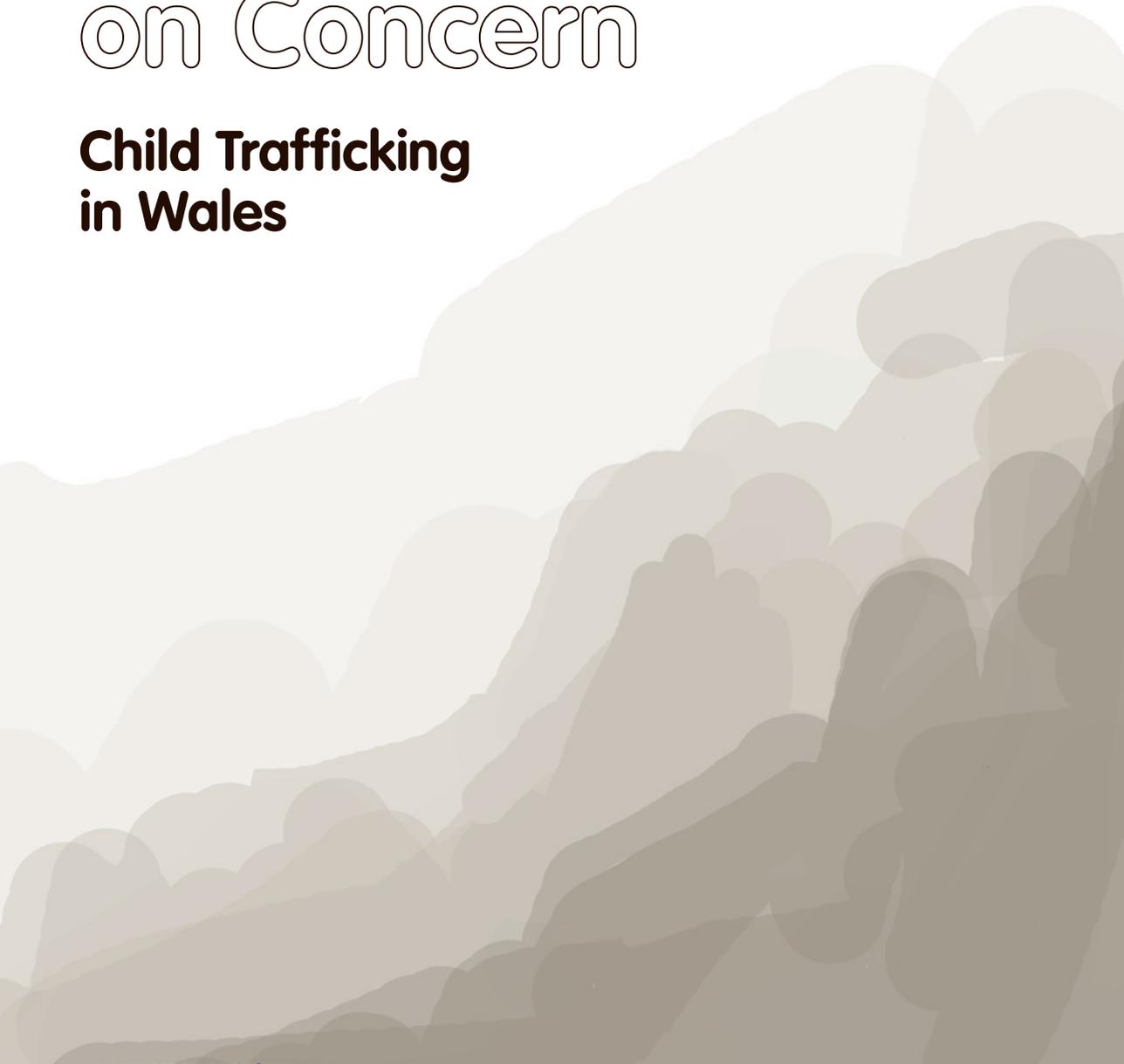


# Bordering on Concern

## Child Trafficking in Wales



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in Wales**

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## Information on ECPAT UK

ECPAT UK (End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes) is a leading UK children's rights organisation campaigning to protect children from commercial sexual exploitation.

ECPAT UK works at the highest levels of government but also reaches out to practitioners and those working directly with children through research, training and capacity building.

ECPAT UK is the national representative of ECPAT International, a global movement in over 70 countries.

ECPAT UK is a registered charity (Charity number 1104948) and a Company Limited by Guarantee (Company number 5061385).

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## Information about the Children's Commissioner for Wales

The Children's Commissioner for Wales was established by legislation. The Care Standards Act 2000 created the post and the Children's Commissioner for Wales Act 2001 broadened the remit and set out the Commissioner's principal aim: To safeguard and promote the rights and welfare of children in Wales.

Keith Towler became Wales' second Children's Commissioner on 1 March 2008.

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# Foreword

**Children and young people who have been trafficked are extremely vulnerable. Many will have experienced at least one form of abuse and some have spoken about being raped, beaten, tortured and deprived of their basic needs and enslaved. Trafficked children and young people are moved from their country of origin to one or more new countries by individuals or gangs who have tricked or deceived them. It is essential that when they are found they receive the full care and protection of the statutory services.**



Keith Towler  
Children's Commissioner for Wales  
March 2009

The recent Concluding Observations from the United Nations Committee on the Rights of the Child recommended that the UK Government provides sufficient resources for the effective implementation of its Anti-trafficking Action Plan and ensures that child protection standards for trafficked children and young people meet international standards. To do this effectively in Wales we first need to know the scale of the problem: how many children and young people are being trafficked?; for what purpose are they being trafficked?; how are we responding?; and what do we need to do to improve the protection of this very vulnerable group of children and young people? That is why I commissioned this research on child trafficking in Wales.

This report details evidence gleaned from across Wales of children and young people being trafficked into and within Wales for forced labour, sexual exploitation, cannabis production, begging and domestic servitude. The sample is small but is undoubtedly only the tip of the iceberg. One large local authority in Wales was not prepared to share specific case data and the United Kingdom Border Agency did not participate despite a number of requests.

Children and young people who may have been trafficked are entitled to the same protection and support as every other child and young person in Wales. The report finds that this is not always the case. For the first time, with this report, we have some idea about the scale of the problem in Wales and I think that many people will be shocked to read the evidence it contains.

For child trafficking to be tackled effectively there first has to be an acceptance that it exists. Hopefully this research will help shift the culture of disbelief. The recommendations in the report are informed by practitioners on the ground and should help to improve our practice. By working together we can ensure that all children and young people in Wales, wherever they originate, enjoy the same rights, including the right to be safeguarded.

I would like to extend my sincere gratitude and appreciation to Christine Beddoe, Emma Kelly and the others at ECPAT UK for conducting this research on my behalf and to all those who contributed.

Now that we have some evidence to substantiate the position, I hope that those who can make a difference will recognise that action is required to protect and safeguard these vulnerable children.

# Introduction

**This research was commissioned by the Office of the Children’s Commissioner Wales to consider what evidence base there is for child trafficking in Wales. Whilst there is significant anecdotal evidence<sup>1</sup>, so far there has been a lack of baseline data on children who have been trafficked, into, within and out of Wales. This research aims to address that gap and builds on research ECPAT UK has already conducted in England.**

**ECPAT UK has led the way in establishing the fact that children are trafficked into, within and out of the UK. Studies in 2001<sup>2</sup> and 2004<sup>3</sup> looked at levels of awareness and the identification by social workers, of children who were trafficked in the London Boroughs. This was followed in 2007 by the publication of *Missing Out; A Study of Child Trafficking in the North-West, North-East and West Midlands*, by ECPAT UK with Save The Children. This report highlighted the significant numbers of trafficked children who go missing from local authority care which continues to give real cause for concern.**

**From the original discovery of child trafficking in South East England in 1995, ECPAT UK now receives queries about possible cases from England, Wales, Scotland and Northern Ireland. In part, this is attributed to the tightening of security in some of the London ports<sup>4</sup> which has led to an increase in children entering via regional ports. Moreover trafficking is no longer confined to urban areas; children have been identified in much smaller rural towns and villages<sup>5</sup>.**

## What we did

This study examines the experiences of 41 practitioners from Local Authority Children’s Social Services<sup>6</sup>, the Voluntary Sector and the Police across Wales. Semi-structured face to face interviews were conducted in the four research locations of Cardiff, Newport, Swansea and Wrexham. Data from across Wales was collected through questionnaires addressed to the Directors of Local Authority Children’s Services and from individuals who hold strategic posts in Wales. Interviewees were asked about their experiences over the past two years of working with children from abroad who may have been exploited and multi-agency working in relation to these children.

## What we found

Our study found evidence of children who may have been trafficked into, within and out of Wales, including towns outside of South Wales. Forty five children were reported to us as causing concern, and 32 of those children met sufficient criteria to be included in the results of the study. These children were either known or suspected to have been exploited through being forced to work in restaurants and takeaways, in the production of cannabis, in sexual exploitation, begging and in domestic servitude. Some of these children were identified before the exploitation occurred and practitioners can only surmise what may have happened to them had they not been detected.

Many issues emerged that were familiar from previous ECPAT UK research, such as incidences of children going missing and difficulties of identification. Worryingly, other new trends were uncovered such as the lack of private fostering assessments even after identification and the lack of data collection on how and why these children arrived in Wales.

A recurring theme throughout the study was the difficulty practitioners have in identifying whether or not a child has been trafficked. In our view, this stems from three interlinked areas; attitudes, knowledge and practice, on both personal and organisational levels.

## Attitudes

Attitudes as to whether trafficking could happen in Wales varied greatly but some practitioners struggled with the idea that it was taking place in their local area. Trafficking was spoken about as something that ‘happens elsewhere’, especially in cities in South East Wales with practitioners citing newspaper reports as evidence of this. Accepting the possibility of child trafficking can happen locally is the foundation for all future action and intervention. Identification of trafficked children depends on the acceptance the possibility that the problem actually exists.

## Knowledge

As far as knowledge is concerned, it is essential that practitioners have opportunities to gain information and understanding in this area. Since safeguarding procedures

are core to the responses to child victims of trafficking, it is important for practitioners to learn about trafficking, the contexts in which it occurs and the difficulties that both the children and practitioners may face. In this small study, we found that knowledge levels varied greatly. In some areas, there were pockets of expertise but in others individuals described how they struggled to get information.

## Practice

If attitudes are poor and knowledge not developed, the practice of safeguarding trafficked children and promoting their welfare becomes almost impossible. In our view, it is why some of the children described in this study were left so vulnerable. This is both a management issue and an individual responsibility. It is incumbent on agencies that come into contact with children from abroad to provide good support to their staff to enable them to work effectively.

Throughout this report, all non-citizen children who are in the United Kingdom will be referred to as ‘separated children’. ‘Children’ refers to anyone up to 18 years of age.

# Definition of Child Trafficking

Child trafficking involves moving children across or within national or international borders for the purposes of exploitation. The internationally accepted definition of human trafficking comes from the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime* (2000, “Palermo Protocol”), which the UK ratified in February 2006. Article 3 states:

- A** *“Trafficking in persons” shall mean 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 achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;*
- B** *The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons...”*
- C** *“Child” shall mean any person under age of eighteen years of age.*

Under this protocol and in line with the United Nations Convention on the Rights of the Child (UNCRC) a child is anyone under the age of 18 years.

There is a clear distinction between trafficking and smuggling. Smuggling involves the movement of people from one place to another – sometimes for a large fee – but the relationship between the person and the smuggler ends on arrival at their destination. Trafficking also involves the movement of people but crucially, with the intention to exploit them at their destination. According to international definitions, children do not need to have been forced, threatened or deceived into migrating – if the child is used for the benefit of another person, then the child is a victim of trafficking. Therefore a child may agree to travel to the UK for the purposes of work or to live with a family, not realising that they will be exploited when they arrive. Many children and children's families are duped by their traffickers; promises are made of legitimate work and a western lifestyle but instead they find themselves trapped and exploited. The urge to improve one's life chances cannot be underestimated and for many children these hopes of a better life are grossly exploited.

Exploitation of children can take many forms but research in the UK has shown that children who have been trafficked have been exploited in one or more of the following ways<sup>7</sup>:

- Sexual Exploitation
- Forced Labour (includes manual or agricultural labour, involvement in the catering trade, and being forced to work in a 'cannabis farm')
- Domestic Servitude
- Illegal International Adoption
- Benefit Fraud/ Petty Crime/ Begging
- Forced Marriage.

## Internal Trafficking

**As trafficking involves the movement of people with the intention to exploit them, this movement can also take place *within* borders – this means that UK citizens can be trafficked within the UK, and children from abroad who are vulnerable can be trafficked around the country after their arrival in the UK. This is referred to as 'internal trafficking'. Internal trafficking was made an offence by Section 58 of the Sexual Offences Act 2003 where it is deemed that:**

**A person commits an offence if he intentionally arranges or facilitates travel within the United Kingdom by another person (B) and either –**

***A he intends to do anything to or in respect of B, during or after the journey and in any part of the world, which if done will involve the commission of a relevant offence,***<sup>8</sup>

***or***

***B he believes that another person is likely to do something to or in respect of B, during or after the journey and in any part of the world, which if done will involve the commission of a relevant offence.***

UK citizens who are subject to 'internal trafficking' tend to be girls, aged 12-16, some of whom are already vulnerable as a result of disengagement with school or because of problems at home. A process of grooming occurs before they are taken to other places in the UK, usually over the weekend, to be sexually exploited. Separated children are also moved around the UK for the purposes of sexual exploitation. Further research is required to determine the similarities and differences in the patterns of internal trafficking of citizen and separated children.<sup>9</sup>

Internal trafficking is also covered by the Asylum and Immigration (Treatment of Claimants) Act 2004 which makes it an offence to 'arrange or facilitate travel within the United Kingdom'<sup>10</sup> for the purposes of exploitation. Under this Act, exploitation is taken to mean activities akin to slavery, forced labour, organ removal or being forced to acquire benefits of any kind for another person.

# UK Policy Context

Since *Missing Out* was published, there have been a number of significant developments in relation to the identification and support of trafficked children. All these developments enhance the existing statutory framework designed to protect the welfare of children in England and Wales.

### United Nations Conventions on the Rights of the Child

Under the 1989 United Nations Convention on the Rights of the Child (UNCRC), states are under an obligation to take positive action to protect the child from all forms of exploitation and sexual abuse prejudicial to any aspects of the child's welfare. The UK became a State Party to the UNCRC in December 1991. As a result, the Government is obliged to take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form. The 2000 *Optional Protocol to the CRC on the sale of children, child prostitution and child pornography* was developed to provide more detailed obligations regarding the protection of child victims of trafficking. The UK signed the Optional Protocol in September 2000, and in September 2008 announced its intention to ratify it.

### Council of Europe Convention on Action against Trafficking in Human Beings

On 17 December 2008, the UK Government ratified the Council of Europe Convention on Action against Trafficking in Human Beings (2005). The Convention sets out the following objectives:

- A. *to prevent and combat trafficking in human beings, while guaranteeing gender equality;*
- B. *to protect the human rights of the victims of trafficking, design a comprehensive framework for the protection and assistance of victims and witnesses, while guaranteeing gender equality, as well as to ensure effective investigation and prosecution;*
- C. *to promote international cooperation on action against trafficking in human beings.*

This Convention binds the UK Government to a number of key principles designed to protect and support children and adults who have been trafficked. Proper identification of victims is at the core of the Convention, a task that *"is crucial, is often tricky and necessitates detailed enquiries"*<sup>11</sup>. To assist with identification, the concept of 'reasonable grounds' is introduced. This recognises that there may be concerns about trafficking which cannot be substantiated without a detailed assessment. Whilst this assessment is taking

place, the individual should be recognised as trafficked and given all the necessary support and protection that is afforded under the Convention. Further assistance with identification is available through a designated 'Competent Authority'. At the time of writing, the Government has made no final decision on which agencies will be the competent authorities. However the United Kingdom Human Trafficking Centre (UKHTC)<sup>12</sup> is most likely to be the central competent authority.

Of particular relevance to children and young people are the articles in the Convention related to special protection measures. The Convention is very clear that in cases where there is uncertainty about whether the child is under or over 18, then they should be treated as a child and be given the benefit of the doubt until their age has been verified. For some separated children, a dispute over their age has led to them being treated as adults and placed them at potential risk<sup>13</sup>. This practice should cease with the implementation of the Convention on 1 April 2009.

### UK Action Plan Against Trafficking in Human Beings

In 2007 the UK Government published an Action Plan on tackling human trafficking, which was updated in 2008. Chapter 4 of the Action Plan spells out the required actions in relation to children, including the requirement for *"prevention, investigation and law enforcement"*<sup>14</sup> as well as safeguarding matters. These actions relate to gathering data on child victims, improving identification and investigation mechanisms. The importance of training for professionals from all agencies is highlighted, including awareness-raising with airline carriers and those working at ports of entry into the UK.

In the updated version of 2008, attention is given to the need to develop a National Referral Mechanism (NRM), as part one of the UK's obligations under the Council of Europe Convention. The NRM will be in place by April 2009 to support the *"process for determining "reasonable grounds to believe" an individual child may be a victim of trafficking"*<sup>15</sup>.

### UKBA Code of Practice for Keeping Children Safe from Harm

UKBA is not included under the duty of Section 11 (England) or Section 28 (Wales) of the Children Act 2004 to ensure *"that their functions are discharged having regard to the need to safeguard and promote the welfare of children"*<sup>16</sup>. The publication of the *UKBA Code of Practice for Keeping Children Safe from Harm (2009)* under Section 21 of UK Borders Act 2007 is an attempt to address this deficit. The Code sets out five principles applying to all contact between children and UKBA, including the need to consult with children, to take their best interests into account when making decisions and that *"every child does matter"*<sup>17</sup>. UKBA staff are now required to make referrals when they have concerns about a child and particularly if that concern is about trafficking. In addition, all UKBA staff will receive some training on safeguarding children and will be made aware of the indicators of trafficking.

From January 2009, the Borders, Citizenship and Immigration Bill is going through parliament; one of the key areas of the Bill is to place a *"new duty on the UK Border Agency to safeguard the welfare of children"*<sup>18</sup>. It is hoped this will place the same responsibilities to safeguard children and promote their welfare on UKBA as under S11 and S28 of the Children Act 2004, as detailed below.

### Safeguarding Framework

According to the Children Act 1989 and Children Act 2004, children who may have been trafficked are entitled to the same protection and support as any other child in the country. These Acts set out the legal framework for all children who are 'in need' in England and Wales. In England, the responsibilities of each agency and the mechanisms for multi-agency working to safeguard children is laid out in the statutory guidance *Working Together to Safeguard Children (2006)*. In April 2007, the Welsh Assembly Government (WAG) issued *'Safeguarding Children - Working Together under the Children Act 2004'*. Trafficking is highlighted in both versions of 'Working Together' as making children particularly vulnerable and in need of protection. In 2007 the Department for Children, Schools and Families (DCSF) launched its guidance entitled *'Safeguarding Children who may have been Trafficked'* which is only applicable in England. WAG launched similar guidance in the summer of 2008. In both versions, the procedures that professionals must follow when they suspect a child has been trafficked are clearly laid out, as are the potential difficulties in practice.

# The Welsh Context

The issue of child trafficking has surfaced in a number of different ways across Wales over the past four years.

## The Role of the Welsh Assembly Government (WAG)

Whilst immigration matters are a non-devolved area, services for children in Wales come under the auspices of WAG. WAG has taken a number of steps recently to examine and address the issues of human trafficking in Wales. The National Assembly for Wales has also set up a Cross Party Assembly Group on trafficking of Women and Children to consider the trafficking of women and children in Wales. One of the key issues this group has already identified is the number of children going missing.

### The Welsh Assembly Government's Seven Core Aims

The Welsh Assembly Government (WAG) adopted the United Nations Convention on the Rights of the Child as the basis of all policy making for children and young people. The Welsh Assembly Government has drawn up seven core aims for all children and young people in Wales based on the articles of the Convention. These aims are the basis of the single Children and Young People's Plans that are now effective across each local authority in Wales.

The core aims are listed below with reference to the articles of the Convention that they relate to.

- *A Flying Start in Life*  
Articles 3, 29 & 36
- *A Comprehensive Range of Education, Training and Learning Opportunities*  
Articles 23, 28 29 & 32
- *The Best Possible Health Free from Abuse, Victimisation and Exploitation*  
Articles 6, 18-20, 24, 26-29, 32-35, & 40

- *Play, Leisure, Sporting and Cultural Activities*  
Articles 15, 20, 29 & 31
- *Treated with Respect and have their Race and Cultural Identity Recognised*  
Articles 2, 7, 8, 12-17, & 20
- *A Safe Home and Community*  
Articles 19, 20, 25, 27, 32-35, 37 & 40
- *Children and Young People not Disadvantaged by Poverty*  
Articles 6, 26, 27 & 28

Each of the core aims is important for a child who may have been trafficked. The third core aim states that all children in Wales have the best possible health free from abuse, victimisation and exploitation.

The WAG published in 2008 guidance to local authorities in Wales entitled *Safeguarding Children* who may have been trafficked. This guidance states that:

*"It is incumbent on all agencies to work together to safeguard and promoted the welfare of children trafficked into and within the UK, to provide the same standard of care as that available to any other child in the UK".*

### Guidance

In April 2008, WAG launched the Welsh adaption of *'Safeguarding Children Who May have been Trafficked'*. This guidance sets out the need for practitioners to identify potential trafficking victims and multi-agency procedures to safeguard children. This follows on from a recommendation by the WAG Local Safeguarding Children Boards (LSCBs) Regulations and Guidance Group that the legislation on *"Safeguarding Children: Working Together under the Children Act 2004 should be revised to include updated guidance on...Child Victims of Trafficking"*<sup>19</sup>.

### Welsh Assembly Government Refugee Inclusion Strategy

Published in 2008 this strategy sets out WAG's *'vision of refugee inclusion in Wales'*<sup>20</sup>. The strategy specifically mentions child trafficking although the focus is primarily on arrangements and services for unaccompanied asylum-seeking children.

### Specialist post – Refugee Children Advice and Information Worker

This post was established in 2008 and is funded by WAG (see Appendix 6 for contact details). Hosted by the Wales Strategic Migration Partnership, the role of the worker is to provide advice and information on policy and practice issues in supporting separated children including trafficked children. The post covers the whole of Wales and to date, the majority of queries have come from areas other than the cities of Cardiff, Newport, Swansea or Wrexham.

### Funding for a Refuge

WAG has recently announced funding for a refuge for female adult victims of trafficking in South Wales<sup>21</sup>. Whilst this refuge will not be a resource for children, it demonstrates WAG's commitment to providing appropriate services for victims of humans trafficking.

### Trafficking and Sexual Exploitation in Wales

In 2005, Barnardo's Cymru published the first report to gather evidence of sexually-exploited children in Wales<sup>22</sup>. All the children mentioned in the report were of British origin. One interviewee expressed concerns about the links between trafficking of a child from abroad and sexual exploitation, although no specific case is recorded in the report. Since then, Barnardo's Cymru has been collecting data on sexual exploitation using the Sexual Exploitation Risk Assessment Framework (SERAF) which was developed following on from their first report. Some of the data gathered using the 'SERAF' has included details of Welsh children at risk of being trafficked out of the UK<sup>23</sup>. An updated scoping study by Barnardo's Cymru in 2008 reveals the extent of concern about significant numbers of young people at risk of sexual exploitation in Wales<sup>24</sup>. Again, no evidence was reported of separated children being sexually exploited.

Whilst it pertains to adult women, a 2007 report by Amnesty International Wales revealed the considerable number of women being trafficked into Wales for sexual exploitation<sup>25</sup>. Several things stand out from this research. First, most of the victims were identified in South Wales although the author is keen to point out that trafficking of women is probably not confined to urban centres in Wales. Evidence was found of suspected trafficking in North Wales, which would echo recent evidence from across the UK that trafficking exists and is on the rise in rural areas<sup>26</sup>. Second, a number of victims are described as 18 years old at the point of discovery; the question is at what age did they enter the UK and for how long have they been in a situation of exploitation? It is not impossible to imagine that some of these women may have arrived in the country and been exploited whilst they were still children.

### Investigation and Support

To date, there have been two UK-wide police operations conducted with the aim of tackling human trafficking in the UK. Operation Pentameter in 2006, which aimed to recover women who had been trafficked, found 12 children in brothels or massage parlours who were being used for sexual exploitation. The follow-up Operation Pentameter 2 (P2) ran for six months over 2007-2008. This time, in order to ensure proper monitoring of recovered children, ECPAT UK and NSPCC jointly formed the National Advocate service. A total of 13 children were officially identified during this second police operation, although the National Advocate service received other referrals during the course of the operation through the dedicated helpline. The youngest child was aged 14. None of the children referred were identified in Wales although one case is known involving a woman who was 18 at time of identification during P2 but had been trafficked for sexual exploitation whilst a child.

### The Poppy Project

The Poppy Project, managed by Eaves Housing in London, has received a number of referrals from practitioners in South Wales. The Poppy Project offers accommodation and outreach services to adult women who have been trafficked for prostitution. Since 2006, they have received 13 referrals from South West Wales, two of whom were accepted for accommodation provision and one for outreach support. Although all these women were in their twenties<sup>27</sup>, how long they had been trafficked for sexual exploitation within the UK is open to question.

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

CTAIL is a national helpline run by the NSPCC in partnership with Child Exploitation Online Protection Centre (CEOP) and ECPAT UK. The service provides advice and information to anyone with concerns about child trafficking. From the start of service in September 2007 until the end of January 2009 there have been 157 referrals to CTAIL. For the purposes of this research it was reported to us that two of these referrals have come from practitioners in Wales<sup>28</sup>. One referral made by social services concerned a girl aged approximately 14 to 15 years of age, of Pakistani origin. The outcome of this case is unclear. The other referral came from the voluntary sector regarding a Bangladeshi boy of 15 years of age who was thought to be trafficked for forced labour (to work in the catering trade). Social services were already working with the boy but at the time of referral he was not living in local authority care; subsequently he was placed in foster care.

### Trafficking and Separated Children

Children who are victims of trafficking may be unaccompanied children seeking asylum or they may be European Union citizens with a right of entry to the UK, or they may have entered the UK accompanied by an adult or arrive in the country on a valid visa. The one factor that unites them is the fact that none are living with their parents or a person who has obtained legal guardianship of them. Therefore they are described as a 'separated child' as they are *"without the care or protection of their parents or legal guardian and as a consequence suffer socially and psychologically from this separation"*<sup>29</sup>.

### Research

Research into separated children in Wales has touched on child trafficking. In 2006, Save The Children Wales produced an all-Wales study on the experiences of separated children. At this time, some practitioners recognised trafficking as an issue; it emerged that the police had identified a number of cases and one Local Authority had recorded 10 suspected cases over the previous four years. However no further specific evidence could be obtained at the time. A key issue to emerge was that *"gaining proof that trafficking was involved was problematic"*<sup>30</sup>. Recommendations stemming from this report included the need for an all-Wales group on trafficking, as well as specialist training on *"cultural issues and child trafficking"*<sup>31</sup>. What the report clearly highlighted was the significant gaps in knowledge at that time. A number of practitioners had suspicions about trafficking but none were able to provide hard evidence of its existence in Wales. This was also tied in to the lack of understanding of what child trafficking is – often individuals had expressed concerns about cases involving separated children but had not felt certain enough about what constitutes trafficking to describe cases as such.

A follow-up scoping exercise by Save The Children in 2008, entitled *'The care and protection of asylum-seeker and trafficked children in Wales'*, included an objective to *'explore what is known about the incidence of trafficking amongst practitioners and examines current practice in addressing actual or suspected cases'*<sup>32</sup>. Data was collected through a series of interviews and regional workshops throughout Wales. It was found that there was a wide variation in practitioners' knowledge of and conceptualisation of child trafficking, ranging from those who knew little and thought it did not occur in Wales to those who had considerable expertise in the area. In terms of quantifying cases, the problem of identification again proved to be a major obstacle. According to the scoping exercise out of 131 interviews, only five cases of suspected trafficking were reported, although many respondents spoke of their concerns indicating that they suspected incidences were actually much higher. Knowledge around current policy guidance was found to be patchy amongst practitioners who had limited contact with children who were subject to immigration control. However, evidence suggested that practitioners, who recognise trafficking, would go on to make a referral to Social Services or the Police if they were concerned for a child's safety or wellbeing.

### Statistical data on separated children

Whilst there is a long history of migration to Wales, it is only recently that areas of Wales have become reception centres for adults and families subject to immigration control. Current UKBA policy is to transfer newly arrived asylum seeking adults and families to designated areas across the UK; these areas are known as 'dispersal areas'. Since 2001, Cardiff, Swansea, Newport and Wrexham have been the four approved dispersal areas for UKBA accommodation and support in Wales, although the distribution between the cities is far from equal<sup>33</sup>. According to the Welsh Refugee Council: *'There are fewer than 2,500 people seeking asylum in Wales – that's less than 0.1% of the total population – and around 10,000 refugees. Most asylum seekers and refugees live in Cardiff (44%), Swansea (36%) and Newport (16%), with a small number living in Wrexham (2%) and a handful of people outside these areas'*<sup>34</sup>.

There is a significant gap in data on separated children in Wales. The exact numbers of unaccompanied asylum seeking children (UASC) in Wales remains unknown since this information is not collected by the Home Office. However, a study by the British Association of Adoption and Fostering in 2001 states *"we know that there are probably 50-100 unaccompanied children in South Wales"*<sup>35</sup>. Since then, estimates have increased to 150 unaccompanied asylum seeking minors, according to the Welsh Refugee Council (2008)<sup>36</sup>. Data on the numbers of separated children living with an unrelated adult in Wales is even harder to come by because unless children have come to the attention of a statutory service, they will not be accounted for. Statistics on the number of adults with children is available; figures show that out of the 2,200 asylum seekers in Wales on 2 June 2008, 59% were made up of families<sup>37</sup>.

### Trafficked Children and the Local Authority

Other information regarding potentially trafficked children has emerged through local authority data in Wales. Although no local authority keeps a specific record of children where trafficking is suspected, they do record information relating to children missing from public care and to private fostering notifications.

### Missing Children

The link between trafficking and children from abroad going missing from care has been well established<sup>38</sup>. In research by ECPAT UK in 2007, 55% of all suspected trafficked children went missing from local authority care, usually shortly after their admission. Similar concerns were highlighted recently by the Care Leavers Association who obtained data from all Local Authorities in England and Wales on the numbers of children missing from care; the majority of those missing were separated children<sup>39</sup>. In their report Cardiff was the only Welsh authority to list data, and they recorded six children missing from care<sup>40</sup>.

Media reports in the summer of 2008 suggested that 35 children were missing from education from Cardiff and Swansea, and there were concerns *"about the risks of child trafficking, forced marriage and child prostitution"*<sup>41</sup>. Other Local Authorities either did not keep figures or did not have any children missing from education. The numbers of missing children has led Cardiff Council's Children and Young People's Scrutiny Committee to investigate if any of these children are at risk of being trafficked or being forced into marriage.

### Private Fostering

Private fostering regulations in Wales came into force on 1 April 2006. Since then it has been incumbent on families to notify the Local Authority if they have or intend to have a child staying with them for more than 28 days. The WAG leaflet on private foster care describes scenarios such as *'children sent to this country for education or health care by birth parents living overseas'*<sup>42</sup> as just one of the situations in which a private fostering assessment may be required. The most recent data available on the numbers of privately fostered children in Wales indicates that from April 2007 to March 2008 there were 73 new supervised private fostering arrangements; 10 of these arrangements relate to children born in other countries<sup>43</sup>.

One Local Authority, Newport, appointed a private fostering officer who described some of the arrangements he had seen involving *"children as young as eight who have come to the UK from abroad to learn English with friends of their parents"*<sup>44</sup>. All adults (unless they are family members as defined by the Children Act 1989) who are caring for children from abroad must be subject to a private fostering assessment to ensure that they are suitable and safe carers). This is an essential safeguard for children who are already vulnerable because they are without the care and protection of their parents or a legal guardian.

# Methodology

**This small scale study focused on finding an evidence base for child trafficking in Wales. The objectives of the study were to:**

- **Determine levels of awareness of child trafficking issues among social services and selected voluntary sector organisations**
- **Ascertain whether confirmed or suspected cases of child trafficking had been encountered by social services**
- **Explore how identified cases of child trafficking had been dealt with by social services**
- **Examine reporting procedures in cases of child trafficking**
- **Explore the extent to which local authorities promote co-operation between statutory and other agencies, and the extent to which agencies share information and work together to meet the needs of trafficked children**
- **Identify other relevant stakeholders who could form an inter-agency specialist working group on child trafficking in Wales.**

Initially, the research focussed on four locations in Wales – Cardiff, Newport, Swansea and Wrexham (see Appendix 1). These locations were chosen because they are the areas which receive the majority of asylum seeking adults and children in Wales<sup>45</sup>. Semi-structured face to face interviews were conducted in the four research locations with individuals from Local Authority Children’s Services and the voluntary sector. Eight face- to-face interviews were also conducted with the police, particularly those based in the ports of entry to Wales. These interviews took place between July and November 2008. Substantial efforts were made to arrange interviews with staff from UKBA in Wales. UKBA chose not to participate even though ECPAT UK and the Children’s Commissioner for Wales made contact with senior UKBA representatives in both England and Wales.

After the first set of interviews in July 2008, the research was extended across Wales on the basis that some of the cases mentioned to us had occurred outside the four original research locations. Additional data from across Wales was gathered through telephone and written correspondence. Letters were sent out to all Local Authorities Children’s Services in Wales, asking them to consider if they had any cases of exploitation of children from abroad; nine responded to this letter (see Appendix 5). In addition, a ‘Concern Checklist’ (see Appendix 4) was sent to 15 key agencies involved with children or asylum seekers across Wales. This information was also posted on the Children in Wales website so that anyone interested could contribute to the study. Only one written response was received from an individual practitioner. Unfortunately, the scope of this study did not allow for interviews of young people identified as possible victims of trafficking. Clearly, it is important to talk to young people to gain a direct understanding of their experiences; ECPAT UK suggests that this should be a subsequent piece of work.

### Interview responses

A total of 41 people were interviewed for this study. There were 31 face-to-face interviews with individuals, two were interviewed on the telephone and two consisted of group interviews. The position of interviewees within their organisations varied from frontline practitioner to senior manager, depending on whom we were directed to speak to. The interviewees were asked a set of questions (see Appendix 2) and were given a list of scenarios to prompt thinking about the exploitation of children from abroad (see Appendix 3).

**Table 1 - Breakdown of interviewees by agency:**

Organisation	Total no. individuals interviewed
Local Authority Practitioners	15
Voluntary Sector Practitioners	18
Police	8
<b>Total</b>	<b>41</b>

**Table 2 - Breakdown of individual interviewees by geographical location:**

Area 1	6
Area 2	8
Area 3	8
Area 4	5
Other, including All Wales posts*	14
<b>Total</b>	<b>41</b>

\* For a full list of these locations please refer to Appendix 5

### Data

A semi-structured interview schedule enabled researchers to gather qualitative and quantitative data. Participants were asked to consider cases over the past two years. However, some basic data, such as the age of the child or the outcome of a case, was hard to ascertain as some interviewees had difficulties remembering exact case details or felt constrained by confidentiality. Several interviewees did not want to give detailed information for fear that a child might be identified despite assurances that we would anonymise all information given to us.

### Case Identification

This study built on the learning from previous research in England carried out by ECPAT UK, which has shown that many practitioners are still learning about child trafficking and therefore could not be assumed to have in-depth knowledge of the issues or detailed case information. In considering the cases described to us during this study, we used the legal concept of “reasonable grounds”. In law, the basis for reasonable grounds is “I suspect but I cannot prove”, which has a lower threshold than in criminal proceedings where the proof required is beyond reasonable doubt. ‘Reasonable grounds’ is the trigger used in the Council of Europe (CoE) Trafficking Convention 2005, to provide support and protection to possible victims of trafficking. The explanatory notes to the Convention state:

*“To protect and assist trafficking victims it is of paramount importance to identify them correctly. Article 10 seeks to allow such identification so that victims can be given the benefit of the measures provided for in Chapter III. Identification of victims is crucial, is often tricky and necessitates detailed enquiries. Failure to identify a trafficking victim correctly will probably mean that victim’s continuing to be denied his or her fundamental rights and the prosecution to be denied the necessary witness in criminal proceedings to gain a conviction of the perpetrator for trafficking in human beings. Through the identification process, competent authorities seek and evaluate different circumstances, according to which they can consider a person to be a victim of trafficking”<sup>46</sup>.*

One significant feature of the CoE Convention is that it recognises that in most instances it cannot be proven that trafficking has occurred until a full identification and assessment has taken place.

In this study, each case mentioned as causing concern was logged onto the ‘Concern Checklist’. Details, including whether any of the information given matched any of the 19 indicators were recorded. Any case that had indicators of each of the three categories of *exploitation, movement and control* were included in the final figures. Even though a child trafficking situation does not require proof of an adult’s ‘control’ over a child, it is often a valuable indicator when other indicators are not immediately evident. In many instances, it was simply a lack of information from the interviewee, either due to not being able to remember all the details or not wishing to speak about confidential matters that led to cases being excluded from the final results. Finally, double counting was avoided through cross checking cases logged onto the ‘Concern Checklist’. Whilst a few cases were mentioned more than once, the distinctive features of each case made it relatively straightforward to identify duplication.

# Findings

In total, 45 children were reported to us as causing concern. Of these, 32 children met sufficient criteria on the Concern Checklist for inclusion in the findings. Some of these children were in family groups.

These figures undoubtedly represent the tip of the iceberg partly because one Local Authority Children's Services was not prepared to give numerical case data but spoke about cases in the most general of terms. For instance, a team manager from this particular authority commented:

*"I think we have loads of these cases... it's hard as we deal with so many cases, so it's hard to talk about specifics".*

### Gender

As Table 3 shows, slightly more boys than girls were identified in this study. This is the first time, in any study of trafficking of children in the UK, that there have been more male victims identified than female. However, this trend is consistent with the findings of previous UK research on child trafficking, that there has been increasing number of boys identified over the past two years<sup>47</sup>.

### Age

In relation to the age of the child, the picture emerging in Wales is consistent with other UK research findings<sup>48</sup>. The majority of victims are aged around 12 and 13 upwards, with a significant number being in the age range of 16-18. The limited case information shows that there is a larger group of boys aged 13-16 than girls, which may suggest that male victims are entering the UK at an earlier age or that they are being identified sooner.

A number of respondents highlighted cases where the young person had told them that they were under 18, but who had been initially assessed as an adult either by UKBA or the Local Authority; if assessed as an adult by UKBA, this meant them being housed in inappropriate accommodation with unknown adults. In other instances, it was believed that children had been told to say that they were over 18 to avoid any contact with statutory services, although practitioners 'felt' they were actually much younger.

### Origins

Children in this study came from range of countries in Asia, Africa, Europe and the Middle East as illustrated in Table 4. The two largest groups of children by country of origin came from China and Nigeria. This does not reflect the overall picture for migrant populations in Wales where in 2004, the largest populations were from Somalia, Pakistan and Iraq<sup>49</sup>. However, the fact that in this study, China and Nigeria appear as the most prominent countries of origin is consistent with previous UK research on trafficking<sup>50</sup>.

### Responses to scenarios

Interviewees were given a list of scenarios to consider and asked whether they had come across any similar cases. These scenarios are based on the types of cases that have been established through previous research<sup>51</sup>. Cases similar or identical to the five scenarios below had been encountered by most of the four Local Authorities and those working in the voluntary sector.

**Table 3 – Breakdown by Age & Gender:**

Age	Male	Female	Gender not known	Total
Under 5	0	0	0	0
5-10	2	3	0	5
10-13	2	1	0	3
13-16	6	1	0	7
17-18	1	6	0	7
Unknown	4	2	4	10
<b>Totals</b>	<b>15</b>	<b>13</b>	<b>4</b>	<b>32</b>

**Table 4 – Country of Origin of Children**

Place of Origin	Number	Male	Female	Unknown gender
Bangladesh	4	3	1	0
Belarus	2	2	0	0
China	5+	1	4	0
The Gambia	1	0	1	0
Iraq	1	1	0	0
Lithuania	1	0	1	0
Nigeria	4	4	0	0
Pakistan	2	0	2	0
Romania	2	0	0	2
Somalia	1	0	1	0
Turkey	1	1	0	0
UK	2	0	2	0
Vietnam	3	3	0	0
Unknown	3	1	2	0
<b>Totals</b>	<b>32</b>	<b>16</b>	<b>14</b>	<b>2</b>

### Scenario 1 – Domestic Servitude

At least one case of domestic servitude was reported to us, although a number of respondents alluded to the fact that they knew that there were many more of these types of cases than are documented. One manager of a voluntary organisation stated: “There are rumours that there are hundreds of children privately fostered in X city outside the system, and often for domestic purposes”.

The Local Authority in the same location as the voluntary agency quoted above indicated that they had come across cases of domestic servitude but that identification had been retrospective. A Social Work Team Manager observed: “a number of children who have come to work as house servants and then they’ve got older and come to our attention. But they have been there for years before anyone was aware”.

One such case was summarised by a voluntary sector manager:

*A young female child from an African country was reported to Social Services by a nearby shopkeeper. The shopkeeper was concerned that the ‘father’ was leaving his eight-year-old daughter home alone. On investigation it was found that the young girl was actually 12 and that she was being kept locked in her room by a man who was not her biological father. There was evidence of neglect and emotional abuse so the child was accommodated and eventually placed on a full care order by the Family Court.*

### Scenario 2 –Missing Children

Evidence was found of at least six separated children going missing in Wales. These cases are characterised by confusion over the exact details of the relationship between the child and the family and disbelief that it is possible for children to simply disappear: as one Social Work Manager put it in relation to a 16-year-old Chinese girl:

*“...she was briefly accommodated, I’m not sure for how long, but it was not long before she disappeared off the face of the planet”.*

Of the six children identified as going missing, some were in Local Authority Care while others were living with alleged family members or friends/relatives before they disappeared. According to the case information we received, not one of these children has been found although efforts were made to locate them.

In one case described to us, the existence of a six-year-old girl from Somalia remains entirely theoretical as no one had actually ever seen her.

*This girl was the third child in a single parent family who were dispersed to Wales by UKBA. Housing was provided for one adult and three children but the third child never appeared. The adult was warned that if the child did not materialise, the UKBA would have to be informed. The housing manager was told that the child had arrived but whenever they carried out a check, the child was not there, as she was allegedly in school. Retrospective checks showed that the girl had never been registered at school. Finally, the housing provider became so suspicious that they went to inspect the property and found that there were no clothes or belongings for this child. At this stage, the adult admitted that the girl was not really her child and that she was just looking after her until her father came to collect her although there was no evidence that the child ever lived there. The police investigated and were given an address in London; their enquiries revealed that the woman living there was allegedly the sister of the woman in Wales. The child was not with this ‘sister’ in London as she had apparently been taken out of the UK by her ‘father’.*

### Scenario 3 – Sexual Exploitation

Eight cases of commercial sexual exploitation of children were described during this study. The majority of cases (six) involved females; however, the under-reporting of sexual abuse of boys has long been recognised<sup>52</sup>. The girls came from a variety of countries of origin including China (three), The Gambia (one), Eastern Europe (one) and Wales (one). One case has led to a charge of Human Trafficking against a number of Albanian nationals. It was also allegedly the first case in Wales to be identified during the Pentameter 2 Operation:

*This case concerns a Lithuanian female, who was 17 years old at the time of entry into the UK, but is now 18. This girl was already vulnerable and was recruited from a children’s home in Lithuania. At some point when in Wales, this girl contacted the home and said that she did not want to be where she was and that she wanted to come back. Police in South Wales were informed and after a 24-hour search managed to rescue her from a brothel in South Wales. Initially the girl was unable to talk about what had happened to her but the police were suspicious because when she had called the home, she had not given the correct address but one that was a mixture of locations in North West England and South West Wales, suggesting that she had been moved around. The young woman was placed in a safe house and later disclosed to the Serious Organised Crime Agency that she had entered the UK via Dover Port with three or four other females in summer 2007 and from there had been taken to a brothel in North West England and then to another one in South West Wales.*

#### Scenario 4 – Cannabis Cultivation

A number of local authorities in South Wales had experienced working with young Vietnamese boys who had been found in cannabis factories. Chinese children were also mentioned as being found living in cannabis factories. Such factories are generally converted residential properties in which cannabis is grown on a large scale, and organised by criminal networks. In one case, a 16-year-old was convicted after being found in a suburban cannabis factory:

*The young person had been offered accommodation by two men in return for 'watering some plants'. This young man had willingly opened the door to the police during some house-to-house questioning and claimed that he did not realise that what was being grown inside the house was an illegal substance.*

#### Scenario 5 – Street Crime and Benefit Fraud

General uncertainty was expressed over Scenario 5 which described a case involving Roma children. Many respondents commented that they would not get to hear about this type of case because they did not work with European Union citizens. Some Local Authority Children Services noted that they had been involved with families from Eastern European countries but mainly because of concerns of domestic abuse or the physical chastisement of children. Two of the research locations had encountered a case of possible trafficking for benefit fraud including the following case described to us during the course of the research:

*A family was referred to social services by a health visitor who was concerned about the chastisement of two children. When social services investigated, they found a number of children in the house, but numbers kept changing and it was difficult to track who belonged to whom. The investigation started as a child protection matter with some consideration as to whether the children should be placed into local authority care. There was a strategy meeting involving all the children and chaired by a service manager because of the complexity and nature of the concerns. Trafficking was mentioned at the strategy meeting and is recorded as such in the minutes. It transpired that the children belonged to several generations. The mother had a number of children of varying ages including a baby and two much older children, who themselves had babies. In the end, two of the children were referred to CTAI, the NSPCC helpline, because of conflicting information about them, but the other children remained at home and attended school provision. At the same time, a referral was received from the police to social services about the number of Roma children seen in the street washing cars. It turned out they were from the same family grouping.*

#### Examples of other types of trafficking

Participants were asked about other cases that had caused them concern. Five cases were mentioned, involving 14 children. These children had been found or were believed to be involved in:

##### Forced Labour

A number of male children were believed to be living with unrelated adults in takeaways and kebab shops and the suspicion was that they were being used for forced labour.

*In one case a 16-year-old Bangladeshi child was found in a restaurant as a result of a police and UKBA raid on illegal workers. The boy was unable to speak English. The family who owned the restaurant allegedly 'bumped into' the boy at either Heathrow or Gatwick airport and took him home to Central Wales. They denied that he worked in the restaurant but it is believed that he does. The boy is the subject of an on-going joint investigation by police and social services. However, he has been allowed to remain with this family during the investigation.*

#### Forced Marriage

In this study, three cases of trafficking for forced marriage were reported to us. In each case, the girl had been forcibly married abroad and then returned to live in the UK. None of these cases were recognised per se by the participants but identified through concerns over their babies.

*A girl from Pakistan was brought over to Wales to live with her aunt, who did not have parental responsibility. She did not attend school for at least two years and they moved address often. Aged approximately 12, the girl was sent back to Pakistan for an 'arranged marriage' and became pregnant. Despite giving birth to a baby at the age of 13, no referral was made regarding the young person until her baby suffered a suspected non-accidental injury.*

# Detailed Case Study

Dalal (not her real name) is a young person from China. Dalal told her support worker in Wales that she was given away as a child to foster parents because she was female. The foster parents later sold her to a female trafficker in China who kept her locked up with many other girls. Dalal was then passed on to a man who took her on a ship to another destination, where she was passed on to another man. This man kept Dalal locked up for some time; he did not harm her but she was made to watch videos of children being beaten. This man then brought her to the UK by plane and warned her to tell anyone who asked her age that she was 21, and that if she did not she would be returned to China. When they arrived at Heathrow, Dalal hid in the lavatories until she was found by security. Dalal had a passport with her which stated that she was 21 years old; however she claimed to be 16.

Dalal was treated as an adult by UKBA who sent her to a city in Wales where she was placed in initial Home Office accommodation. Soon afterwards, Dalal was required to move to another city in Wales by UKBA and was placed in accommodation with several adult females.

The voluntary sector organisations that came into contact with Dalal expressed concern at how young she appeared to be and estimated that her true age was between 15 to 16 years. Dalal was age assessed by social services who concluded that she was over 18; a subsequent medical assessment was inconclusive.

Voluntary sector agencies were concerned at her history and current vulnerabilities. At least three referrals were made to the local authority social work team and to the police. A child protection strategy meeting was held and it was agreed that a police officer would visit Dalal and talk to her about her experiences. Given the concerns about the case, a number of agencies and professionals became involved, including the office of the Children's Commissioner for Wales. For over two months, the Office repeatedly asked for information and for the relevant police force to visit, but no visit took place.

Then, it was reported that Dalal had a man staying with her in the accommodation. The housing manager went to investigate and found a Chinese man hiding in her wardrobe. Dalal claimed that he was her brother but it is thought by at least one of the voluntary agencies involved that he was the trafficker. Shortly afterwards, Dalal disappeared and is now officially recorded as a missing person.

Subsequently, the Children's Commissioner for Wales has written to the relevant police force to request a full case review. Their response showed that, in their opinion,

*"...there is no evidence that Dalal is or ever has been in danger from traffickers" The letter continues:*

*"...her removal from Heathrow to Wales would mean that it is highly unlikely that she is at risk from traffickers whilst in the UK and so our assessment is that her absence is deliberate on her part to avoid deportation".*

The case of Dalal highlights many of the key issues that can influence service provision for trafficked children. These include the impact of being subject to an age dispute, lack of co-operation between relevant agencies, differing thresholds in identifying trafficking, and the precedence that the immigration status of children takes over their need to be safeguarded.

# Emerging Themes

Children who may have been trafficked are extremely vulnerable. Many will have experienced at least one form of abuse, whether physical, sexual, emotional or neglect, often of an extreme nature. Children are raped, beaten, tortured, deprived of their basic needs and enslaved. They are moved from their country of origin to one or more new countries, by individuals or gangs who have tricked or deceived them. Therefore, it is essential that when they are identified, they receive the full care and protection of statutory services. This is clearly outlined by WAG:

*“It is incumbent on all agencies to work together to safeguard and promote the welfare of children trafficked into and within the UK, to provide the same standard of care as that available to any other child in the UK [our emphasis]”<sup>53</sup>.*

### Lack of identification

In this study, a number of cases were described in which the principal concern was the lack of identification of a young person as a potential victim. This cuts across all forms of exploitation and vulnerability, and occurred in all the geographical areas where interviews were conducted. According to one voluntary sector manager:

*"...that's the general position in Wales, is that people aren't noticing them. I call them an invisible population within an already hidden population because people are just not seeing these children. Or not the right people".*

Surprise was expressed by practitioners, especially in the voluntary sector, in cases where services did not know of a child and were then taken aback when new information or a chance encounter revealed their existence. For instance, one voluntary sector practitioner described a scenario that she felt represented a typical occurrence in her area:

*A family from an African country, with whom services had been working for some time, was given indefinite leave to remain in the UK<sup>54</sup>. They had three children, but they asked for a house for four children. The family claimed that they had a fourth child, a girl of 12. Yet unlike the other children in the family, she had never been to school or integrated at all and was always kept in. After investigation, the conclusion was that the child was indeed related to the family but the reasons for her being kept hidden remain unknown.*

This case, alongside others we heard about, highlights the ease with which it is possible to keep a child hidden in Wales, even when the rest of the family is known to statutory and voluntary service providers. Children who remain hidden are at significant risk.

### Hidden Children

For some of the cases encountered, it was not known how the child entered the UK. In fact, the very lack of information is itself a cause for concern. Mention was made of children just 'turning up' in Wales, with some specifically wanting to stay in a particular town where they apparently had no familial connections. Others were just dropped off at an individual's house by a stranger, as in the case below:

*A Pakistani man, Mr X, took two female children to nursery school to register them, claiming that they were both his daughters. Mr X claimed that one child was three and half years-old and the other one was just under three years old. The school had some concerns, as the age difference between the two children was only seven months. As the three and a half year-old never attended the nursery so a referral was made to Social Services.*

*Two weeks after the referral, Mr X turned up at Croydon Asylum Screening Unit with the eldest child, claiming that she was his daughter. Mr X later changed his story to say that the girl was actually his niece. Mr X wanted to add her name to his asylum claim; even though his current asylum status was that he had exhausted his appeal rights. Mr X was questioned as to when and how this child joined the family. The explanation given was that an unknown white male had dropped the child off a week earlier. The man told Mr X that she was his niece and that the girl had been travelling with her family but they had been stopped in France, and that she had managed to get to the UK on her own. Mr X was happy with this explanation and received advice that he should take the child to Croydon Asylum Screening Unit. This story is clearly at odds with the fact that the child had been registered at school some weeks previously. Other factors (such as the fact that the girl looked older than her given age and discrepancies in Mr X's account of events) caused the Metropolitan Police concern and it was decided to place the child in foster care. Whilst in foster care, the girl has disclosed sexual and physical abuse by Mr X and his wife. Mr X was arrested for trafficking for the purposes of fraud by the Metropolitan police. The police investigation remains ongoing.*

### Children living with unknown adults

Even when children living with unrelated adults were identified, the assessment of their carers was not automatic, which it should be. A number of situations were described to us where adults, who were not related to the child, were allowed to continue to look after them, after statutory services become involved, without any sort of assessment. For instance, according to a manager of a voluntary organisation, in the case of one Turkish child:

*"The family had been deported and then someone had turned up at the police station and said they'd take the child and social services let them. Again, that was a kebab shop..."*

In another instance, children were found in a cannabis factory during a raid. Later, an 'aunt' from London turned up and said she would take the children back home with her. This was agreed to, although no checks were made on her suitability as a carer.

Clear regulations for the assessment of carers exist in Wales, as laid out in the Private Fostering Regulations<sup>55</sup>. Adults who are not related to a child, but who plan to look after them for more than 28 days, should be subject to a private fostering assessment<sup>56</sup>. Some participants in this study made it very clear, that they thought a double standard

was operating whereby non-citizen children were being dealt with in a different way from citizen children. This is highlighted by one voluntary sector manager:

*"...and I said, well if it was a British child and someone just turned up and said I would take the child, would you let them go without making any checks? I mean where was the assessment?"*

Separated children are already vulnerable; living with adults who have not been properly assessed by the Local Authority Children's Services increases the risks to these children.

### Criminalisation of children

There is increasing evidence in England to suggest that young Vietnamese children, usually boys, are being trafficked to assist with cannabis cultivation<sup>57</sup>. Domestic cannabis cultivation is on the rise. There have been a number of raids on these so called 'cannabis factories' in Wales; in 2007, Gwent Police identified 53 properties that were being used for cannabis cultivation, a four-fold increase from 2006<sup>58</sup>. Unfortunately we were not able to ascertain how many children, if any, were found during these police raids.

Several cases were mentioned to us where children had been found in cannabis factories but were not recognised as victims of trafficking. At least three of them had been charged with offences

relating to cannabis cultivation under Section 6 Misuse of Drugs Act 1971, and had come to the attention of social services through a referral from the Youth Offending Team. According to the Crown Prosecution Service, children should not be criminalised for activities that they have had to carry out under coercion. Guidance for prosecutors makes this very clear:

*“Where there is clear evidence that the youth has a credible defence of duress, the case should be discontinued on evidential grounds. Where the information concerning coercion is less certain, further details should be sought from the police and youth offender teams, so that the public interest in continuing a prosecution can be considered carefully”<sup>59</sup>.*

### Cultural relativism

The learning from the Victoria Climbié Inquiry was mentioned on a number of occasions as highlighting the need for culturally sensitive practice. In some situations described to us, action was **not** taken because of a desire to avoid offending someone’s cultural inheritance. Certain behaviours or practices were described to us as ‘cultural in origin’ so services did not fully intervene despite concerns of exploitation. Thus, it was regarded as ‘not unusual’ for Roma children to wash cars, or for

Pakistani girls to be married and become mothers at a very young age, or for Bangladeshi boys to live with strangers in a take-away.

In at least three cases, investigations into allegations of sexual exploitation did not take place because the offence had occurred abroad. With one girl, no referral was made regarding her giving birth at 13 years of age, as the baby was thought to have been conceived in Pakistan, “where the Sexual Offences Act 2003 does not apply” according to one LSCB participant. Irrespective of where conception took place, this child should have been subject to child protection procedures given the serious nature of the offence in the UK. The position is clearly laid out in the Sexual Offences Act 2003:

*“Sexual activity with a child under 13 is never acceptable and that – regardless of the circumstances – children of this age can never legally give their consent. All penetrative sex of a child under 13 will automatically be classified as rape, with a maximum penalty of life in prison”<sup>60</sup>.*

Notwithstanding concerns of rape, there were also concerns about forced marriage and the fact that this child was in the UK without anyone taking full responsibility for her. The lack of a child protection response in this case to an offence of statutory rape begs the question: would the response have been different if the child was a UK citizen?

The All Wales Child Protection Procedures make it clear that whilst practitioners working with children need to be sensitive to the cultural needs and beliefs of children and families, cultural practices should never be used as a justification for inaction. Cultural relativism, whereby all cultural practices are seen to be acceptable, goes against the duty to intervene if a child is potentially placed at risk by these beliefs or practices. The position is set out in the All Wales Child Protection Procedures 2008, Section 1.2.4:

*“Professionals should guard against myths and stereotypes, whether positive or negative, and anxiety about being accused of oppressive or discriminatory action should not prevent the necessary action to be taken to safeguard a child”.*

### The movement of children into Wales

A number of interviewees commented that they had heard of children entering Wales either through Ireland via the seaports or being dropped off the backs of lorries on the M4 motorway from Newport to Swansea. Very little case-based evidence was found during the research to support these commonly held beliefs. In this study, the picture that emerged was one of a lack of information about the child’s journey and entry into Wales. More often than not, it was simply not known why a child had ended up in a certain location, where they had come from and how they had got here.

### Seaports

Wales has four major seaports: Holyhead, Fishguard, Pembroke and Swansea. All of them have ferry services to and from either the Republic of Ireland or Northern Ireland. There was some evidence of safeguarding procedures being implemented at ports by the police. According to interviewees, at least three potential cases had been identified at ports and referrals made to Local Authorities.

Police officers based at the ports identified three specific challenges in relation to safeguarding children entering Wales via ferries: lack of travel documentation, different requirements of entry into the Republic of Ireland, and lack of UKBA presence at ports.

The first challenge is that no passport is required to travel into Wales from the Republic of Ireland.

According to UKBA, the arrangements under the ‘Common Travel Area’ agreement between the UK and the Republic of Ireland mean that someone arriving in Wales from Ireland by ferry does not have to carry or prove their identity:

*“a person who has been examined for the purpose of immigration control at the point at which he entered the area does not normally require leave to enter any other part of it”<sup>61</sup>.*

As one police officer put it:

*“The problem with identification of the travelling public is that you can book a ferry and there is no need to provide proof of identity when booking or on arrival. You could use false identity to book and travel. So you may get people who are unconnected but who share the same name. In law, we are allowed to make those checks but ID is not essential”.*

The second challenge is the perception by the police that this route into the UK via the Republic of Ireland is used because it is easier to enter the Republic of Ireland from outside the EU and then pick up false documents. In one case:

*Three Nigerian male children entered Wales via a seaport with a 17-year-old boy who was thought to be their chaperone. They had travelled by ferry from Ireland, having flown via New York from Nigeria to Dublin. The children stated that they had paid to be brought over to be educated in the UK, that they were related to the 17-year-old and that they were destined to stay with an ‘uncle’ in the UK. In Ireland, they had stayed with an ‘aunt’. Inconsistencies in their stories and the fact that the 17-year-old had been noted on previous occasions arriving with other children resulted in the three Nigerian boys being taken into local authority care.*

The third problem is that UKBA do not currently have a permanent presence at any of the seaports. Often there are only two police officers present to check all the arrivals which consist of over 300 people per ferry with a number of sailings each day. UKBA only cover some of the sailings; a figure of 20% was mentioned, although they do have a 24-hour telephone line that the police can use. We were not able to verify this information with UKBA themselves. Clearly, the fewer staff that are present, the easier it is for potential traffickers and their victims to slip through undetected.

### Airport

Wales has an international airport at Cardiff. According to a police officer based at the airport, there have been no suspected cases of child trafficking over the past five years. This may be due to current direct flight destinations to and from the airport, the majority of which are in West Europe. There are also direct flights from Eastern Europe, but as UKBA in Wales were not available for interview, it is not known if they are specifically targeting these flights. There are no direct flights from Africa or Asia although it is possible to travel from one of those continents by transiting through another international airport.

### Other routes into Wales

No specific evidence was found during this study to suggest that children are routinely being dropped off lorries on or near the M4. In the cases where information about point of entry into the UK was known, the majority of children had entered via the South East of England, through either via Dover, Heathrow or Gatwick. For some children it was known that they had travelled to Wales via other areas of the UK but was unclear if Wales was the intended final destination. Further work is required to establish why these children ended up in Wales, whether it was intentional or by chance, and how they travelled here.

### Not just an urban issue

A key finding of this study is that child victims of trafficking were found across Wales, including rural areas outside of South East Wales. This contrasted sharply with the view held by many of the interviewees that child trafficking is limited to urban areas. Of concern was the number of separated children living with unknown adults in takeaways in both urban and rural areas. As one respondent from an LSCB put it:

*“there are lots of kebab shops here, we don’t know who would be working in them, don’t think that is ever really looked into”.*

Cases of suspected sexual exploitation and trafficking for forced marriage were also found outside of South East Wales.

### Awareness & responses

A recurring theme throughout the study is the difficulties practitioners have in identifying whether a child has been trafficked. This stems from inconsistency, on both personal and organisational levels, of attitudes to trafficking, knowledge and practice responses.

### Attitudes

Acceptance that child trafficking can happen in the local area is fundamental to identification. In some areas this may require a shift in thinking from a culture of disbelief to a position where it is fully accepted that child trafficking does take place locally. One social worker thought *“It is important to accept that these things can happen”*, while a voluntary sector participant stressed the need *“to challenge the culture of disbelief”*.

One of the research locations has a multi-agency practitioner group that meets once a month to look at cases (See Appendix 6 for more details). Such a formal structure seems to work very well for this particular area and it is indicative that this area has investigated a number of potential cases. Moreover, all the participants in this area showed a remarkable degree of consistency when describing cases that caused concern; this was not something seen in any of the other three areas. According to participants, the formalised setup of the group has paved the way for better communication between the group members. However, this is a practitioner-led group and it is unclear if the themes, trends and issues of concern to emerge from the group are known about by mid- and higher-level management of Local Authority Children’s Services.

Another research location has established its own Child Trafficking protocol (See Appendix 6) which was seen as a helpful tool by the social services practitioners, alongside proper supervision, when having to respond to suspected cases.

In general it was felt to be a good thing to have a specialist worker with knowledge in this area operating within an organisation. Three out of the four local authority Children’s Services interviewed have individuals with this type of specialist role, as do a number of the voluntary sector organisations and the Welsh police. One voluntary sector manager explained the importance of practitioners feeling confident in their role:

*“...it’s like giving people permission to make that assessment, because people feel very nervous about this. It’s the same thing with trafficked children and with sexual exploitation, very similar, ...people don’t feel confident, they don’t feel they have the skills, they don’t feel they have the knowledge and so what might be really obvious to you and I, is not obvious to them and they need that confidence to say yes, if you pull these things together...”*

As well as lack of confidence, other reasons were identified for a refusal to acknowledge child trafficking is taking place. One participant expressed the concern that

people do not want to think about child trafficking as they find it too shocking and implausible. Another view was that staff may choose not to recognise it at a conscious level as they already feel too busy to deal with something new.

### Knowledge of trafficking

The majority of participants commented that they hoped staff in their agency would know something about trafficking but that there was still room for improvement. In some areas in Wales, it was clear that trafficking was definitely known about and that it was on their ‘radar’. The preparation for Operation Pentameter 2 (P2) had also raised peoples’ awareness, with at least one of the four local authority children’s services mentioning that they had briefed their staff on the operational protocols for P2. One social work team manager noted:

*“I think... it is more and more of an issue for us, because more and more children are coming to our attention and it is just being aware of that...”*

However, outside of South East Wales, knowledge of trafficking appears to be rudimentary. What emerged from the interview data was a limited knowledge of issues affecting separated children, which for many respondents is linked to the fact that they do not encounter many separated children: As one LSCB participant said:

*“The difficulty with it [child trafficking] in X is that it comes at us in little bits so there’s no real opportunity to develop skills and expertise. Or if any are developed then the learning is forgotten by the time the next case comes along. Which is why it would be useful to have an ‘expert’ to run these types of cases by.”*

In one local authority area, this paucity of information resulted in the social worker trying to find out about his responsibilities to asylum-seeking child through the internet, and then sharing this information with his colleagues. A worker for a voluntary sector agency also mentioned similar concerns, noting that she had to tell social workers (based in non-dispersal areas) what to do in relation to separated children; she expressed frustration by the amount of time it took to go through a process of education with each new social worker.

Several interviewees stated that levels of knowledge were likely to vary depending on the exact role and function of the individual within the organisation. It was thought that social workers in frontline services, such as duty and assessment and specialist asylum teams, would have more knowledge and experience, and consequently the capacity to recognise child trafficking than workers in the longer term teams.

### Triggers for Concern

When describing cases to us, participants were asked what grounds they were using to determine concern. More often than not, concern was triggered by the fact that ‘something did not quite seem right’ or by ‘gut instinct’, leading them to feel there was more going on than they were being told. Initial reliance on such ‘feelings’ cut across all three groups that we interviewed. However, the next stage of substantiating their concerns was perceived as far more difficult.

Indicators of trafficking, such as those listed in the WAG guidance (2008), detail the factors that potentially indicate risk to a child. Some respondents were aware of these indicators but others did not know of any at all. A number of respondents mentioned specific risk factors which they had developed either from specific case experience or from what they had learned in briefings and training. These indicators include:

- Single men bringing children into the country
- Entering at quiet times, e.g. bank holidays/at night
- Suspicious trends in booking methods and travel patterns
- Same individuals meeting children at ports of entry -
- Quiet/unhappy children at ports of entry
- Children not knowing their address or where they are
- Discrepancies in stories
- Lack of evidence e.g. no papers etc to support claim that child belonged to family
- Child arriving at a different time from the rest of the family.

WAG guidance makes it clear that *absolute certainty* that the child is a victim of trafficking is not necessary to warrant a referral to social services:

*“In many cases, practitioners may have to act on and respond to cases where they **suspect** [our emphasis] a child might have been trafficked”<sup>62</sup>.*

### Practice Responses

Uncertainty about whether a situation is trafficking or not impacted directly on referrals to social services. Fear of making an unsubstantiated referral was expressed by a voluntary sector manager:

*“It’s a very difficult thing to identify. It’s very difficult, because if you are actually making an allegation, some people would feel very reluctant to make an allegation without concrete evidence and a lot of people may not go on what I call their gut feeling”.*

Linked to this sentiment was the widely expressed view in the voluntary sector that their concerns about potential trafficking were not being taken seriously by statutory services. Case information was reported as being ignored, resulting in multiple referrals. Workers often felt that they had to do all the investigation prior to making a referral to provide a sufficiently strong evidence-base for their concerns.

Responses from social workers were very varied. Some felt that there had to be evidence of concern to merit a child protection response to a referral. According to one LSCB respondent:

*“...it needs to be clear that there are good grounds for suspicion not just based on rumours...”*

Others felt that all concerns should be investigated irrespective of the initial evidence base. A social work manager felt that:

*“We would prefer to be wrong than not act on something”.*

Child victims of trafficking have a right to be protected; this is clearly established in WAG guidance, the UNCRC and the Core Aims in Wales. Even if concerns are vague or unsubstantiated, as is so often the case with child trafficking, the process of assessment must be commenced and the child’s need for protection given due consideration.

WAG guidance on trafficking establishes the procedures from referral to investigation if a child is suspected of having been trafficked. In particular, it stresses the need for a multi-agency response, whether the case is considered to be a child in need or a safeguarding matter. Mechanisms for working together outlined in the *‘Safeguarding Children Who May have Been Trafficked’* guidance stem from the broader structures for inter-agency working established in the Children Act 2004 and the *Working Together Under the Children Act 2004* (2007).

The majority of participants were clear that if they suspected a child had been trafficked they would use the All Wales Child Protection Procedures. As one Social Work Manager put it:

*“undertake a strategy meeting and Section 47<sup>63</sup> as with citizen children; same procedures used throughout, nothing separate.”*

Interviewees described very carefully the process of referral to the local authority social work team and their expectation that there would be an investigation under Section 47 of the Children Act 1989 and a strategy meeting. In fact this process was used in a number of the cases described to us. In at least three cases in two different areas, a Child Protection Case Conference was convened to consider evidence of significant harm, although no child’s name was added to the Child Protection Register. In some areas, it was noted that if there were concerns about child trafficking then a senior manager would also attend the case conference.

# Recommendations

The interviewees were all asked what improvements they would like to see in relation to child trafficking both within their agency and across Wales. The suggestions from the 41 interviewees have been summarised here and have informed the Children's Commissioner for Wales' recommendations which he will monitor in accordance with his statutory powers.

## Practice issues

### Training

Nearly all participants mentioned the need for more training on child trafficking and separated children in general. Many had not had access to training of this type at all.

### R1. Children's Commissioner for Wales' Recommendation

Within one year from the publication of this report the Welsh Assembly Government undertakes an audit of relevant training currently available to practitioners and considers providing funds to administer an all-Wales training programme for practitioners on how to recognise and respond effectively to the needs of children who may have been trafficked.

### Specialist worker

A number of people felt it would be helpful to have access to someone with specialist knowledge to clarify concerns and provide advice on procedures. Related to this was the firmly expressed belief, summarised by a voluntary sector policy officer that:

*"only experienced staff should be taking this work forward".*

A lead member of staff with experience of child trafficking issues should be developed within each local authority area. A multi-agency approach is required to tackle child trafficking. Experience and training for lead staff will be crucial in helping address the issue.

As this report has highlighted, knowledge of trafficking is varied within local authorities. The Wales Strategic Migration Partnership (WSMP) employs a Refugee Children Advice and Information Worker and is one of a number of organisations, including ECPAT UK and NSPCC, which can provide information on trafficking issues.

### R2. Children's Commissioner for Wales' Recommendation

The WSMP should continue to raise awareness of the role of its Refugee Children Advice and Information Worker. The role of this worker is to provide advice and information on a whole range of issues related to refugee children, which includes signposting callers to the appropriate organisations and individuals on a particular topic, including trafficking.

The WSMP is in the process of updating its website in relation to trafficking, publishing links to key reports, guidance and protocols on trafficking – all of which have been collated by WSMP. On a strategic level, the WSMP will continue to raise awareness and gather intelligence on trafficking issues and encourage a coordinated response.

All Local Safeguarding Children's Boards (LSCBs) should ensure information is disseminated to relevant organisations.

### Specialist foster carers

In recognising the particular needs of trafficked children, a number of participants asked what specialised support should be put in place for foster carers.

### R3. Children's Commissioner for Wales' Recommendation

The Welsh Assembly Government expressly consider within their Vulnerable Children's Strategy the needs of children who may have been trafficked including the training and support for foster carers.

### 'Intelligence' Bulletin

Some respondents thought that a 'bulletin' which identified recent trends, such as the recent increase in Chinese women claiming services, would be helpful. This stemmed from one voluntary sector organisation which recently alerted all its offices to a new trend in trafficking: this was found to be especially useful as it enabled other regions to reflect on their current experiences. Generally community engagement was seen as vital with 'grassroots' organisations being consulted and involved in local action.

### R4. Children's Commissioner for Wales' Recommendation

The Welsh Assembly Government within one year of the publication of this report convene an all-Wales group on trafficking to meet periodically and whose remit shall include collecting and disseminating

relevant data and information and monitoring trends. Representatives from the four dispersal areas in Wales, Welsh Refugee Council, Barnardo's, Children in Wales, the United Kingdom Border Agency, the office of the Children's Commissioner for Wales, NSPCC, the Association of Chief Police Officers in Wales (WACPO) and the All Wales Strategic Migration Partnership should be invited to participate and "grassroots" organisations to be included in the information sharing processes.

### Policy Issues

#### Welsh Assembly Government (WAG)

The majority of respondents mentioned WAG as having a lead role in taking forward issues on child trafficking. For some, this meant an increase in resources, whilst for others it was felt to be helpful to have a named person in WAG who was responsible overseeing developments.

Several participants were of the opinion that whilst WAG was good at making policy, it was less successful in ensuring its implementation across Wales. During the interview period, in the summer of 2008, very few participants were aware that the final version of the WAG guidance was actually being launched; some did not even know that WAG was compiling such a policy.

In addition, the need for community awareness was widely commented on and this covered all communities, such as the general public, not just campaigns specifically targeted at black and ethnic minority groups.

Suggestions for WAG include the need:

- To co-ordinate a public awareness-raising campaign, community events and conferences on trafficking
- To ensure that communities are given information on child trafficking and what to do about it
- To ensure safe placements for child victims of trafficking following on from the positive developments for a specialist refuge for adult victims of trafficking
- To consider how the therapeutic needs of separated and trafficked children can be met.

### R5. Children's Commissioner for Wales' Recommendation

The Welsh Assembly Government to consider these suggestions and the evidence in this report and respond within one year of the publication of the report.

### Local Safeguarding Children's Boards (LSCBs)

The structure of the LSCB was identified as the appropriate mechanism to take safeguarding issues forward at a local level.

- To date only one LSCB has developed its own Child Trafficking Protocol and some other participants thought this would be a useful development for each LSCB. However, it was recognised that a degree of consistency is also required across Wales
- A number of voluntary sector agencies wanted their concerns to be taken more seriously by statutory agencies and for the response to be quicker. Underpinning this was a concern about thresholds for action and intervention by social services
- Partnership working, especially between the social services and voluntary sector, emerged as problematic in some areas. Multi-agency groups including partners who sit outside the current LSCB structures, such as immigration lawyers, were identified as the way forward.

### R6. Children's Commissioner for Wales' Recommendation

All Local Safeguarding Children's Boards to implement the *Safeguarding Children Who May Have Been Trafficked Guidance* 2008 within one year of the publication of this report.

# Conclusion

This small scale-study considered whether there is an evidence base for child trafficking in Wales. Evidence was found of confirmed and suspected cases of child trafficking encountered by social services, the voluntary sector and the police. Data was gathered from 41 practitioners who described 32 cases that caused them concern. These cases involve children aged three and a half years and upwards, from a variety of countries of origin. Notably, more boys than girls were identified during this study. Children were described in situations of sexual exploitation, domestic servitude, cannabis production, street crime and forced labour.

**A number of vulnerabilities were identified in relation to the children described to us in this study. Some children had been in Wales for some time and had remained ‘hidden’ to services which caused both surprise and concern about how this is possible. Even when children were known, the potential risks they faced were often not assessed. This was particularly true in relation to authorities allowing children to live with unknown adults, without any appropriate assessment being made of the viability of the situation. This is contrary to the Private Fostering Regulations that operate in Wales.**

Evidence was also found of children being inappropriately criminalised for activities they were forced to undertake by their traffickers. On some occasions, safeguarding action was not taken with these children even when procedures were clear that intervention was required. Numerous practitioners attributed this to a perceived gap between the way in which citizen children and separated children were dealt with by statutory services. The implication is clear: on occasions separated children are left vulnerable because they are treated differently from UK citizen children.

Trafficked children were identified throughout Wales, and there was significant information to indicate that areas outside of South East Wales have encountered trafficked children. Little specific information was available about how each child had arrived in Wales but in this study, the majority entered the UK through the South East of England.

Three core issues emerged in relation to trafficked children: attitudes, knowledge and practice. Evidence from this study show that it is vital for practitioners and the agencies they work for to be able to entertain the possibility of child trafficking occurring in their local area. Identification depends on accepting that the problem actually exists; the inconsistency of responses to children illustrates the gaps in knowledge in some

organisations. Whilst the statutory safeguarding framework has been used for some children, others have been left vulnerable through a lack of referral or assessment. If attitudes and knowledge are rudimentary, then the process of safeguarding trafficked children and promoting their welfare becomes fraught with difficulties. This impacts on co-operation on cases, often described as patchy. In some areas, formal structures facilitated co-operation but for the majority, better inter-agency working was desired.

Organisational support and management must actively promote acceptance of child trafficking as an issue that can and does happen in their local area as well as providing training for staff to acquire knowledge, practice effectively and ensure that children who may have been trafficked are always protected. The culture of disbelief within organisational structures can lead to poor practice and significantly increases the risk to children. Conversely, where there is encouragement and a support structure to develop positive attitudes, sound knowledge and good practice, case evidence shows that children are identified much earlier and interventions to protect and safeguard are more effective.

## List of Acronyms

ASU	Asylum Screening Unit
BAAF	British Association for Adoption and Fostering
CAF	Common Assessment Framework
CAMHS	Child and Adolescent Mental Health Services
CEOP	Child Exploitation Online Protection Centre
CTAIL	Child Trafficking Advice and Information Line (NSPCC)
ECPAT UK	End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes
DCSF	Department Children, Schools and Families
LSCB	Local Safeguarding Children's Board
NASS	National Asylum Seeking Support Service (now UKBA)
NRM	National Referral Mechanism
SERAF	Sexual Exploitation Risk Assessment Framework
UASC	Unaccompanied asylum seeking child
UKBA	United Kingdom Borders Agency
UNCRC	United Nations Convention of the Rights of the Child
WAG	Welsh Assembly Government
WSMP	Welsh Strategic Migration Partnership

Appendix 1 –  
Background Information  
on location**Cardiff**

Cardiff is capital of Wales and is located on the South-East coast. It has a population of 317.5 thousand<sup>64</sup>. It is a substantial trading seaport, which also harbours cruise ships, and is in close proximity of the M4. Cardiff also has an international airport that receives over two million passengers a year from all over the world<sup>65</sup>.

Cardiff is home to the greatest concentration of ethnic groups – approximately half of all Black and Asian persons living in the three largest cities (Cardiff, Newport, Swansea) live in Cardiff<sup>66</sup>. The city has a long history of receiving migrants, with the largest ethnic groups being Asian (3.95%), Black (1.28%), Chinese (1.2%) and Mixed (2%)<sup>67</sup>.

Cardiff is one of the four asylum dispersal areas in Wales and holds the highest percentage of asylum seekers in Wales<sup>68</sup>. Of the approximate 2,605 asylum seekers in Wales, 44% are estimated to be living in Cardiff, with the majority of these receiving full Home Office support<sup>69</sup>.

**Newport**

Newport is located on the South-East coast on Wales with a population of 140.1 thousand<sup>70</sup>. It is undergoing extensive regeneration and in particular is improving its accessibility by rail and road<sup>71</sup>. It is within easy reach of Junctions 24 and 28 of the M4, and is also a trading port<sup>72</sup>.

Ethnic groups make up around five percent of Newport's population, the largest being Pakistani (1.4%),

Asian Other (1.5%), Black (1.2%) and Chinese & Other (0.7%)<sup>73</sup>.

Newport is one of the four asylum dispersal areas in Wales and is estimated to receive around 16% of asylum seekers<sup>74</sup>.

**Swansea**

Swansea is located on the South-West coast of Wales. It has the third largest population in Wales, with 227.1 thousand persons<sup>75</sup>.

Cardiff International Airport is less than an hour's drive from the city. Swansea also has its own airport, though this is mainly used for light aircraft and private planes. It is a busy trading port, acting as a connection to Ireland, Northern and Western Europe and the Mediterranean, while also receiving cruise ships and providing a ferry link to Cork<sup>76</sup>.

Swansea is one of the four asylum dispersal areas in Wales, hosting the second largest asylum-seeking populations in the country at 36% of the total<sup>77</sup>.

**Wrexham**

Wrexham is a market-town situated in the North-East of Wales. It has a population of 131,000<sup>78</sup>.

Asian ethnic groups form the largest minorities in Wrexham (approximately 0.4%), but there are also Black (0.24%) and Chinese or other (0.28%) communities in the area<sup>79</sup>.

Wrexham is one of four asylum dispersal areas that have existed in Wales since 2001, but it has only received a small number of individuals seeking asylum<sup>80</sup>.

## Appendix 2 – Questions Interview Schedule

1. Can you tell me a bit about your work and its relation to issues around protecting vulnerable children from abroad?
2. Please have a look at the scenarios listed. Have you encountered any cases similar to these in your work? Details
  - a. How were these cases dealt with?
  - b. Did you have any difficulties in dealing with them? Details
3. Have you had suspicions concerning the circumstances, perhaps like the scenarios, of any child or children from abroad in your work?
  - a. Probe: What was it that raised your suspicions?
  - b. Were you able to follow that up in any way? (details)
  - c. Have there been/are there difficulties in acting on your suspicions?
4. What happens when you suspect that a young person from abroad is being exploited?
  - a. What procedures are used?
  - b. How is this information recorded?
5. How much awareness of issues relating to vulnerable children from abroad would you say there is amongst [your] staff?
  - a. Probe: different levels of staff
  - b. How is awareness raised?
6. If a member of your staff encountered a possible case of child trafficking, how confident are you that s/he would recognise the signs?
  - a. Would s/he know what to do?
  - b. Have you identified any risk indicators for the exploitation of children from abroad?
7. Do you work with other agencies to protect children from abroad?
  - a. Discuss. Which agencies
  - b. Structured or ad hoc arrangements
  - c. Can you remember any specific cases?
8. Is information on cases or suspected cases relating to vulnerable children from abroad shared amongst concerned agencies?
  - a. Probe: Which agencies
  - b. Are there difficulties around sharing information? Explore
9. What in your view would help you /the agency you work for respond to the needs of children who may have been trafficked?
10. Who do you think is best placed to take forward work on child trafficking in Wales?
11. Is there anything else you would like to say in relation to protecting vulnerable children from abroad that we have not discussed?

Thank you.

## Appendix 3 – Scenarios

### Scenario One

A child from abroad, aged 12 was brought to the UK by an Aunt, having been promised an education. However, she was not allowed to go to school and instead was made to work in the house and later ran away.

### Scenario Two

A Chinese girl (14) arrived unaccompanied and claimed asylum at Cardiff airport. She was placed in the care of social services but disappeared 48 hours later from the home of her foster carer.

### Scenario Three

A young Eastern European girl (16) was discovered in a sauna, selling personal services. She tells a story of having been brought to the UK with promises of well paid employment. But on her arrival into the UK, her 'agent' who paid for her passage, had sold her to the owner of the sauna, who threatened her with violence unless she did as he wished.

### Scenario Four

A young Vietnamese boy (15) is referred to the Youth Offending Team having been found in a house that had been converted into a cannabis factory. This boy is being charged with cannabis cultivation and being in the UK illegally.

### Scenario Five

Several Romanian children are taken into local authority care after they are found to have been used by different adults for fraudulent benefit claims and made to steal in the streets. The woman who brought them into the UK has been arrested.

**Appendix 4 - Concern Checklist**

Instructions: Please fill in the form, marking your answers with a cross

**About You:**

In which area do you work?

- Cardiff
- Newport
- Swansea
- Wrexham
- Non-dispersal area

What type of organisation do you work/volunteer for?

- Statutory
- Voluntary
- Other

**About the young person:**

Gender	Age range	Age disputed?	Country of origin
<input type="radio"/> Male <input type="radio"/> Female	<input type="radio"/> Under 5 <input type="radio"/> 5- 10 years <input type="radio"/> 10-13 years <input type="radio"/> 13-16 years <input type="radio"/> 17 to 18 years	<input type="radio"/> No <input type="radio"/> Yes – please provide more details if possible	<hr/>

**Does the young person:** Y/N (Please provide details where possible)

Have a passport or other identifying documents? 

---

Give a clear account as to why they are in the UK? 

---

Have any contacts with family in country of origin? 

---

Give a prepared story similar to that of other young people? 

---

Live with an adult who is not their primary carer? 

---

Live at a 'hot' address where a number of unrelated children live? 

---

Have to pay off debts? 

---

Insist on working? 

---

Works but does not seem to have any wages/money? 

---

Beg for money? 

---

Receive unexplained phone calls? 

---

Possesses money and goods not accounted for? 

---

Show signs of possible sexual exploitation such as an STI or unwanted pregnancy? 

---

Turn up in places associated with sexual exploitation? 

---

**Does the young person:** Y/N (Please provide details where possible)

Go missing? 

---

Show signs of neglect? 

---

Have a school place? 

---

Have a GP? 

---

Face a criminal conviction? 

---

**Case History**

Space for any extra details that you may wish to add:

Thank you 

---

**Please return by:**

- E-mail to [e.kelly@ecpat.org.uk](mailto:e.kelly@ecpat.org.uk)
- Faxing to 0207 2339869
- Sending to: Emma Kelly. ECPAT UK, 35-37 Grosvenor Gardens, Grosvenor Gardens House, London, SW1W 0BS

## Appendix 5 – Respondents

- All Wales Strategic Migration Partnership
- Amnesty International
- Barnardo's Cymru Seraf Service
- BASWO
- Cardiff County Council
- Children in Wales
- City and County of Swansea
- Dyfed Powys Police Force
- Gwent Police Force
- NSPCC Wales
- Newport City Council
- North Wales Police Force
- South Wales Police Force
- Welsh Refugee Council
- Wrexham County Borough Council

Local Authorities who responded to the questionnaire:

- Blaenau Gwent County Borough Council
- Ceredigion County Council
- Flintshire County Council
- Gwynedd Council
- Merthyr Tydfil County Borough Council
- Powys County Council
- Rhondda Cynon Taff County Borough Council
- Torfaen County Borough Council
- Wrexham County Borough Council

## Appendix 6 – Good Practice Models

In this study several models of good practice were mentioned to us. It may well be that there are other models of good practice operating locally throughout Wales but these were not mentioned to the researchers during the interviews.

### 1. LSCB Trafficking protocol

Cardiff LSCB has developed its own 'Multi-agency protocol for Safeguarding Children Who May Have Been Trafficked'. It is the only LSCB to have done so in Wales and builds on the recommendation for such a protocol to be developed by LSCB's in 'Safeguarding Children: Working Together under the Children Act 2004, guidance to LSCB'

The protocol is available from Cardiff Council's website: [www.cardiff.gov.uk](http://www.cardiff.gov.uk)

### 2. Multi-Agency Practitioner Meeting

In Newport, the Newport Health Education and Well-Being Practitioners Group, meets monthly. This group brings together a range of practitioners from the voluntary sector, statutory sector, the Police and private housing providers. The group considers issues and specific cases in relation to asylum seekers, refugees and migrant worker, which includes separated children as well as families. The aim is to provide a coordinated inter-agency approach, enabling and promoting quality and best practice of service provision to people seeking asylum, refugees and migrants in Newport.

The partnership approach aims to increase clarity regarding roles and responsibilities of participating organisations, decrease duplication and gaps in service delivery and increase complementary service delivery. General issues of concern, 'themes and trends' will be forwarded to the relevant agencies and partnerships such as the Multi Agency Group for Refugees, Asylum Seekers and Migrants and/or the Wales Strategic Migration Partnership (Asylum Seekers, Refugees and Migrants).

### 3. All Wales Post – Refugee Children's Advice and Information Worker

To support the work of the Wales Strategic Migration Partnership (WSMP) there is a Refugee Children's Advice and Information Worker. The role of this worker is to provide advice and information on a whole range of issues related to refugee children, which includes signposting callers to the appropriate organisations and individuals on a particular topic, including trafficking. Contact the Refugee Children's Advice and Information worker at:

**Wales Strategic Migration Partnership**  
Brynglas Bungalow  
Brynglas Road  
Newport, NP20 5QU

Telephone: 01633 855095

## Endnotes

<sup>1</sup> Hewett, T., Smalley, N., Dunkerly, D., & Scourfield, J., (2005). *Uncertain Futures: Children Seeking Asylum in Wales*. Cardiff, Save the Children Wales.

<sup>2</sup> Somerset, C., (2001). *What the Professionals Know; The trafficking of children into and through the UK for sexual purposes*. London, ECPAT UK.

<sup>3</sup> Somerset, C. (2004). *A Cause for Concern: London Social Services & Child Trafficking* London, ECPAT UK.

<sup>4</sup> Kapoor, A. (2007) *A Scoping project on Child Trafficking in the UK*. London, CEOP.

<sup>5</sup> From evidence obtained during ECPAT UK training.

<sup>6</sup> This term is used throughout the study as only a few Councils in Wales have established a Children's Services Authority as defined in the Children Act 2004.

<sup>7</sup> Somerset, C., (2004) op.cit. Beddoe, C., (2007) *Missing Out: A Study of Child Trafficking in the North-West, North East and West Midlands*. London, ECPAT UK. Kapoor A (2007) op. cit

<sup>8</sup> Office of Public Sector Information (2003) *Sexual Offences Act*. Available at [http://www.opsi.gov.uk/Acts/acts2003/ukpga\\_20030042\\_en\\_5#pt1-pb15-1lg58](http://www.opsi.gov.uk/Acts/acts2003/ukpga_20030042_en_5#pt1-pb15-1lg58)

<sup>9</sup> ECPAT UK (2008) 'Internal Trafficking of Children in the UK' in *Connect to Protect*, Summer 2008

<sup>10</sup> Office of Public Sector Information. *Asylum & Immigration Act (treatment of Claimants ,etc.) 2004. Section 4, paragraph 2.*

<sup>11</sup> *Council of Europe Convention* (2005) p.45

<sup>12</sup> UKHTC is a multi-agency team set up to fight human trafficking. For further information see <http://www.blueblindfold.co.uk/aboutukhtc/>

<sup>13</sup> Crawley, Heaven.,(2007). *When is a child not a child? Asylum, age disputes and the process of age assessment*. London, ILPA.

<sup>14</sup> Home Office (2007). *UK Action Plan on Human Trafficking* p.60

<sup>15</sup> Home Office (2008) *Update to the Human Action Plan on Tackling Human Trafficking*. p.33

<sup>16</sup> Office of Public Sector Information (2004). *Children Act* (2004)

<sup>17</sup> UKBA (2009). *Code of Practice for Keeping Children Safe From Harm*. p.4.

<sup>18</sup> [www.service.parliament.uk/Bills and Legislation - Borders, Citizenship and Immigration Bill](http://www.service.parliament.uk/Bills_and_Legislation_-_Borders,_Citizenship_and_Immigration_Bill)

<sup>19</sup> Welsh Assembly Government (2008A) Review of Regulations & Guidance, Report of the Review Group.

<sup>20</sup> WAG (2008B) Refugee Inclusion Strategy, Circular 01/2008, p.1

<sup>21</sup> Machin (2008) 'Centre to help sex trafficking victims', *South Wales Echo*, 28.07.2008

<sup>22</sup> Coles, J. (2005) op.cit.

<sup>23</sup> Information from meeting staff at the SERAF service of Barnardos Cymru

<sup>24</sup> Clutton, S., & Coles, J., (2008). *Child Sexual exploitation in Wales: 3 years on*. Policy and Practice Briefing, No. 3. Cardiff, Barnardos Cymru

<sup>25</sup> Amnesty International (2007). *Under the Covers: Trafficking for sexual exploitation in Wales*. UK, Amnesty International

<sup>26</sup> Machin, N., (2008). Centre to help sex trafficking victims. Wales Online, 28.07.08. Available at <http://www.walesonline.co.uk/news/wales-news/2008/07/28/centre-to-help-sex-trafficking-victims-91466-21417781/>

<sup>27</sup> E-mail correspondence with Poppy Project on 01.09.2008

<sup>28</sup> E-mail and telephone correspondence with CTAIL on 16.02.2009

<sup>29</sup> Save The Children and UNCHR (2004) *Statement of Good Practice*, p.2

<sup>30</sup> Hewett, T. et al., (2006) op.cit. p.31

<sup>31</sup> Ibid p.72

<sup>32</sup> Save The Children (2008) *Agenda for Action – The care and protection of asylum-seeker and trafficked children in Wales*, Save The Children

<sup>33</sup> Robinson, Professor Vaughn (2006) *Mapping the Field; Refugee Housing in Wales*. Hact and Welsh Refugee Council.

<sup>34</sup> Welsh Refugee Council. *Asylum Seekers and Refugees in Wales*. Available at <http://www.welshrefugeecouncil.org/publications.php>

<sup>35</sup> BAAF & Refugee Council (2001). *Where are the Children? A mapping exercise on the number of UASC in the UK; September 2000 to March 2001*

<sup>36</sup> Welsh Refugee Council, op.cit.

<sup>37</sup> City of Newport Website. Available at: <http://www.newport.gov.uk/dc/index.cfm?fuseaction=refugeesasylum.refugeeinwales>

<sup>38</sup> ECPAT UK (2007) op.cit. Kapoor, A., (2007) op. cit.

<sup>39</sup> Care Leavers Association (2009). Available at <http://www.careleavers.com/>

<sup>40</sup> Ibid

<sup>41</sup> Kaminski (2008) Stop Them Going Missing. *TES*, 28.03.08. Sharkey, M. (2008) Fears over children being forced into prostitution. *Western Echo* on 07.07.2008

<sup>42</sup> Welsh Assembly Government leaflet 'Do you look after someone else's child'

<sup>43</sup> WAG Statistics for Wales (2008C) *Fostering and Adoption Intermediary services, year ending 31st March 2008*

<sup>44</sup> Children Now (2006), *Private Fostering: Lessons to be learnt* (06.12.06)

<sup>45</sup> Robinson, V., (2006) op.cit. Hewett, T.,(2005) op.cit.

<sup>46</sup> Council of Europe Convention (2005) p.45

<sup>47</sup> Kapoor, A., (2007) op cit , ECPAT UK (2007) op. cit. Dowling, S., Moreton, K., and Wright, L. (2007) *Trafficking for the purposes of labour exploitation: a literature review*. Home Office online report.

<sup>48</sup> Kapoor, A., (2007) op cit. ECPAT UK (2007) op cit.

<sup>49</sup> Robinson, V., (2006) op. cit.

<sup>50</sup> Kapoor (2007) op. cit. ECPAT UK (2007) op.cit

<sup>51</sup> ECPAT UK 2001, 2004, 2007, op cit

<sup>52</sup> Spataro, J., Moss, A., and Wells, D., (2001) Child Sexual Abuse; a reality for both sexes. *Australian Psychologist*, Volume 36, Issue 3 November 2001 , pages 177 - 183

<sup>53</sup> WAG (2008D) Safeguarding Children who may have been Trafficked Guidance p.38

<sup>54</sup> UKBA define Indefinite leave to remain (often known as ILR) as 'permission to stay permanently (settle) in the United Kingdom, free from immigration control'.

<sup>55</sup> The Children (Private Fostering Arrangements) (Wales) Regulations 2006.

<sup>56</sup> Ibid.

<sup>57</sup> Shackel, S (2008) Slavery on Britain's Cannabis Farms. *New Statesmen* on 26.11.2008

<sup>58</sup> BBC News online (2008) 'Landlord found cannabis factory', 14.07.2008. Accessed on 23.12.08 at [http://news.bbc.co.uk/1/hi/wales/south\\_east/7504145.stm](http://news.bbc.co.uk/1/hi/wales/south_east/7504145.stm)

<sup>59</sup> CPS (2008) *Prosecution Of Young Defendants Charged With Offences Who Might Be Trafficked Victims, Legal Guidance*

<sup>60</sup> Home Office (2004) *Children & Families; Safe from Sexual Crime, The Sexual Offences Act 2003*. Accessed On 04.01.09 available at <http://www.homeoffice.gov.uk/documents/children-safer-fr-sex-crime?view=Binary>

<sup>61</sup> UKBA, General Provisions *Regarding leave to enter or remain in the United Kingdom*. Available at <http://www.bia.homeoffice.gov.uk/policyandlaw/immigrationlaw/immigrationrules/part1/>

<sup>62</sup> WAG,( 2008D). op.cit. p.38

<sup>63</sup> This is Section 47 of the Children Act 1989 that enables local authority social workers to conduct a child protection investigation

<sup>64</sup> <http://new.wales.gov.uk/topics/statistics/headlines/pop-2007/hdw20070822/?lang=en>

<sup>65</sup> <http://info.cwlfly.com/en/content/4/202/key-facts.html>

<sup>66</sup> National Statistics Online, available <http://www.statistics.gov.uk/CCL/nugget.asp?ID=451&Pos=3&ColRank=2&Rank=704>

<sup>67</sup> [http://www.cardiff.gov.uk/content.asp?nav=2872%2C3256%2C3300&parent\\_directory\\_id=2865](http://www.cardiff.gov.uk/content.asp?nav=2872%2C3256%2C3300&parent_directory_id=2865)

<sup>68</sup> <http://www.newport.gov.uk/dc/index.cfm?fuseaction=refugeesasylum.refugeinwales>

<sup>69</sup> Robinson, V., (2006) op.cit.

<sup>70</sup> <http://www.newport.gov.uk/dc/index.cfm?fuseaction=newport.homepage> Newport City Council Homepage

<sup>71</sup> <http://new.wales.gov.uk/topics/statistics/headlines/pop-2007/hdw20070822/?lang=en> (Welsh Assembly Government) Information accurate as of June 2006.

<sup>72</sup> <http://www.newport.gov.uk/dc/index.cfm?fuseaction=newport.homepage> Newport City Council Homepage

<sup>73</sup> <http://www.newport.gov.uk/dc/index.cfm?fuseaction=population.keystats> Newport City Council

<sup>74</sup> Robinson, V., (2006) op.cit p.7

<sup>75</sup> <http://new.wales.gov.uk/topics/statistics/headlines/pop-2007/hdw20070822/?lang=en> (Welsh Assembly Government) Information accurate as of June 2006.

<sup>76</sup> <http://www.abports.co.uk/custinfo/ports/swansea.htm>

<sup>77</sup> Robinson, V., (2006) op.cit.

<sup>78</sup> <http://new.wales.gov.uk/topics/statistics/headlines/pop-2007/hdw20070822/?lang=en> (Welsh Assembly Government) Information accurate as of June 2006.

<sup>79</sup> Percentages worked out from the 2001 Census accessed through Wrexham County Borough Website [http://www.wrexham.gov.uk/english/planning\\_portal/census/index.htm](http://www.wrexham.gov.uk/english/planning_portal/census/index.htm)

<sup>80</sup> <http://www.newport.gov.uk/dc/index.cfm?fuseaction=refugeesasylum.refugeinwales>