice issues regarding supporting Refugee Children, Asylum Seeking Children and Trafficked Children.

### **Welsh Refugee Council**

The Welsh Refugee Council has twenty years experience of working with refugees, asylum seekers and refused asylum seekers. It provides confidential and independent advice services across Wales, advocates for the rights of refugees and asylum seekers,

supports capacity building for refugee community organisations, and promotes good community relations. Its vision is to ensure that refugees and asylum seekers are safe, and that they get the support they need to rebuild their lives in Wales.

The Welsh Refugee Council has offices in Cardiff, Newport, Swansea and Wrexham, and a central part of its work is to identify and support the most vulnerable; including, asylum-seeking and refugee children, and suspected victims of trafficking, to ensure that they receive the same care and protection as any other child living in Wales. The Children's Unit at the Welsh Refugee Council has been set up to provide a range of services and improve the lives of asylum seeking and refugee children throughout Wales.

The Welsh Refugee Council's experience is that Refugee and Asylum Seeking Children are some of the most vulnerable children living in Wales; often facing multiple difficulties including trauma, abuse, trafficking, poverty, neglect, dislocation, isolation, racism and disbelief.

We provide a nurturing and sensitive child centred approach to advocacy and play; that feeds into our reflective policy, campaign and developmental work to improve children's lives throughout Wales and the UK.

**The Welsh Refugee Council offers the following services:**

- Specialist Play sessions,
- Advocacy Services for Unaccompanied Asylum Seeking Children
- Developmental Projects, training and consultancy
- Policy advice and guidance

**The Children's Unit**

The Children's Unit is staffed by a team of dedicated child centred practitioners who aim to improve children's lives and empower children to enjoy, play and become active participants in life.

It employs a Senior Children's Policy Officer, a Child Advocate and a Developmental Play Worker. More information can be obtained from the Welsh Refugee Council website <http://www.welshrefugeecouncil.org>

## **Child Exploitation Online Protection Centre (CEOP)**

In April 2006, the Government established the Child Exploitation and Online Protection Centre (CEOP) to protect children from sexual exploitation originating from the Internet. CEOP also assist police forces with the monitoring of UK sex offenders. In addition CEOP have the national strategic remit for child trafficking. They adopt a child-centred approach to all areas of their business and work closely with the Serious Organised Crime Agency (SOCA), ACPO, the UKHTC and relevant statutory and non-statutory stakeholders on all issues relating to child trafficking.

In June 2007, CEOP published a scoping report on child trafficking in the UK. This was followed by the *Strategic Threat Assessment* on child trafficking in the UK, published in April 2009. These documents were commissioned by the Home Office. The report highlights the need for greater awareness of child trafficking, better information sharing and improved inter-agency working for safeguarding trafficked children. The report can be downloaded from the CEOP website at [www.ceop.gov.uk](http://www.ceop.gov.uk).

CEOP will continue to produce an annual threat assessment of the scale and nature of child trafficking in the UK. In addition they will continue to produce and publish a number of other themed trafficking assessments. These include an assessment on the trafficking and facilitation of Afghan minors to the UK, child trafficking for the purpose of benefit fraud and an assessment on hidden children.

## **NSPCC Child Trafficking Advice and Information Line (CTAIL)**

The Home Office launched the NSPCC National Child Trafficking Advice and Information Line in October 2007. The service takes referrals from all agencies that work with children and young people who may have been trafficked into the United Kingdom from other countries, and provides safeguarding and best practice advice with this service user group. Workers offer advice and information over the telephone but they also attend relevant meetings including child protection strategy meetings where they offer case consultation. This is also offered to individual workers, including foster carers or to groups of workers around issues related to individual cases. The service also offers agency specific training and awareness raising around child trafficking issues to a variety of relevant agencies, including Borders Agency, Youth Offending Teams, Police, the voluntary sector and Children's Services. They also influence policy and undertake research that is relevant to trafficking. Tel: **0800 107 7057** Monday to Friday 9.30am to 4.30pm or email at [ctail@nspcc.org.uk](mailto:ctail@nspcc.org.uk).



## Section Three

### Recognition and assessment of information

None of the following indicators, whether individually or together, should be viewed as conclusive proof of trafficking, but any of them may be suggestive of the possibility.

Some indicators of trafficking might include situations in which the child:

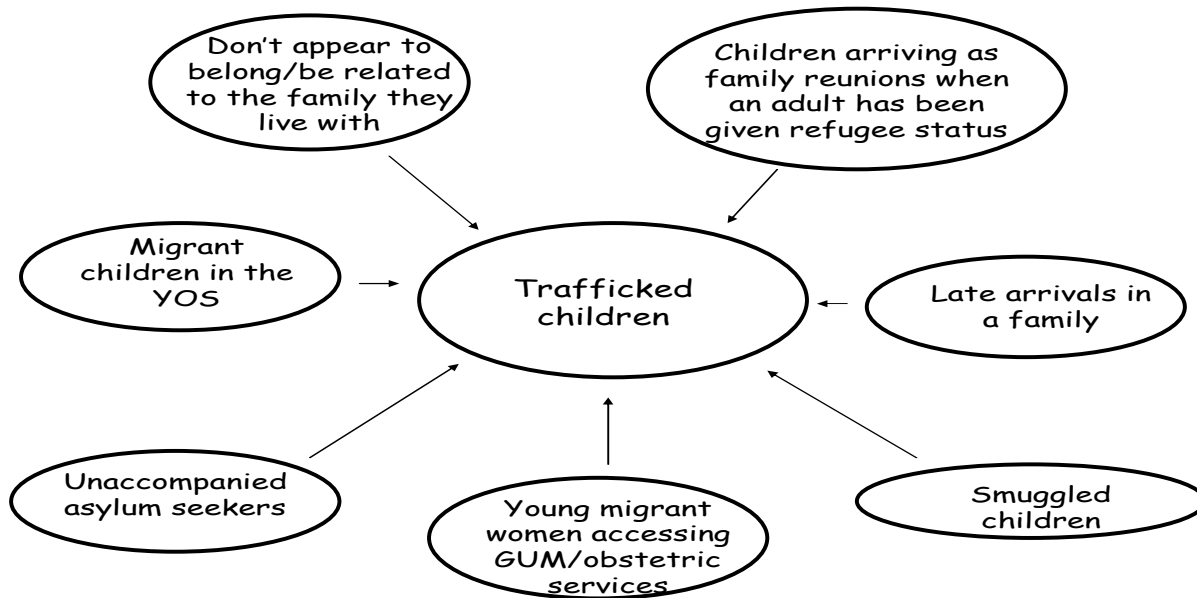
- Has entered the country illegally.
- Has no passport or other means of identification.
- Has false documentation.
- Is unable to confirm the name and address of the person meeting them on arrival.
- Does not appear to have money but does have a mobile phone.
- Possesses money and goods not accounted for.
- Receives unexplained/unidentified phone calls whilst in placement/temporary accommodation.
- Is driven around by an older male or 'boyfriend'.
- Is withdrawn and refuses to talk.
- Shows signs of sexual behaviour or language.
- Shows signs of physical or sexual abuse, and/or has contracted a sexually transmitted disease.
- Has a history with missing links and unexplained moves.
- Has gone missing from local authority care.
- Is required to earn a minimum amount of money every day.
- Works in various locations.
- Has limited freedom of movement.
- Appears to be missing for periods.
- Is known to beg for money.
- Is being cared for by adult/s who are not their parents. The quality of the relationship between the child and their adult carers is not good.

- Has not been registered with or attended a GP practice.
- Has not been enrolled in school.
- Has to pay off an exorbitant debt, e.g. for travel costs, before having control over own earnings.
- Is permanently deprived of a large part of their earnings by another person
- Is excessively afraid of being deported.
- Has had their journey or visa arranged by someone other than themselves or their family.
- Or the person in control of the child has previously made multiple visa applications for other children and/or has acted as the guarantor for other children's visa applications.
- Or is known to have acted as the guarantor on the visa applications for other visitors who have not returned to their countries of origin on the expiry of those visas.

Other factors to watch out for include:

- Are there any signs of neglect?
- Look out for obvious signs of "wealth" – mobile phones, designer clothes, money.
- Are they truanting from school?
- Are there signs of physical abuse?

All children who have been exploited will suffer some form of physical or emotional harm. Usually the longer the exploitation the more health problems that will be experienced.



**Figure 1** Consider trafficking when meeting any of these scenarios

## Referral and Initial Information Gathering

### Investigating cases of trafficking

Where there is a concern that a child is the victim of trafficking they may be at risk of immediate harm and time is of the essence. A referral must be made in the first instance to the Children's Services Duty Officer (verbal referral, followed by a written referral within 48 hours) in accordance with *Safeguarding Children* and the All Wales Child Protection Procedures 2008. Children's Services will notify the Police as a matter of urgency to ensure there are no unnecessary delays.

If the concern is identified by immigration staff then the case must be referred to the Police Child Protection Officer and local authority children's social services in line with local safeguarding children guidance, as it is recognised that children who go missing shortly after Asylum Screening Unit (ASU) screening may have been trafficked.

The social worker to whom the referral is made should obtain as much information as possible from the referrer. This should include the child's name, date of birth, address, name of carer/guardian and person holding parental responsibility, address if different, phone number, country of origin, first language and whether s/he speaks English, names of any siblings or other children including whether there might be an ongoing risk of harm from the trafficker. If so, this information must be shared with the police.

The social worker must check all documentation held by the referrer and other relevant agencies. Documentation should include (if available), passport, Home Office papers, birth certificate and proof of guardianship. This list is not exhaustive and all avenues should be investigated. A new or recent photograph of the child must be included in the file, together with copies of all relevant identification documentation.

When assessing documentation attention should be given to the details. If a passport is being checked the official should:

- Verify the date of issue.
- Check the length of the visa.
- Check whether the picture resembles the child.
- Check whether the name in the passport is the same as the alleged mother/father and if not, why not.
- When assessing documentation the official should check whether it appears original. If it does, the official should take copies to ensure that further checks can be made.

Once all papers have been checked, the social worker should clarify with the referrer what his/her concerns are. They need to find out why they made the referral, what led them to believe the child might have been trafficked or that s/he might be here illegally; and they must request that they put their concerns in writing to ensure that an accurate and clear audit trail is maintained.

The social worker should verify, as soon as possible, that the child is living at the address. They should also check if the carer, guardian or other members of the household, and residential address, are known to the police or to the local authority children's social services.

In the case of a referral from a school or other educational institution the documentation provided at admission should also be obtained.

A UKBA check should be completed to clarify the status of the child/ren and the adult/s caring for them. It is increasingly common practice for the UKBA to have a digital photograph of the child on their database and this may aid identification.

As the child may have no documented identification, or their documents could be forgeries, it is essential that a photograph of the child be taken and attached to their file. Professionals who phone local authority children's social services to express concern that they suspect, or know that, a child has been trafficked should confirm referrals in writing within 48 hours. At the end of any discussion or dialogue regarding a child, the referrer (whether a professional, member of the public, or family member) and local authority children's social services should be clear about any proposed action, timescales and who will be taking it, or that no further action will be taken. The decision should be recorded by local authority children's social services and by the referrer, if a professional in another service. Local authority children's social services should acknowledge a written referral within one working day of receiving it. If the referrer has not received an acknowledgement within three working days, they should contact the local authority children's social services again.

Local authority children's social services should decide and record next steps of action within one working day. This information should be consistent with the information set out in the Referral and Information Record (Department of Health, 2002). This decision should normally follow discussion with any referring professional/service and consideration of information held in any existing records. It should also involve discussion with other professionals and services as necessary (including the police, where a criminal offence may have been committed against a child). This initial consideration of the case should address, on the basis of the available evidence, whether there are concerns about the child's health and development or actual and/or potential harm that justifies an Initial Assessment to establish whether this child is possibly a child In need or a child in need of protection. Further action may also include referral to other agencies or the provision of advice or information.

If there is reasonable cause to believe that the child is suffering, is likely to suffer significant harm, or is in imminent danger from the trafficker or any other person, then an Emergency Protection Order may be sought. Consideration should be given to Police Powers of Protection in an emergency.

If there is no imminent danger to the child that warrants emergency protection but there are grave concerns regarding the child's welfare then section 47 enquiries should be initiated under section 47 of the Children Act 1989 (paragraph 36).

If there is no imminent danger or need to protect the child from any other party then a child in need assessment under section 17 of the Children Act 1989 should be initiated.

Even if there are no concerns agencies should continue to monitor the situation until a child is appropriately settled. The social worker should advise the referrer of their decision regarding which plan is to be put in place. In the case of all children with immigration issues UKBA should be informed in order that the immigration processes may be co-ordinated with the recommended protection plan.

The discussion between the social worker and their supervising manager, after completion of the initial information gathering, should be recorded; tasks outlined and signed off by the manager.

If further (non emergency) action is required, consideration should be given to involvement of the police, education, health services, the referring agency and other relevant bodies e.g. housing, the benefits agency and immigration service. Careful consideration should be given to the effect of any action on the outcome of any investigation. Use of intelligence from the port of entry may help local authority children's social services in pursuing further enquiries about the child.

In undertaking any assessment and all subsequent work with the child, the social worker must ensure that they use a suitable approved interpreter. In no circumstances should this be the sponsor or another adult purporting to be a parent, guardian or relative. Every child should be given ample opportunity to disclose any worries away from the presence of the sponsor.

After referral, and depending on the outcome of the initial assessment, the local authority children's social services should convene a strategy meeting where they suspect a child is being trafficked.

If a child/young person needs to become looked after by the Local Authority, careful consideration needs to be given to where they are placed because the trafficker is likely to make strenuous efforts to recover the child, who they will see as a valuable commodity. Please refer to Appendix 4 for further information on good practice in this area.

### **Multi-agency strategy discussion/meeting**

This must be held whenever there is a referral to Children's Services where there is evidence or suspicion that a child/ren is/are being exploited through trafficking. Due to the need to act promptly, the discussion/meeting must be held **within 48 hours** of receipt of the referral. However, information should be shared between the key agencies wherever possible **within 24 hours**.

When the Duty Manager in children's services receives a referral with concerns about a child who may be trafficked, the following action will be taken:

- Discussion will take place with the referrer to gather as much information as possible.
- Checks will be made with the Children's Services Electronic Client Record System to check on any history.
- Discussion with the local Child Protection Unit, to include:
  - Whether or not the carer(s) of the child should be informed that a referral has been received.
  - Whether or not to obtain permission from the carer(s) to undertake enquiries with other agencies.
- In both instances, it is important to ascertain whether any of the above action will place the child at further risk of significant harm and/or whether imparting this information will impact on any police investigation.
- A decision will be made **within 24 hours** about what course of action will be taken, i.e. s17 or s47 of the Children Act 1989, based on the available evidence.
- The enquiries/discussion may show that a child is "in need" (s17 of The Children Act 1989) with no concerns that the child is suffering or likely to suffer significant harm. (A Core Assessment may be needed.)
- A Section 47 investigation will be undertaken if the child is at risk of suffering or likely to suffer significant harm.
- A strategy meeting will be held to plan the course of action following the procedures laid down in the "All Wales Child Protection Procedures 2008".

The meeting should strive to work by consensus. Any disagreements should be noted and if they cannot be resolved, should be raised within the relevant management structures. A record of the meeting should be circulated to all attending, who must ensure that it is held securely within their agency.

A suitably qualified Manager will chair the meetings. The Chair should always inform the Children's Services Lead Officer on Child Trafficking about a meeting-taking place, even if she/he is unable to attend. Membership of the meeting will be: -

- The referrer if a professional.
- Lead Officer for Police Child Protection Team.
- Lead Officer for Schools and Lifelong Learning.
- Lead Officer for Health.
- Lead Officer for Leisure and Parks (if appropriate).
- Lead Officer for UKBA.
- Social Worker.
- Lead Officer from Children's Services.
- Lead Officer for the Voluntary Sector.
- Senior Manager for Safeguarding.
- Any other relevant person (e.g. Foster Carer, Residential Manager etc).

The purpose of the meeting is to:

- Share and clarify information;
- Establish the exact nature of the concerns; and
- Agree on actions and make recommendations to address the concerns.

Plans must specify who is responsible for undertaking the tasks unless no further action is taken, or child protection procedures are invoked.



## **Decision to interview**

Once all possible information has been gathered, the social worker and their supervising manager, together with the police, should decide whether to conduct joint interviews. These could involve the Child Abuse Investigation Unit (CAIU), the UKBA and the local Police. It might be helpful to involve immigration officials at such a decision-making meeting, as immigration concerns might need to be resolved.

In the longer term information gathered at an interview might help to resolve the child's immigration status. Intelligence gathered from the interview could also stop others being trafficked from overseas.

Where it is decided that the family should be visited and interviewed standard social work practice should be followed. The child should be seen alone, preferably in a safe environment. Ensure that the carers are not in the proximity. Children will usually stand by their account and not speak until they feel comfortable.

Professional interpreters, who have been approved and CRB checked, should be used. It is not acceptable to use a family member or sponsor.

### **Questions should focus on the following:**

- Family composition, brothers, sisters, ages.
- Parents' employment.
- Tasks they do around the house.
- Length of time in this country.
- Where they lived in their country of origin.
- Where they went to school in their country of origin.
- Who cared for them in their country of origin.

The adults in the family should be interviewed (separately if possible) on the same basis, using the same questions. A comparison can then be made between the answers to ensure they match.

All documentation should be seen and checked. This includes Home Office documentation, passports, visas, utility bills, tenancy agreements and birth certificates. Particular attention should be given to the documentation presented to the school at point of admission. It is not acceptable to be told *'the passport is missing'* or *'I can't find the paperwork right now'*. It is extremely unlikely that a person does not know where their paperwork/official documentation is kept.

The interview should be conducted as fully and completely as possible to ensure accuracy and avoid intrusion into the family for a longer period than is absolutely necessary.

On completion of the assessment a meeting should be held with the social worker, their supervising manager, the referring agency as appropriate, the police and any other professionals involved to decide on future action. Further action should not be taken until this meeting has been held and multi agency agreement obtained. Where it is found that the child is not a family member and is not related to any other person in this country, consideration should be given to whether the child needs to be moved from the household and/or legal advice should be taken on making a separate application for immigration status.

Any action regarding fraud, trafficking, deception and illegal entry to this country is the remit of the police and the Home Office. The local authority should assist in any way possible. However, the responsibility for legal action usually remains with the other agencies (exceptions include benefit fraud which is the responsibility of the Department of Work and Pensions, and education offences which are pursued by the local authority).

### **National Referral Mechanism - National Arrangements for Suspected Cases of Human Trafficking**

On 17 December 2008, the UK Government ratified the Council of Europe Convention on Action against Trafficking in Human Beings, and put in place a National Referral Mechanism (NRM) for human trafficking (to meet its duties to protect victims and prosecute those responsible for trafficking). The Convention came into force on 1 April 2009.

Although ratification has required some legislative changes, current childcare and child protection frameworks are fully compliant with the Convention. The NRM runs alongside the processes to be followed in this guidance and its key concepts are a centralised decision making process via a:

- Lead Trafficking Officer
- Competent Authority
- Risk Matrix
- Trafficking Assessment Report & Referral Form

From 1 April 2009, frontline agencies should refer all suspected case of child trafficking to be assessed by designated Competent Authorities (CAs). The Competent Authorities for the United Kingdom are:

- A central multi-agency CA based in the UKHTC; and
- A linked but separate CA in UKBA, which will assess cases where trafficking is raised as part of an asylum claim or in the context of another immigration process.

The role of the CAs will be to determine if there are reasonable and/or conclusive grounds for a person who is referred to be considered and recorded as a victim of human trafficking. Any case must be referred to the CA via the NRM process, using the risk assessment form and guidance that can also be accessed on the Home Office website at:

[www.crimereduction.homeoffice.gov.uk/humantrafficking005.htm](http://www.crimereduction.homeoffice.gov.uk/humantrafficking005.htm).

**Any professional requiring support about making a referral to the NRM can contact CTAIL for advice and support on how and when to make the referral.**

All referrals to the CA should come from the lead professional or their equivalent in local authority children's social care acting on behalf of the LSCB, who copies all such referrals to the Single Point of Contact for Human Trafficking within their local police force. The Lead Trafficking Officer is required to:

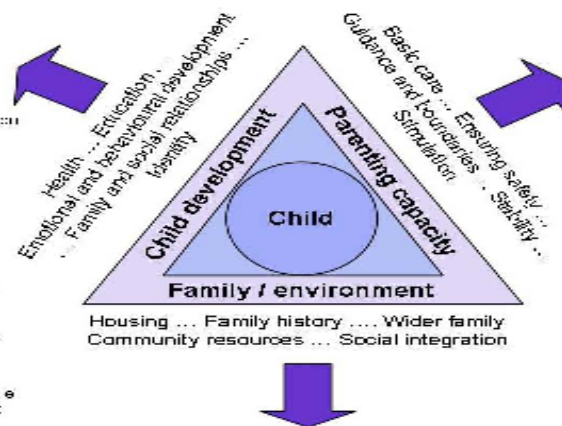
- Ensure that appropriate awareness raising and training on trafficking occurs;
- Ensure that professionals are aware of local trafficking procedures;
- Offer advice and assistance to professionals undertaking the assessment of trafficking victims; and
- Undertake all referrals to the Competent Authority

UKBA Immigration officers who are concerned about children who may have been trafficked will refer the children concerned to local authorities in the normal way, and copy the referral form to the CA. It will then be for the local authority to assess the needs of the child and risk of harm. Where positive indicators are confirmed, the lead professional should use the NRM referral form to report the case to the CA.

### **Special Protection and Support Measures for Victims**

The UK Government has decided that a reflection period of 45 days will be routinely granted where there are reasonable grounds to believe that a person is a victim of trafficking and that temporary residence permits may be granted in special circumstances where necessary to regularise the victim's stay in this country. It is the role of the CA to determine, once a potential case has been referred, if reasonable and later conclusive grounds have been established to record the person as a victim. More information about how the Convention requirements are being introduced into the UK can be found on the Home Office website.

- Remaining often entering "bedding" and/or cases for possible sexual abuse
- Child's name known in UK for given a full name (usually used for legal or official purposes)
- Child's name known even if not through usual registration (e.g. finding a baby abandoned in a domestic service, forced marriage, illegal adoption, arranged by medical person)
- Physical appearance of individual varies (tanned, dyed hair etc)
- Under age marriage
- Sexually lives with a partner for unwanted pregnancy
- Excessive alcohol or drug use
- Withdrawn and refuses to talk or appears afraid to talk to a person in authority
- Significant older boyfriend
- Significant time or money spent by child, perhaps including travel, from a coach
- Misused hotel
- Exhibits self assurance, maturity and will be taken to be responsible in a child of such age
- Evidence of drug, alcohol or substance misuse
- Evidence of being involved in prostitution, including online, sex work, selling of sexual services
- Sexually active
- Not registered with a general GP or practice
- Not enrolled in school
- Has no new experience clothes, mobile phones or other possessions without purchase receipts



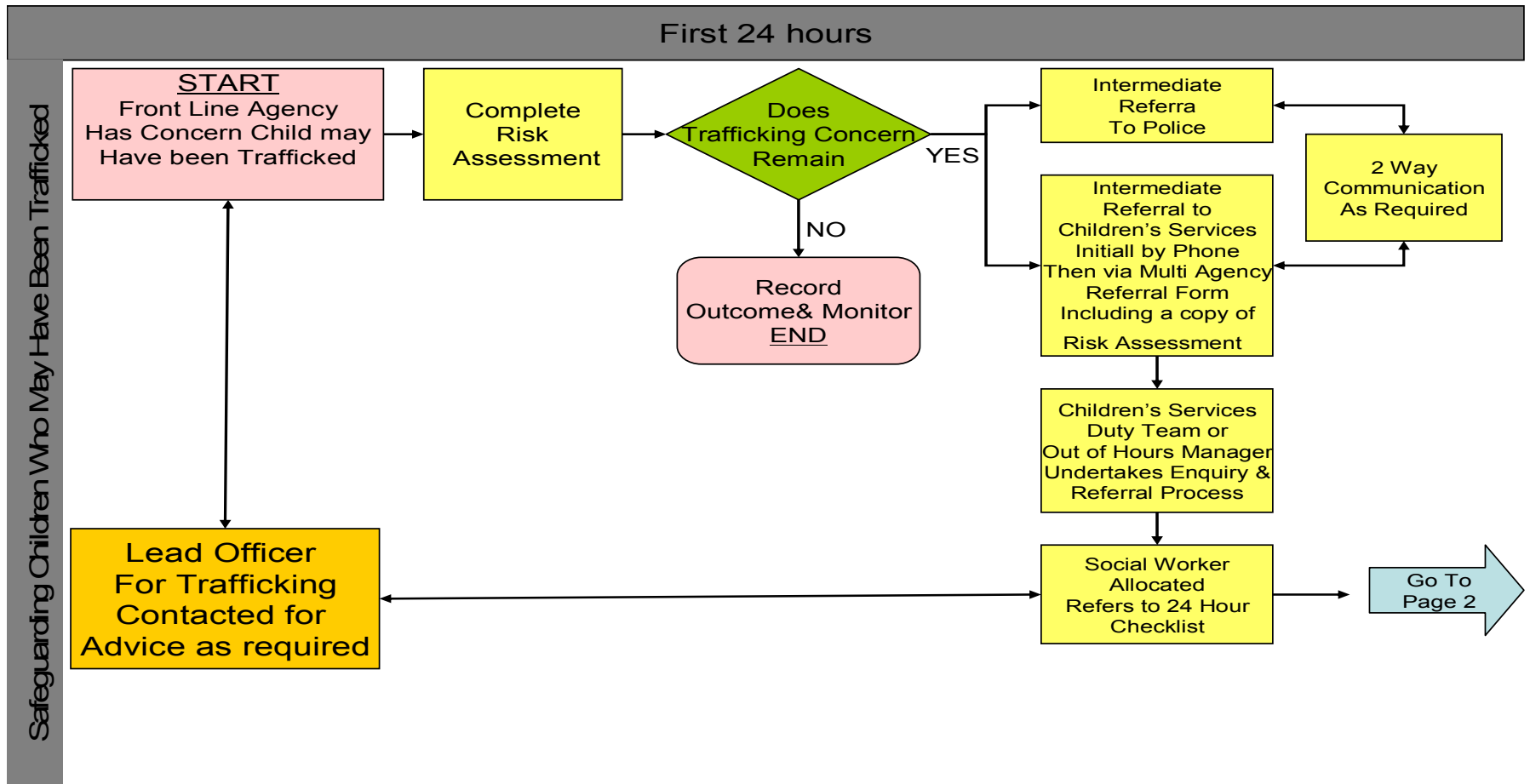
- Entering on leaving vehicles driven by unknown adults
- Receives unexplained / unperfected phone calls or letters (often in post) - may be separate accommodation
- Acts sleeping outside the child's usual place of residence
- Having given a false address or ability to change for later, concealing sleeping location for police
- One among a number of unregistered children, not at the address
- Having keys to premises other than their own own door
- Going missing and being found in areas where they need to have links

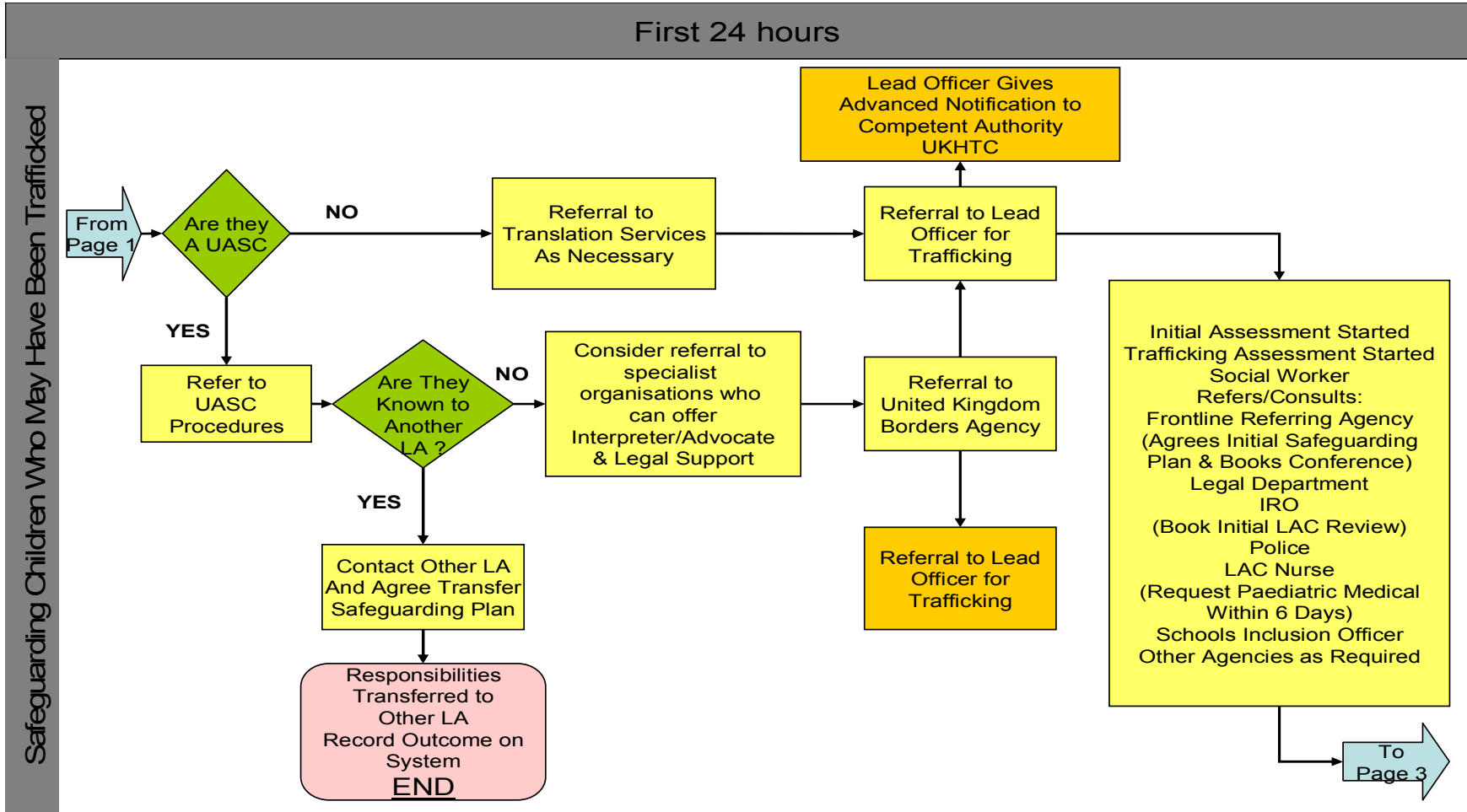
- Entered country illegally
- Claiming to be married by someone other than a member of their family
- Registered at multiple addresses
- Located / recovered from a place of considerable travel, several terms, involved in criminality before
- Permanently deprived of earnings by another person
- Unstable national or previous employment history or other personal details
- Child's school record knowledge of travel history to other parts of UK (e.g. for travel costs, before having contact with other family)
- Works in various locations

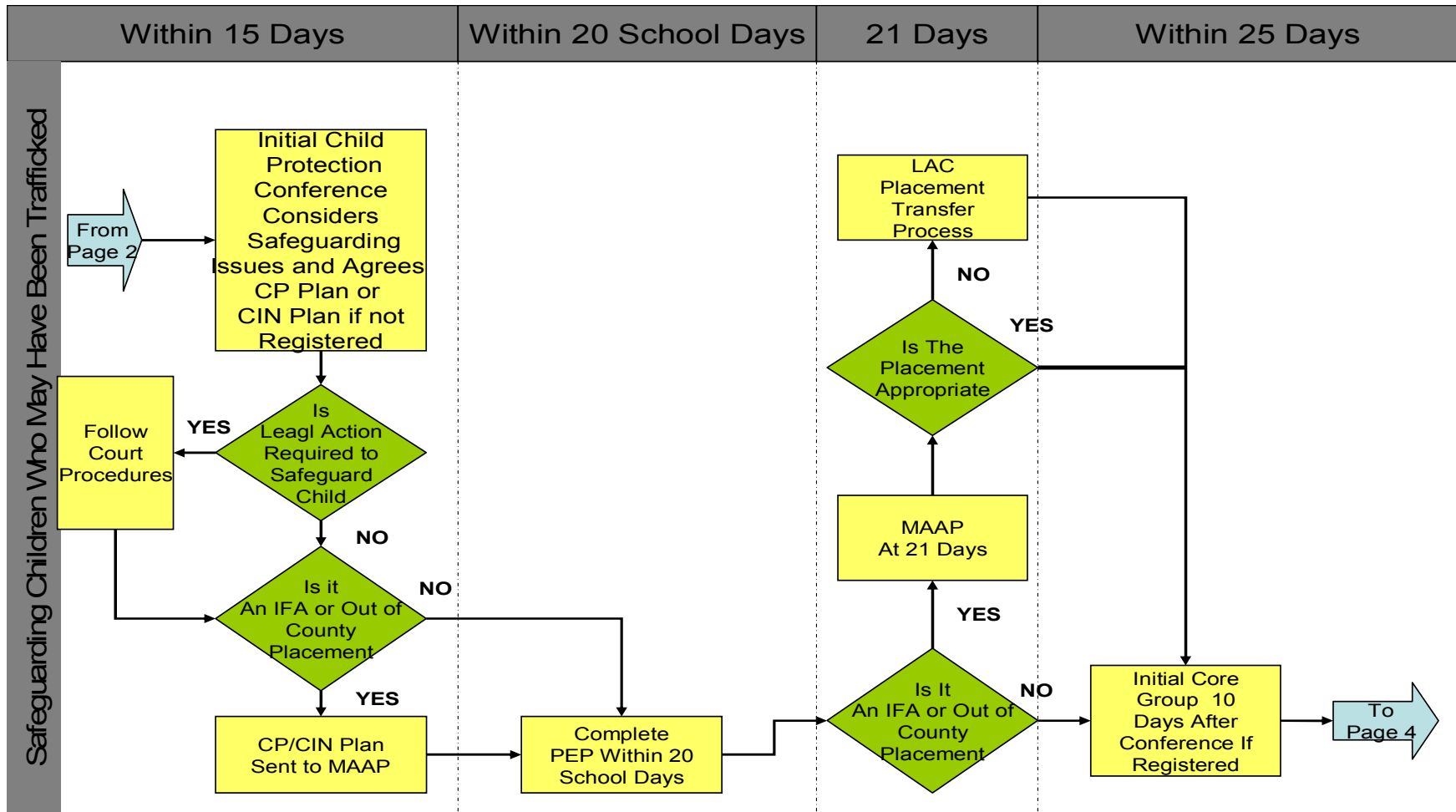
- Unable to get the name or address of person or selling from an internet
- Communicating from local authority area
- Appearing young, possibly using multiple or duplicate cards for other children's need as the guardian for other children's visa applications
- Acquaintance about knowledge acted as guardian on visa applications for other children who have not returned to their countries of origin (often self-expiry)
- Having difficulty finding a local area or local needs
- Pattern of travel from one area to another
- Pattern of travel with an awkward check and rarely returns to the location
- Involved in criminality including involvement in scams (e.g. recovered from an adult form of fraud, travel on the internet, pickpocketing, begging etc)
- Reports from reliable sources suggest a method of sexual exploitation, including being used in prostitution to be used for sexual exploitation
- Reported to have a minimum amount of money every day
- Accompanied by an adult who may not be the legal parent and insists on remaining with the child at all times
- Limited knowledge of own country
- Unlikely to be suitable for being charged and
- Cared for by adults who are not their parents and quality of relationship is not good
- Previous criminality
- Particularly missing a young girl overnight or returning late with no plausible explanation
- Travelling alone regularly with little supervision

- No passport or other means of identity
- Receives unexplained / unperfected phone calls (often in post) - may be separate accommodation
- Has a documentation that has been a means of identification (e.g. passport, false ID card, false ID card, false ID card, false ID card)
- Possible responsibility of the internet and forming of links to other children, particularly with adults
- Appearance of older than age with no identifiable explanation of this to avoid unnecessary funding

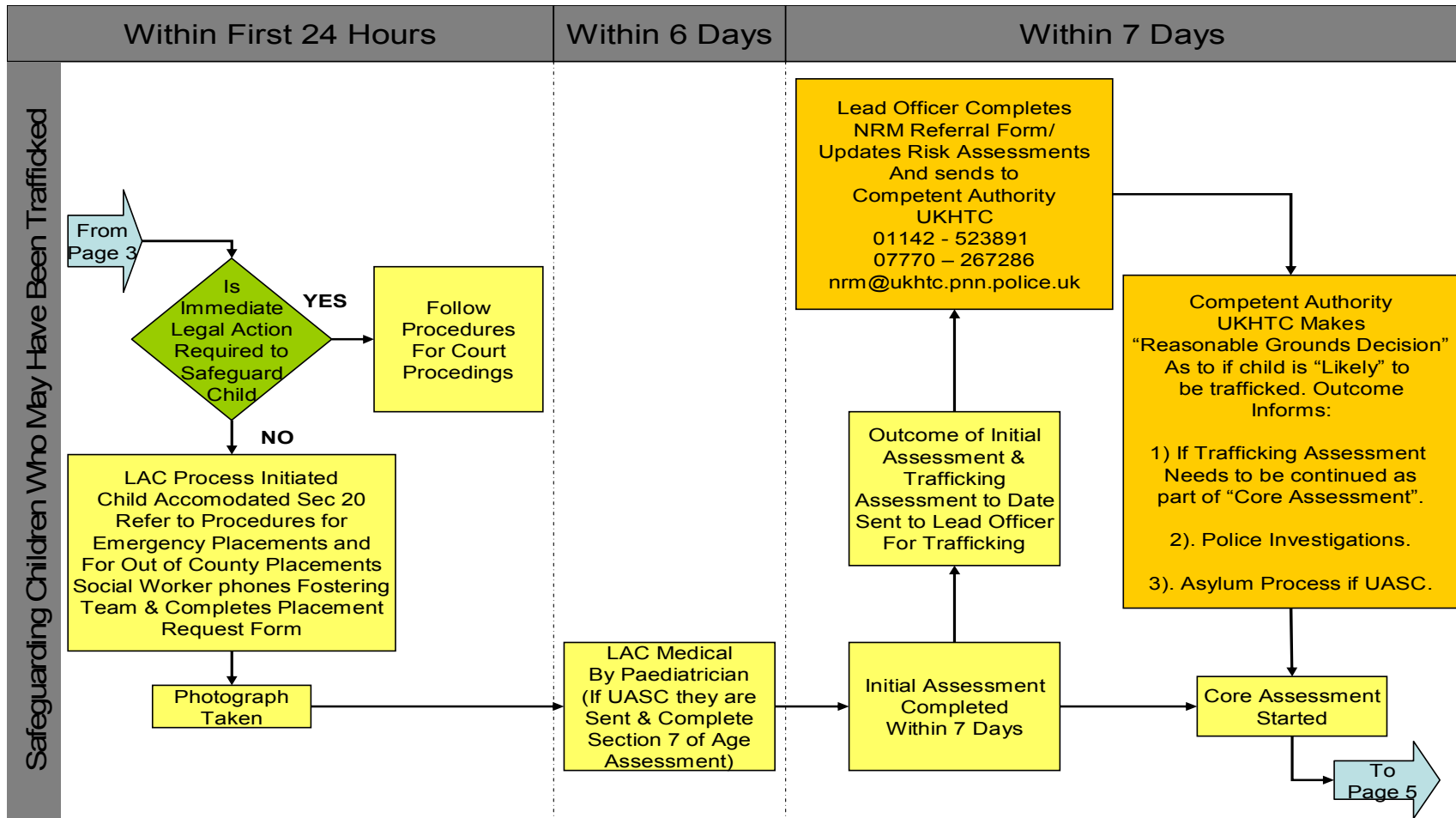
# APPENDIX 1

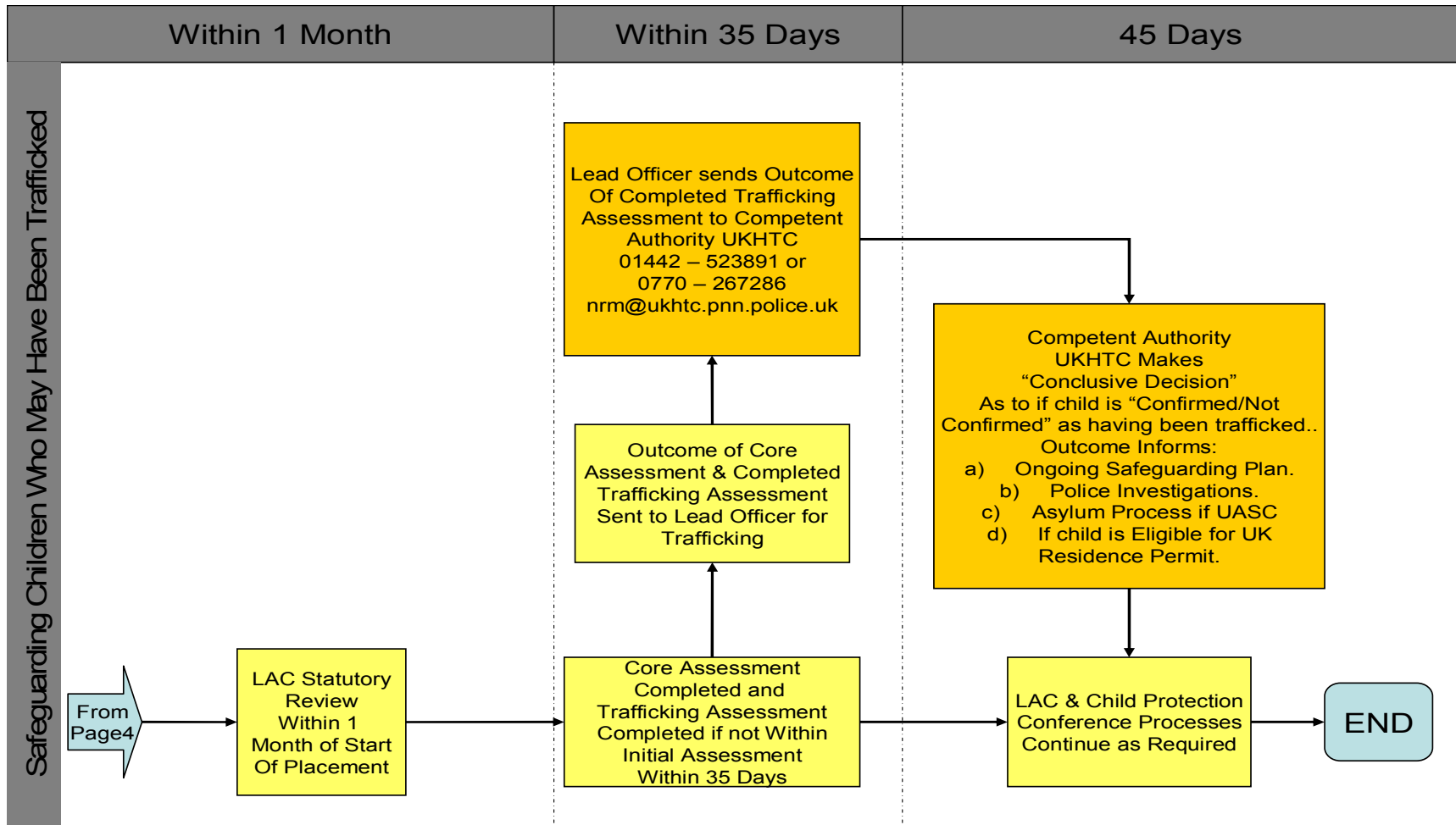












## Appendix 3 Issues for Professionals to Consider

Below are some issues for professionals to consider when working with Trafficked Children

Children who have been trafficked should have access to:

- Appropriately trained and CRB checked interpreters.
- Counselling.
- Child and adolescent mental health services (CAMHS).
- Independent legal advice.
- Medical services.
- Education.
- Family tracing and contact (unless it is not consistent with their welfare).
- Repatriation.

They will also need:

- Practitioners to be informed and competent in matters relating to trafficking and exploitation.
- Someone to spend time with them to build up a level of trust.
- A safe placement if they are victims of an organised trafficking operation.
- Legal advice about their rights and immigration status.
- Their whereabouts to be kept confidential.
- Discretion and caution to be used in tracing their families.
- A risk assessment to be made into the danger they face if they are repatriated.
- Accommodating under section 20 of the Children Act 1989 – for those who meet the criteria.
- To be interviewed separately. Children and young people will usually stand by their account and not speak until they feel comfortable.
- Consider talking to children and young people using the phone, e-mail, text

Practitioners should:

- Consider interviewing children in school, as they may feel more able to talk there.
- Ensure that carers are not in the proximity.
- Ensure that interpreters are agency approved and are CRB checked.

### **Trafficked children who are in care**

The local authority must carry out a core assessment (section 17 of the Children Act 1989) of the child's needs once the child becomes looked after, if it has not already done so. It should be led by the social worker/carer. The assessment should include:

- Establishing relevant information about the child's background.
- Understanding the reasons why the child has come to the UK.
- Assessing the child's vulnerability to the continuing influence/control of the traffickers.

Planning and actions to support the child must minimise the risk of the traffickers being able to re-involve a child in exploitative activities. Thus:

- The location of the child must not be divulged to any enquirers until they have been interviewed by a social worker and their identity and relationship/connection with the child established, with the help of police and immigration services if required.
- Foster carers/residential workers must be vigilant about anything unusual e.g. waiting cars outside the premises and telephone enquiries.
- The social worker must immediately pass to the police any information on the child (concerning risks to her/his safety or any other aspect of the law pertaining either to child protection or immigration or other matters), which emerges during the placement.

The child's social worker must try to make contact with the child's parents in the country of origin (immigration services may be able to help), to find out the plans they have made for their child and to seek their views. The social worker must take steps to verify the

relationship between the child and those thought to be her/his parent/s and exercise caution in case a parent has knowingly sold their child to a trafficker.

Anyone approaching the local authority and claiming to be a potential carer, friend, member of the family etc, of the child, should be investigated by the social worker, the police and immigration service. Only if the supervising manager is satisfied that all agencies have completed satisfactory identification checks and risk assessments can the child transfer to their care.

## **Missing Children**

Research from ECPAT and CEOP provides evidence that significant numbers of children who are categorised as Unaccompanied Asylum Seeking Children (UASC) have also been trafficked. Significant numbers of these children go missing (back into the care of the traffickers) before being properly identified as victims of trafficking. Reporting such cases to the police urgently is critical. The Border and Immigration Agency is working closely with DCSF, police, local authorities and the Missing People Help line (formerly the National Missing Person's Help line) to develop practices, which alert the police at the earliest opportunity to children who are potentially 'at risk'.

Where a young person, such as for example an Unaccompanied Asylum Seeking Child (UASC), presents to a local authority as having no parent or guardian in this country, then in fulfilling its duties to assess and respond to their needs, the local authority may conclude that it should "accommodate" the young person using its powers under Section 20 of The Children Act 1989. In these circumstances, the local authority will have duties towards the young person as a looked after child. In these circumstances, then like other looked after children, UASC must have a care plan (known as a "pathway plan" when they are aged 16+ and are entitled to care leaving support) based on a thorough needs assessment outlining how the local authority proposes to meet their needs.

Where there is reason to believe that a young person has been trafficked into the UK, then this care plan should include a "risk assessment" setting out how the local authority intends to safeguard the young person so that, as far as possible, they can be protected from any trafficker. This risk assessment might also include contingency plans to be followed should the young person go missing.

Given the circumstances in which potentially trafficked young people present to local authorities it will be extremely important that any needs assessments and related “risk assessments” are sensitively managed. The child needs to be in a safe place before any assessment takes place. Any assessment needs to take into account that the child might not immediately be able to disclose full information about their circumstances as traffickers might have intimidated them or their families.

It will also be very important that no assumptions are made about young people’s language skills and that assessments can call on the services of impartial translators with the necessary competences in responding to children.

The contingency plan could include contact details of agencies that must be notified if a potentially trafficked young person goes missing. This includes the police and the “case-manager” in the UKBA. Where there are concerns that a trafficked child has been moved elsewhere in the country away from their care placement, then it may be desirable to contact Missing People Help line: <http://www.missingpeople.org.uk/>

The Missing People Help line has a team that offers support to local authorities when young people in their care go missing and this service can advise on issues such as contact with police forces and national publicity.

In response to notification to the police of a missing child the guidance in ‘*The Management, Recording and Investigation of Missing Persons*’ ([http://www.acpo.police.uk/asp/policies/Data/missing\\_persons\\_2005\\_24x02x05.pdf](http://www.acpo.police.uk/asp/policies/Data/missing_persons_2005_24x02x05.pdf)) should be followed.

The guidance sets out that:

- Every missing person report should be assessed to identify the level of risk (high, medium or low) to the missing person.
- The response must be appropriate to the level of risk.
- Risk assessments must be continuously reviewed.
- Children who go missing from care are vulnerable and the level of risk does not diminish because of frequency of absence.

Where missing children come to the attention of local authority children’s social services or the police a 24-hour enquiry service from the United Kingdom Human Trafficking Centre (UKHTC) may help in providing guidance. Additionally, to help social workers,

police and other practitioners better assist children whom they suspect might have been trafficked, the NSPCC set up the *Child Trafficking Information and Advice Line*

All local authorities must appoint a designated senior manager with responsibility for monitoring missing from care incidents, so that trends can be identified and action taken in conjunction with the LSCB to respond to the problem. Trends should also be shared with the LSCB. The designated senior manager could potentially take an important strategic role in identifying whether there are any particular patterns of UASC going missing that could provide evidence suggesting that young people are being trafficked. Such information might be used by a local authority to inform their analysis as to how they might better safeguard these young people.

## Appendix 4 Good practice guidance for trafficked children in care

This guidance is designed to aid Social Care and Education professionals, foster carers and residential staff to meet to the needs of trafficked children in care provision.

*Note: many of these actions are about monitoring or restricting movement/contact/finances as a means to safeguard. The intention is not to make the child feel as though he or she has been imprisoned. Any safeguarding measures must endeavour not to replicate or mimic any of the child's trafficking or exploitative experiences, which may include severe restrictions on the child's freedom.*

Action	Issues for consideration
<b>First contact with child</b>	Take a photo (immediately as a safeguarding action, children can go missing within 24 hours)
<b>Safety of child</b>	<ul style="list-style-type: none"> <li>○ Provide child with a card (laminated?) with emergency contacts – carers, police, Children Services.</li> <li>○ Ensure child knows how to dial 999 and that the child knows this is a free number.</li> <li>○ Explore child's previous conceptions of figures of authority/uniform. Ensure child understand the role of Children Services and police – point of safety.</li> <li>○ The child should always be asked about what measures would make them feel safe.</li> </ul>
<b>Safe placements</b>	<p><b>Type:</b></p> <ul style="list-style-type: none"> <li>○ Foster care or residential? Carers/residential staff should have an awareness of trafficking and the impact on victims.</li> <li>○ Close adult supervision is essential. A needs/risk assessment will determine the level of adult supervision required, but initially consider 24/7 monitoring, as full risks may not be apparent.</li> <li>○ Consider cultural needs – is it appropriate to place the child with carers of the same cultural background, or does this create anxieties about association with past experiences, links to cultural community and risk of being recognised etc. Also consider issues of stigma, and whether the child feels comfortable associating with their cultural group.</li> </ul>



	<p><b>Location:</b></p> <ul style="list-style-type: none"> <li>○ Child’s placement must be secret. Should not be revealed to alleged relatives/friends/contacts until a full risk assessment has been carried out. The same precautions are required for any contact with the child’s family of origin.</li> <li>○ If the child is newly arrived in the UK, consider the account of their journey – is their physical presentation consistent with their account of travel? Are there indications that the child may have been in the UK for some time? Is the child’s clothing likely to have been purchased in the UK; is the child familiar with the local area, transport, currency, language, and food? If so, the child may have local connections – consider the risk of placing the child in local area if the child is already known locally by individuals/traffickers.</li> <li>○ Consider potential or existing links to trafficking networks. Is there a large local community of the child’s ethnic/cultural group - is there a risk that the child may be recognised in public or establish unsafe connections?</li> </ul> <p><b>Safety in placement:</b></p> <ul style="list-style-type: none"> <li>○ Are there additional precautions required such as CCTV?</li> <li>○ Carers must be fully aware of child’s background and make immediate contact with police if there are concerns about danger.</li> <li>○ Consider child’s history – does the child pose a risk to other children?</li> <li>○ Consider risk of placing child with another child of same cultural background or trafficking background - one child may re-establish contact with traffickers or may have never ceased contact, which could put the second child at risk.</li> <li>○ Carers/residential staff must be alert to any loitering adults/young people/cars. Be vigilant and note down any details such as car registration/description, names and descriptions of any loitering individuals.</li> </ul>
<p><b>Phones</b></p>	<p><b>Mobile phone:</b></p> <ul style="list-style-type: none"> <li>○ Did the child arrive with a mobile? Consider removal of mobile phone or replacing SIM card until risk has been assessed. Consider taking a separate record of any names/numbers stored in the mobile and recent call history. If replacing SIM card bear in mind that the child may have memorised contact numbers of traffickers.</li> </ul>

	<ul style="list-style-type: none"> <li>○ In some circumstances a mobile may be a means to track (triangulate) the child's location if he/she has gone missing</li> </ul> <p><b>Phones in placement:</b></p> <ul style="list-style-type: none"> <li>○ Assess whether access to a phone/internet places the child at risk of contacting traffickers and compromising their location.</li> <li>○ If placed with other children, can the child access other children's mobile phones?</li> </ul>
<b>Carers/staff</b>	<p><b>Monitor child for:</b></p> <ul style="list-style-type: none"> <li>○ Anxieties/trauma/injuries/signs of abuse.</li> <li>○ Is the child preoccupied with money or work, making contact with someone?</li> <li>○ Does the child appear to be acting under the instruction of an adult?</li> <li>○ Is the child guarded about their relationships and daily activities?</li> <li>○ Evidence of substance misuse.</li> </ul> <p><b>Monitoring work/exploitation:</b></p> <ul style="list-style-type: none"> <li>○ Is the child indebted?</li> <li>○ Patterns of movement - leaving early/coming home late, consistently out on weekends? Physical indications of working - overly tired, backaches, headaches, skin irritations (consider manual labour, long hours, poor or unhygienic working conditions).</li> <li>○ Indications of sexual exploitation?</li> </ul>
<b>Clothing/possessions</b>	<p><b>On arrival check possessions and clothing for:</b></p> <ul style="list-style-type: none"> <li>○ Contact numbers (can be concealed in clothing).</li> <li>○ Coached accounts on paper.</li> <li>○ Names of people.</li> <li>○ Medical papers or information about blood group type (possibility of trafficking for organ removal. Whilst there are no recorded cases in the UK, there are suspicions that child trafficking for organ removal may occur in other European countries).</li> <li>○ Possessions that may seem inappropriate for the child's age, culture or account of travel.</li> </ul>

	<p><b>Ongoing monitoring:</b></p> <ul style="list-style-type: none"> <li>○ Is the child acquiring new possessions and money with no plausible source?</li> <li>○ Has the child obtained one or more mobile phones without explanation?</li> <li>○ Are unknown persons contacting the child?</li> </ul>
<b>Access in placement to documents etc</b>	<ul style="list-style-type: none"> <li>○ Consider any access the child may have to documents, money, Travel cards (opportunity to travel). Does access to such items enable the child to utilise them to go missing?</li> <li>○ In some circumstances a Travel card may be a means to track the child's journey if he/she has gone missing.</li> <li>○ Control of immigration papers/ passports – if there is a risk that the child may travel abroad; consider who should hold these documents.</li> </ul>
<b>Movement outside placement</b>	<p><b>Consider whether to control or supervise:</b></p> <ul style="list-style-type: none"> <li>○ Should the child be permitted out alone, with other children?</li> <li>○ Should carers supervise movement?</li> <li>○ Restriction of movement and visitors (who their contacts are, what their activities are)?</li> <li>○ Is it appropriate for the child to attend religious institutions, community centres etc? Is it safe for child to be making links with their own cultural group (consider private religious tuition, other peer activities that engage a wider cultural representation)?</li> </ul>
<b>Missing Episodes</b>	<ul style="list-style-type: none"> <li>○ Trafficked children are at high risk of going missing, and while the full risks to a child may not be clear, it is imperative to remember that the potential for harm could be immediate and long lasting. The child's care plan must include a risk assessment and a contingency plan if the child goes missing.</li> </ul>
<b>Age Disputes</b>	<ul style="list-style-type: none"> <li>○ Where there is concern that a child may have been trafficked and an age dispute arises, the child should be given the benefit of the doubt as to their age until his/her age is verified.</li> </ul>
<b>Education</b>	<ul style="list-style-type: none"> <li>○ Consider the child's ability to engage in education and any specialist support required which may result from the child's experiences of trafficking/abuse/separation.</li> <li>○ Consider any risk that the child's attendance at school may pose to other children.</li> <li>○ Staff to be alert to adults/ young people or cars loitering near school or contacting child.</li> <li>○ Staff to be aware of risk of abduction or intimidation of child.</li> <li>○ Specialist education support – consider language, gaps in education or lack of education.</li> </ul>

	<ul style="list-style-type: none"> <li>○ Monitor indications of work/exploitation - explore truancy, poor attendance, and tiredness at school.</li> </ul>
<b>Legal advice/representation</b>	<ul style="list-style-type: none"> <li>○ Source specialist legal advice/representation in relation to trafficking, immigration and forced criminality</li> <li>○ Provide fact sheet/timeline about immigration process to minimise anxieties.</li> <li>○ A child should never be coerced into cooperating with criminal proceedings against traffickers, and must be fully informed about risks and proceedings before deciding whether to testify. Refer to] <a href="#">UNICEF Guidelines on the Protection of Child Victims of Trafficking.</a></li> </ul>
<b>Money</b>	<p><b>Consider controlling pocket money or monitoring the use of money:</b></p> <ul style="list-style-type: none"> <li>○ Is the child using the money for unauthorised contact purposes? Internet access, phone calls, purchasing phone cards?</li> <li>○ Unexplained use of savings/allowance – is the child giving his or her allowance to someone else?</li> <li>○ Does the child want more than one bank account? For what purpose? Is the child trying to avoid monitoring of their finances? Consider money laundering – others may use child’s account.</li> <li>○ Is the child saving money for any purpose (such as travelling internationally)?</li> </ul>
<b>Health</b>	<p><b>Physical Health:</b></p> <ul style="list-style-type: none"> <li>○ Health checks and responses need to account for the child’s journey, exploitation, abuse and neglect.</li> <li>○ Consider the child’s treatment, hazardous conditions, and access to necessities such as food, water and shelter, malnourishment, exposure to extreme weather, exposure to unhygienic conditions or contagious illnesses, injuries, experiences of isolation.</li> <li>○ Dental checks – trafficked children’s dental needs are often neglected.</li> <li>○ Immunisations.</li> <li>○ Sexual health checks.</li> <li>○ Breathing or respiratory problems (consider children in cannabis factories).</li> <li>○ If substance misuse highlighted, consider a referral to specialist services.</li> </ul> <p><b>Emotional/Psychological:</b></p> <ul style="list-style-type: none"> <li>○ Therapeutic/psychological services for the child to explore her/his experiences of trafficking/abuse/separation.</li> </ul>

	<ul style="list-style-type: none"> <li>○ Develop child's awareness of risks and understanding of abuse/exploitation.</li> <li>○ Consider trauma, sleep disturbances, depression, and low self-esteem.</li> <li>○ Use of normalisation to reduce shame and stigma.</li> <li>○ Develop child's ability to appropriately express emotions.</li> <li>○ Develop child's problem solving skills and ability to respond to challenges.</li> </ul>
Behaviour	<p><b>Consider support for appropriate socialisation:</b></p> <ul style="list-style-type: none"> <li>○ Child may have been subjected to lengthy abusive or exploitative experiences and may not have an understanding of appropriate behaviour. Children who have been sexually exploited or groomed may lack awareness of boundaries.</li> </ul> <p><b>Behavioural difficulties in placement or at school - consider whether child is being pressured by a trafficker to be moved to their care, and whether child is intentionally trying to sabotage a placement, or whether an older child is being pressured to leave school to work.</b></p> <ul style="list-style-type: none"> <li>○ Consider normalisation of abusive relationships and whether the child has developed a dependant relationship with his/her trafficker.</li> <li>○ Consider child's ability to determine risk, and to differentiate between benevolent and sinister intentions of others.</li> <li>○ Consider cultural and gender differences.</li> <li>○ A child may have been forced into adult roles/work, and may not behave as a child.</li> <li>○ Clandestine nature of trafficking can create an 'underworld mentality' – child may engage in subterfuge behaviour.</li> </ul> <p><b>Develop protective factors</b> – a sense of physical and emotional safety, positive relationships with peers, aspirations, interests and activities, role modelling/mentoring, personal safety skills.</p>
Work/exploitation	<ul style="list-style-type: none"> <li>○ Need to make child aware of UK law re employment and what constitutes exploitation.</li> <li>○ Develop children aspirations (consider mentoring).</li> <li>○ Explore child's perceptions regarding work/obligation to provide for family, child's perceptions re exploitation/abuse.</li> <li>○ Pursue any indicator that a child may be working.</li> </ul>

<b>Contact with relatives/friends in UK from child's country of origin</b>	<b>Explore risk. Consider controlling:</b> <ul style="list-style-type: none"> <li>○ Physical access.</li> <li>○ Telephone/internet access.</li> <li>○ Movement (see 'Movement outside placement').</li> </ul>
<b>Contact with broader community or cultural group of origin</b>	<ul style="list-style-type: none"> <li>○ Consider risk if a child is placed in a location where there is large community of their cultural group, consider whether they will be recognised (e.g. at mosque, local shops, youth group etc) – will they start to establish unsafe connections with community members?</li> <li>○ Consider child's public profile i.e. if placing child in small rural community is the child easily identifiable by virtue of his/her differences?</li> <li>○ Consider risk to child of any media attention (e.g. publicity, recognition of sporting or educational achievements through the media) – is there a risk that the child's identity and location will be compromised?</li> <li>○ All necessary measures must be taken to protect the privacy of the child and his/her family to ensure their safety and security.</li> </ul>
<b>Family Tracing and Repatriation</b>	<ul style="list-style-type: none"> <li>○ Efforts should be made to contact the child's family except where it is determined that to do so would be contrary to the best interests of the child. Details of the child must not be revealed to the family until a full risk assessment has been carried out.</li> <li>○ Repatriation and family reunification may not be in the child's best interests. A risk assessment must consider vulnerability factors that may lead to re-trafficking and /or exploitation and abuse, as well as issues of stigma that the child may face if returned.</li> </ul>

## Appendix 5 Legislation

### Europe

- European Union Framework Decision on Combating Trafficking in Human Beings (2002)
- Council of Europe Convention on Action against Trafficking in Human Beings (2005) – Not signed by UK

### International

- United Nations Convention on the Rights of the Child (1989) – Ratified by UK on 16 December (1991)
- Stockholm Declaration and Agenda for Action against the Commercial Sexual Exploitation of Children (1996)
- International Labour Organisation Convention 182 on the Worst Forms of Child Labour (1999)
- United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000)

### UK

- The Children Act (1989)
- The Nationality, Immigration and Asylum Act (2002)
- Proceeds of Crime Act , Schedule 2 and Part 7 (2002) (related to lifestyle offences and money laundering)
- Sexual Offences Act (2003)
- The Children Act (2004)
- Gang-masters Licensing Act (2004)
- The Asylum and Immigration (Treatment of Claimants) Act 2004
- Identity Cards Bill, Clause 27 (5) (2004) (related to false identity documents).

## **Appendix 6 Action following trafficking**

Assessing the willingness and capacity of a child victim to testify against a trafficker is complicated. This will apply to the process of gathering information that might support care proceedings, as well as assisting in criminal prosecutions. Like the victims of domestic abuse, the child usually fears reprisal from the traffickers and/or the adults with whom s/he was living in the UK if they cooperate with social services or the police. In the case of children trafficked from abroad an additional level of anxiety may exist because of fear of reprisals against their family in their home country. They may also fear being deported because they entered the UK illegally. Children who might agree to testify fear that they will be discredited because they were coerced into lying on their visa applications/ immigration papers. No child can be coerced into testifying against a trafficker.

### **Returning trafficked children**

A decision to return a child victim of trafficking to their country of origin should be made on the basis of the best interests of the child and after a careful consideration of all the evidence, including considering the wishes and feelings of the child and information provided by the child's social worker. It is particularly important to gather information about the child's family, community and country of origin.

Amongst other factors the risk assessment should consider whether there is a risk of the abusers gaining access to the child and their family in order to take revenge. The risk of re-trafficking needs to be considered as well as social attitudes to the victims of various forms of abuse including sexual abuse.

In some cases and with advice from their lawyers children may apply to UKBA for international humanitarian protection on the basis of the risk assessment. In other cases the timing and nature of a return may be planned with help from UKBA.

Returning those, including unaccompanied children, who have no right to stay in the UK, is necessary in the interests of maintaining immigration control, but safeguarding the welfare of the child would always be a key consideration in any decision to return a child.



A child with no legal right to remain in the UK would only be returned to their country of origin if the Border and Immigration Agency is satisfied that safe and adequate reception arrangements are in place.

## **Appendix 7 Health issues for consideration by professionals working with trafficked children**

### **Immunisation and child surveillance**

Immunisation and child surveillance programmes vary from country to country. Children may arrive with incomplete immunisation schedules, an unknown immunisation history, or with no immunisations or screening having previously occurred; the latter situation is more likely in children arriving from countries with either no or very little health infrastructure as a consequence of extreme poverty, war, or both. Catch-up immunisation is recommended by the DoH and a schedule advising how to do this is provided by the UK Health Protection Agency<sup>1</sup>.

Health for All<sup>2</sup> provides evidence-based recommendations on child health surveillance and health promotion. It would seem reasonable to ensure that children arriving from countries without a comprehensive surveillance programme should have access to a catch-up health review which allows screening for common developmental problems, congenital abnormalities, and parental access to age appropriate health promotion advice. The RCPCH advises this for all newly arrived refugees<sup>3</sup>, but children arriving not as refugees but from resource-poor countries have similar immunisation and surveillance needs. Screening for genetic disorders, such as the haemoglobinopathies or G6PD (enzyme deficiency anaemia which is rare), must be considered in high-risk populations.

Rarely children may have been exposed to environmental toxins in their country of origin, or to cultural practices that inadvertently cause harm to children, e.g. the application of lead-containing kohl and FGM. Clinicians need to be alert to these possibilities and respond appropriately.

Without a system in place to identify newly arrived children, children in need of catch up immunisation and surveillance will be missed, with consequences for public health, and for their own health, welfare, and education. It is vital that all Local Health Boards or their equivalents implement procedures to identify such children. Health visitors, school nurses, and schools are key players in this.

## Screening for infections and infectious diseases

Children newly arrived from abroad may, depending on their country of origin, or their route of travel to the UK, be at risk of specific infections, some of which may also be infectious and thus have wider public health implications. Some children may be frankly ill, but others will have no history, signs or symptoms suggestive of any infection. The Department of Health “Yellow Book” is an invaluable resource with information on disease risks by continent and country<sup>4</sup>.

The well child. The history needs include country of origin and the travel route to their new home, which may highlight high risk of certain infections. It is also advisable to ask about exposure to unpasteurised milk, uncooked meat, poor access to water and sanitation facilities, blood transfusion, re-used syringes for immunisation, and any relevant family history e.g. of tuberculosis (TB), hepatitis B, or HIV. Occasionally it is necessary to inquire about sexual activity including sexual abuse or rape.

There is some debate about the breadth of screening indicated in a well child. The clinician ought to be clear as to whether any screening test is for the benefit of the child or for the benefit of the wider community, and bear in mind the costs of tests for unlikely conditions, which may be expensive. It is reasonable to consider the likelihood of TB, HIV infection, hepatitis B, and gut helminths, which are all easy to do (although HIV testing needs to be done sensitively and have appropriate backup to deal with positive results). New arrivals from high-risk areas should technically have been screened on entry, although it is our experience that this system misses many at risk children and cannot be relied upon. If clinicians have any doubts or queries they should consult their local consultant in communicable disease surveillance and control (CDSC), or consult the Centre for CDSC at Collingdale. Do not over screen – this is a waste of money.

The unwell child. A brief guide to pointers from the history and examination is given in Fig 1. This guidance will not discuss the investigation and management of imported infections, which requires a separate review.

**Figure 1:**

<b>Symptom/Sign</b>	<b>Consider</b>
<ul style="list-style-type: none"> <li>• Persistently febrile</li> </ul>	Various but don't miss malaria
<ul style="list-style-type: none"> <li>• Seizures</li> </ul>	Cysticercosis
<ul style="list-style-type: none"> <li>• Dermatitis</li> <li>• Recurrent URTI</li> <li>• Widespread lymphadenopathy</li> <li>• Oral candida</li> <li>• Recurrent pneumonias</li> <li>• Faltering growth</li> </ul>	HIV
<ul style="list-style-type: none"> <li>• Cough or other respiratory symptoms</li> </ul>	TB Parasitic worms whose life cycle involves a pulmonary transit
<ul style="list-style-type: none"> <li>• Acute diarrhoea. If bloody, more likely to be:</li> </ul>	Rotavirus Giardia Amoebae and cryptosporidium Enteropathogenic E coli Shigella Salmonella Campylobacter
<ul style="list-style-type: none"> <li>• Recurrent diarrhoea</li> </ul>	Gut helminth infection Giardia
<ul style="list-style-type: none"> <li>• Worms in stools</li> </ul>	Gut helminth infection
<ul style="list-style-type: none"> <li>• Oral thrush or widespread caries</li> </ul>	HIV
<ul style="list-style-type: none"> <li>• Dermatitis; healed scars from furunculosis</li> </ul>	HIV
<ul style="list-style-type: none"> <li>• Rash</li> </ul>	Dengue Typhoid Typhus Brucellosis
<ul style="list-style-type: none"> <li>• Lymphadenopathy</li> </ul>	Rickettsial infections Brucellosis Dengue HIV Visceral leishmaniasis

<ul style="list-style-type: none"> <li>• Jaundice</li> </ul>	Hepatitis Malaria Yellow fever Leptospirosis Relapsing fever
<ul style="list-style-type: none"> <li>• Abnormal respiratory examination</li> </ul>	TB Pulmonary helminths Nematodes
<ul style="list-style-type: none"> <li>• Hepatomegaly</li> </ul>	Amoebiasis Malaria Typhoid Hepatitis Leptospirosis
<ul style="list-style-type: none"> <li>• Splenomegaly</li> </ul>	Malaria Typhoid Brucellosis Visceral leishmaniasis Dengue

### ***Accident prevention***

The risk from accidents for migrant children is likely to be related to the interplay of factors that include living in poverty, homelessness, and unfamiliarity with their surroundings<sup>5</sup>. For some, the mental or emotional trauma through displacement affects their concentration and emotional availability - an added risk factor. A child used to low level road traffic faces difficulties trying to negotiate heavy urban UK traffic. This is compounded by a parent's lack of knowledge of safe crossing procedures and possible inability to read road signs. The adverse effects of hostel dwelling for the general population have been well described elsewhere. Migrant families, especially large families, placed in temporary accommodation are at an increased risk of accidents with overcrowding and lack of space a particular feature<sup>3</sup>. There is a real possibility of accident to infants who cannot be placed on a floor because of lack of space<sup>6</sup>. Some cultural practices may increase likelihood of accidents e.g. a potential cause of serious scalding is very hot black tea. Children with special needs living in poor housing conditions are at a particular risk, as they may not have gained access to services and become frustrated within a confined space.

Health visitors are well placed to address structural issues such as poor quality accommodation and dangerous living conditions. The assessment of all migrant children is therefore of the highest importance to ensure health and social service access, including referrals to community projects such as Flying Start. . These supportive measures for the families may be further promoted by the use of culturally accessible information on services and home and road safety.

### **Vulnerability of adolescent girls**

Girls and women are often victims of sexual exploitation, sexual coercion and rape in conflict zones and refugee camps, or this may have been why they were trafficked. Services need to be in place to address the needs of these adolescents who may arrive needing antenatal care, termination of pregnancy, access to the genitourinary medicine clinic, contraceptive advice and support, and counselling services to help them come to terms with what has happened to them.

### **Children with disabilities or chronic illness**

Children may not have had access to therapeutic and rehabilitation services and so have an urgent need for intervention e.g.

- A child with growth failure who has undiagnosed coeliac disease (although there may be other reasons).
- A child may have undiagnosed HIV infection.
- Language and cultural differences may make an accurate assessment of special educational needs difficult
- For those areas accepting a large number of asylum seekers, stretched special educational needs services may not be able to respond quickly to place these children in school.
- Children and young people may be unaware that they have an entitlement to care, or that effective interventions are available. Conversely they may have wildly unrealistic expectations of Western medicine, e.g. arrive in outpatients expecting their post-polio paralysis to be cured. These situations are distressing for all, and need sensitive responses.
- Think about infections as a cause of developmental delay, e.g. delay with diplegia may be HIV encephalopathy; delay with chorioretinitis, hearing loss, heart murmur may follow congenital infection with toxoplasmosis, rubella, or syphilis.

## Trafficked Roma Children

There is only space here to highlight what is an immensely complex issue. Roma from parts of Eastern Europe started to arrive in the UK as asylum seekers in the 1990s fleeing racial persecution in their countries of origin. Some of them were successful in this; others were not. Roma from these same countries, as a result of the changed status of these countries in relation to actual or perspective membership of the European Union, are now entering the country legally as migrant EU workers. There is no doubt that Roma in many Eastern European countries experienced racial discrimination, were highly economically disadvantaged, and profoundly socially marginalised, and continue to experience disadvantage after their arrival in the UK. Children arriving here will carry the sequelae of these disadvantages. For women living in isolation from extended family networks, the highly patriarchal nature of *some* Roma communities can make their lives very perilous; this in turn increases the vulnerability of their children.

Paediatricians need to be mindful of these factors. The social predicament of such children may require modified responses. This may be quite simple, such as delaying discharge from hospital following an acute illness. Responding to a child with long-term health care needs is much more challenging. Professionals must work closely with other agencies to ensure that children have all the services they require, and that services are provided in an appropriate way.

<sup>1</sup> [http://www.hpa.org.uk/infections/topics\\_az/vaccination/vac\\_guidelines.htm](http://www.hpa.org.uk/infections/topics_az/vaccination/vac_guidelines.htm) (accessed 12/04)

<sup>2</sup> Hall D, Elliman D. *Health for All Children: 4th Report*. Oxford University Press 2003.

<sup>3</sup> Levenson R, Sharma A. *Health of Refugee Children - Guidelines for Paediatricians*. London 1999. RCPCH. Also at [http://www.rcpch.ac.uk/publications/past\\_publications.html](http://www.rcpch.ac.uk/publications/past_publications.html) (accessed 12/04)

<sup>4</sup> Department of Health. *Health information for overseas travel*. The Stationary Office 2001 (also at <https://www.the-stationery-office.co.uk/doh/hinfo/travel02.htm> - accessed 18/1/04)

<sup>5</sup> Department for Transport *Road accident involvement of children from ethnic minorities (review No.19)*. London 2002. DfT (Also at [http://www.dft.gov.uk/stellent/groups/dft\\_rdsafety/documents/page/dft\\_rdsafety\\_504597.hcsp](http://www.dft.gov.uk/stellent/groups/dft_rdsafety/documents/page/dft_rdsafety_504597.hcsp) - accessed 9/1/05)

<sup>6</sup> McLeish J. *Mothers in exile: Maternity experiences of asylum seekers in England*. Maternity Alliance; 2002.

## **Appendix 8 Useful References and Resources**

### **Welsh Context**

- Human Trafficking In Wales - Research & Resource Website
- Agenda For Action - Protection of Asylum Seeking & Trafficked Children In Wales (2008)
- Safeguarding Children who may have been Trafficked (2008)
- Bordering On Concern - Child Trafficking In Wales (2009)
- Knowing No Boundaries - Local Solutions: Trafficking of Women & Children In Wales (2010)

### **Research**

- Child Laundering (2005)
- Hope Betrayed – Poppy Project (2006)
- Missing Out – ECPAT (2007)
- Trafficking for the purposes of labour exploitation - Home Office (2007)
- Under The Covers - Amnesty International (2007)
- Young Peoples Voices - UNICEF (2007)
- Trafficking for Forced Marriage - ECPAT 2008
- Child Trafficking and Missing Children - ECPAT (2008)
- Vulnerability and Control of African Child Victims of Trafficking - ECPAT (2008)
- Rights here, rights now - Unicef (2008)



- The Role of LA's in Addressing Human Trafficking - Solace Study Group (2009)
- 2<sup>nd</sup> Strategic Threat Assessment on Child Trafficking - CEOP (April 2009)
- The UK Action Plan on Tackling Human Trafficking (2009).
- Breaking The Walls of Silence (June 2009)
- Stolen Futures: Trafficking for Forced Child Marriage in the UK - ECPAT (July 2009).

## **Key Agency Contacts**

### **Central Competent Authority - UK Human Trafficking Centre (UKHTC)**

Gordon Simmonite

Amadeus House

Mondial Way

Hayes

UB35AR

Tel: 0114 252 3891 / Mob: 07770 267286 / Fax: 0114 228 6456

Email: [Tolerance@southyorks.pnn.police.uk](mailto:Tolerance@southyorks.pnn.police.uk)

**UK Borders Agency (UKBA)**

Asylum Team Wales:

Floor 2

General Buildings

31-33 Newport Road

Cardiff

CF24ODD

Team Leader - Lawrence Williams - Tel: 02920 924543 / Mobile 07768-557641

Email - [lawrence.williams@homeoffice.gsi.gov.uk](mailto:lawrence.williams@homeoffice.gsi.gov.uk)

Other Senior Case Workers:

Adam Seinfeld - Tel: 02920-924526

Rhiannon Chatterton - Tel: 02920 924523 / Mobile 07881-811168

[rhiannon.chatterton2@homeoffice.gsi.gov.uk](mailto:rhiannon.chatterton2@homeoffice.gsi.gov.uk)

Jolene Dalton - Tel: 02920-924508

## **Translation Services**

**Barnardo's**

**7a Neville Street Service**

Riverside

Cardiff

CF11 6LP

**Phone:** 02920 229585

**Fax:** 029 2037 3470

**Email:** [Neville Street Service](#).

**Chinese Services Ltd - 01179799393 - 24 Hotline: 0845-6868668** (translation & face to face Interviews).

**Language Line - 08001692879 - 24 Hours** (generally only provide interpretation over the telephone)

**Language Direct - 02085395142 - 24 hours** (provide 150 Languages and are experienced in working with local authorities and the police in document translation & face to face Interviews).

**WITS** - The Wales Interpretation and Translation Service (WITS) provides full linguistic services 24 hours a day to public services across Wales. Organisations can now request interpreters or translators by telephone or email:

- **Phone:** 02920 857500
- **Email:** [wits@gwent.pnn.police.uk](mailto:wits@gwent.pnn.police.uk)

**Wolfestone - 08450000083 - Day time hours only** (all languages covered and have experience of working with local authorities, the police and courts. 1 weeks notice needed to secure interpreter).