

A REPORT ON **CHILD TRAFFICKING  
AND CARE PROVISION:**  
Towards Better Survivor Care

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# Very little is known

about the **prevalence** of trafficking and the number of victims;

**characteristics** of the victims and perpetrators;

the **long-term impacts** of human trafficking

on victims, their families, and communities;

the **effectiveness** of anti-trafficking programs; and

**best practices** in meeting the complex needs of victims

(Clawson et al 2009: 40).



# executive summary

Child trafficking in the UK has attracted increasing political, media, academic, policy and practice interest recently, with a developing literature base providing comment on the extent of the problem and possible responses under the UK's obligations to international law. Until recently, trafficking was perceived primarily as an immigration issue; a view which has not altogether dissipated, resulting in children being slotted into existing services for separated and asylum seeking children. Often children received no service, without or with limited assessment of continuing risk and needs.

The aim of this review is to examine the most effective models of care and support for children who arrive in the UK and are identified as trafficked. While the components of models of good practice may also apply to UK children who have been moved and exploited, the focus of this review is on non-UK nationals. The commercial and sexual exploitation of children within the UK is a serious concern; while models of good practice are developing in this area that have much to offer responses to trafficked children, the review maintains a focus on trafficking which requires the elements of both movement and exploitation to meet with international definitions. The review draws on the provisions of the *Council of Europe Convention on Action against Trafficking in Human Beings* and the *EU Directive on Human Trafficking*, highlighting international obligations in relation to the care and support of child victims.

Unlike other areas of child protection there has been a limited empirical evidence base that can inform policy and practice and provide guidance for models of practice and intervention in relation to child victims of human trafficking. This reflects the international situation where there remains limited understanding of antecedent factors that contribute to the victimisation of children, or services that aid rehabilitation of the victims.

Electronic database searches were conducted using a variety of terms associated with trafficking, child trafficking, and models of care for victims of trafficking; uncovering a limited number of peer reviewed papers or evaluation reports, mostly limited to qualitative and quantitative studies of the scope of trafficking. Information on the needs of trafficking victims and available services/models of care were limited to information contained in reports produced by international organisations, individual governments and NGOs working with victims of trafficking. Predominantly these were located internationally and often focused on provision of services in source countries rather than destination countries; which in the case of the UK is paradoxical as most separated and trafficked children remain in the UK under immigration control and awaiting decisions. Information

on practices or strategies for responding to other vulnerable children's populations was also drawn upon to supplement the available material on trafficking.

The review identifies the significant gap in research and literature on the specific needs of victims of trafficking and service responses to this in the UK, where, in many respects, provision remains focused on immigration concerns with National Referral Mechanism (NRM) decision-making located outside child protection services. Supporting children in mainstream social services remains fundamental to meet their care needs, but with specific recognition of additional risk and needs related to the potential for continued trafficking and exploitation.

A model of specific practice issues relating to trafficking is highlighted; the wider safeguarding concerns focussing on care needs, education, health, housing and social support should be a focus of intervention for all looked after children, and incorporated into an individualised child's plan. The specific components include:

- Safety and protection practice related to the risk of re-trafficking;
- Safe and secure accommodation based on clear understanding of risks;
- Legal and immigration support while recognising that some children may not want to remain in the UK;
- Life story work to help children make sense of their physical and psychological journeys;
- Trauma / mental health support but also consideration of the resilience of many children;
- Peer support to ensure children do not consider themselves the only 'victims'.

While these components have been identified as potentially beneficial for trafficking victims, their efficacy, alone or combined with general intervention models, is not supported by a clear evidence base. The complexity of trafficking, and the absence of a clear understanding of children's needs, complicates evaluation; but without the contribution of an empirical evidence base for intervention in the UK, service delivery for a particularly vulnerable group of children will remain subject to the vagaries of a political and media discourse which often focuses on immigration rather than the needs of children.

# introduction

The issue of human trafficking has received increasing political, media and academic attention over the last 10 to 15 years, with an increasing literature base, primarily focussed on prevalence. Despite the growth of prevalence studies and acknowledgement of trafficking as a growing problem, global and local estimates vary widely, with reports of up to 27 million victims of trafficking worldwide (Farrel et al 2010; Mattar and Van Slyke 2010). This variance is often attributed to the application of inconsistent definitions and understanding of trafficking by different organisations, depending on their roles (Kelly 2005; UNODC 2006). This variation exists to such an extent that the lack of robust and reliable data means:

*The available numbers on the scale of human trafficking or reported increases or decreases in prevalence of trafficking are generally not trustworthy and contain a number of biases making them of little practical value (Brunovskis and Surtees 2010: 4).*

The absence of reliable data makes it difficult to allocate resources aimed at countering trafficking in humans and less likely that agencies will be able to understand and respond appropriately to human trafficking (Gozdziak 2008; ECPAT 2010). However, a number of international legal frameworks have been introduced to address the issue, primarily the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (2000)<sup>1</sup>; one of three protocols linked to the *United Nations Convention Against Transnational Organised Crime*, to which 142 countries are presently signed up. Despite concerns about its transnational and organised crime focus and continuing definitional issues (Scarpa 2005; Wallace and Wylie 2011) the protocol provides a comprehensive definition of trafficking that has been widely adopted:

*The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat 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 obtain 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 (article 3a).*

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<sup>1</sup> Generally referred to as the Palermo or Trafficking Protocol.

This review set out to:

- Collate and examine existing research literature on the trafficking and exploitation of children in the UK;
- Identify the key recommendations from research literature regarding care provision for children who are identified as trafficked;
- Identify research gaps in the research carried out to date, in relation to the provision of care.

The aim of the review is to examine the most effective models of care and support for children who are identified as trafficked. The review takes a specific focus on the *Council of Europe Convention on Action against Trafficking in Human Beings* and the *EU Directive on Human Trafficking*<sup>2</sup> to which the UK Government opted-in in 2011, highlighting international obligations in relation to the care and support of child victims.

From the outset, a key challenge for this review has been the lack of empirical studies (both in the UK and internationally) which provide ‘evidence’ of interventions and/or models currently in place. Until recently, child trafficking was not recognised as the international concern that characterises it today<sup>3</sup>. Support for child victims (often unrecognised as victims of trafficking) was often provided alongside ‘mainstream’ services for vulnerable children, or internationally, by non-governmental organisations (NGOs) who provided a charitable resource; devoid of additional funds to conduct evaluations of services provided or the medium-to-long term impact of these services.

Furthermore, as the issue of trafficking (both adult and child) became increasingly acknowledged by international organisations and individual states, attention was predominantly focused upon attempts to measure the extent and nature of trafficking, and to implement mechanisms of identification and referral to immediate support. Growing awareness of the nature of trafficking has also impacted on the development of services providing support and assistance to victims, for example the initial focus on trafficking for commercial sexual exploitation has extended to acknowledge other forms of exploitation including domestic servitude, forced labour, criminal activity and begging. The expanding knowledge base has led to organisations altering their services and developing on an ongoing basis to ensure appropriate support for victims. This however, presents a challenge to attempts to evaluate provisions or to extrapolate models of best practice supported by a clear evidence base.

In the absence of such evidence, the review has drawn on a comprehensive collection of different forms of data. Extensive searches of electronic databases were conducted using a variety of terms associated with trafficking, child trafficking, and models of care for victims of trafficking. Initial searches uncovered a very limited number of peer reviewed papers or evaluation reports, mostly limited to qualitative and quantitative studies of the scope of trafficking. Information on the needs of trafficking victims and available services/

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<sup>2</sup> EU Directive 2011/36/eu of the European Parliament and of the Council on Preventing and Combating Trafficking in Human Beings and Protecting its Victims, <http://ec.europa.eu/anti-trafficking>.

<sup>3</sup> This is true internationally, where initial reports were often met with disbelief (Shahinian 2008) and in the UK where the accounts of individual children were often disbelieved by professionals (Pearce et al 2009).



models of care were limited to information contained in reports produced by international organisations, individual governments and NGOs working with victims of trafficking. Information on practices or strategies for responding to vulnerable children in the UK was also drawn upon to supplement the available material on trafficking. However this brief review identifies the significant gap in research and literature on the specific needs of victims of trafficking and service responses to this.

UK citizens are moved and exploited within the UK, often for the purpose of sexual exploitation, with many of the risk indicators similar to other trafficking victims (see for example: Chase and Statham 2005; Harper and Scott 2005; Marie and Skidmore 2007; Jago et al 2011). However, this review focuses on the models of practice for children who are not UK nationals, and are moved into the country for the purpose of exploitation and meet the criteria for identification of potential child victims of trafficking.

Despite concerns about the organised crime and cross national focus of the Trafficking (Palermo) Protocol, the strengthening of international legislation and guidelines has been welcomed as a comprehensive international response to trafficking that has attempted to standardise processes. There has also been criticism of the 3P paradigm of 'prevention, prosecution and protection', perhaps at the expense of a focus on a reintegration and rehabilitation discourse (Schloenhardt and Loong 2011). However, efforts to provide guidance and direction to the human rights aspect of intervention are becoming more prominent (Wallace and Wylie 2011; Surtees 2010; ILO 2006; IOM 2007) and in Europe two key legislative instruments have been notable in shaping the responses of member states towards a human rights perspective and focus on victim protection.

# european responses

*The Council of Europe Convention on Action against Trafficking in Human Beings* sets out measures aimed at preventing trafficking in human beings and prosecuting traffickers, as well as providing genuine protection to victims of trafficking and ensuring their human rights are safeguarded. The convention applies to both national and transnational trafficking, whether related to organised crime or not<sup>4</sup>. The Convention also acts as an international instrument for defining a ‘victim’ of trafficking in human beings; other international instruments left it to each state to define victimhood and accordingly, entitlement to protection and assistance (Secretariat of the Committee on Equal Opportunities 2009).

The Convention provides a series of measures to protect and promote the rights of victims, who should be identified as such in order to avoid being treated as irregular migrants or criminals, by law enforcement agencies and public authorities. Victims should be granted physical and psychological assistance and support, and are entitled to a minimum of 30 days (45 in the UK) to recover and escape from the influence of the traffickers and to consider possible co-operation with the authorities. Where appropriate, a renewable residence permit should be granted. Victims are also entitled to receive compensation and support with repatriation taking into account their rights, safety and dignity. Importantly, attention is paid to the protection of victims (witnesses) during investigation and court proceedings. Additionally the Convention allows for the possibility that victims who were involved in unlawful activities can avoid incurring penalties if they were compelled to do so by their situation<sup>5</sup>.

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<sup>4</sup> Thus the Convention differs from the Trafficking (Palermo) Protocol which applies to certain offences of a transnational nature and involves an organised criminal group.

<sup>5</sup> Article 2 of the EU Directive on Trafficking includes “exploitation through criminal activity” as a trafficking purpose.



The Convention emphasises the importance of correct identification of victims in order to protect and assist them. Provisions should be made to ensure the physical, psychological and social recovery of individuals through the provision of “*appropriate and secure housing, medical and material assistance, counselling and information (in particular legal advice) in a language they understand, financial support, employment and training opportunities (including the possibility of obtaining work permits)*” (Secretariat of the Committee on Equal Opportunities 2009). Although there was a view in government that this was an area in which the UK were pro-active, the Convention and subsequent EU Directive adopted by the European Parliament were seen by NGO’s in the UK to offer better protection to trafficked children, greater power to prosecute traffickers and improved protection for trafficked people in criminal proceedings (see CARE 2011).

Europe-wide the *Group of Experts on Action against Trafficking in Human Beings* (GRETA) are responsible for monitoring implementation and adherence to the convention and are tasked with publishing regular reports detailing this.<sup>6</sup> GRETA (2011) has established that trafficking in human beings can be combated as a violation of the European Convention on Human Rights. The European Court of Human Rights has ruled that trafficking in human beings falls within the scope of Article 4 of the *European Convention for the Protection of Human Rights and Fundamental Freedoms* and that accordingly, “*States had a positive obligation to put in place an appropriate legal and administrative framework against trafficking, to take measures to protect victims and to investigate acts of trafficking, including through effective co-operation with other States concerned on criminal matters*”. The Anti-Trafficking Monitoring Group (ATMG) is an umbrella organisation of non-governmental organisations who monitor trafficking and they have been collecting and analysing data on the implementation of the European Convention in the UK.

Recent developments aimed at bringing practice in the UK into line with the EU Directive include: *Human Trafficking: The Government’s Strategy* (HM Government, 2011) and the introduction of a Bill which is currently going through the House of Lords (at Second Stage) with a focus on the provision of care and support for victims of trafficking (*Human Trafficking (Further Provisions and Support for Victims) Bill [HL]*).

Despite numerous legislative developments and guidelines, efforts to combat trafficking in 2012, arguably, suffer from the same lack of a clear understanding of factors that contribute to and facilitate the trade, or services that may aid rehabilitation of the victims, which have been evident for a number of years (Omelaniuk 2005; Rafferty 2007; Gozdziaik 2008). This may be especially so in the UK, where the focus of attention and intervention, for both children and adults, has been largely on processes of identification (Hynes 2010).

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6 <http://www.coe.int/>

# trafficking in the UK

The Council of Europe convention underpins the UK wide policy responses to trafficking. *The UK Action Plan on Human Trafficking* (HM Government 2007)<sup>7</sup> has now been supplemented by *Human Trafficking: the Government's Strategy* (HM Government 2011), detailing the plans of the UK government to prevent, prosecute and protect in relation to trafficking. Specific guidance has been published in England and Wales, and Scotland for working with and safeguarding children who have been trafficked (Scottish Government 2009; London SCB 2011a and b).

Similar to a global focus, the issue of human trafficking is one that continues to attract media<sup>8</sup> and political<sup>9</sup> attention in the UK. Again, despite this increased attention, and a developing academic and research discourse, the extent and prevalence of the trade remains largely unknown. The Serious Organised Crime Agency (SOCA) provides regular statistical bulletins of referrals to the National Referral Mechanism (NRM), considered to be the 'official statistics' regarding trafficking in the UK. Despite the efforts of various agencies, there remains no comprehensive and systematic collection of data on victims and perpetrators (Almandras 2011).

## NATIONAL REFERRAL MECHANISM

*The Council of Europe Convention on Action against Trafficking in Human Beings* ensures that each signatory country has mechanisms in place (NRMs) for identifying and recording cases of child trafficking (OSCE/ODIHR 2004). The Convention was ratified by the UK government in December 2008 and the formal procedure for assessing and recording all trafficking cases, including children, became operational on 1 April 2009. From this date, arrangements came into force to allow all cases of human trafficking to be referred by

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7 Updated in 2009 (HM Government 2009).

8 [www.mirror.co.uk/celebs/tv/2011/03/21/ross-kemp-on-the-scandal-of-human-trafficking-115875-23004569/](http://www.mirror.co.uk/celebs/tv/2011/03/21/ross-kemp-on-the-scandal-of-human-trafficking-115875-23004569/)  
[www.guardian.co.uk/media/2010/aug/05/bbc1-drama-taken](http://www.guardian.co.uk/media/2010/aug/05/bbc1-drama-taken)  
[www.dailyrecord.co.uk/news/scottish-news/2010/09/14/no-evidence-human-trafficking-rates-will-increase-at-2014-commonwealth-games-says-top-scots-cop-86908-22560736](http://www.dailyrecord.co.uk/news/scottish-news/2010/09/14/no-evidence-human-trafficking-rates-will-increase-at-2014-commonwealth-games-says-top-scots-cop-86908-22560736) [all accessed 7/9/11]

9 [www.publications.parliament.uk/pa/cm200809/cmselect/cmhaff/23/2302.htm](http://www.publications.parliament.uk/pa/cm200809/cmselect/cmhaff/23/2302.htm)  
[www.allpartygrouphumantrafficking.org](http://www.allpartygrouphumantrafficking.org) [www.scottish.parliament.uk/s3/committees/equal/reports-10/eor10-05-00.htm](http://www.scottish.parliament.uk/s3/committees/equal/reports-10/eor10-05-00.htm)

frontline agencies for assessment by designated Competent Authorities. In the UK the Competent Authorities are a central UK Human Trafficking Centre (UKHTC) and a linked authority within the UK Border Agency (UKBA) for cases also involving immigration and asylum claims.

UKHTC figures relating to referrals to the NRM indicate that 1481 individuals (adults and children) were referred to the Competent Authority up until 31 March 2011. These included individuals from 88 different countries, with Nigeria, China, Vietnam and Romania constituting the greatest number of referrals (SOCA 2011). A referral to the NRM does not require a criminal level of 'evidence', as a reasonable grounds decision by the Competent Authority can be made where there are suspicions that a child has been trafficked, but it cannot be proven. A conclusive decision is made when, on the 'balance of probabilities', it is more likely than not that a person has been trafficked.

The operation of the NRM has been criticised as being too centralised, lacking in accountability, creating a conflict of interest in decision-making and ineffective in tracking outcomes for victims or identifying patterns and trends in trafficking (Equality and Human Rights Commission 2011). Despite concerns about the NRM, the number of referrals and reasonable and conclusive grounds decisions made by the Competent Authorities is often viewed as the 'official' estimate of the problem (ATMG 2010; Scotland's Commissioner for Children and Young People (SCCYP) 2011). This is considered a particularly narrow view of the extent of trafficking; not least because of the restrictive definitions sometimes employed by the Competent Authority, especially in relation to the interpretation of the European Convention and time periods for inclusion in the figures (ATMG 2010). The 'official' figures recorded by the UKHTC are also considered to be an underestimation of the numbers trafficked. At present, however, the NRM provides the only national figures available that are based on documented cases, rather than estimates and best guesses. Some commentators have suggested that cases identified represent less than 5% of all probable cases (UNODC 2006), although this figure seems to be based on the differences between documented cases and estimates, a method of estimation that is in itself problematic.

# child trafficking

As with human trafficking more generally, there are no clear estimates of the numbers of children trafficked around the world; the ILO (2002) estimate 1.2 million children are trafficked annually and UNICEF (2005) describe the numbers as 'enormous'. While in Western Europe women are the most numerous identified victims, globally children are believed to constitute the largest number of victims (United Nations Office on Drugs and Crime (UNODC) 2006), on whom it has the greatest impact and is especially traumatic (Scarpa 2005). Girls aged 16-18 constitute the largest identified group of child victims of sexual exploitation; while boys aged 16-18 are predominantly trafficked for the purpose of labour exploitation. Children between the ages of 8-14 are generally trafficked to carry out illegal activities and/or begging (AGIS Project 2007). Many of these young people are recruited and trafficked with the involvement of their families.

Worldwide, children are trafficked for numerous purposes within and between countries and continents. The main forms of exploitation relate to child labour, debt bondage, domestic work, begging, drug trafficking, military conscription, illegal adoptions, marriage, organ donations and sport, with sexual abuse (of girls especially) likely to be the most widespread type of exploitation (Scarpa 2005; UNICEF 2005). While exploitation varies between different parts of the world children trafficked for one type of labour are often sold into another making simple categorisation problematic (Rafferty 2007; Rigby 2011).

Just as the prevalence of child trafficking is difficult to quantify, numerous antecedents have been highlighted as factors contributing to the causes of the trade. These include poverty, inequality of women and girls, low school enrolment, children without carers, lack of birth registers, humanitarian and armed conflict, demand for exploitative sex and cheap labour, and traditional culture and values (UNICEF 2005). However, similar to methodological challenges impeding increased knowledge of the numbers involved, there is also insufficient understanding about the causes of trafficking to clearly identify who is vulnerable and



why (Omelaniuk 2005). Potential antecedents are often cited with no guiding theoretical framework in place to attempt to understand the inter-relationship of the complex social, economic and cultural factors that contribute to the trade in trafficked children (Van Impe 2000; Rafferty 2007).

Where information is available about the journey and experiences of children identified as victims of trafficking, it indicates multiple types of abuse; suggesting that children are rarely trafficked for one type of exploitation, or are at least susceptible to multiple abuses as a result of trafficking or smuggling. It is apparent that the fluidity of abusive situations and the vulnerability of the children make them susceptible to various and multiple exploitative scenarios (Rigby 2011). The physical and sexual abuse of trafficking victims during all parts of their journeys is not unusual and there is recognition that trafficking causes multiple rights violations for children, through various abusive situations (Kelly 2002; UNICEF 2006; Rafferty 2007).

Identifying patterns of exploitation may help to understand certain aspects of trafficking, and aid the legislative process, but attempting to categorise children using this criteria may underestimate the totality of their experiences and undermine efforts to provide appropriate support (Rigby 2011). There have been ongoing concerns about the extent of, and responses to, the commercial and sexual exploitation of children. Chase and Statham (2005) discuss three main forms of commercial sexual exploitation of children and young people in the UK: abuse through prostitution; abuse through pornography; and the trafficking of children and young people to and through the UK for the purposes of commercial sexual exploitation. Harper and Scott (2005) also consider trafficking in terms of sexual exploitation of young people. Internationally, this is reflected in a study of commercial sexual exploitation by Pierce (2009: 1) in Minnesota, USA where the commercial sexual exploitation of American Indian women and girls is examined, “*including, but not limited to sex trafficking*”. Chase and Statham (2005: 18) also note that there is little empirically based knowledge on the outcomes of different interventions for victims noting that: “*Most reports are descriptive accounts of the types of services that are provided and the types of young people that they support*”.

The possibility of multiple background circumstances and types of exploitation makes the assessment and identification of trafficked children particularly problematic, especially within the wider diaspora of all children on the move, who may be at risk and vulnerable.

## CHILD TRAFFICKING PROTOCOL AND GUIDELINES

Under the Palermo (Trafficking) Protocol and *United Nations Convention on the Rights of the Child* (1989) children are identified as individuals under the age of 18 and it is recognised they should be afforded additional protection because of their age and particular vulnerability. Under these international conventions only two of the elements of trafficking have to be met to be defined as such – movement and exploitation.

*Children who are victims of trafficking shall be identified as such. Their best interests shall be considered paramount at all time. Child victims of trafficking shall be provided with appropriate assistance and protection.* (UN High Commission for Human Rights 2002, principle 10)

*Each state party shall take into account, in applying the provisions of this article, the age, gender and special needs of victims of trafficking in persons, in particular the special needs of children, including appropriate housing, education and care (United Nations 2000, article 6(4))*

Articles 13, 14, 15 and 16 of the EU Directive refer directly to child victims of trafficking. Measures under the Directive (Articles 13 and 14) stipulate general provision on assistance, support and protection measures for child victims of trafficking in human beings; set out that the best interest of the child should be a 'primary consideration'; and state that a person should be presumed to be a child if age is unknown but there is good reason to presume the person is a child.

The emphasis on the provision of assistance and support to child victims of trafficking addresses concerns regarding lack of resources for trafficked children (i.e. suitable accommodation, interpreters, foster parents); lack of special representation for children who are trafficked (i.e. Guardian *ad litem* available for children in situations of abuse or neglect)<sup>10</sup>. With the introduction of this Directive, the UK is now significantly less compliant in relation to support for child trafficking victims.

Article 15, addresses the protection of child victims of trafficking in human beings in criminal investigations and proceedings (also noting the need for a special representative/guardian to be appointed to safeguard the interests of the child). Article 16, gives specific attention to unaccompanied children. According to the Anti-Trafficking Monitoring Group (2010) – 153 unaccompanied children reported to NRM between 1 April 2009 and 13 Jan 2010 went 'missing'.

A guardianship system is intended to ensure that young people are provided with dedicated support to access the services and protection to which they are entitled, and to negotiate welfare, legal and immigration systems. It should also help them to address the longer-term implications of their circumstances.

The UK Government has (to date, April 2012) taken the view that the procedures currently in place to address the needs of young people under the care of local authority children's services will meet the requirements of child victims of trafficking. Accordingly, there has been no introduction of a system of guardianship in England, Wales or Northern Ireland. This decision has been criticised by organisations such as ECPAT UK and UNICEF (Sillen and Beddoe 2008; ATMG 2010; ECPAT UK 2011a) who believe that a systems of guardianship is essential to ensure that safety and welfare needs of child victims of trafficking are upheld. For ECPAT UK (2011a: 5) guardianship "*will minimise the risk of child victims of trafficking going missing, assist in severing their links with traffickers, and provide a secure foundation to begin what, for many, will be a long and traumatic recovery*". Their support for guardianship has been informed by evidence which indicates that many young people did not receive intensive support from social workers (e.g. Pearce et al 2009; Pearce 2011) and a significant number went missing from residential child-care units. Matthews (2012) highlights how various professionals did not always meet their obligations in protecting children whom they encountered at points of entry to the UK.

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<sup>10</sup> This is particularly significant in light of the number of trafficked children who appear to have been 'lost' in the UK (e.g. out of 330 children identified as trafficked by CEOP in 2007, 183 (55%) had 'gone missing'.



Scotland, in contrast to the rest of the UK is currently piloting a system of guardianship, provided by a partnership between the Aberlour Child Care Trust and the Scottish Refugee Council. Its' aim is to meet the needs of separated children through the provision of Independent Advocates who will help children negotiate the welfare and immigration systems and provide a consistent professional contact aimed at ensuring that the child's best interests are taken into account in all decisions which affect them. The project is currently being evaluated (Crawley and Kohli 2011) with initial findings indicating that the service is welcomed considerably by young people, but has met with some challenges in locating itself within the network of existing services (i.e. confusion from other service providers about the role and responsibility of the guardianship remit).

Elsewhere, the Netherlands has implemented an independent guardianship and family supervision agency. A guardian must be appointed for all young people who request asylum in the Netherlands, who will have responsibility for overseeing the child's care and education, and supervising asylum proceedings.

Despite specific provision in the legislation and guidelines and the fact that account should be taken of children's particular vulnerabilities and needs, a substantial proportion of the national and international literature focuses on human trafficking as opposed to child trafficking, with little recognition that child trafficking is not merely a sub category (Wallace and Wylie 2011).

## CHILDREN TRAFFICKED IN THE UK AND THE NRM

The United Kingdom is considered a high risk destination country for victims of human trafficking by UNODC (2006). A number of case studies and data collection exercises have documented the existence of child trafficking into and out of the country and highlighted the limited knowledge base and response amongst child protection agencies (Somerset 2004; Save the Children 2006; ECPAT 2007; Pearce et al 2009; Wirtz 2009; SCCYP 2011; Rigby 2011). These studies cannot provide confirmed numbers of trafficked or at risk children, but they do begin to quantify the problem and CEOP (2007; 2009; 2011) have published regular updates on suspected child trafficking cases across the UK.

The emerging research that has been commissioned in the UK has reached some consensus that trafficking is a growing phenomena requiring a co-ordinated response, involving in the first instance: research, intelligence, awareness raising and training on a multi-agency level (Somerset 2004; Save the Children 2006; CEOP 2007). These studies concur that only after the prevalence and incidence of trafficking and the characteristics of those involved are known can a co-ordinated response be attempted. In the UK, research and understanding of child trafficking issues remains at an early stage and although the knowledge base is developing there remain numerous unknowns.

As with adult victims of human trafficking, the introduction of the NRM was seen as a means of monitoring child trafficking cases and responding appropriately, although since its inception, and from a child protection focus specifically, the NRM has been subject to a substantial amount of criticism because:

*"...The British authorities decided to bypass the existing system and not task local authority children's services with the identification of trafficked children, despite their expertise in child protection and their statutory duty to safeguard children" (ATMG*

2011: 1).

The NRM as delivered in the UK differs from that envisaged by the Organisation for Security and Co-operation in Europe (OSCE/ODHIR 2004) in that the Competent Authority relating to child victims is not made up of a multi-agency grouping with specific child protection responsibilities. The OSCE (2009) also criticised the NRM in the UK for its reliance on one central authority to make the final decision in respect of whether an individual had been trafficked, marginalising the opinions of front line services which did not appear “*to count for much*” (p88). The Anti Trafficking Monitoring Group (ATMG) also criticised the process in a number of other areas, including its focus on immigration issues over victim support and its inability to provide additional protection for victims (ATMG 2010). Age assessment has also proved controversial with UKBA and statutory agencies criticised for failing to give young people the ‘benefit of the doubt’ in line with policy guidance, where age is uncertain.

In the UK 390 of the NRM referrals are for children of 47 nationalities. Vietnam, Nigeria, China, UK<sup>11</sup> and Romania are the most numerous nationalities referred, accounting for 67% of all child referrals (SOCA 2011). In recognition of the particular characteristics of children and the risks and organisational issues involved in child trafficking, all referrals regarding children to the NRM should come from the child’s lead professional or their equivalent in local authority social work departments (Scottish Government 2009; London SCB 2011). These guidelines are an acknowledgement that child trafficking is child abuse and social work is the primary agency for addressing the child protection concerns related to trafficking (Kelly 2009; ILPA 2009).

As indicated the increased research and monitoring activity around child trafficking and the NRM has not necessarily resulted in any clearer understanding and improved response. There remains a relatively limited empirical knowledge base and absence of a conceptual framework to understand the antecedents and consequences of trafficking (Omelaniuk 2005; Gozdziaik 2008), from which effective services can be developed. Without this empirical and theoretical knowledge base, policy and practice developments will remain open to criticism that they are progressing in an information vacuum, with trafficking being sensationalized, misrepresented and politicised (Koser 2000; Brennan 2005).

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11 This denotes children who have been trafficked within the UK.

# responding to victims of child trafficking

Given the attention to the 3P paradigm of prevention, protection and prosecution within national and international guidelines there has been a less pronounced focus on a reintegration and rehabilitation discourse (Schloenhardt and Loong 2011). However, international efforts to provide guidance and direction to this aspect of intervention are becoming more prominent (Surtees 2010; ILO 2006; IOM 2007), with rehabilitation, reintegration and redress (Wallace and Wylie 2010) now being promoted. International guidance for practice includes UNODC 2006; ECPAT 2007; Armstrong 2008; Zimmerman and Borland 2009.

## **ASSESSMENT AND IDENTIFICATION - THEN WHAT?**

Identification is necessary for a variety of reasons but crucially as a mechanism for directing victims to services – notably healthcare, support and accommodation and access to legal advice within a child protection, safeguarding framework. While not identifying an individual could compromise their safety and access to support, it can also mean that those with irregular immigration status may be detained, criminalised and deported without consideration of risks they face, particularly that of re-trafficking (Home Affairs Select Committee 2009).

There may also be concerns that victims are criminalised for involvement in activities as a direct result of being trafficked - cases have been identified of trafficked children being charged with criminal offences, for example when recovered from cannabis farms (ATMG 2010). The Migrant Helpline (2010) expressed concern that a number of Vietnamese nationals held in Scottish prisons for offences related to cannabis cultivation at the beginning of 2010 were potential victims of trafficking. Other offences may include possession of false passports and documents, failure to have in their possession travel documents, prostitution and theft.

Article 8 of the EU Directive, Article 26 of the Council of Europe Convention, and recommended guidelines on human rights and human trafficking (UNHCHR 2002; 4.5 and 5.5) state that penalties should not be imposed on victims of trafficking for their involvement in criminal activities which they have been compelled to commit as a result of being trafficked. However, there is currently no system in place to review the process of avoiding the punishment of victims for involvement in criminal activities which are a direct consequence of being trafficked. At present the Crown Prosecution Service are working with criminal justice partners and UKHTC to identify a 'practical mechanism' to monitor the effectiveness of existing arrangements (Special Representative 2012: Appendix 1).

Guidance in England and Wales considers non-punishment in respect of young people located in cannabis farms: [*ACPO Lead's on Child Protection and Cannabis Cultivation on Children and Young People Recovered in Cannabis Farms*]. In Scotland, the Crown Office and Procurator Fiscal Service have also published guidance relating to human trafficking offences, including a section on the presumption against prosecution for a credible trafficking victim (COPFS 2011).

Practitioners find that trafficking victims do not always and immediately identify themselves as such; they are often unfamiliar with the terminology and may define their experiences in ways that are not immediately recognizable to untrained officials (Haynes 2007). The emphasis given to trafficking for commercial sexual exploitation has also meant that many victims of other forms of trafficking are not identified. Guidance does exist however, to support professionals to identify victims of trafficking (for example AGIS Project 2007; International Organization for Migration (IOM) 2007). Law enforcement agencies tend to have substantial expertise in identifying 'vice' crimes such as sexual exploitation<sup>12</sup> and indeed police officers are perhaps less likely to recognise other forms of exploitation, notably labour exploitation and domestic servitude. It is likely that many children who enter the UK under private fostering arrangements are never identified as victims of domestic servitude.

Lack of awareness of trafficking can also result in professionals failing to recognise and identify child trafficking (Pearce 2011). Children can be passed between agencies and may well fall through gaps in services; a situation that is exacerbated if they go missing. At the same time, an over-emphasis on immigration can result in a failure to recognise trafficking and can mean that children and young people trafficked internally, may go unidentified.

Children and young people who have been trafficked have often experienced significant challenges prior to being trafficked: including histories of abuse and neglect within their families; estrangement from families and social upheaval such as civil conflict. Under these circumstances, they may have been forced to take on the role of an adult at an early age (Pearce 2011). This can have significance for the models of care that are made available to children and young people.

While the NRM is regarded as the central mechanism for identifying and responding to trafficking concerns for both adults and children, it has been identified as a bureaucratic, immigration focussed process, and not child friendly (London SCB 2011c; ATMG 2010). In policy and practice, social work child protection teams should be the primary agency for assessing and providing services for trafficked children. In reality, there remains varying levels of understanding of the concept of trafficking, and differential application of a child centred, child protection focus in work with trafficked children (Bovarnick 2010; Hynes 2010; Pearce 2011). Bovarnick (2010) suggests that whether practitioners are 'child focussed' or 'immigration focussed' plays a substantial role on the quality of services received by children.

There is increasing recognition that professionals could benefit from more guidance on how to support children in recovering from the experiences of trafficking (London SCB

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12 Operation Pentameter 1 focused on sexual exploitation, Pentameter 2 on sex trafficking and forced labour.

2011c). While this guidance should primarily include the content of effective programmes or models of practice, the importance of practitioners liaising with agencies in source and transit countries is also needed, to assess children's circumstances pre-trafficking and assess the potential risks if children, or young adults, are returned (Hynes 2010; Rigby et al 2012).

## MODELS OF PRACTICE

The basis of a comprehensive model of intervention to address trafficking should include a pre-trafficking focus (including work with the communities from which victims have originated); during trafficking (including movement and travel and exploitation) and post trafficking (including rehabilitation and reintegration) (Dale 2002). It is apparent that a multinational, multi-agency, long term, sustained response is required for those children who are moved across borders, involving a focus on prevention, prosecution, protection rehabilitation and reintegration (Dale 2002; OSCE/ODHIR 2004; Asquith and Turner 2008; Todres 2010).

This comprehensive multi-agency response to meet the complexity of need and risk has not been apparent to date, especially in the UK, and there are concerns that a law enforcement, immigration response is dominant, rather than a human rights, child protection focus (Burn and Simmons 2006; Bump 2009).

The ILO (2006) identified the key components of a multidisciplinary approach:

- Standardised database and data collection system on child trafficking cases for use by relevant professionals for analysis and referral purposes;
- Facilities for recording a trafficking victim's personal history;
- Incident notification form;
- Handbook for practitioners, indicating the roles of various professionals in a multi-agency approach, and including required professional skill, relevant procedures, and available resources;
- Directory of organisations and services able to work with trafficking issues;
- List of laws and regulations relating to trafficking, with accompanying guidelines on how to enforce them.

While there is a growing awareness of the need for a multi-agency response there is little empirical evidence to support the effectiveness of specific interventions or services for victims utilising such an approach (Clawson et al 2009). However, despite the absence of an evidence base determined through evaluation of service models, it is possible to identify characteristics of services that appear promising – probably the nearest we can get to understanding what works at this point in time. These conclusions relating to best practice have generally been determined by overviews, manuals, fact sheets, non peer reviewed journals, commentaries, and anecdotal observations and experiences (Gozdziak and Collet, 2005; Clawson et al 2009), rather than specific evaluations of programmes and services; and have emerged predominantly from work outside the UK.

In the USA the Trafficking Victims Reintegration Programme criteria for determining successful re/integration of victims is centred on the following characteristics of service provision (Surtees 2010):

- safe and affordable accommodation
- legal status
- professional/employment opportunities
- education and training opportunities
- security and safety
- healthy social environment (including anti-discrimination and anti-marginalisation)
- social well-being and positive interpersonal relations
- economic well-being/viability
- physical well-being
- mental well-being
- access to services and opportunities
- motivation and commitment to re/integration process
- legal issues and court proceedings
- well-being of secondary beneficiaries

Macy and Johns (2011) identified areas for intervention in adult survivor care which included:

- basic necessities
- secure, safe shelter, and housing
- physical health care
- mental health care
- legal and immigration advocacy
- job and life skills training
- substance abuse services

A particularly important finding of Macy and Johns was that specific intervention details are rarely documented, so that it is often unclear exactly what type of intervention is being undertaken. Fundamentally, there is no easy solution, or quick fix, when addressing the needs of trafficking victims (USAID 2007); long-term programmes are required that enable children to obtain skills that can also service as protective factors as children develop (Dale 2002).

The *IOM Handbook on Direct Assistance for Victims of Trafficking* (IOM 2007) identified the following factors as key to successful work with victims of trafficking. However, IOM stress that each case must be dealt with individually, on a case by- case basis, with appropriate interventions matched to specific needs.

- Victim evaluation
- Self evaluation
- External evaluation
- Donor evaluation
- Evaluation as part of the monitoring process of implementation of a National Action Plan
- Medical/Health
- Counselling

- Financial
- Legal Assistance
- Reinsertion Into the Education System
- Vocational Training
- Micro-enterprises and Income-generating Activities
- Job Placement, Wage Subsidies and Apprenticeship Programmes
- Housing and Accommodation

As identified, despite this recognition of what is required, there is little evaluative research on the most effective models, especially on the topic of long-term needs and reunification (Busch-Armendaiz et al 2011; Macy and Johns 2011). This focus on longer term needs is especially important in the UK because most of the focus of service provision to date has been on immediate safeguarding. There has also been some debate about the service provision being specialised for trafficking victims, or trafficking victims accessing generic services more easily, because:

*Service providers and policymakers sometimes operate under an assumption that clients will quickly access mainstream services, and that those mainstream services will be adequate. However, clients' needs and the structure of both mainstream services and services for victims of human trafficking are not always in harmony. For example, time-limited services are not able to accommodate trauma-related needs that may not be evident during the first six or seven months of services.*

(Busch-Armendariz et al 2011: 13)

Research in the UK has often recommended the provision of specific and specialised services for trafficking victims (Rigby 2009; Pearce et al 2009), as it was evident that children were not accessing mainstream services and receiving adequate safeguarding under child protection provisions. However, more recently the understanding that distinctions between trafficked and smuggled children may be rather illusory from a child focussed needs assessment has prompted a rethink of this approach towards a more inclusive, normalisation of service provision. Accessing generic services will help to avoid labelling children as trafficked to their peers, or in many cases to the children themselves who may not view their situation as one of trafficking (Tyldrum 2009). It is important that within generic services, professionals are aware of the specific needs and risks presenting with children who are victims of trafficking, and that as Busch-Armendariz et al (2011) indicate, services are not too time limited (thereby failing to address longer term issues).

## IMMEDIATE, MEDIUM AND LONGER TERM NEEDS

The components which contribute to promising practices for the U.S. Department of Health and Human Services (2008) require: the incorporation of safety planning (for workers and victims), collaboration across a number of agencies, ongoing development of trust and relationship-building, culturally appropriate approaches, trauma-informed programming, and the involvement of survivors in service development and provision.

Key areas of need can be identified at each stage of the rehabilitation process:

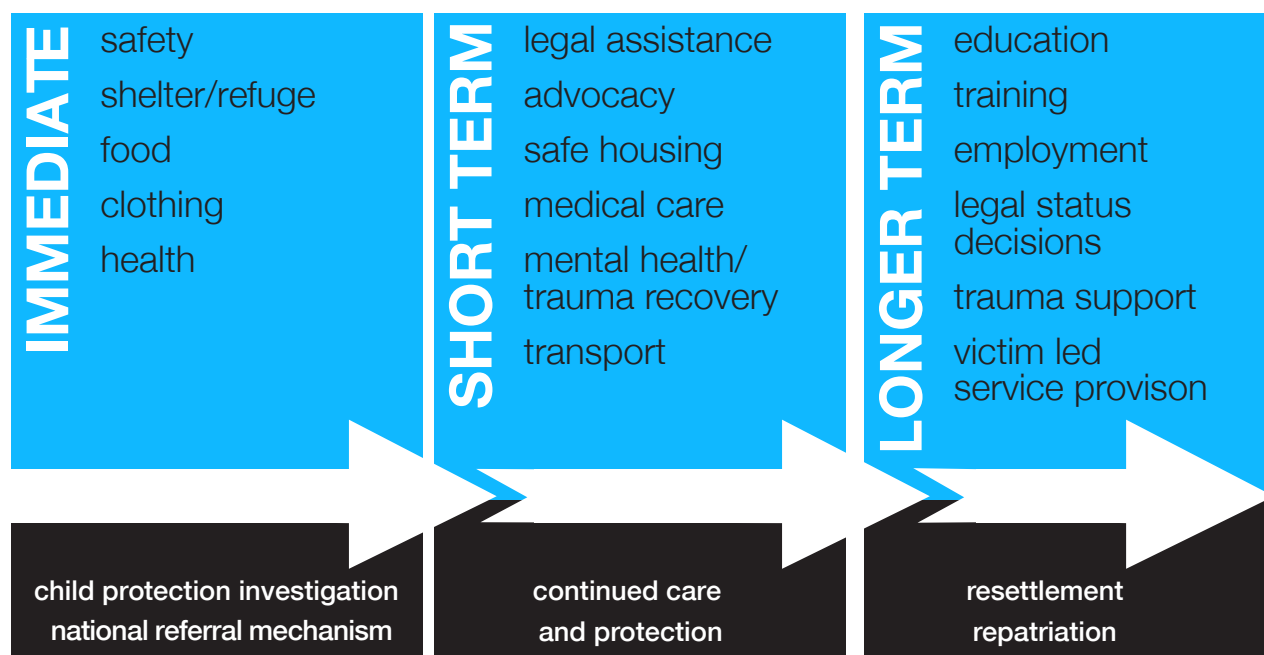


FIGURE 1

While these overarching needs may be similar regardless of the type of victim – adult or child, international or domestic - there is a clear consensus that the extent of the needs varies for each victim depending on their circumstances and at each stage of the rehabilitation process (Clawson and Dutch 2008). Identifying appropriate short, medium and long-term responses as needs, and therefore developing appropriate interventions, is a key challenge. In the UK much of the focus to date has been on the identification of trafficked children (Hynes 2010). While necessary as an initial step, this has perhaps deflected from providing and evidencing effective rehabilitation and reintegration services, not least because such assistance requires far more intensive work and follow up.

*There have been few in-depth evaluations of long-term reintegration programmes and long term follow-up of victims can be difficult as those victims assisted move on with their lives and lose touch with service providers, little is known about best practices for long-term reintegration (IOM 2007:105).*

US Department of Health and Human Services (2008) identifies the following barriers and challenges to accessing and providing services. For victims, this includes: an inability to self-identify as having been trafficked; lack of knowledge of services; fear of retaliation; fear of law enforcement/arrest/deportation; lack of trust; shame/stigma; PTSD; cultural and language barriers; lack of transport. For providers this can include: the hidden nature of trafficking which makes it difficult to identify and reach victims; lack of awareness/training; lack of adequate resources or services; cultural/language barriers; ineffective co-ordination of services; safety concerns.

The Macy and Johns (2011) study, while focused on adult survivors of trafficking for sexual exploitation, identified the importance of a continuum of aftercare services to address changing needs as survivors progress from initial exiting of trafficking situations to longer term recovery and independence. They identified three phases for intervention, each requiring specific responses at each stage to meet immediate and crisis needs; ongoing needs and long-terms needs.



# components of effective practice in the UK

Notwithstanding the absence of empirical evidence, and the reliance on reports and overviews of the present situation regarding rehabilitation and reintegration of child trafficking victims, the key unknown in terms of practice in the UK is the extent to which generic models of global practice can be translated into the domestic response. When asking children themselves how they experienced assistance and protection, Surtees (2007), identified consistent themes and issues for victims of trafficking, including legal support and access to justice; stigma and labelling; rules and restrictions, which may begin to indicate that responses can be transnational, even if complex and problematic. However, as indicated, the responses in the UK have to date been focussed around the identification of victims and to immediate protection and safeguarding (Hynes 2010; Pearce 2011), longer term needs and support is relatively untested.

The London Safeguarding Children Board guidance (London SCB 2011a) and toolkit (London SCB 2011b) is used by many local authority areas as a blueprint for identifying and working with victims. The monitoring of the original guidance (London SCB 2011c) indicated that pilot authorities found it useful and helped to focus professionals on the issue of trafficking. However, it was also clear that practitioners required guidance on how to work with children to meet their mid and longer term needs.

As with the global literature, any guidance published to date in the UK has been centred on statements of good practice, rather than empirical evidence of what may actually work with trafficked children. Child trafficking is a relatively new concept in terms of policy and practice responses, which may largely explain the absence of an empirical baseline of effective intervention. However, the complexity of the issues and heterogeneous profile of victims (Rigby et al 2012), may also contribute to this absence; not to mention the focus to date on the immigration aspect of child trafficking (Bovarnick 2010; Pearce 2011), which continues to concentrate on securing borders and limiting migration (Dale 2002) as a primary response, rather than the needs of victims and human rights issues associated with the abuse and exploitation.

Compounding problems about the focus of any work in the UK is the uncertainty of what 'outcomes' should be sought for trafficked children. While the short term concerns about safety, housing, health and education may be clear, the longer term aims of intervention may be less clear. Within such a complex arena as child trafficking, Surtees (2010) identified the overall aim of intervention, which while not providing an indication of the exact components of an effective model provides a clear statement of the expected short and longer term outcomes.

*Settlement in a stable and safe environment, access to a reasonable standard of living, mental and physical well-being, opportunities for personal, social and economic development and access to social and emotional support. It may involve returning to one's family and/or community of origin; it may also involve integration in a new community and even in a new country (Surtees 2010: 154).*

Within this context Surtees also added that clarity about legal status should be considered one of the main outcomes for all trafficked children (Surtees 2010), especially as it is known that uncertainty about refugee status often dominates the lives of separated children, undermining confidence about their future (Kohli 2002).

While there is limited research on the most effective models for trafficked children it will be useful to unpick some of the components that have been identified in adult work; the areas of intervention that are prescribed in international guidelines as the minimum services and support that children can expect, and to draw on other aspects of sensitive child protection work. No guarantees can be made that adopting the following components into a model will be effective and result in positive outcomes; but it is now imperative that service providers in the UK begin to apply more rigorous methods of investigation and practice to ensure the 'scatter gun' approach of multiple services does not prevail.

The following components of possible models of practice may not be exhaustive, and they focus on the additional support that trafficked children may require in addition to the mainstream services that all looked after children should receive (i.e. well being indicators for health, education, care etc (Scottish Government 2008)). It is important to ensure that children are assessed as individual cases with regard to their needs and what services they require to meet these needs. Only individualised responses are likely to be effective, although rescue and reintegration efforts that are tailored to individuals are much more resource intensive, indicating a substantial need for local and national capacity-building across partner agencies (Dale 2002; Macy and Johns 2011).

## **BASIC SAFEGUARDING AND CHILD PROTECTION MEASURES**

In the UK there is now increasing recognition that the absence of a child protection focussed response to child trafficking is unacceptable and all guidance clearly elucidates the need for a child centred, human rights approach to safeguarding children. However, concerns remain that immigration issues dominate present assessments and service provision (Hynes 2010; Bovarnick 2010; Rigby et al 2012).

While attitudes and misunderstanding in practice may remain, policy documents reiterate the rights based child protection focus, particularly in Scotland where government guidelines place child trafficking responses firmly within the child protection arena and recognise that social work is the lead agency for addressing care and assistance of child victims of human trafficking.

Children who are suspected of being victims of trafficking should be subject to investigations the same as any child in the UK where there are concerns about welfare. However, there is some evidence that comprehensive assessments on non-UK citizens can be problematic as information is often difficult to verify when children are often the only source of information (Mitchell 2003; Kane 2006) and professionals rarely undertake

enquiries outside of the UK (Hynes 2010; Rigby et al 2012). In many respects child trafficking represents the internationalisation of child protection for UK authorities, and professionals are not used to working beyond national boundaries (Christie 2003).

## ACCOMMODATION – SAFE, SECURE

The Home Affairs Select Committee (2009: Conclusion Para 35) noted:

*We are alarmed by the accounts given by our witnesses and reinforced by anecdotal evidence of traffickers training children to present themselves as unaccompanied asylum seekers in order to be placed in insecure care, often near the port of entry, which the trafficker can persuade or coerce them to leave. In effect, traffickers may be using the care home system for vulnerable children as holding pens for their victims until they are ready to pick them up.*

And continued: Home Affairs Select Committee (2009: Conclusion Para 37)

*ECPAT UK told us that it had repeatedly asked the Government to look into the issue of trafficking victims going missing from local authority care, but a succession of Ministers had refused to treat this group any differently from the other children who go missing from care. While it is regrettable that any child should disappear for a prolonged period or permanently from local authority care, we think that the Government's response does not recognise the particular vulnerability of trafficked children (...). We recommend that the Government carry out a specific nationwide study into the number of possible child trafficking victims going missing from care and how this number could be reduced.*

Following high profile reports of newly-arrived unaccompanied asylum seeking children going missing from local authority residential units there has been a move in the UK to reconsider best practice for the accommodation of trafficked children. This has included the provision of specialist foster carers, housing children away from the towns and cities where they were identified as trafficking victims, secure residential facilities and the appointment of guardians. As far as can be ascertained none of these suggestions are supported by any evidence that they are more likely to prevent children going missing from local authority care in the UK.

A system of secure accommodation in the Netherlands (not necessarily for children) is due to report in mid 2012 (Zeldin 2010). USAID (2007) reported on the use of group shelters globally, concluding that the heterogeneous nature of the problem within and between countries makes comparison and definitive statements problematic. For adult victims, USAID also identified aspects of good practice for accommodation providers that include clear operating procedures; multi-agency working; appropriate staff training; attention to individual circumstances; vocational training and effective follow up. The importance of peer support for victims (Clawson and Dutch 2008) may mitigate against the widespread use of specialist foster carers away from where children are identified, but this has to be considered in the context of the potential for children going missing.

In the absence of evidence for the most effective type of, and standards for, accommodation across the UK for the placement of children who are suspected or known to be trafficked, ECPAT (2010) published a set of principles to guide service providers. While useful in

identifying aspects of good practice for accommodation these principles remain only guidance and in the absence of any evaluated models of practice cannot fully articulate what may be the most effective model of ‘multi-faceted’ accommodation:

- The best interests of the child should be at the centre of all decisions regarding the provision of safe accommodation and related support;
- Children should be asked about what makes them feel safe;
- Children should be given sufficient information to help them make informed decisions about their accommodation and care;
- Safety measures should be implemented to reduce a child’s risk of going missing, especially within 24 to 72 hours after first contact with the child;
- Safe accommodation should be understood as multi-faceted, involving physical and psychological elements, with particular recognition of the impact of trauma on a child’s perception and behaviour;
- A child’s accommodation and safety needs will change over time and should be regularly assessed;
- A child should not feel punished or overly restricted by measures taken to help keep them safe in accommodation;
- A child should be given access to a range of psychological, educational, health, social, legal, economic and language support that ‘brings safety to the child’ and helps them recover;
- Everyone working with child victims of trafficking should be trained to recognise and respond appropriately to their needs;
- Efforts to keep children safe should involve the wider community in ways that help create an environment that is difficult for traffickers to operate in.

Models of good practice in the provision of accommodation for vulnerable young people already exist within the UK for young runaways<sup>13</sup>. Refuge accommodation provides a safe space for young people in a crisis, allowing time for reflection and an opportunity to access support and assistance from professionals. Importantly, this does not require that the young person becomes ‘looked after and accommodated’ at the point where they are seeking help. Evaluations of the limited refuge provision in existence across the UK highlight the benefits that this support can make available to children (e.g. Malloch, 2006). However, many young people do not access help whilst away from home and research and practice evidence suggests that most young runaways from home are not reported to the police, in contrast to those who go missing from local authority care.

The need for flexible responses that include formal emergency accommodation provision in several forms (such as fixed refuge, flexible refuge, foster care) is highlighted by recent research in this area, with a national network of emergency accommodation provision suggested (Reece et al, 2009; Smeaton and Franks, 2011). Importantly, effective leadership and inter-agency working is recommended as a priority. While young people who have been victims of human trafficking constitute a distinct group with significant and ongoing needs, the awareness of different models of accommodation and support obtained from

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13 Young people who have run away from, or been forced to leave, home or residential care.

research and practice with young runaways could be usefully explored further.

As with most aspects of service provision in the UK evaluated models of accommodation practice need to be implemented so that future provision can be based on what has been found to be effective, rather than potential models of good practice highlighted following the perceived failure of previous practice. The ECPAT principles (above) may provide the building blocks required to design a new response.

## CHILD WELFARE AND DEVELOPMENT (LIFE HISTORY / LIFE STORY WORK)

Much of the background stories and narratives of separated children's lives is that gleaned through the accounts of children themselves (Mitchell 2003) and in the case of trafficked children there can be much uncertainty about their provenance and accuracy as fear of consequences from their abusers, and from the authorities, may distort responses (Pearce et al 2009). This confusion and distraction should not be viewed as a negative factor for children, as it often is in the immigration and child protection systems if their 'evidence' is not considered credible (Rigby 2010).

Baynes (2008:43), describes the three main elements of life story work as the gathering up of treasured objects, photographs and mementoes; the creation of a written narrative that explains the reasons for moves and provides information about family members; and the communication of this story to the child in a meaningful way. Even these are problematic with separated and trafficked children when there is limited or no information on which to corroborate their stories and begin to explain their situation. However, its application in the area of child trafficking may be useful as it is difficult to gather evidence and information from jurisdictions outside the UK (Hynes 2010; Rigby et al 2012) and the child's story is often the only source of information for decision making.

The fact that life story work may "*help a child in very difficult circumstances to understand what is happening to them, to express their feelings, contribute to decision-making and share their story*" in an attempt to make sense of their experiences (Baynes 2008; 43), without the label of therapy, may be the key to its use with trafficked children. However, there is little evidence of its efficacy or use with separated and trafficked children and it is usually not amenable to an empirical evidence based approach to evaluation as it is difficult to measure (Baynes 2008), and does not fit easily within a child protection framework increasingly focussed on evidence, procedures and information gathering (Barry 2007). Additionally care is required to ensure that the western concept of life stories and understanding of the importance of certain events is not applied uncritically to children from different cultures (Moss 2009).

## LEGAL / IMMIGRATION

When identified as unaccompanied asylum seeking children and / or potential victims of trafficking, children are usually processed through the asylum and immigration system in the UK. While children are entitled to, and generally will have access to legal representation, it is important that solicitors are aware of the law as it applies to victims of trafficking and have some familiarity with the immigration and asylum process. Legal professionals may be involved in work with children in relation to age disputes, asylum claims and potentially,

criminal charges they have incurred (ATMG 2010) however, it may not be the case that issues of trafficking are understood or recognised by all professionals involved (Matthews 2012).

Within a legal discourse and the UK's obligation under international conventions it is also important to ensure that responses are not contingent on co-operation with authorities as is often the case with adult victims. Responses contingent on prosecution and witness protection fall short when looking to protect the human rights of victims (Burns and Simmons 2006).

*Ultimately, the best way to allay the fears of trafficking victims is to provide protection and support on the basis of their status as victims, not their ability as witnesses. Protection for trafficking victims should not be contingent on their capacity to act as witnesses in a criminal investigation or prosecution (Burns and Simmons 2006: 565)*

## ADVOCACY

### Article 14 EU Directive

*Members States shall appoint a guardian or a representative for a child victim of trafficking in human beings from the moment the child is identified by the authorities where, by national law, the holders of parental responsibility are, as a result of a conflict of interest between them and the child victim, precluded from ensuring the child's best interest and/or from representing the child.*

Article 14-15 requires that a guardian or representative is made available to a child in circumstances where the parent is absent or cannot represent the child due to a conflict of interest. At present, social work provisions are aimed at covering this but fall some way short of providing the care/support required (local authorities have a statutory duty to safeguard and promote the welfare of all children but according to ECPAT (2010) in some cases, appointed social workers did not attend court proceedings).

The Scottish Guardianship Service Pilot, collaboration between the Scottish Refugee Council and Aberlour, has recently published its first evaluation report (Crawley and Kohli 2012). While not designed to work primarily with trafficking victims the pilot has identified that children and young people welcome the independent 'guardian' as an advocate on their behalf, although partner agencies express some concern about the clarity of roles.

## PEER SUPPORT

In looking at promising models to assist victims in their recovery, there are suggestions that survivors may be in the best position to assist peers, working in collaboration with clinicians. Practitioners with experience of working with separated children have recommended peer mentoring and support, especially in group settings to offer therapeutic work, empowerment and life skills (Wirtz 2009). Church and faith communities were also

mentioned by Wirtz as social environments where children may find support, although concerns about church members being involved in trafficking (Pearce 2011; Rigby et al 2012), requires consideration.

Chase and Statham (2005) indicated problems with peer support for child victims of sexual exploitation as often the peers are also involved as victims and exploited through prostitution. Dottridge (2008) identified that children who had utilised their own social networks during the repatriation process were sometimes exposed to additional risks and continued exploitation.

A variation on the peer support model is a project in Boston USA that pairs young victims of sexual exploitation with older survivors of exploitation. While not necessarily related to trafficking victims an evaluation study due to be published in early 2012 may provide some indications if such a model could be adapted for trafficked children who have experienced different types of exploitation (Porter 2011).

A peer support model of recovery is one that is often mentioned as helpful as it reduces isolation of young people, which may be especially the case in more rural areas of the UK where there may not be other separated children, or many non UK citizens. However, as indicated there are potential challenges with a peer support model and to date there is limited research evidence about the impact of such models on recovery (Clawson et al 2009).

## TRAUMA / MENTAL HEALTH

While there is considerable recognition of the potential for psychological trauma related to the experiences of trafficked children, which may be more pronounced than for adults (Rafferty 2007 and 2008; Scarpa 2005), there is also recognition that for many children, their resilience and individual personalities may mitigate the often expected reactions to abuse and exploitation (Pearce 2010; Rigby et al 2012). In this respect children often do not want to be treated as 'victims' and may not see themselves as being mistreated and have substantial ambivalence about trauma and how it is addressed due to cultural and linguistic differences (Gozdziak et al. 2006; Kelly 2009; Tyldum 2009).

In such circumstances the provision of specific trauma related services may not be appropriate, and may only serve to increase trauma through the provision of services that are not wanted and may be culturally inappropriate (Breuil 2008; Rigby 2011). Dottridge (2008) identified that trafficked children often do not want to keep returning to discussion of their past experiences when involved with services, preferring instead to focus on the future.

Perhaps more-so than in any of the other components of a possible programme of intervention for trafficked children, considerable attention should be provided as to whether the provision of specific trauma related services is either required or welcomed. In this respect listening to children and supporting them in making their own decisions will be crucial. In many cases inclusion in mainstream, universal services may be the 'therapy' that many children benefit from (Pearce et al 2009).

Where specific trauma related work is required and provided, there are limited evaluations of the impact of treatment and / or manualised treatment options (Clawson et al 2009).

# discussion and recommendations

The last few years have seen the publication of numerous best practice guidelines and models from international agencies and UK based organisations. These are based on models of good practice that have been identified in different countries and referred to, in many cases, as tried and tested toolkits and materials (ILO 2006). While the majority of these toolkits and manuals are based on years of practical experience there have been few empirical studies relating to best practice that are based on rigorous evaluations of models and practice initiatives. Most are not specific to children and often based on the experiences of women trafficked across borders for sexual exploitation (Clawson et al 2009), and few have their roots in the context of the UK setting, which remains predominantly a destination country.

Within this context of few methodologically rigorous evaluative studies, attempting to identify ‘what works’ for trafficked children is a daunting task, even without taking into account the complexities of child trafficking and the multiple factors and circumstances that contribute to the trade. In the UK context the guidelines and best practice models remain focused on provision of services in the UK and reintegration and rehabilitation models are largely missing as children are processed through the asylum system – with the assumption that children want to remain in this country.

Care is required to ensure that the publication of guidelines and toolkits, while welcomed as the basis of a good practice model, does not become a self fulfilling prophecy, whereby the more often they are published and reiterated the more they are accepted as the definitive model for effective practice in the UK. Monitoring and evaluation frameworks should be incorporated into each toolkit and guidance to ensure that future developments are based on rigorous evidence and not a reaction to political and media interest on the issue of child trafficking.

In the UK rigorous investigation of what may be the most effective method of intervention with trafficked children, informed by robust evaluation and analysis, has not been undertaken. This task cannot be underestimated however; just as the phenomena of child trafficking is a complex web of social, personal, political and individual factors the *“monitoring and evaluation of anti-trafficking programs is a complex undertaking”* (Dale 2002). However, without this undertaking particularly vulnerable children will be subject to interventions when their efficacy is largely unknown.

Without this evidence, identifying the component factors of a programme of intervention(s) for child trafficking victims relies on those characteristics identified in overviews and



reports, usually by governmental and non-governmental organisations, and identified as possible best practice. While this has been the approach adopted for this review, good practice would suggest that if aspects of the components identified are to be applied they need to be accompanied by a rigorous monitoring process – and crucially they are not likely to be applicable and suitable for all children in all circumstances. Individual assessment of risk and needs should inform service provision – this can still be evaluated.

A concern for the UK is that most of the reviews have been undertaken elsewhere, often in countries of origin, which while informative and relevant, may not be sufficiently nuanced for the UK situation, which primarily remains a destination country for trafficking victims. Reviews from the USA may be the most useful for informing UK work, although for future reference and development, learning from source countries should be incorporated into national programmes and evaluated to ensure that they are, or are not, transferable to the UK. In practice many countries have far more experience of working with trafficking victims than the UK, and can also focus on the human rights and victims needs first and foremost; particularly where they are not governed by immigration and migration concerns. However, as UNICEF/ECPAT (2008) acknowledge, the care and protection of children who have been trafficked varies internationally – from inconsistent and ad-hoc, to non-existent.

The migration and immigration focus of the National Referral Mechanism and much of child protection and social work involvement (Bovarnick 2010; Hynes 2010; Rigby et al 2012) may also, at present, be influencing the identification of potential medium and longer term outcomes of programmes and support. There is often failure to recognise multiple forms of exploitation, and often a preference for focussing on exploitation as the starting point for intervention, rather than the overall needs of the child. Supporting children within the framework of mainstream social work services/provision should encompass their short, medium and long-term needs whilst acknowledging the need for tailored provision relating to trafficking risk and need (e.g. safe accommodation), and the need for certain types of support to be available over a longer-time frame (e.g. issue of access to trauma support if appropriate and required)

While the focus of this review has been on potential models of care in the UK it is also important that the work is undertaken with cognisance of the wider global issues which underpin trafficking and the multiple forms of exploitation. The complexities and challenges are substantial, matched by the potential consequences for a particularly vulnerable group of children who to date have often been overlooked. While not diminishing the global social, cultural, political and economic issues, future consideration for research, policy and practice in the UK emerging from this review may include:

- Need for evaluation of the services provided at present
- A pilot model of intervention be developed that adopts those components considered to be ‘best practice’ that is then subject to a rigorous model of monitoring and evaluation
- Need for clarity in terms of immigration status to allow for proper planning of support that may encompass integration in the UK or reintegration to home countries
- Development of a robust international evidence base and information exchange system to allow practitioners to make consistent and informed decisions/risk-assessments about resettlement in different countries of origin.

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