



protecting children everywhere

CHILD TRAFFICKING INTO THE UK FACT SHEET

DEFINITION

ECPAT UK uses the definition of trafficking as set down in the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children supplementing the United Nations Convention against Transnational Organized Crime (2000). Also known as the "Palermo Protocol", it defines a child as any person under eighteen-years of age.

“The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’.”

LAWS

Relevant UK, English and Welsh, Scottish and Northern Ireland legislation pertinent to children and their protection, includes:

- The Children’s Act, 1989, 2004
- Sexual Offences Act, 2003
- Nationality, Immigration and Asylum Act (Treatment of Claimants, etc.), 2004
- Gangmasters Licensing Act, 2004
- Identity Cards Bill, Clause 27 (5) related to false identity documents, 2004

THE NATURE AND EXTENT OF CHILD TRAFFICKING

1. In 2004, ECPAT UK published ‘Cause for Concern? London Social Services and Child Trafficking’. This documents 35 cases of child trafficking in 17 London boroughs. Most of these children were trafficked for domestic work or for prostitution, but there were also cases of trafficking for restaurant work, benefit fraud and involvement in illegal activities. While many boroughs could not provide details of cases, 32 out of 33 boroughs in London were concerned that they had a problem with trafficked children. As can be seen throughout this report, evidence of child trafficking is usually anecdotal but there are now sufficient case studies to confirm that children are being trafficked into the UK, with the likelihood that it has increased in the past two years. It occurs as both a highly organised activity as well as ad-hoc with two or three person involvement, sometimes – family members. It involves children of all ages, both male and female, who enter the country as both accompanied and unaccompanied minors.

2. Although media stories tend to focus only on trafficking of children for sexual purposes ECPAT UK considers that trafficking of children for labour exploitation is more frequent but less documented. It is also the case that even though a child may have been trafficked for a purpose other than sexual exploitation, they become highly vulnerable to physical and sexual abuse once they have been trafficked.
3. A 2005 London research study conducted by Barnardo's¹ found that 12 out of 32 local authority representatives interviewed in the research were aware of cases of young people from abroad who had been sexually exploited. In addition, 20 health service and voluntary sector agencies identified 52 young people from abroad who had been sexually exploited. Both ECPAT UK and Barnardo's research agrees that it is most likely that sexual exploitation of trafficked children and young people occurs in 'informal locations' such as private flats where they are expected to have sex with groups of men.
4. The use of trafficked children for exploitative labour is often hidden within local communities and difficult to identify without the support of local communities themselves. The trafficking of African children for domestic servitude is often seen as replicating social norms within some African countries where children are used for household labour. Sadly, within the trafficking context, it often leads to physical and emotional abuse, neglect, removal of passports and documents and deprivation of freedom and education.
5. Police investigations have uncovered links between child trafficking and organised criminal drug manufacturing or cannabis houses². These reports suggest that the links between child trafficking and organised crime go beyond sexual exploitation and prostitution.
6. Operation Pentameter, a police operation lead by Operation Reflex and covering all 53 police forces, announced on 21st June 2006 that of the 83 trafficked females rescued from 515 brothels, 12 were under 18 years, the youngest being 14 years old.

IDENTIFICATION OF CHILD VICTIMS OF TRAFFICKING

1. Most children do not disclose that they have been trafficked and often do not identify as being 'trafficked' or use the word 'trafficking'. They tell stories of being tricked, sold or threatened and of the circumstances they face when they arrived in the UK. Due to the difficulties of disclosure, especially for sexually exploited children (fear, intimidation, stigma or language problems) identifying trafficking relies on the practitioner's levels of awareness and pro-active work. Lack of guidance has meant that children's stories are often poorly interpreted (sometimes literally with untrained interpreters) and seem unrealistic or fantastical to practitioners or interpreters who have never come across a trafficking case before. But these stories can be true.

¹ Harper, Z. Scott, S (2005) 'Meeting the Needs of Sexually Exploited People in London'. Barnardo's.

² Tom Burgis, The Big Issue (14.11.05) *Vietnamese children in drug slavery*. The Big Issue, No. 668.

2. Children who are victims of trafficking may be suffering from both physical and psychological trauma. Although the physical symptoms are often identified and treated with appropriate care, most often it is the psychological harm that goes unnoticed or unrecorded. This poses a major threat to the long-term health of the child. The psychological impact of trafficking and exploitation may manifest in abnormal or anti-social behaviour that requires a great deal of understanding and professionalism by foster carers, case workers and officials responsible for determining their future. Currently, there is no/very little training for foster carers and social workers to understand the psychological impacts of trafficking on children and how to identify, record and report manifestations of extreme fear.

ACCOMMODATION AND SUPPORT

1. There continues to be no 'safe house' facilities for child victims of trafficking in the UK. A range of accommodation options should be developed including safe houses and specialist foster care with appropriately trained foster carers.
2. Department of Health Guidance issued in May 2003 states that children who are in the UK should be looked after under S20 regardless of their age if: a) there being no person who has parental responsibility for him; b) his being lost or abandoned; 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 care)³. This ruling should prevent vulnerable children being placed in unsuitable accommodation such as bed and breakfast accommodation.

PRIVATE FOSTERING

Staff or volunteers in an agency who have concerns that a child may be trafficked and privately fostered should contact Children's Social Services, who can investigate under their regulatory duties in relation to private fostering (Children Acts 1989 & 2004). These duties are: to identify private fostering arrangements, inspect the home and assess the suitability of the arrangement in terms of the child's welfare, visit the child regularly and monitor and keep records of the placement. Section 7a of the Children Act 2004 requires local authorities to raise awareness of the notification requirements within local communities and to ensure that staff or volunteers in all agencies encourage notification.

AGE ASSESSMENTS

Age assessments continue to be a source of confusion and concern. Young people's ages are regularly disputed by the Home Office and Social Services. Assessing a person's age is difficult where young people arrive without identification documents or with false ones. Age disputes are usually about whether a child is under or over 18 and this determines how a young person is supported and whether they are referred to the National Asylum and Support Service (NASS) to follow the adult asylum procedures and dispersed around the country. It is recognised that age assessment

³ Department of Health (May 2003) 'Guidance on Accommodating Children in Need and Their Families'. Local Authority Guidance.

is an inexact science and that the margin of error can be up to 5 years each way⁴. But for young people who may have been trafficked this is a critical factor in receiving appropriate care and ensuring protection from harm. Children who have been trafficked but who turn 18 years of age whilst in the UK or are age assessed as 18 should still be considered vulnerable to exploitation and entitled to protection and assistance even if they are no longer considered a minor. We ask that services be provided according to vulnerability to exploitation, and need, rather than age alone.

INTERNAL TRAFFICKING

The Home Office Crime Reduction Toolkit: Trafficking of People⁵ states that:

Internal trafficking of UK Women and Children

“It is important to note that the definition of trafficking in people covers cases of movement of victims and exploitation within a country. It therefore applies to cases of UK women and children who are moved around the country, sold between exploiters and subject to deception and coercion.”

⁴ Kings Fund, 1999 quoted in Save the Children (2005) ‘Young Refugees – A guide to the Rights and Entitlements of Separated Children’. p.32.

⁵ See <http://www.crimereduction.gov.uk/toolkits/tp020204.htm>