

ALL WALES PRACTICE GUIDE

Last updated: February 2021

Safeguarding children who may be trafficked

To be used in conjunction with the Wales Safeguarding Procedures

Who is this practice guide for?

This guide is primarily for practitioners working with children (up to the age of 18).

This includes those working in early years, social care, education, health, the police, youth offending and youth, community and family support services (including the third sector) and foster care and residential care.

What is this guide for?

Safeguarding children is a responsibility shared by everyone in contact with children and young people.

The Wales Safeguarding Procedures support individuals and agencies across Wales to understand their roles and responsibilities in keeping children and adults safe. They support a consistent approach to safeguarding practice and procedures across Wales.

This practice guide provides additional information about safeguarding responses when a child may have been trafficked. It should be used in conjunction with the Wales Safeguarding Procedures.

Effective safeguarding arrangements in every local authority area should be underpinned by two key principles:

- safeguarding is everyone's responsibility: for services to be effective each practitioner and organisation must play their full part both individually and in collaboration; **and**
- a child-centred approach: for services to be effective they should be based on a clear understanding of the personal outcomes for the child and what matters to them. The rights of the child should be central to the approach and their best interests should always be paramount.

There are some issues which are common across safeguarding practice guides and some which are specific to the safeguarding issue being considered:

- The United Nations Convention on the Rights of the Child (UNCRC) guarantees every child the right to grow up healthy, happy and safe. This includes to be protected from harm and be appropriately supported to recover from abuse. Practitioners and professionals should adopt [A Children's Rights Approach](#) in line with the duty of due regard to the (UNCRC) and follow [National Participation Standards](#)
- Agencies must work together to provide a joined up response to safeguarding issues as set out in the Wales Safeguarding Procedures.
- There is a statutory Duty to Report Children at Risk on relevant partners under Section 130 of the Social Services and Well-being (Wales) Act 2014. [Social Services and Well-being \(Wales\) Act 2014 Safeguarding Summary](#)
- Information sharing is central to good safeguarding practice. Practitioners must share information in accordance with data protection legislation. Data protection legislation allows for the sharing of information and should not be automatically used as a reason for not doing so. **One of the specific circumstances which provides for information sharing is in order to prevent abuse or serious harm to others.** When information is not shared in a timely and effective way, decisions about how to respond may be ill informed and this can lead to poor safeguarding practice and leave children at risk of harm.
- We know that sensory impaired and disabled children are at an increased risk of being abused compared with their non-disabled / non-sensory impaired peers. They are also less likely to receive the protection and support they need when they have been abused. Practitioners and professionals should explicitly recognise the increased

vulnerability of sensory impaired and disabled children to abuse and neglect, as well as the barriers they may face, especially around communication and provide for any additional safeguards needed to protect them.

- Professionals and practitioners should familiarise themselves with the culture and beliefs of those families they work with. Practitioners should not be afraid to ask about particular behaviours and the reasons for them in a sensitive manner and should never overlook potential harmful practices on the basis of cultural sensitivity.
- There are central and obvious concerns to be addressed in planning for the care and support needs of children with Unaccompanied Asylum Seeking Children (UASC) status. [Welsh Government Unaccompanied Asylum Seeking Children Guidance for Professionals](#) is available. However it is important to remember that practitioners must still consider specific safeguarding measures as part of their planning with and for the child. This should include planning in advance measures likely to reduce the risk of a child going missing.
- All practitioners must be alert to the possibility of the child being at risk of harm regardless of the setting they are living in, whether in foster care, adoptive placements or a children's home. Children in placements or those who are adopted will have relationships that may include foster carers, adoptive parents, birth parents, siblings or other birth relatives. These relationships and any contact may be positive and welcomed or undesired and deemed a risk. Children's past experience of abuse and neglect may leave them at risk of having emotional, behavioural and mental health difficulties, which may continue to make them vulnerable.
- Our response to safeguarding issues should be proportionate, child centred and based on the individual needs and circumstances of the child. Children need to be meaningfully involved in the planning of their care and support.
- **Children should be seen and heard.** Evidence from Child Practice Reviews has highlighted the need for children to meet on their own with practitioners, away from parents and carers in an environment where they feel safe, so that the child can speak about the impact that the circumstances which have prompted safeguarding concerns are having on them. There are too many cases where the child was not seen or asked their views or feelings, or where this did not happen enough. Providing time and space to listen directly to children supports a child-centred system and promotes good safeguarding practice.
- Child trafficking is a form of child abuse that requires a child protection response.

- Like victims of other forms of child abuse, a child who is a victim of trafficking will describe behaviour that will need to be assessed against indicators of child abuse or modern slavery. Children may not be familiar with terms such as ‘trafficking’ or ‘slavery’ or be able to recognise their experience as abuse.
- Child trafficking is addressed in two main pieces of legislation, the Social Services and Well-being (Wales) Act 2014 and the Modern Slavery Act 2015.
- Certain frontline staff who encounter a potential victim of modern slavery or human trafficking have a **duty to notify** the Home Office under Section 52 of the **Modern Slavery Act 2015**. This requirement applies to the Police, Local Authorities, the National Crime Agency and the Gangmasters Labour and Abuse Authority.

Definition

Child Trafficking consists of 3 components:

- ▶ **Action** - Recruitment, transportation, transfer, harbouring or receipt, of a child which includes an element of movement from one place to another
- ▶ **Exploitation** - There is evidence or reasonable cause to believe that a child is suffering abuse through sexual exploitation, criminal exploitation, forced labour or domestic servitude, slavery, financial exploitation, illegal adoption, removal of organs of the child (see appendices)
- ▶ **And involves a child** - It occurs to those up to the age of 18 years old.

Introduction and evidence base

- The number of identified cases of child trafficking in Wales and the UK is increasing. The National Crime Agency published statistics on a quarterly basis [and the latest figures for Wales are included in these releases.](#)
- On 31 January 2016, Europol reported that 10,000 unaccompanied children are unaccounted for after arriving in Europe, with many feared to be exploited and abused for sexual or labour purposes.¹

- It is estimated that 60% of suspected child victims of trafficking in local authority care go missing.² Almost two thirds of trafficked children are never found.³
- Children trafficked from abroad may enter the UK through various means. Some are brought to the UK clandestinely as unaccompanied asylum seekers, or students or as visitors. Children are also brought in by adults who falsely state that the child is their dependant, or are met at the airport by an adult who claims to be a relative.
- Some children are smuggled into the UK. Trafficking is different to smuggling. However in some cases children might be exploited or trafficked during their journey. (see appendices)
- Children, including British nationals, may be trafficked into, out of and within the UK for some form of exploitation to take place.
- The Home Office has published [A Typology of Modern Slavery Offences in the UK \(2017\)](#)
- Definitions of the terms used in this guidance are included in the appendices.

Indicators that a child may have been trafficked

There are lots of different indicators of trafficking and exploitation which should lead to the reporting of a child at risk and initiate a child protection enquiry. Only one indicator may be identified or there may be many indicators. A range of different people in the child's life may have suspicions or information about a single but different indicator. Therefore it is important that any concern is reported as a safeguarding issue straight away so that further information can be sought from all of the agencies in the child's life.

The indicators should assist first responders in making a primary assessment of whether the individual encountered may be a potential child victim of modern slavery/human trafficking; and whether a National Referral Mechanism referral form needs to be completed.

Professionals and practitioners in contact with children are encouraged to familiarise themselves with the potential indicators of trafficking or modern slavery outlined in the [Child NRM Form](#)

Indicators

Things that children may say and ways they may behave:

- Claims to have been exploited through sexual exploitation, criminality, labour exploitation or domestic servitude by another person
- Story very similar to those given by others, perhaps hinting they have been coached
- Harbours excessive fears / anxieties (for instance about an individual, of deportation, disclosing information)
- Claims to be in debt bondage or “owes” money to other persons (for example for travel costs, before having control over own earnings)

Physical indicators of exploitation:

- Physical symptoms of exploitative abuse (For example sexual or physical)
- Physical indications of working (For example overly tired in school, indications of manual labour – condition of hands/skin, backaches)
- Sexually transmitted infection or unwanted pregnancy

Indicators related to the movement of a child from one place to another:

- Child returning after missing, looking well cared for despite no known base
- Claims to have been in the UK for years but hasn't learnt local language or culture
- Gone missing from local authority care
- Unable to confirm name or address of person meeting them on arrival
- Accompanying adult previously made multiple visa applications for other children / acted as the guarantor for other children's visa applications
- History with missing links or unexplained moves
- Entered country illegally

- Journey or visa arranged by someone other than themselves or their family
- Registered at multiple addresses
- Pattern of street homelessness

Indicators of exploitation and control by another person:

- Significantly older partner
- Underage marriage
- Accompanied by an adult who may not be the legal guardian and insists on remaining with the child at all times
- Limited freedom of movement
- Deprived of earnings by another person
- Receives unexplained / unidentified phone calls whilst in placement / temporary accommodation
- Required to earn a minimum amount of money every day
- Performs excessive housework chores and rarely leaves the residence
- Unusual hours / regular patterns of child leaving or returning to placement which indicates probable working
- Reports from reliable sources suggest likelihood of sexual exploitation, including being seen in places known to be used for sexual exploitation
- Located / recovered from a place of exploitation (for example brothel, cannabis farm, involved in criminality)
- Involved in criminality highlighting involvement of adults (for example recovered from cannabis farm / factory, street crime, petty theft, pick pocketing, begging)

Indicators related to documentation and personal details:

- No passport or other means of identity
- Unable or reluctant to give accommodation or other personal details
- False documentation or genuine documentation that has been altered or fraudulently obtained; or the child claims that their details (name, date of birth) on the documentation

Further risk indicators:

- Withdrawn and refuses to talk / appears afraid to talk to a person in authority
- Signs of physical neglect – basic care, malnourishment, lack of attention to health needs
- Signs of emotional neglect
- Socially isolated – lack of positive, meaningful relationships
- Behavioural – poor concentration or memory, irritable / unsociable / aggressive behaviour
- Psychological – indications of trauma or numbing
- Exhibits self assurance, maturity and self confidence not expected in
- a child of such age
- Evidence of drug, alcohol or substance misuse
- Low self image, low self esteem, self harming behaviour
- Sexually active
- Not registered with or attended a GP practice
- Not enrolled in school
- Has money, expensive clothes, mobile phones or other possessions without plausible explanation
- Unregistered private fostering arrangement

- Cared for by adult/s who are not their parents and quality of relationship is not good
- Placement breakdown
- Persistently missing, staying out overnight or returning late with no plausible explanation
- Truancy / disengagement with education
- Appropriate adult is not an immediate family member (parent / sibling)
- Appropriate adult cannot provide photographic identification for the child
- Possible inappropriate use of the internet and forming online relationships, particularly with adults
- Accounts of social activities with no plausible explanation of the source of necessary funding
- Entering or leaving vehicles driven by unknown adults
- Leaving home / care setting in clothing unusual for the individual child (for example inappropriate for age, borrowing clothing from older people)
- Adults loitering outside the child's usual place of residence
- Works in various locations
- One among a number of unrelated children found at one address
- Having keys to premises other than those known about
- Being found in areas where they have no known links

Indicators to be alert to in health settings

Professionals and practitioners working in health settings will often have contact with people for a limited period through a clinic, Accident and Emergency department visit or short medical appointment. They should be aware of the following health related indicators where the child:

- provides vague and inconsistent explanations of where they live or schooling
- provides vague information, is reluctant to explain how the injury occurred or reluctant to provide a medical history
- is not registered with a GP, nursery or school
- has experienced being moved locally, regionally, nationally or internationally
- mental, physical and sexual trauma
- sexually transmitted infections
- pregnant, or a late booking (over 24 weeks)
- disordered eating or poor nutrition
- self harm, including attempted suicide
- dental pain / oral health problems
- non-specific post-traumatic stress disorder
- psychiatric and psychological distress
- vague symptoms such as back or stomach pain, skin problems, headaches and dizzy spells.
- Pelvic pain / Vaginal / anal pain

School registration

Children trafficked into the country may be registered at a school for a term or longer, before being moved to another part of the UK or abroad. This pattern of registration and de-registration may be an indicator that a child has been trafficked. It has been identified as a particular concern in schools situated near ports of entry, but you must be alert to this possibility in all schools. However, it is important to bear in mind not all children who go missing from education have been victims of trafficking. For example, there may be

instances of children from communities that move around – Gypsy, Roma, traveller or migrant families – who collectively go missing from school.

Child victims who claim asylum

Some children who are under the control of a trafficker may say they are unaccompanied when claiming asylum. They might have entered the UK with a trafficker who may or may not be a family member. In such cases the trafficker may have told the child that by doing so they will be granted permission to stay in the UK. Children who are UK nationals are also trafficked.

Children who have been trafficked may find it difficult to tell anyone what's happened to them⁴

They may also tell their stories with obvious errors, inconsistencies or a lack of reality. Many victims of child trafficking don't speak English. Children are often too scared to speak out. They may be frightened of:

- what will happen to themselves, their friends and their family
- all adults and authorities
- being prosecuted for a crime
- being returned to their home country where their situation may be even worse
- Juju or witchcraft rituals performed during their abuse
- judgement from their community and families

They may also feel very guilty or ashamed about the abuse they've suffered. Some traffickers compose stories for victims to learn in case they are approached by the authorities. If a child is suffering from trauma, they may have difficulty in recalling details or have blanks in their memory.

Consent of child victims

- Any child who is recruited, transported, transferred, harboured or received for the purposes of exploitation, or is directed to perform labour is considered to be a potential victim of modern slavery, whether or not they have been forced or deceived. This is because it is **not** considered possible for children to give informed consent.
- Staff in the Competent Authority **must** consider any child who has been recruited, transported, transferred, harboured or received for the purpose of exploitation, as a victim of trafficking and/or modern slavery, whether or not they have been forced or deceived.

Child first responders

Under the Modern Slavery Act 2015 victims of trafficking or slavery should be referred to the [National Referral Mechanism](#)

In principle all agencies and organisations who find themselves with grounds for concern that a child may be a victim of human trafficking have a statutory responsibility for identifying the person as a possible victim and referring them to responsible authorities and support providers. Potential child victims do not need to give consent for the referral into the NRM.

This does not replace safeguarding duties. If anyone suspects that a child may have been trafficked the child must be referred to Social Services as a child at risk under [Part 7](#) of the Social Services and Well-being (Wales) Act.

For children, a formal referral into the NRM is made by a first responder. In Wales these are:

- Local Authorities Social Services and designated persons within Safeguarding Children Boards;
- Home Office UK Immigration & Visas Directorate (formerly UKBA)
- UK Border Force
- Police

- National Crime Agency
- Barnardo's
- CTAC (NSPCC Child Trafficking Advice Centre)

Independent Child Trafficking Advocates (ICTAs) are professionals who support children who have potentially been trafficked.

- The role of and ICTA is outlined in Section 48 of the Modern Slavery Act 2015.
- All children identified as potentially trafficked **must** be referred into the [Independent Child Trafficking Advocates](#) service and the ICTA service will allocate the case for direct support to the child or for support via the ICTA Regional Practice Co-ordinator. Making a referral quickly after identification could support in reducing missing and re-trafficking.
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Making a referral to the ICTA Service

0800 043 4303: Call the 24/7 Referral Line on and you will get support to make the referral over the phone.

trafficking.referrals@bypmk.cjsm.net : Or send a completed referral form to the secure mailbox.

A proportionate response

If the child is at immediate risk or you suspect they may go missing before their safety can be secured contact the Police on 999.

- Where the child appears safe and well and where there are no concerns about that parent(s)/carer(s) ability to keep the child safe and to support their well-being information about support should be provided to the child and their parent/carers (see appendices).

- If any agency involved with the child has concerns that the child may have care and support needs that their parent(s)/carer(s) cannot meet without support, they should seek parental consent to refer the child to the home local authority Information, Advice and Assistance service for an assessment of their needs.
- Relevant partners have a Duty to Report Children at Risk (Section 130) under [Part 7](#) of the Social Services and Well-being (Wales) Act. Section 130(4) defines a “child at risk” as a child who:
 - **a)** is experiencing or is at risk of abuse, neglect or other kinds of harm; and
 - **b)** has needs for care and support (whether or not the Local authority is meeting any of those needs).

When a child has been reported under section 130, the local authority must consider whether there are grounds for carrying out an investigation under section 47 of the Children Act 1989.

- If Social Services make a decision that the report/referral received does not relate to a child at risk they will make a record of this and the rationale for their decision.
- Social Services of the local authority in which the child is located should make a decision on the evidence on whether to convene a multi-agency strategy discussion, to inform a decision on a response for the child, including whether to hold a multi-agency Strategy Meeting. Representatives of each local authority relevant to the child and any Youth Justice Service relevant to the child should be involved in the multi-agency strategy discussion. There should be no delay in responding to information about a child at risk because the child is not ordinarily resident in the local authority where the safeguarding issue is identified.
- Where there is already a care and support plan, child protection plan or they are a looked after child or they are in the secure estate, there should be a multi-agency strategy discussion to decide whether a Strategy Meeting is necessary to inform the development or review of a plan for the child.
- The arrangements for carrying out a Strategy Meeting are set out in the Wales Safeguarding Procedures and in Welsh Government [Working Together to Safeguard People Volume 5- Handling Individual Cases to Protect Children at Risk](#) issued under the Social Services and Well-being (Wales) Act. Wherever possible, the practitioners attending the Strategy Meeting should have direct knowledge of the child. It is, however,

recognised that some agencies may come into contact with a child for the first time as a result of the issues being considered at the Strategy Meeting.

- The Strategy Meeting should consider if there is any information or evidence relating to the child which suggests that there are other specific safeguarding issues that need to be considered in addition to the primary presenting safeguarding issue. **The Strategy Meeting should be child centred rather than issue based.**
- Social Services should also refer to All Wales Practice Guides issued with the Wales Safeguarding Procedures on any relevant related issues such as, Child Sexual Exploitation (CSE), Children missing from home or care, or Child Criminal Exploitation (CCE).
- All children identified as potentially trafficked **must** be referred into Barnardo's [Independent Child Trafficking Advocates](#) service and the ICTA service will allocate the case for direct support to the child or for support via the ICTA Regional Practice Co-ordinator. Making a referral quickly after identification could support in reducing missing and re-trafficking.
- **The Strategy Meeting must result in a set of agreed actions to inform the development or review of a child protection and/or care and support plan for the child.** This plan must consider the holistic needs of the child in order to promote well-being and prevent future harm and must not be focussed exclusively on the management of risk.
- Where the Strategy Meeting results in an agreement that a plan is not required the rationale for this decision should be recorded and consideration should be given to making a referral to preventative services.
- Children and young people are entitled to an active offer of advocacy from a statutory Independent Professional Advocate (IPA) when they become looked after or become subject of child protection enquiries leading to an Initial Child Protection Conference. The '**active offer**' is made directly to the child by the Advocacy Service. An 'active offer' is a sharing of information about the statutory right and entitlement of a child in particular circumstances to access support from an Independent Professional Advocacy Service. Information should be shared with them that includes an explanation about the role of Independent Professional Advocacy. This includes what it can and cannot do, how it operates based on their wishes and feelings, its independence and how it works solely for the child/young person, its policy on confidentiality and significant harm – it explains the statutory right of children and young people to be supported to express

their views, wishes and feelings as well as their right to make a representation or complaint.

- Child First Responders **must** complete a [Child NRM Form](#) and make a formal referral to the National Referral Mechanism nrm@nca.x.gsi.gov.uk

Aftercare and safety planning for trafficked children

- When a child has been subjected to a trafficking episode it is important that they are made physically comfortable and are received in a way that makes them feel safe.
- If the child requires medical treatment, discloses that they have been the victim of a sexual or physical assault which requires examination and/or is under the influence of alcohol or drugs this should be dealt with in line with child protection processes and before they are asked detailed questions about what has happened to them.
- When they are ready children should be given the opportunity to talk to a trusted adult about their experience of being trafficked. This should happen in a place where and at a time when the child is comfortable to talk.
- It is vital that robust plans are developed for a child who is at risk of or has been trafficked with agreed actions for parent/carers, agencies and placement providers.
- The [Independent Child Trafficking Advocates](#) service will assist in ensuring the child has a voice in the plans made for them, provide support in keeping children safe and work towards the prevention of re-trafficking.
- Parents/carers, foster carers⁵ and staff working in residential care need clear information, advice and support to put in place safety strategies to keep the child safe and reduce the likelihood of re-trafficking and to follow agreed actions included in the plan for the child. Some information for parents/carers and for foster carers and staff working in residential care is included in the appendices.

Planning for a child as they reach the age of 18

- Some children will not be identified as at risk of being trafficked or as a victim of trafficking until they are older. Child protection duties towards them remain in place up until the date of their 18th birthday.
- Some children will remain at risk of re-trafficking and exploitation into adulthood. It is important that planning for the child includes timely referral onto adult services as their 18th birthday approaches. If the child is looked after then these matters should be considered as part of the Pathway planning process.
- Arrangements should be made for the case to be reported as an adult at risk under Section 128 of the Social Services and Well-being (Wales) Act 2014.
- Consideration should be given to whether the case is appropriate for referral to Bawso 0800 731 8147, New Pathways 01685 379 310 (Mid, West and South Wales) or Welsh Women's Aid 0808 80 10 800. They can provide support to adult victims of trafficking, modern slavery and violence against women, domestic abuse and sexual violence. More information is available at [Live Fear Free](#)

Appendices

DEFINITIONS

Unaccompanied asylum seeking child(ren)

Unaccompanied asylum seeking child(ren) are defined by paragraph 352ZD of the Immigration Rules as a child who is:

- under 18 years of age when the claim is submitted
- claiming in their own right
- separated from both parents and is not being cared for by an adult who in law or by custom has responsibility to do so

Being unaccompanied is not necessarily a permanent status and may change, particularly if the child has family members in the UK.

Separated child

The United Nations Convention on the Rights of the Child defines a separated child as “a child who has been separated from both parents, or from their previous legal or customary caregiver, but not necessarily from other relatives. This may, therefore, include a child accompanied by other adult family members”.

The international definition of human trafficking is found in Article 3 of the Palermo Protocol to the [UN Convention on Transnational and Organised Crime 2000](#), and was adopted in full by Article 4 of the [European Convention on Action Against Trafficking in Human Beings \(ECAT\)](#), ratified by the UK in 2009. This definition is:

- **a)** "Trafficking in human beings" 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 consent of a victim of “trafficking in human beings” to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- **c)** The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in human beings" even if this does not involve any of the means set forth in subparagraph (a) of this article;
- **d)** Child shall mean anyone under 18 years of age.

Forced labour

Forced labour is not restricted to a particular sector of the labour market but cases have been identified in these sectors:

- manufacturing
- food processing
- agriculture

- hospitality
- beauty industry.

Domestic servitude

Domestic servitude often involves people working in a household where they are:

- ill treated
- humiliated
- subjected to exhausting working hours
- forced to live and work under unbearable conditions
- forced to work for little or no pay.

Removal of organs (organ harvesting)

This type of trafficking involves exploiting people by their internal organs, which are used for transplant. Traffickers can force or deceive their victims into giving up an organ. Organs commonly traded are kidneys and liver, but any organ that cannot regenerate and can be removed and re-used could be the subject of this illegal trade.

Financial gain involving child victims

Most children are trafficked for financial gain. This can include payment from or to the child's parents. In most cases, the trafficker also receives payment from those wanting to exploit the child once in the UK.

Traffickers specifically target impoverished communities to exploit their vulnerability. Poor and displaced families may hand over care of their children to traffickers who promise to provide them with a source of income, education or skills training, but ultimately exploit them.

Parents and relatives may also be involved in the exploitation of the child. The children are likely to be very loyal to their parents or carers so you must not expect them, of their own initiative, to seek protection against such people.

Illegal adoption

Not every illegal adoption would be considered exploitation. A child might, for example, be sold or adopted illegally but not exploited. The purposes of baby-selling and human trafficking/modern slavery are not necessarily the same. Some people assume that baby-selling for adoption is a form of human trafficking because it results in a profit by selling another person. However, illegally selling a child for adoption would not constitute trafficking where the child itself is not to be exploited. Baby-selling generally results in a situation that is non-exploitative with respect to the child. Where the 'parents' are looking to adopt the child and give it a loving home it should be considered as an illegal adoption case but not a case of trafficking or modern slavery.

Trafficking/modern slavery, on the other hand, implies exploitation of the victims. If an adopted child is subjected to coerced labour or sexual exploitation, then this can meet the exploitation element of human trafficking/modern slavery. Where the child is given to 'parents' via illegal adoption who intend to exploit the child then this may fall under an exploitation purpose that would be considered as an element of trafficking or modern slavery.

In some cases where the baby is forcibly removed from the mother, or the mother is forced or exploited to give birth, the mother may be a victim of trafficking or modern slavery.

Human smuggling is not human trafficking

The Competent Authority must not confuse human trafficking with human smuggling
Human smuggling is also called people smuggling.

Human smuggling occurs when an individual seeks the help of a facilitator to enter the UK illegally, and the relationship between both parties ends once the transaction ends. Many of those who enter the UK illegally do so by this route. **Human smuggling is not a form of modern slavery.**

The purpose of **human smuggling** is to move a person across a border illegally, and it is regarded as a violation of state sovereignty. The purpose of **modern slavery** is to exploit the victim for gain or other benefit and is regarded as a violation of that person's freedom and integrity.

There are several factors which help distinguish smuggling and modern slavery (trafficking):

- with trafficking, a victim's entry into a state can be legal or illegal but smuggling is characterised by illegal entry
- trafficking can take place both within and across national borders but international travel is required for smuggling
- in the case of adults, trafficking is carried out with the use of force and/or deception – smuggling is not, which indicates it is a voluntary act on the part of those being smuggled
- trafficking involves the intended exploitation of people on arrival while the services of smugglers usually end when people reach their destination and the transaction ends
- no evidence of parental permission for the child to travel to the UK or stay with the adult
- little or no evidence of any pre-existing relationship with the adult or even an absence of any knowledge of the accompanying adult
- evidence of unsatisfactory accommodation arranged in the UK

These irregularities may be the only indication that the child could be a victim of trafficking and/or modern slavery. Children who are in a trafficking situation are often very reluctant to give information, and often relate their experiences in an inconsistent way or with obvious errors. More often than not this will be because their stories are made up by their trafficker or modern slavery facilitator.

Children under 18 travelling unaccompanied by adults or with an adult who is not their parent should not be assumed to be victims of modern slavery just based on this factor alone, as their situation may be perfectly legitimate or unrelated to modern slavery. If a child referral is made where no indicators are present the Competent Authority should ask frontline staff to make additional enquiries as appropriate, which might establish whether or not any indicators of modern slavery are present.

Consent of child victims

Any child who is recruited, transported, transferred, harboured or received for the purposes of exploitation, or is directed to perform labour is considered to be a potential victim of modern slavery, whether or not they have been forced or deceived. This is because it is not considered possible for children to give informed consent.

Staff in the Competent Authority must consider any child who has been recruited, transported, transferred, harboured or received for the purpose of exploitation, as a victim of trafficking and/or modern slavery, whether or not they have been forced or deceived.

Resources

These organisations are there for all children and young people in Wales. Professionals and practitioners should let children know about these organisations and how to contact them.

Meic is the helpline service for children and young people up to the age of 25 in Wales. From finding out what's going on in your local area to help dealing with a tricky situation, Meic will listen even when no-one else will. They won't judge you and will help by giving you information, useful advice and the support you need to make a change. You can:

- Chat to someone from Meic on-line: <https://www.meiccymru.org/>
- Call Meic for free and talk to someone: **0808 802 3456**
- Text Meic for free on: 84001

You can contact the [Children's Commissioner for Wales](#) Investigation and Advice service which is free and confidential. It's there as a source of help and support if children and young people or those who care for them feel that a child's been treated unfairly. You or you parent/carer can:

- Call the service for free: **0808 801 1000**
- Email the service: advice@childcomwales.org.uk

Childline is a free, private and confidential service where anyone under 19 can access support and advice. The Childline website www.childline.org.uk has information and advice pages as well as tools to help you work through problems yourself. If you want to talk or chat to Childline you can:

- Call Childline for free: **0800 1111**
- Register on-line to email Childline or chat on-line to a counsellor: www.childline.org.uk/get-support/

If you want to talk to Childline in Welsh see www.childline.org.uk/get-support/

Information for parents and carers on supporting a child at risk of trafficking

Children and young people who have been trafficked or who are at risk of trafficking need the support of safe adults around them to keep them from coming to further harm.

Child trafficking happens when someone moves a child from one place to another so that they can exploit them for personal gain. Child trafficking is a form of child abuse.

Some children are trafficked into the UK from another country and may then be trafficked around different places in the UK. Some children who have been born and grown up in the UK are also trafficked between places in the UK. This can include the movement of children within their own communities.

The people who traffic children do so for personal gain and children may be trafficked so that they can be exploited through Child Sexual Exploitation, Child Criminal Exploitation, Forced Labour.

A child who has experienced trafficking is likely to have been threatened by the people who have moved them, they may not have the words to explain what has happened to them and it may take them a long time to feel safe enough to talk about what has happened.

It is important that children are made to feel physically comfortable and emotionally safe.

The child will get support from the Independent Child Trafficking Advocate Service (ICTA) and they can offer you advice on keeping the child safe. They will come to meet the child and talk to them about the support they can provide.

Steps to take when a child or young person has been trafficked or is at risk of being trafficked

1. The child will have a safety plan that has been agreed by professionals. It is very important that you follow the safety plan. At first this may involve restricting access to phones and the internet and not leaving the child alone. This is to reduce the risk that child traffickers can get in touch with them and cause them further harm.
2. If the child goes missing you should contact Social Services and the Police immediately.

3. You should give the police all the information you can about what the child, their history and anything that has happened just before they went missing.

Help and support

Independent Child Trafficking Advocates (ICTAs) are professionals who support children who have potentially been trafficked. They:

- Support children to understand how social care, immigration and criminal justice systems work.
- Enable children's voices to be heard.
- Provide advocacy, guidance and signposting to relevant services.
- Support in keeping children safe and work toward the prevention of re-trafficking.

Social Services will make sure that the child is referred to the ICTA service.

The NSPCC and ECPAT UK have child friendly leaflets in different languages for trafficked children:

www.nspcc.org.uk

www.ecpat.org.uk

Certain frontline staff who encounter a potential victim modern slavery or human trafficking have a duty to notify the Home Office under Section 52 of the Modern Slavery Act 2015. This requirement applies to the Police, Local Authorities, the National Crime Agency and the Gangmasters Labour and Abuse Authority. Supporting guidance and resources have been issued in relation to the Modern Slavery Act 2015.

[Modern Slavery Act 2015](#) : documents and promotional material related to work to end modern slavery.

¹ K. Shavev Greene and F. Toscano, 2016, [Summit report: best practices and key challenges on interagency cooperation to safeguard unaccompanied children from going missing](#)

² House of Commons, Home Affairs Committee (2009) *The Trade in Human Beings: Human Trafficking in the UK Sixth Report of Session 2008–09, Volume 1* London: House of Commons

³ CEOP (2010) *Strategic Threat Assessment: Child Trafficking in the UK* London: CEOP

⁴ www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/child-trafficking/signs-symptoms-effects/

⁵ www.barnardos.org.uk/barnardos-sa-project-evaluation-executive-summary.pdf