6.28 Modern Slavery and Human Trafficking

SCOPE OF THIS CHAPTER

Victims of modern slavery and human trafficking should be given protection, provided with the help they need to recover from their experiences and gain access to the justice they deserve. This chapter sets out guidance on national and international definitions of child slavery and trafficking, national legislation, how to identify potential victims, the roles and functions of relevant agencies and the procedures that practitioners should follow to ensure the safety and well-being of affected children, including making referrals to the National Referral Mechanism. It should be read in conjunction with the Contacts and Referrals Procedure and Digital Referral System: Report Modern Slavery and Trafficking.

This chapter relates to the following guidance:


Home Office: Report Modern Slavery as a First Responder (Feb 2020)

Care of Unaccompanied Migrant Children and Child Victims of Modern Slavery: Statutory guidance for local authorities

See also: Safeguarding children who may have been trafficked non-statutory good practice guidance (2011)

Trafficked Children Toolkit, London Safeguarding Children Partnership (2011)


ECPAT briefing 'On the Safe Side - Principles for the Safe Accommodation of child victims of trafficking' (2011)

Modern Slavery Act 2015 – Home Office Circular

Home Office Flowchart: Outlines appropriate safeguarding procedures to follow when working a child at risk of exploitation/who may have trafficked

AMENDMENT

This chapter was updated in October 2020 as an amalgamation of two chapters: 6.29 Modern Slavery and 6.4 Children who May Have Been Trafficked.

Contents

1. Introduction
2. Definitions
3. Grooming
4. Risk Factors and Vulnerable Circumstances
1. Introduction

1.1 Modern slavery and human trafficking are forms of serious organised crime in which individuals including children and young people are treated as commodities and exploited for criminal gain. In fact, in the UK 43% of victims of modern slavery/trafficking are children.¹ These crime types are identified as child abuse which require a child protection response (see Section 4, Protection and Action to be Taken). It is also an abuse of human rights, and all children, irrespective of their immigration status, are entitled to protection under the law. The organised crime of child trafficking into and/or around the UK is an issue of considerable concern to all professionals with responsibility for the care and protection of children.

1.2 All children, including UK born children, are vulnerable to slavery and/or trafficking. Through use of deception, coercion and/or force, children are recruited, moved or transported and then exploited, forced to work or sold. Victims often face more than one type of abuse and slavery, for example they may be sold to another trafficker and then forced into another form of exploitation. Grooming methods are used to gain the trust of a child and their parents e.g. the promise of a better life or education, which results in a life of abuse, servitude and inhumane treatment. Children and young people may also be exploited by parents, carers or family members. Often the child or young person will not realise that family members are involved in the exploitation.

1.3 It is essential that professionals working across social care, education, health, immigration and law enforcement develop an awareness of these crime types and an ability to identify enslaved and/or trafficked children. All practitioners involved in the care of unaccompanied and trafficked children should also be trained to recognise and understand the particular issues likely to be faced by these children.

1.4 Year on year, the UK is seeing an increase in the number of children of both UK and other nationalities that are being enslaved and/or trafficked internally within the UK. The Home Office Early Adopter Site Evaluation (Feb 2017-Jan 2019) concluded that ‘British children were the most common nationality referred to the Independent Child Trafficking Guardian Service and had been mainly subject to criminal or sexual exploitation. A little over half of the children referred were aged between 16 or 17 and around two-thirds were male’.²

1.5 Data on people suspected of being victims of trafficking and/or modern slavery is collated through the National Referral Mechanism (NRM): see online Digital Referral System: Report Modern Slavery. In 2019, 4,550 children were referred into the NRM, which was an increase of 45% (n=3,130) from 2018 – 1,075 girls and 3,470 boys. The most common nationalities of children referred into the NRM are: 1) British, 2)

¹ Home Office, National Referral Mechanism Statistics UK, End of Year Summary, 2019  
² Home Office Early Adopter Site Evaluation (Feb 2017-Jan 2019)
2. Definitions

2.1 Boys and girls of all ages are affected and can be enslaved and/or trafficked into, within ("internal trafficking"), and out of the UK for many reasons and for the purpose of many types. These include:

- **Labour Exploitation**: Forced to work very long hours in often hazardous conditions and hand over the majority or all of their wages to their traffickers or exploiters. Violence and threats may be used against victims or against their families if they fail to comply. Examples of scenarios where exploitation could occur are where a child is ‘working’ or ‘training’ in sweatshops, restaurants and takeaways, catering work, farms, barber shops, construction sites, nail bars etc.

- **Sexual Exploitation**: Actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

- **Criminal Exploitation**: Victims are often deceived or coerced into helping their exploiters acquire financial gains. They may be involved in fraud e.g. benefit or credit card, cannabis cultivation, drug trafficking, petty theft, begging, selling babies and children into adoption, transporting other modern slavery victims, charity bag scams, and signing multiple mobile telephone or laptop contracts.

- **Domestic Servitude**: Victims live and work in households where they are forced [or expected] to work beyond reasonable expectations. Domestic servitude is often reinforced through threats of destitution, serious harm or other retribution, and victims may be subjected to physical and sexual assaults. There is often restriction of liberty and movement and victims may not be able to leave their accommodation.

- **Organ Harvesting**: Illegal removal of internal organs for transplant with or without the donor’s consent.

- **Illegal Adoption**: Adoption of a child for the purpose of exploitation.

- **Illegal Farming**: Adoption of a child for the purpose of exploitation.

- **Sham Marriage**: One or both people don’t consent to a marriage and pressure and/or abuse from family is used, linked to changing immigration status, for example.

- **Forced Marriage**: One or both people don’t consent to a marriage and pressure and/or abuse from family is used. It is important to note the distinction between forced marriage and legitimately ‘arranged marriage’, although the two can be difficult to distinguish and may require further investigation.

2.2 Child Exploitation

There is no national Child Exploitation definition enshrined in UK law. Reviewing North Yorkshire Safeguarding Children’s Board Multi-Agency Child Exploitation (MACE) Practice Guidance (July 2019), the Board states: ‘Child exploitation can be defined as a situation in which there exists a child who it at risk of and/or subjected to abuse and harm from exploitation. Exploitation occurs in a situation where an individual and/or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into

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3 Home Office, *National Referral Mechanism Statistics UK, End of Year Summary, 2019*

exploitation which can happen in both an online and/or offline environment. As a result, exploitation often occurs without the child’s immediate recognition and/or with the child believing that they are in control of the situation and can therefore be difficult to identify.4

All forms of criminal exploitation have a detrimental impact on a child’s life. As such, any child being forced or coerced to commit crime must be seen as a victim of exploitation. Too often children are criminalised rather than seen as victims of criminal exploitation and given the appropriate child protection response. The lack of a national consensus on the definition of Child Exploitation means that responses are variable across different services and in different parts of the country. As a result, too many children are falling through gaps in support.

### 2.3 Child Exploitation Definitions (Child Sexual Exploitation, Criminal Exploitation and County Lines)

A number of definitions exist for the different types of child exploitation. The following definitions aim to incorporate widely accepted Government definitions, while maintaining a victim-centred approach recommended by voluntary organisations such as The Children’s Society.5

**Child sexual exploitation:** Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity in exchange for something the child wants or needs. It often involves the young person being given food, accommodation, drugs, affection, gifts or money in return for performing sexual activities. Violence, coercion and intimidation are common in cases of CSE as many perpetrators target vulnerable young people. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact, it can also occur through the use of technology.

Trafficking within the UK for sexual exploitation (internal trafficking) is defined under Section 58 of Sexual Offences Act 2003. An offence is committed if a person intentionally arranges or facilitates travel within the UK by another person (B) with the intent to do anything to (B) which will constitute a relevant offence. Sexual abuse of victims of trafficking may also occur ‘opportunistically’ by perpetrators at any point during the young person’s trafficking experience/journey. (see Safeguarding Children Abused Through Sexual Exploitation Procedure).

**Criminal exploitation:** Child criminal exploitation occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity. The victim may have been criminally exploited even if the activity appears consensual. Child criminal exploitation does not always involve physical contact; it can also occur through the use of technology. It can affect British children, non-British children living in this country and children trafficked into this country. Any child who is forced and coerced to commit any type of crime is a victim of criminal exploitation. Examples of this include but are not limited to credit card or benefit fraud, as well as begging, pick pocketing or other forms of petty criminal activity.

There is currently no legal definition of child criminal exploitation and also very little guidance. It is important to note that sexual abuse can also be used instrumentally as a control technique by traffickers. For example, it is known that some gangs and organised crime networks will force new ‘recruits’ to perform sex acts, as part of their ‘initiation’. These sexual assaults often being recorded on mobile phones, as a means of threat and coercion for future criminal exploitation of the victim.

**County lines** (linked to criminal exploitation): This is a police term used to describe gangs and organised criminal networks in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of “deal line”. They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual

4 Taken from North Yorkshire Safeguarding Children’s Board (July 2019) Multi-Agency Child Exploitation (MACE) Practice Guidance.
violence) and weapons. The criminal exploitation of children is broader than just county lines. It includes, for example, children forced to work on cannabis farms or to commit theft.7

A typical county lines scenario is defined by the NCA by the following components:

a. A group (not necessarily affiliated as a gang) establishes a network between an urban hub and county location, into which drugs (primarily heroin and crack cocaine) are supplied.

b. A branded mobile phone line is established in the market, to which orders are placed by introduced customers. The line will commonly (but not exclusively) be controlled by a third party, remote from the market.

c. The group exploits young or vulnerable persons, to achieve the storage and/or supply of drugs, movement of cash proceeds and to secure the use of dwellings (commonly referred to as cuckooing).

d. The group or individuals exploited by them regularly travel between the urban hub and the county market, to replenish stock and deliver cash.

e. The group is inclined to use intimidation, violence and weapons, including knives, corrosives and firearms.

2.4. Modern Slavery Act 2015

The Modern Slavery Act consolidated and simplified existing human trafficking and modern slavery offences into a single act, receiving Royal Assent on Thursday 26 March 2015. The act created new offences and provided key definitions for the following:

1. Slavery, servitude and forced or compulsory labour:
   • The person holds another person in slavery or servitude and the circumstances are such that the person knows or ought to know that the other person is held in slavery or servitude,
   • or (b) The person requires another person to perform forced or compulsory labour and the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour

2. Human Trafficking:
   • A person commits an offence if the person arranges or facilitates the travel of another person ("V") with a view to V being exploited. It is irrelevant whether V consents to the travel (whether V is an adult or a child).

3. Meaning of Exploitation: A person is exploited only if one or more of the following apply in relation to the person:
   • 1) Slavery, servitude and enforced or compulsory labour
   • 2) Sexual exploitation
   • 3) Removal of organs etc.
   • 4) Securing services etc by force, threats or deception
   • 5) Securing services etc from children and vulnerable persons

Under the Modern Slavery Act 2015, modern slavery occurs in a situation where a child being held in slavery or servitude or required to perform forced or compulsory labour. In most situations, slavery is very unlikely to have occurred in isolation of trafficking taking place, but it is possible. For any case, where slavery and/or trafficking is identified, an NRM referral must be submitted to the Home Office, informing them of the identification of a potential child victim of trafficking and/or slavery.


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8 Slavery refers to the condition in which a child is owned as property by another and is under the owner’s control, especially in involuntary servitude.

9 Servitude refers to a condition in which a child lacks liberty, especially to determine one’s course of action or way of life.
Under the United Nations ‘Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children’ (ratified by the UK in 2006), a child that has been exploited is also deemed to have been trafficked if the following considerations are met:

1) **ACT**: Recruitment, transportation, transfer, harbouring or receipt of the child(ren)
2) **MEANS**: By means of 1) the threat or use of force or 2) other forms of coercion, 3) of abduction, 4) of fraud, 5) of deception, 6) of the abuse of power or 7) of a position of vulnerability or 8) of the giving or receiving of payments or benefits to achieve the consent of control over the child(ren) in question.
3) **PURPOSE**: 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.\(^{10}\)

2.6 Children cannot consent to their own exploitation. Where a victim of exploitation is under 18, the ‘means’ used by exploiters – whether coercion, force, deception or other – is irrelevant. As a result, the perceived consent of a child to such activities is irrelevant where any of the means provided above have been used by the perpetrator(s), which is emphasised in the below diagram. Even when a child understands what has happened, they may still appear to submit willingly to what they believe to be the will of their parents or accompanying adults. It is important that these children are protected also.

2.7 In addition, the ‘travel’ aspect does not need to be over large distances to constitute an offence. The distance the victim is transported is irrelevant for the purposes of this legal definition. For example, a child forced to carry drugs from one house to another on the same street should be considered equally to a young person transported across international borders to work in a cannabis factory. Equally, it is also not necessary for an actual act of sexual abuse or criminality to take place; just evidencing the intent of the exploiter is sufficient.

### 3. Grooming

3.1 The processes by which vulnerable young people are exploited are varied and often unique to each young person’s situation. Yet the overall method that traffickers rely on is reflective of the methods employed in child sexual exploitation and abuse – through the process of grooming.

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\(^{10}\) Some young people may not be victims of human trafficking but are still victims of modern slavery. Slavery, servitude and forced or compulsory labour may also be present in trafficking cases; however, not every young person who is exploited through forced labour has been trafficked.
3.2 Children and young people can be groomed online or in the real world, by a stranger or by someone they know - for example a family member, friend or professional. Groomers may be male or female. They could be any age. Many children and young people don’t understand that they have been groomed, or that what has happened is abuse.

3.3 As with sexual exploitation and abuse, the grooming process often includes a number of stages, relating to the conditions outlined in the Palermo definition – including deception, manipulation, coercion and control. See below for further information on the grooming cycle:

### Grooming Process: Exploitation of Young and Vulnerable People

The grooming process is essential to the success of the county lines business model. Young or vulnerable people are lured in with false promises and then become trapped into a dire, exploitative situation. There are four main recruitment stages that a gang will use when trying to exploit someone:

1. **Targeting Stage:**
   - This is when an exploiter targets a young person who is vulnerable, reducing their chances of getting caught. Exploiters pick their targets based on things like age, strength or situation.

2. **Experience Stage:**
   - This stage is where an exploiter might try to get a young person used to their lifestyle, or train them up in what they’re doing.

3. **Hooked Stage:**
   - This is the stage where an exploiter will make a young person feel like they’re a member of their gang, even though they’re just exploiting them.

4. **Trapped Stage:**
   - Now a young person feels dependent on the group, their relationship with their exploiter may start to become unpleasant, as their exploiter’s true intents or character is revealed. (Taken from Children’s Society, 2018 Criminal Exploitation: Stages of Recruitment report)

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### 4. Risk Factors and Vulnerable Circumstances

4.1 Modern slavery is often hidden in nature, and goes unnoticed in our communities, with under-reporting a major concern. Practitioners have the challenge of reaching out to a vulnerable and an ‘invisible’ set of children. As well as assessing the significant harm to the child, there will need to be consideration for other key areas such as organised crime, working with UK Visas and Immigration, foreign authorities and the National Crime Agency.

4.2 Victims may not always be recognised by those who come into contact with them. They may be unwilling to come forward to agencies not seeing themselves as victims or fearing further reprisals from their abusers. Children may be enslaved and trafficked for a variety of different reasons. In order to recruit children, a variety of coercive methods are used such as abduction or kidnapping as well as more subversive ways such as the promise of education, respectable employment or a better life. Internally trafficked children and young people (UK born, and non-UK born) can be coerced into recruiting other peers to accompany them in the vehicles when they are being moved from one location to another. The traffickers exert strong control over their victims and often entice them into committing offences such as theft or drug related crime.

4.3 Trafficked and enslaved children are victims of serious crime and this will impact on their health and welfare. In order to coerce and control, they are commonly subject to physical abuse including use of drugs and alcohol,
emotional and psychological abuse, sexual abuse and neglect as a result of a lack of care about their welfare and the need for secrecy surrounding their circumstances. Trafficked children have an increased risk of going missing from care in the UK, with some re-joining those who exploited them in the first place. For children trafficked from abroad, they are at highest risk of going missing within 72 hours of being placed in care and many of these children will never be recovered.

4.4 Attempting to persuade a child victim to testify against a trafficker is complicated. The child usually fears reprisal from the traffickers. For children trafficked from abroad, there is the additional fear of reprisal from the adults whom the child is living with in the UK if they co-operate with the Police. This includes reprisals against their family in their home country. Children, who might agree to testify, may also fear that they will be discredited because they were coerced into lying on their visa applications / immigration papers.

4.5 Vulnerable Circumstances

Vulnerable circumstances are linked to political, economic and/or social factors, which include:

- Political: Conflict including the effects of war/violence causing unaccompanied, internally displaced children; inadequate local laws and regulations.
- Economic: Lack of and/or low levels of education; limited employment opportunities; seeking a better future; wanting to help their families back at home; a demand for cheap or free labour or a workforce who can be easily controlled and forced into criminal activity.
- Social: A lack of equal opportunities, disadvantage, discrimination or marginalisation; escaping familial situations of harm and abuse, being placed in care, homelessness or being orphaned; social customs such as children being expected to respect and follow the adult in charge; faith abuse and other specific spiritual or superstitious practices may be used to control the child e.g. juju; former victims of modern slavery or trafficking.

4.6 Vulnerable Circumstances (Trafficked Children from Abroad)

4.7 Most children are trafficked for financial gain. This can include payment from or to the child's parents. 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. In most cases, the trafficker also receives payment from those wanting to exploit the child once in the UK. Trafficking is carried out by organised gangs and individual adults or agents.

4.8 Many children travel to the UK on false documents. The creation of a false identity, including a false name and date of birth, for a child can give a trafficker direct control over every aspect of the child’s life. Even before they travel to the UK, children may be subject to various forms of abuse and exploitation to ensure that the trafficker's control over the child continues after the child is transferred to someone else's care. Some children may say they are unaccompanied when claiming asylum - the trafficker may have told the child that in doing so they will be granted permission to stay in the UK and be entitled to claim welfare benefits.

4.9 Any port of entry into the UK may be used by traffickers via air, rail and sea and as checks on main entry points are increased, evidence suggests that traffickers are using more local entry points. There is evidence that some children are trafficked through numerous countries before arriving in the UK. These children will very often have faced multiple forms and instances of abuse and/or exploitation during this journey.

4.10 The nationality or immigration status of the child does not affect any agency’s statutory responsibilities to safeguard and promote the welfare of children. Practitioners should be aware of the risk of harm to the child if the adult is not able to confirm their immigration status, to avoid a potential child trafficking situation being misconstrued as an ‘immigration matter’ and thus preventing victims from being recognised.

4.11 It is important that plans for the child’s long-term safety are linked to their immigration status, in order to fully understand the child’s real identity and the reasons for not having identification documents
or false documentation. Consequently, practitioners working with trafficked children from abroad should seek immediate legal advice, and nationality and immigration issues should only be discussed with the UK Visas and Immigration (UKVI) when the child's need for protection from harm has been addressed and should not hold up action to protect the child.

5. Indicators

All practitioners who come into contact with children and young people in their everyday work need to be able to recognise children who have been trafficked and/or enslaved, and must be competent to act to support and protect these children from harm. Identification of trafficked and/or enslaved children may be difficult as they might not show obvious signs of distress or abuse. Some children are even unaware that they have been trafficked and/or enslaved, even appearing to consent to activities linked to their exploitation, while others may actively participate in hiding that they have been trafficked. See p.6 - London Safeguarding Trafficked Children Toolkit (with accompanying guidance on completing it) as a tool to assess if there are any indicators that a child has been trafficked. The indicators are not in and of themselves an assessment of trafficking, or related risk; therefore, a comprehensive assessment of risk and need will still be required.

5.1 General Indicators

Signs that a child has been enslaved and/or trafficked may not be obvious, or children may show signs of multiple forms of abuse and neglect. The following indicators are not a definitive list and are intended as a guide to be included in a wider assessment of the child's circumstances:

1) Physical Appearance:

- Victims may show signs of physical or psychological abuse, look malnourished or unkempt, or appear withdrawn and/or tired.
- Physical illnesses - including work-related injuries through poor health and safety measures, or injuries apparently as a result of assault or controlling measures. There may be physical indications of working (e.g. overly tired in school or indications of manual labour).
- Possessing large amounts of money (including being seen with large sums of cash and/or large numbers of bank cards; acquiring expensive clothes/mobile phones without plausible explanation.
- Few or no personal effects - few personal possessions and tend to wear the same clothing; Exhibit a sudden change in appearance.
- Have unexplained physical injuries, and/or refusal to seek / receive medical treatment for injuries.

2) Behaviour (including psychological indicators)

- Hyper alert, jumpy, appearing nervous, or appearing withdrawn with limited eye-contact
- Suffering from post-traumatic stress disorder which may include symptoms of hostility, aggression and difficulty with recalling episodes and concentrating.
- Depression/self-harm and/or suicidal feelings; an attitude of self-blame, shame and extensive loss of control; drug and or/alcohol use
- Physical symptoms indicating physical or sexual assault.
• Behaviour indicating sexual exploitation, such as sexual behaviour, fear of physical contact.
• Low self-image, low self-esteem, self-harming behaviour, truancy and disengagement with education.
• Be tired and sleep deprived
• Have poor attendance and/or attainment at school/college/university
• Withdrawal from activities, family, friends etc.

3) Dependency on Traffickers/Exploiter

• Reluctant to seek help and/or involvement with other agencies
• Avoid giving details of accommodation or personal details.
• An unwillingness to disclose details of their experience due to being in a situation of dependency.
• Discrepancies in the information victims have provided due to traffickers forcing them to provide incorrect stories.
• Seeming like a willing participant in their exploitation, e.g. involvement in lucrative criminal activity - however this does not mean they have benefitted from the proceeds.
• Not wishing to enter the NRM and/or involve the police.

4) Familial Relationship Concerns

• An unrelated or new child discovered at an address
• Orphaned or living apart from their family, often in unregulated private foster care.
• Is being cared for by adult(s) who are not their parents and the quality of the relationship between the child and their adult carers is not good.
• Is one among a number of unrelated children found at one address

5) Missing Concerns

• Missing from care, home or school, including a pattern of registration and de-registration from different schools.
• Has a history of missing links and unexplained moves
• Persistently going missing
• Missing for long periods
• Returning looking well cared for despite having no known base
• Refusing to disclose where they have been during Return Home Interviews
• Going missing and being found in a location far from their home address, with no obvious familial links.

6) Other Indicators:

• Rarely leaving their home, with no freedom of movement and no time for playing
• Poor living and working conditions i.e. dirty, cramped or overcrowded accommodation
• Does not appear to have money but does have a mobile phone
• Unexplained/unidentified phone calls or letters being received by the child from adults outside the usual range of contacts and/or whilst in placement/temporary accommodation;
• ’Moving and/or selling drugs within and across county
• Unaccompanied on trains/in cities far from home
• Working at cannabis farms/factories or in cuckooed properties
• Working in construction sites, factories, barber shops etc.
• Fake documents and/or fake name

5.2 Indicators (Specific Exploitation Types)
1) Domestic servitude and labour exploitation indicators – Spending a lot of time doing household chores; May be working in catering, nail bars, caring for children and cleaning; Is required to earn a minimum amount of money every day, works in various locations, has limited amount of movement, is known to beg for money.

2) Sexual exploitation indicators - sexually transmitted infections, or pregnancy; UTIs, injuries of a sexual nature and /or gynaecological symptoms; Significantly older partner; Underage marriage. Children may be found in brothels and saunas.

3) Case Study: Sexual Exploitation
Kayla, aged 12 is told that she will be leaving her village in West Africa to go on holiday in the UK with a family friend. On arrival in the UK, she is left in a house with strangers. Every day, men visit the house and she is subjected to physical and sexual abuse. After several months, she manages to escape. However, she has nowhere to go and is forced to sleep rough on the streets.

4) Criminal exploitation indicators - Associating with known or suspected gang members or be close to siblings or adults in the family who are gang members; Start to adopt certain codes of group behaviour e.g. ways of talking and hand signs; Express aggressive or intimidating views towards other groups of young people, some of whom may have been friends in the past; Scared when entering certain areas; Concerned by the presence of unknown youths in their neighbourhoods.

Case Study: Criminal and Sexual Exploitation
Alex, aged 16, is travelling on a train alone. When asked to show a train ticket they swear at the ticket inspector and attempt to fare dodge, getting off at the next station. Police officers pick Alex up on the train platform, they find a number of wraps of cocaine and a knife. Records show Alex is wanted in connection with a charge for theft. Alex tells officers they are choosing to sell drugs, and no-one could make them do anything they don't want to do. Alex often self-harms. They were recently stabbed on the way back from college and required major surgery to survive. Alex goes missing regularly, often for weeks at a time and has been found with train tickets showing they are travelling widely across the UK. Alex recently disclosed participation in group sex that was arranged by older friends. Alex experiences regular nightmares and poor sleep.

5) County Lines - The NCA’s County Lines Drug Supply, Vulnerability and Harm Intelligence Assessment of 2018 also identifies concern regarding children being coerced into carrying drugs internally including vaginally and anally. This is known as ‘plugging’ or ‘banking’ and carries significant health risks. Exploiters also often film the act ‘banking’ and ‘unbanking’ and use this video as blackmail and a further tool of coercion and control. Indicators to look out for in connection with this include young people showing signs of physical discomfort and frequent or lengthy toilet breaks.

Note: Practitioners should be mindful of the pervasive cultural gender bias which leads professionals to often recognise girls as victims of child sexual exploitation, and boys as victims of child criminal exploitation. In reality, we know that girls and boys experience both forms of exploitation.

5.3 Trafficked Children from Abroad: Additional Indicators

Victims will more than likely be wary of the authorities due to fear of deportation and/or concern regarding their immigration status. Often, child victims will have been warned by their traffickers to mistrust authorities. They may also have been coached to disclose false information.

At port of entry, the child:

- Has entered the country illegally, has no passport or means of identification or has false documentation.
● Is unable to confirm the name and address of the person meeting them on arrival.
● Has had their journey or visa arranged by someone other than themselves or their family.
● Is accompanied by an adult who insists on remaining with the child at all times.
● Is withdrawn and refuses to talk or appears afraid to talk to a person in authority.
● Has a prepared story similar to those that other children have given.
● Is unable or is reluctant to give details of accommodation or other personal details.

Other indicators include:
● Being brought or moved from another country
● Limited English or knowledge of their local area in which they live.
● False documentation, no passport or identification documents;
● 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.
● Has not been registered with or attended a GP practice
● Has not been enrolled in a UK school.

5.4 Challenges and Barriers to Disclosure

Professionals working with children and young people should be aware that due to the methods of control used by exploiters, as well as the effects of trauma, there are complex reasons why children and young people may be reluctant or unable to disclose that they have been trafficked / exploited. Many victims will not be aware they have been trafficked / exploited or will try to minimise the abuse they have suffered.

Claiming Agency: Some young people may also claim agency in relation to their exploitation, including their involvement in criminality. Recognising victimhood can often be disempowering and young people may often feel a need to reclaim a sense of internal agency after it was taken from them. Equally exploiters often foster and utilise feelings of shame in those they exploit which can also lead to young people believing themselves to be responsible for their actions. Furthermore, when children have experienced significant trauma (and have potentially participated in highly traumatic acts including perpetrating violence under the control of others) they may begin to see these actions as a choice as a coping mechanism in responding to their trauma.

Impact of Cultural of Norms: Many victims may also find it difficult to recognise their experiences as exploitative because their cultural norms and values may be vastly different to our own. For example the concept of child rights does not exist in some countries and many children experience child labour from very young ages and will therefore view such actions as 'normal', or they may view physical abuse from adults including caregivers as 'normal'. This does not change the fact that their experiences amount to child abuse.

Historic Trauma: Further we should recognise that many internationally trafficked children have had highly traumatic experiences in their country of origin including experience of war, torture, witnessing human rights abuses and experiences of extreme poverty. In this context they can sometimes view their experience of trafficking as insignificant or in fact better than previous experiences. Equally they may see their traffickers as having helped or even 'saved' them by having facilitated their movement to the UK and therefore their current life which they may view as far better than their life circumstances in their country of origin.

Gender Issues: There are also particular barriers faced by boys and young men due to gender and cultural norms around male victimhood and issues of masculine identity. It is recognised as particularly difficult for males to disclose experience of sexual abuse and therefore this is likely to be vastly underreported. (see Children's Society's report 'Boys Don't Cry' for further information).
Indeed, Home Office guidance states that these barriers, and related behaviours, may actually serve as indicators that a child or young person has been trafficked. According to the guidance, potential victims of modern slavery may:

- be reluctant to come forward with information
- not recognise themselves as having been trafficked or
- tell their stories with obvious errors

It is not uncommon for traffickers or modern slavery perpetrators to coach victims in a particular narrative, to tell if approached by the authorities. Errors or lack of reality may be because their initial stories are composed by others and learnt.

6. Protection and Action to be Taken

6.1 Modern slavery is child abuse, and any potential victim of child trafficking or slavery, servitude, or forced or compulsory labour should immediately be referred to Children’s Services in the area, as they may be suffering significant harm - see Contacts and Referrals Procedure. Professionals working with children or young people may also want to refer to the Home Office’s flowchart as guidance on the appropriate safeguarding procedures to follow when working a child at risk of exploitation/who may have trafficked.

6.2 Any agency or individual practitioner or volunteer who has a concern regarding the possible Trafficking of a child should immediately make a referral under the Contacts and Referrals Procedure to the relevant Assessment Team of Children’s Services. Practitioners should not do anything which would heighten the risk of harm or abduction to the child. Prompt decisions are needed when the concerns relate to a child who may be trafficked in order to act before the child goes Missing. Decision-making following the receipt of a referral will normally follow discussions with the Police, the person making the referral and may involve other professionals and services - see those identified in Section 10, Support Services.

6.3 Concerns about a child’s potential status as a victim of trafficking/modern slavery/CCE should be relayed to an agency with First Responder status for the National Referral Mechanism (NRM). For further information on the National Referral Mechanism, see Section 6. Referring a Potential Victim of Modern Slavery and/or Trafficking to the National Referral Mechanism (NRM).

6.4 Immediate Actions

Upon identification of a potential child victim, practitioners should undertake the following immediate actions:

- Assess for immediate risk
- Meet any urgent health needs and arrange emergency medical treatment if appropriate.
- If the child or anyone connected to them is in immediate danger the Police should be contacted as normal.
- Arrange safe accommodation for the potential victim.
- Facilitate access to early legal advice (see below section for further information).
- Arrange a suitable interpreter in all non-UK cases.
- Seek advice from the 24/7 Modern Slavery Helpline: 08000 121 700.
- Notify the organisation modern slavery/trafficking designated lead or equivalent. (if applicable)

6.5 Safety and Confidentiality

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It is important to consider the potential victim's safety and that of their loved ones. Confidentiality and careful handling of personal information is imperative to ensure the child's safety. Practitioners must not disclose to anyone not directly involved in the case, any details that may compromise their safety.

6.6 Engagement with the Child

Practitioners should be informed and competent in matters relating to trafficking, slavery and exploitation and must always ensure that a victim-centred approach to tackling all types of trafficking and modern slavery is taken. This can be achieved by the following:

- Dealing with the child sensitively to avoid them being alarmed or shamed - building trust, as victims commonly feel fear towards the authorities.
- Keeping in mind the child's:
  - Added vulnerability.
  - Developmental stage.
  - Possible grooming by the perpetrator.
- When questioning a potential victim, initially observe nonverbal communication and body language between the victim and their perpetrator.
- Children need to be listened to and for someone to spend sufficient time with them to build up a level of trust.

6.7 Strategy Discussion and Section 47 Enquiries

The Strategy Discussion should decide whether to conduct a joint interview with the child and, if necessary, with the family or carers. Under no circumstances should the child and their family members or carers be interviewed together.

Professional interpreters, who have been approved and DBS checked, should be used where English is not the child's preferred language. Under no circumstances should the interpreter be the sponsor or another adult purporting to be the parent, guardian or relative.

6.8 Multi-Agency Meeting

On completion of a Section 47 Enquiry a multi-agency meeting should be held convened by the social worker, and involving the social worker's supervising manager, the referring agency if appropriate, the Police and other relevant professionals to decide on future action. Further action should not be taken until this meeting has been held and multi-agency agreement obtained to the proposed plan, including the need for a Child Protection Conference, and possible Child Protection Plan, as well as NRM submission. (See Section 6. Referring a Potential Victim of Modern Slavery and/or Trafficking to the National Referral Mechanism).

Where it is found that the child is not a member of the family with whom he or she is living and is not related to any other person in this country, consideration should be given to whether the child needs to be moved from the household and/or legal advice sought on making a separate application for immigration status.

Any law enforcement action regarding fraud, Trafficking, deception and illegal entry to this country is the remit of the Police and the local authority should assist in any way possible. This multi-agency meeting should consider all powers available to local authority and police, to safeguard the child. These may include safeguarding provisions and disruption powers, such as:

- Drug Dealing Telecommunication Restriction Orders
- Criminal Behaviour Orders
- Serious Crime Prevention Orders
- Recovery Orders
e. Child Abduction Warning Notices
f. Sexual Harm Prevention Order
g. Sexual Risk Order
h. Civil Injunction
i. Modern Slavery Risk Order
j. Gang Injunction

It is also best practice for this meeting to share any and all information and intelligence pertaining to safeguarding the victim and preventing further exploitation of young people. This may include the sharing of information between individuals, agencies and police. All agencies and individuals involved in this process have a role to play in child safeguarding and protection from harm. For further advice and support, the Independent Child Trafficking Guardian Service provides free 24/7 guidance and support to professionals concerned that a child or young person is a victim of modern slavery/trafficking.

6.9 Legal and Criminal Support Advice

Once a potential victim has been identified, practitioners should inform them of their right to protection, support, and assistance in any criminal proceedings against offenders and facilitate access to legal advice. Early legal advice and access to interpreters (in non-UK cases) is essential to effective support of child victims. Issues are more likely to be resolved early on, potentially preventing cases ending up in costly litigation and unnecessary trauma.

Due to the nature of criminal exploitation and trafficking, children may be subject to immigration controls, being investigated as part of a criminal investigation and or may have a criminal case or prosecution against them. In either of these cases, it is crucial that these children obtain appropriate legal advice as this could impact on other applications, such as immigration, if not resolved early on. Immigration or criminal solicitors with expertise in trafficking/modern slavery matters should be sought, where possible and where trafficking specialists are not available, the referrer’s concerns about the child’s exploitation/trafficking should be clearly raised with the solicitor. If the criminal offence is directly linked to their trafficking/exploitative situation, victims must be advised that this may provide a statutory defence to their prosecution. The victim’s legal representative should also be advised.

6.10. Statutory Defence

Under the Modern Slavery Act 2015, victims of modern slavery and trafficking are afforded a statutory defence in criminal matters where the offence occurred “as a direct consequence of a person being, or having been, a victim of slavery or a victim of relevant exploitation.” Commonly referred to as a ‘section 45 defence’, the statutory defence recognises that victims should not be punished for criminal acts over which they had little or no choice. In the case of children, the means of coercion/compulsion is irrelevant, where they are shown to have been a victim of trafficking. Recognition of a child as a victim of trafficking through a positive conclusive grounds decision from the NRM can be used to support a section 45 defence.

It is important to note that the section 45 defence is not a blanket prohibition on prosecution and indeed, there are some 130 serious offences which are not covered by this statutory defence.
6.11 Support with Criminal Proceedings

Victims may also be cooperating with the police in a criminal investigation or prosecution against their traffickers. Victims would normally get a victim liaison officer who ought to keep them informed of the investigation. Should a decision be made not to bring a prosecution, victims have a right to request a review through the ‘Victims’ Right to Review’ scheme (VRR). Victims may require legal advice and assistance throughout that process.

6.12 Registered Intermediaries

Police officers and prosecutors are expected to consider use of a registered intermediary whenever they encounter a potentially vulnerable witness. Registered intermediaries are independent communication specialists whose purpose is to facilitate the questioning of young and vulnerable adult witnesses at police interviews and trial. Intermediaries can be used to facilitate communication in pre-trial assessments, interviews, court appearances and trials. Police and prosecution requests for intermediaries are managed by the National Crime Agency Witness Intermediary Scheme.

All intermediary appointments begin with assessment of the witness’s communication needs (including emotional factors affecting communication). They then advise how best to communicate with the witness, which may include non-verbal methods. They contribute to planning how to achieve obtaining the best evidence from that witness. All children under 18 are eligible, as are adults with a mental disorder, learning disability or physical disability or disorder.

To find an intermediary in your area and make a referral request online, visit the Intermediaries for Justice (IfJ) website: https://www.intermediaries-for-justice.org/find-intermediary. When a referral request is received, the request is automatically sent to all intermediaries who work in the selected area and have the appropriate skill set. Please be aware, however, that intermediaries have very full diaries and as much notice as possible will give the best chance of positive responses.

Please Note: Intermediaries owe their duty to the court i.e. they play a key role in providing access to justice - they are not advocates or supporters.

7. Trafficked Children from Abroad

7.1 Trafficked children identified as Unaccompanied Asylum Seeking Children (UASC) may be Accommodated by the local authority under Section 20 of the Children Act 1989. Significant numbers of children who are categorised as UASC have also been trafficked. Some of these children go missing before they are not properly identified as victims of Trafficking. Such cases should be urgently reported to the Police. Local authorities should consider seriously the risk that a trafficked child is likely to go missing.

7.2 The assessment of their needs to inform their Care Plan should include a risk assessment of how the local authority intends to protect them from any trafficker being able to re-involve the child in exploitative activities. This plan should include contingency plans to be followed if the child goes Missing. Trafficked children are at risk of going missing from Local Authority care, possibly as a result of being re-trafficked.

7.3 Whilst the child is Looked After, residential and foster carers should be vigilant about, for example, waiting cars outside the premises, telephone enquiries etc. The local authority should continue to share with the Police any information which emerges during the placement of a child who may have been trafficked, concerning potential crimes against the child, risk to other children or relevant immigration matters.
7.4 Age Assessments

Where there is reason to believe a victim could be a child, the individual must be given the benefit of the doubt and treated as a child until an assessment is carried out. An age assessment should only be carried out if appropriate to do so and should not cause a delay in referring into the NRM.

A child is defined according to the Children Acts 1989 and 2004 as anyone who has not yet reached their 18th birthday. The Care of Unaccompanied Migrant Children and Child Victims of Modern Slavery: Statutory guidance for local authorities provides that where the age of a person is uncertain and there are reasons to believe that they are a child, they are presumed to be a child in order to receive immediate access to assistance, support and protection in accordance with Article 10(3) of the European Convention on action Against Trafficking in Human Beings.

Social workers and managers should be aware of the Home Office guidance on ‘Assessing age’ and may want to refer to it when considering whether or not it is necessary to carry out an age assessment and communicating their decision to the Home Office. Age assessments should only be carried out where there is significant reason to doubt that the claimant is a child, and this should not be based primarily upon the claimant’s physical appearance or mannerisms.

It is important to remember that children arriving in the UK may have experienced significant hardship, bereavement and trauma, both in their country of origin and on their journey to the UK. These experiences may significantly affect a child’s physical appearance and interaction with adults. Age assessments should not be a routine part of a local authority’s assessment of unaccompanied or trafficked children. Where age assessments are conducted, they must be Merton Compliant.

Where a child has been trafficked and an age assessment is deemed necessary, the Assessment should be carried out at the earliest opportunity but this must be balanced with an understanding of the possible negative impact of the age assessment process on young people. Many trafficked children go missing from care, often within the first 72 hours. Provision may need to be made for the child to be in a safe place before any Assessment takes place and for the possibility that they may not be able to disclose full information about their circumstances immediately.

Age assessments can be stressful procedures for children to undergo. Children may perceive this process as professionals not believing their history and experiences. This may reinforce their feelings of mistrusting authority, which may have been leveraged as a control technique by traffickers, increasing their risk of going missing. Being questioned about their past history, journey to the UK and traumatic experiences also risks re-traumatising victims. Practitioners should therefore be mindful that the age assessment process – regardless of outcome – can be damaging to a young person’s trust of social services and can hinder crucial relationship building. Trusting relationships with adults and feeling safe and supported are crucial to young people feeling able to engage with support services and disclose details of their experiences.

The child should be offered an Independent Visitor and, if they decline, their reasons should be recorded. Any Independent Visitor appointed should have appropriate training and demonstrate an understanding of the needs faced by unaccompanied or trafficked children.

Specific action during the Assessment of a child who is possibly trafficked should include:
• Seeing and speaking with the child and family members as appropriate - the adult purporting to be the child’s parent, sponsor or carer should not be present at interviews with the child, or at meetings to discuss future actions.

• Drawing together and analysing information from a range of sources, including relevant information from the country or countries in which the child has lived. All agencies involved should request this information from their counterparts overseas. Information about who to contact can be obtained via the Foreign and Commonwealth Office website or the appropriate Embassy or Consulate in London. The good practice guidance Working with foreign authorities: child protection cases and care orders: Departmental advice for local authorities, social workers, service managers and children’s services lawyers;

• Checking all documentation held by child, the family, the referrer and other agencies. Copies of all relevant documentation should be taken and together with a photograph of the child be included in the social worker’s file.

• Checking with the local authority named contact for children missing from education.

Even if there are no apparent concerns, child welfare agencies should continue to monitor the situation until the child is appropriately settled.

7.5. Supporting the Child (Interpreters and Legal Advice)

Providing non-UK born children with a suitable interpreter in a safe, neutral environment is fundamental to effective engagement with the child. Practitioners should only use official interpreters from the national register, and where exploitation concerns are evident, should never use family members/friends/others discovered with the child as these may be an exploiter. There is also evidence that trafficking networks have used unaccredited interpreters to target, recruit and control victims of trafficking.

Children should be offered a choice in the gender of their interpreter, and don’t change interpreters, unless the child requests it. Always double-check there is a match in dialect, as subtle variances can lead to miscommunications of information, which could have potentially adverse effects on criminal and immigration cases. Practitioners should be mindful that young victims of trafficking may not feel able to speak up to raise concerns about errors in communication with translators. It is also helpful if the practitioner carries out research on the cultural background of the child.

Victims will more than likely be wary of the authorities due to fear of deportation and/or concern regarding their immigration status. Seeking early legal advice for children trafficked from abroad is fundamental to ensuring engagement with the child. Immigration advice is regulated by the Office of the Immigration Services Commissioner (OISC) and the Law Society and must not be given by someone who is not qualified to do so. Referral to a specialist adviser should be made for every trafficked child from abroad with any immigration issues as early as possible. This applies even if the victim appears to have decided about their immigration options because the decision may not have been informed by specialist advice.

Possible application options available to a survivor in respect of their immigration status:

• 1) Discretionary leave to remain as a victim of modern slavery.
• 2) Maintaining the status of a domestic worker who has been recognised as a victim of modern slavery.
• 3) Asylum claim.
4) Leave to remain in the UK based on their personal or family life.
5) European rights linked to family, employment and/or the EU Settled Status Scheme (EUSS).

It is important that practitioners make careful notes about what is disclosed, as a child's credibility can be challenged if the child is subject to immigration control on the basis of their disclosure being made in instalments. This will support the child and help others understand the process of disclosure. UK Visas and Immigration staff who are concerned that a child may have been trafficked should refer the child to the local authority children's social care and the NRM. Trafficked children may go missing shortly after asylum screening and, therefore, UK Visas and Immigration staff should confirm the referral to children's social care in writing as soon as possible, but always within 48 hours.

7.6 What Trafficked Children from Abroad Need

In engagement with trafficked children and to ensure the best possible outcome, practitioners should seek to:

- Show the child that they care by giving time and actively listening to their story
- Share and communicate information about the child to the child in a respectful and sensitive way
- Treat the child with respect and give them choices
- Offer the child opportunities to develop as people
- Give the child a voice
- Not discriminate

Trafficked children need:

- Separate interviews - at no stage should adults purporting to be the child's parent, sponsor or carer be present at interviews or at meetings with the child to discuss future action.
- Safe placements if children are victims of organised trafficking operations and for their whereabouts to be kept confidential.
- Legal advice about their rights and immigration status.
- Discretion and caution to be used in tracing their families.
- Risk assessments to be made of the danger if he or she is repatriated.

and

- Where appropriate, accommodation under Section 20 of the Children Act 1989 or an application of an Interim Care Order.

Children who have been trafficked and exploited are also likely to need access to some of the following services:

- Appropriately trained interpreting.
- Someone to spend time with them and build up a level of trust.
- Counselling via CAMHS.
- Independent legal advice about their rights and immigration status.
- Their whereabouts to be kept confidential.
- Discretion and caution to be used in tracing their families.
A risk assessment to be made of the danger they face if repatriated: trafficked and exploited children who eventually return home can suffer discrimination, particularly those who have been sexually exploited.

To be interviewed separately - children do not speak openly until they feel comfortable.

Medical services (including, for victims of torture).

Education.

Note: The Trafficked Children Toolkit, developed by the London Safeguarding Children Partnership, is available as a resource for use by all local authorities. The toolkit will help professionals to assess the needs of the child and the continuing risks that they may face, and to refer their case to the Single Competent Authority.

7.7. Returning Trafficked Children to their Country of Origin

Unaccompanied children should be informed of the availability of the Assisted Voluntary Return Scheme. However, in many cases, trafficked children will seek to apply to UK Visas and Immigration (UKVI) for asylum or for humanitarian protection as for some, returning to their country of origin presents a high risk of being re-trafficked, further exploitation and abuse. If a child does not qualify for asylum or humanitarian protection and adequate reception arrangements are in place in the country of origin, the child will usually have to return. It is important that this is handled sensitively, including seeking legal advice for the child early on, and with assistance with reintegration which is available through voluntary return schemes.

8. Referring a Potential Victim of Modern Slavery and/or Trafficking to the National Referral Mechanism (NRM)

8.1 Under the Modern Slavery Act 2015,12 designated organisations in England and Wales have a statutory Duty to Notify (DtN) the Home Office, referred to as the Single Competent Authority, when they encounter a potential victim of modern slavery and/or trafficking. These designated organisations are known as First Responders. Complementing this duty, the Home Office set up the National Referral Mechanism (NRM), which is the UK Government framework for identifying and referring victims of human trafficking or modern slavery and ensuring they receive the appropriate support. For children, completing the NRM form is sufficient to satisfy this requirement.

8.2 All suspected and identified child victims of modern slavery and human trafficking in line with the definitions provided in the Modern Slavery Act and the United Nations Palermo Protocol must be referred to the National Referral Mechanism. Only First Responder designated organisations can report and refer potential victims to the National Referral Mechanism (NRM). Locally, only Local Authority and Police are classified as First Responder designated organisations. (See here for the full list) The NRM does not supersede child protection procedures, so existing safeguarding processes should still be followed in tandem with the notifications to the NRM.

8.3 Consent

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Consent to enter the NRM is not required for suspected child victims of modern slavery/trafficking. As such, there is no minimum requirement for justifying a referral into the NRM. Communicate honestly with the child about your concerns and reasons for referring them into the NRM. A child or guardian should also be informed about what the NRM is and the outcome of being referred in. To receive support from Beacon, the child or guardian must consent to a referral being made to the service. See also: How to Report a Victim of Modern Slavery: First Responder Factsheet.

8.4. Child NRM Referral Pathway (Hertfordshire Modern Slavery Partnership)

In line with the referral pathway provided (see How to Report a Victim of Modern Slavery/Trafficking factsheet and HMSP Victim Referral Pathways Guidance), the practitioner should follow the instructions and outlined steps depending on the situation of the suspected child victim. On the back of the pathway, information is given on what to do if someone else is at risk, possible indicators that will help staff to identify whether a child is a potential victim of human trafficking and modern slavery, as well as possible questions to ask that may help in determining the potential victim’s situation. All children must be referred to the NRM for consideration by the Single Competent Authority following a multi-agency meeting with relevant stakeholders.

8.5 Specific Protocols (See HMSP referral pathways guidance document for further information)

- Ensure that the safety of the child is the first priority. If the child is at immediate risk of harm, then keep them in the setting where they have been identified, whilst in conversation with children’s services and the police, who will provide further direction.
- Follow your organisation’s child protection and safeguarding procedures.
- Notify Hertfordshire County Council Children’s Services within 24 hours: https://eservices.hertfordshire.gov.uk/services/child-protection-referral.
- Following discussion and agreement at a multi-agency meeting organised by HCC (STRAT or MARM), the lead First Responder organisation must submit the NRM form online with input from the other relevant organisations involved in the child’s case.
- If there is disagreement between practitioners as to whether an NRM should be submitted for a child, the escalation process outlined below must be followed.
- Support to children is provided through local authority children’s services rather than NRM subcontractors.

Note: In line with the Hertfordshire Constabulary internal reporting pathway, police officers responding to an incident in an emergency and/or who see an offence take place in front of them, are required to immediately submit an NRM for a potential child victim where this is identified at the scene.

Additional steps and coordination of further evidence to be provided by relevant stakeholders for submission to the Home Office will then be agreed at a subsequent multi-agency meeting if the child lives within Hertfordshire, as required by the HSCP child victim referral pathway.
8.6 Hertfordshire Safeguarding Children’s Partnership Escalation Procedure:

8.7 NRM Submission

Since 29th August 2019, the NRM and Duty to Notify (DTN) referral process for designated First Responders has now moved online. All NRM referrals are achieved through submission of a single online form, whether for an adult or child victim. The form can also be filled in offline prior to submission online. For a downloadable version of the form with amendable fields, visit Modern Slavery Victims: Referral and Assessment Form (offline version). Please note: The online system will log out if the form is not submitted within a certain timeframe.

Once a form submission is received by the Home Office, each case will be assigned a reference number which will be emailed by return. Referral to the NRM passes the case to the SCA, who will log the referral and decide the case. For further information on this modified process, see How to Report a Victim of Modern Slavery: First Responder Factsheet. To complete and see where to send the forms, and the associated guidance, visit Modern Slavery Victims: Referral and Assessment Forms.

The NRM Form is the principal vehicle through which the Single Competent Authority (Home Office) decides on the status of a suspected victim of modern slavery and/or human trafficking. The SCA may request for additional evidence, but not always. As such, it is essential to include as much information as is possible to facilitate a police investigation and a positive decision. Professionals submitting NRM referrals are encouraged to submit any further relevant information as it comes to light. This may be the case prior to a decision being made or following a negative decision (see Section 6.7 for further guidance on reconsideration requests). It is also good practice to adopt a multi-agency approach, with social care professionals acting as the lead in bringing together intel from any relevant partners working with the young person as evidence to be submitted as supporting...
evidence with any NRM referrals.

8.8 When determining what content to include on the form, it is recommended to:

- 1) Expand on the circumstances or details of your encounter or contact with the potential victim, providing background to how the information was provided (for example on first encounter during police operation). Please set out in as much detail as possible exactly what you think has happened to this person that makes them a potential victim of modern slavery, and why you think the story is credible – for example external supporting evidence, or the behaviour and appearance of an individual.

- 2) Provide evidence of the indicators that you have identified.

- 3) Note whether it is likely that further information will become available at a later date.

- 4) Provide any other relevant information that you consider may be important and wish to include, for example living or working conditions, behaviour, appearance, demeanor and include information on the following:
  - a) Movements in or to the UK, including dates (if known).
  - b) Suspected place of exploitation (if known).
  - c) Address where incident took place (if known).
  - d) Name of agent, exploiter or trafficker (if known).
  - e) Name of other victims (if known).

- 5) Record any actions you have taken including referral to other agencies (for example The Salvation Army, police, UK Visas and Immigration) where appropriate.

- 6) Note any immediate concerns regarding the potential victim’s health, psychological well-being or safety.

8.9 Submitting a Reconsideration Request of an NRM decision

The Single Competent Authority Guidance (p.65) published in September 2019 by the Home Office details how to make a reconsideration request following receipt of a negative NRM decision. The reconsideration policy amendment statement also contains further guidance. 13

Any organisation can submit an NRM reconsideration request, this right is not only granted to First Responders, if 1) more information about the case becomes available and 2) there are concerns about the original decision. **Note:** A reconsideration will only happen if there are grounds for one.

A request for reconsideration should include the following information:

- Relevant events since the initial referral
- Point out any inappropriate application of guidance/misunderstanding of grooming etc in the decision minutes
- Add any additional indicators (cited as per the table in the referral form)
- Include any views of the young person this want to be taken into account

Even though there is no official government guidance on how to actually make the request in practice, practitioners should follow these steps:

1) Contact the Single Competent Authority (SCA) directly either via email to inboxNRMEngland@homeoffice.gov.uk or via the Duty Line on 0207 035 5689.

2) If further information comes to light, which is relevant to an original submission, the practitioner should email the information directly to the SCA on the following email address: nationalreferralmechanism@homeoffice.gov.uk.

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13 Both documents are not yet up-to-date following a recent court judgement, which detailed that the right for submitting reconsideration (appeals) also applies to legal advisers.
8.10 Importance of Submitting an NRM Form for a Potential Child Victim

- 1. By entering a child into the NRM, it makes clear to all practitioners (current and future) that child trafficking is a clear risk, identifying and promoting early intervention.
- 2. A positive conclusive grounds decision supports child victims with irregular immigration status by providing greater stability in relation to their status through providing for the possibility of leave to remain.
- 3. When a child is entered into the NRM, they become eligible for support from the Independent Child Trafficking Guardian (ICTG) Service.
- 4. Through submission of referrals, central government will be sighted on the full scale of the issue, influencing commissioning of services at a national and local level.
- 5. In relevant criminal cases, a positive conclusive grounds decision for children in the criminal justice system, ensures that they are treated as a victim rather than as an offender for relevant offences identified in the form.
- 6. Child trafficking/slavery is a crime, which police have a responsibility to investigate. When an NRM form is submitted for a child, this places an automatic duty on the police to investigate the crime.
- 7. Practically, NRM form submission acts as hook to get support for the child from various services. E.g. NRM form submission enables access to legal aid for a child as it helps them to qualify for this service.
8.11 HMSP Child Victim Referral Pathway

**HMSP Child Victim Referral Pathway**

**For Professionals & NGOs**

1. Unaccompanied or Accompanied Child Presents to Service
   - Service suggests that person may be a potential victim of trafficking/slavery.
   - Examples of indicators, questions to ask and information on informed consent can be found [here](#).
   - For 24/7 advice and translation support, call the national Modern Slavery Hotline: 08000 123770 or the Independent Child Trafficking Guardian Service advice line: 0800 043 4303.

2. Assess for immediate risk
   - Follow your organisation's normal child protection and safeguarding procedures.
   - Notify the organisation modern slavery designated lead (if applicable).
   - Call 999 if you identify at any point that the child is in imminent danger, or at significant risk of harm or going missing.

3. The child is
   - In imminent danger of
   - At immediate risk of significant harm or
   - In imminent danger of going missing

   - Call 999 and request for police to attend.
   - Responding police officer to follow police internal reporting pathway for child victims.
   - Follow up with a referral to HCC Children’s Services.

3. IS ANYONE ELSE AT RISK?
   - Yes, follow instructions overload.
   - No, see step 2.

3. Unsure of danger
   - If possible, and with a colleague, gather as much information as possible from the child/young person, in accordance with your organisation's safeguarding policy.
   - Please consider that by doing so, you may be placing the child/young person at an increased risk of harm.
   - If in doubt, refer to HCC Children’s Services.

Call HCC Children’s Safeguarding team (24 hours)

- Explain concerns and what you have already done.
- The expectation is that this contact is followed up with an electronic HCC Child Protection Contact Form.
- You will receive confirmation of your contact and a unique reference number to follow this up.
- Outcome to be notified within 24 hours.

**I AM A NRM FIRST RESPONDER (LOCAL COUNCIL OR POLICE)**

1. Alongside following child protection and safeguarding procedures, First Responders organisation to ensure referral made to multi-agency referral hubs.
2. Multi-agency meeting scheduled (STRAT or MAHM).
3. Multi-agency decision on NRM form submission, with the lead organisation submitting the NRM form or one determined at this meeting. [HCC Child Safeguarding case reference number to be included].
4. Lead organisation to refer to [Beacon](#) if child or guardian consents to support from the service and it is agreed that the child would benefit from additional support.
5. Next steps for the child will be determined on a case by case basis.

**I AM NOT A NRM FIRST RESPONDER**

1. Take further direction from HCC Children’s Safeguarding team.
2. Depending on your organisation’s engagement with the child and if deemed appropriate by HCC, you will be invited to the multi-agency meeting (STRAT or MAHM).
3. Next steps for the child will be determined on a case by case basis.

**PLEASE NOTE:** Only First Responders can complete the National Referral Mechanism (NRM) form online, but all agencies can complete an offline version of the NRM form to facilitate effective communications between organisations. CONSENT TO ENTER THE NRM IS NOT REQUIRED FOR CHILDREN.

**NRM FIRST RESPONDERS:**


BARPS & New Pathways (Wales only).

**KEY EMAIL ADDRESSES:**

- National Referral Mechanism (NRM): refugeechannel@homeoffice.gsi.gov.uk
- The Salvation Army: mcsbua@salvationarmy.org.uk
- Operation Trojan, HM Prison Service: HMPrisonService.enquiries@police.uk
- Beacon, referredtocentralisation@homeoffice.gov.uk
- Wales Police Control Room: Foreignəhs@pnan.police.police.uk
- Herts Police Control Room: Foreigna@herts.police.police.uk
- Herts County Council Adult Safeguarding: 0300 123 4542/ adult.safeguarding@herts.gov.uk
- Herts County Council Child Safeguarding: childrensreferral@childrensherts.gov.uk / 0300 123 4543
- Organisations/Department Point of Contact:

For more information on human trafficking/modern slavery and additional resources, please contact the Government’s Modern Slavery Partnership website at [https://www.ukusatladandhtrn.org.uk/professionals/professionals.asp](https://www.ukusatladandhtrn.org.uk/professionals/professionals.asp).
9. Further Information and Resources

9.1 Guidance (National Legislation)


2) Modern Slavery Act 2015 (First Responder E-Learning Module): The Home Office has created a free e-learning module for First Responders, which is available on the Modern Slavery and Organised Immigration Crime (MSOIC) Unit website. All First Responders are encouraged to complete the training. The module can also be accessed by non-First Responders and covers: 1) Overview, 2. Identification, 3. Explanation (engagement with the victim) and 4. Refer. Access the module: https://policingslavery.co.uk/FirstResponderTraining/.

2) How to Report Modern Slavery (Home Office, December 2016)

3) National Referral Mechanism: Guidance for Child First Responders

4) Victims of Modern Slavery - Frontline Staff Guidance Version 3 (Home Office UK Visas and Immigration, March 2016)

5) Home Office Circular - Modern Slavery Act 2015

6) Modern Slavery Act 2015


8) Modern Slavery: Duty to Notify Factsheets (GOV.UK, October 2016)

9) Working With Foreign Authorities Guidance

10) Care of Unaccompanied and Trafficked Children - Statutory Guidance for Local Authorities on the Care of Unaccompanied Asylum Seeking and Trafficked Children

11) NSPCC - Are You a Child Who Has Come to the UK from Another Country?

12) Modern Slavery - Royal College of Nursing Guide for Nurses and Midwives

9.2 Additional Guidance and Training

1) The Children's Society: Guidelines for writing a clear NRM referral

2) The Children's Society: NRM Reconsideration Template

3) The Children's Society: Conducting good return interviews for young people who run away

4) The Children's Society : Victim Support and NPCC: Capturing and Reporting Intelligence on CSE and CCE - Guidance for Families, Professionals and the Community


6) The Children’s Society : Criminal exploitation and County Lines: A toolkit for working with children and young people

7) The Children’s Society : Disruption checklist for child criminal exploitation

8) The Trafficking Toolkit (Crime Reduction Toolkits website)

9) Legal Advice - Useful Links:

- To search for a legal aid lawyer: https://find-legal-advice.justice.gov.uk/.
- To check client feedback of a legal firm or lawyer: https://chambers.com/ (Chamber and Partners Directory of Lawyers)
10) Hertfordshire Modern Slavery Partnership Resources:

- **HMSP Guidance (Victim Referral Pathways)**
- **HMSP Referral Pathways (Adult & Child)**
- HMSP Referral Pathways (Guidance Document)
- **HMSP Information Flyer** (for victims) [Translations Available on HMSP Website](#)
- **HMSP NRM Support Booklet** (for victims) [Translations Available on HMSP Website](#)
- **Core Basic Modern Slavery Awareness Training Handbook (PDF)**
- **Legal Advice Guidance** (PDF - Jul 2020)
- **Modern Slavery Act - Summary** (Apr 2019)
- **Spot the signs (PDF, 87kb)** (Apr 2019)

10. Fearless Educational Resource for professionals working with young people in the UK: [County Lines](#)
11. Fearless Educational Resource for professionals working with young people in the UK: [CSE](#)

9.3 External Training (E-Learning)

- The Salvation Army: The Salvation Army has developed a free e-learning on Human Trafficking Awareness. [COMPLETE THE TRAINING](#) (includes audio output)
- ECPAT UK/West Yorkshire Police: Published a 2 to 3 hour in depth e-learning package that covers both adult and child trafficking and is suitable for any public sector organisation. The package can be accessed for a fee at [Virtual College](#). If you are an Independent Advocate for children and young people, or a Border Force Safeguarding and Modern Slavery Officer, you can access this training for free by contacting [childtrafficking@homeoffice.gov.uk](mailto:childtrafficking@homeoffice.gov.uk).
- E-learning for Healthcare: A 30 minute e-learning package that is free to access for all healthcare professionals.

9.4 Organisations Supporting Practitioners

1. **Modern Slavery Helpline**

   The 24/7 national Modern Slavery Helpline is run by the charity, Unseen, and is independent, specialist and confidential, providing access to free and immediate help, support, and advice in over 200 languages. Victims can also self-refer.

   - **Website:** [www.modernslaveryhelpline.org](http://www.modernslaveryhelpline.org)
   - **Email:** [www.modernslaveryhelpline.org/report](mailto:www.modernslaveryhelpline.org/report)
   - **Phone:** 08000 121 700

2. **Independent Child Trafficking Guardian (ICTG) Service**

   Run by Barnardos, the ICTG Service provides direct, specialist practical and emotional support to trafficked children, facilitating their interactions with social care services, police and immigration in Wales/Cymru, East Midlands, West Midlands Combined Authorities, Croydon, Hampshire and the Isle of Wight and Greater Manchester. They also operate a 24/7 helpline, which is open for advice to all practitioners across the UK.

   - **Phone:** 0800 043 4303

3. **Beacon**

   Independent from the National Referral Mechanism, UK Government and the police, Beacon is a free and impartial service that can provide emotional and practical support around the impact and effects of exploitation to clients in Hertfordshire. Run by the charity, Catch 22, Beacon supports their clients through allocation of a specially trained case manager. Victims can also self-refer.

   - **Website:** [www.hertfordshirebeacon.org](http://www.hertfordshirebeacon.org)
   - **Email:** [info@hertfordshirebeacon.org](mailto:info@hertfordshirebeacon.org)
   - **Phone:** 03000 11 55 55 (option 3)

4. **ATLEU**

   ATLEU is a charity, which provides legal representation to victims of trafficking and labour exploitation, helping victims to obtain safety, recovery and redress. They offer numerous services to help practitioners support victims:

   - **Advice Line:** Any practitioner can request for free support via phone (0207 700 7311) or email: [advice@atleu.org.uk](mailto:advice@atleu.org.uk). (See [https://atleu.org.uk/advice-line](https://atleu.org.uk/advice-line) for further information on what to include in the email).
• Refer victims for legal support: [https://atleu.org.uk/referrals](https://atleu.org.uk/referrals).
• Subscribe to gain free access to the ATHUB: [https://athub.org.uk/](https://athub.org.uk/).

5. Modern Slavery Organised Immigration Crime Unit – MSOIC (Previously Modern Slavery Human Trafficking Unit - MSHTU)

T: 0114 252 3891

MSOIC website

• Aims to bring a multi-agency approach to Trafficking both in and out of the UK. A key element of the work of the centre is to ensure that victims of trafficking are adequately safeguarded and protected from harm. This remit has also expanded to immigration crime.

6. College of Policing - Modern Slavery

7. CEOP - Child Exploitation and On-line Protection Centre

T: 020 7238 2320

CEOP website

• Was established in April 2006 to protect children from exploitation on the internet. CEOP assesses the nature and scale of child Trafficking annually.

8. The Missing People Helpline

T: 0500 700 700

Missing People website

9. The Children’s Society (website)

• National Children’s organisation with a range of direct support services for young people; provides training and advice to professionals on trafficking, exploitation, Modern Slavery and immigration/asylum.

9.5 Children Trafficked from Abroad: Support Services and Useful Contacts

1. Refugee Council Children's Panel

   Refugee Council On-line

   • Has 35 advisers who travel nationwide to support unaccompanied asylum-seeking children. It also offers a drop-in service where children can access meals, showers and clothes

2. ECPAT UK

   T: 020 7233 9887

   ECPAT UK website

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14 ATHUB is an online information resource for professionals working with victims of trafficking. It contains information for support providers and legal practitioners on advising and representing victims of trafficking across different areas of law.
3. UNICEF
   T: 020 7405 5592
   [UNICEF website]

4. Afruca (Africans Unite Against Child Abuse)
   T: 020 7704 2261
   [AFRUCA website]
   - Promotes the welfare of African children in the UK and is concerned about cruelty against
     African children.

5. CROP (Coalition for the Removal of Pimping)
   T: 0113 240 3040

6. Foreign and Commonwealth Office
   [Foreign and Commonwealth Office website]

   [End]