5.18 Modern Slavery

**SCOPE OF THIS CHAPTER**

Victims of modern slavery should be given protection, get the help they need to recover from their experiences and access to the justice they deserve. This chapter sets out guidance on how to identify and respond to a child or young person where there are concerns that they are a victim or a potential victim of modern slavery. It should be read in conjunction with the [**Safeguarding Children who may have been Trafficked Procedure**](https://lincolnshirescb.proceduresonline.com/p_sg_child_traff.html) and the [**Safeguarding Referrals Procedure**](https://lincolnshirescb.proceduresonline.com/p_refer_proce.html).

**RELATED CHAPTERS**

[**Safeguarding Children and Young People at Risk of Sexual Exploitation Policy**](https://lincolnshirescb.proceduresonline.com/p_yp_child_sex_ex.htm)

[**Safeguarding Children who may have been Trafficked Procedure**](https://lincolnshirescb.proceduresonline.com/p_sg_child_traff.html)

[**LSCP Joint Protocol for Missing Children and Young People Procedure**](https://lincolnshirescb.proceduresonline.com/pr_joint_miss.html)

[**Children from Abroad Procedure**](https://lincolnshirescb.proceduresonline.com/p_child_abroad.htm)

**AMENDMENT**

This chapter was significantly reviewed in November 2020 to align with the revised LSCP approach to child exploitation.

**This chapter is urrently under review.**

**1. Definition**

Modern slavery is a form of organised crime in which individuals including children and young people are treated as commodities and exploited for criminal gain. Modern Slavery is an umbrella term which incorporates Slavery, Servitude, Forced Labour and Human Trafficking. Further information can be found in the Statutory Guidance under the [**Modern Slavery Act 2015 guidance**](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/950690/January_2021_-_Modern_Slavery_Statutory_Guidance__E_W__Non-Statutory_Guidance__S_NI__v2.pdf).

Traffickers trick, force and/or persuade children and parents to let them leave their homes. 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.

Child trafficking or child modern slavery is identified as child abuse which requires a child protection response (see [**Section 4, Assessment, Protection and Action to be Taken**](https://lincolnshirescb.proceduresonline.com/p_modern_slavery.html#protection)). It is an abuse of human rights, and all children, irrespective of their immigration status, are entitled to protection under the law.

Children are recruited, moved or transported and then exploited, forced to work or sold. See also [**Safeguarding Children who may have been Trafficked Procedure**](https://lincolnshirescb.proceduresonline.com/p_sg_child_traff.html). The Modern Slavery Act 2015 (applicable mostly in England and Wales [1] includes two substantive offences i) human trafficking, and ii) slavery, servitude and forced or compulsory labour.

Boys and girls of all ages are affected and can be trafficked into, within), and out of the UK for many reasons and all forms of exploitation - e.g. sex trafficking - children can be groomed and sexually abused before being taken to other towns and cities where the sexual exploitation continues. This can also occur when children are move to other places within the same town or city. Victims are forced into sexual acts for money, food or a place to stay. Other forms of exploitation involve children who are forced to work, criminally exploited and forced into domestic servitude. Victims have been found in brothels or saunas, farms, in factories, nail bars, car washes, hotels and restaurants and commonly are exploited in cannabis cultivation. Criminal exploitation can involve young people as drug carriers, begging and pick-pocketing. Debt bondage (forced to work to pay off debts that realistically they will never be able to), organ harvesting and benefit fraud are other types of modern slavery.

Victims often face more than one type of exploitation, for example they may be sold to another trafficker and then forced into another form of exploitation.

Children and young people may 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.

The Modern Slavery Act 2015 (applicable mostly in England and Wales [1]) provides two civil prevention orders - the Slavery and Trafficking Prevention Orders (STPO) and Slavery and Trafficking Risk Order (STRO) and provision for child trafficking advocates. Section 52 of the Act places a duty on Local Authorities to identify and refer Modern Slavery child victims and consenting adult victims through to the National Referral Mechanism.

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. In all cases, protection and support is available through the National Referral Mechanism (NRM) process (in England and Wales [2]). The NRM is a framework for identifying victims of Modern Slavery and Human Trafficking to ensure the victim receives appropriate support for all the different agencies that may be are considered to be First Responders within the act (e.g. the police, Home Office, including Border Force, UK Visas and Immigration, local authorities and voluntary organisations, The NRM was introduced to allow the UK to meet its obligations under the Council of European Convention on Action against Trafficking in Human Beings.).

See [**Referring a Potential Victim of Modern Slavery to the National Referral Mechanism (NRM)**](https://lincolnshirescb.proceduresonline.com/p_modern_slavery.html#nrm).

[1] Some provisions also concern Northern Ireland and Scotland. Also see the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 and the Human Trafficking and Exploitation (Scotland) Act 2015
[2] (In Scotland and Northern Ireland, however, only trafficking cases (rather than all modern slavery cases) are processed through the NRM

**2. Risk Factors and Vulnerable Circumstances**

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.

Vulnerable circumstances include:

* Poverty, limited opportunities at home, low levels of education, and the effects of war are some of the key drivers that contribute to trafficking of victims;
* 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;
* Wanting to help their families back at home or seeking better futures;
* Escaping familial situations of harm and abuse, homelessness or being orphaned;
* A lack of equal opportunities, discrimination or marginalisation and social customs such as children being expected to respect and follow the adult in charge. Faith abuse and other specific practices may be used to control the child. A demand for cheap or free labour or a workforce who can be easily controlled and forced into criminal activity;
* Unaccompanied, internally displaced children;
* 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;
* Former victims of modern slavery or trafficking;
* Trafficked children have an increased risk of going missing from care in the UK, this may be due to the level of threat from the traffickers, level of control and grooming.

**3. Indicators**

Signs that a child has been trafficked may not be obvious, or children may show signs of multiple forms of abuse and neglect. Spotting the potential signs of child slavery/trafficking in referrals and children you work with can include:

* Lack of trust in authorities due to the level of control from abusers - victims may be wary of the authorities for many reasons such as not knowing who to trust or a fear of deportation or concern regarding their immigration status and may avoid giving details of accommodation or personal details;
* Discrepancies in the information victims have provided due to traffickers forcing them to provide incorrect stories;
* An unwillingness to disclose details of their experience due to being controlled;
* Brought or moved from another country;
* An unrelated or new child discovered at an address;
* Unsatisfactory living conditions - may be living in dirty, cramped or overcrowded accommodation;
* Missing - from care, home or school - including a pattern of registration and de-registration from different schools;
* Children may be found in brothels and saunas;
* Spending a lot of time doing household chores;
* May be working in catering, nail bars, caring for children and cleaning;
* Rarely leaving their home, with no freedom of movement and no time for playing;
* Orphaned or living apart from their family, often in unregulated private foster care;
* Limited English or knowledge of their local area in which they live;
* False documentation, no passport or identification documents;
* Few or no personal effects - few personal possessions and tend to wear the same clothing;
* 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;
* Significantly older partner;
* Underage marriage.

**Physical Appearance** - Victims may show signs of physical or psychological abuse, look malnourished or unkempt, or appear withdrawn.

**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).

**Sexual health indicators** - sexually transmitted infections, or pregnancy; injuries of a sexual nature and /or gynaecological symptoms.

**Psychological indicators** - 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.

**4. Assessment, Protection and Action to be Taken**

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.

Practitioners should meet any urgent health needs and arrange emergency medical treatment if appropriate.

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 [**Safeguarding Referrals Procedure**](https://lincolnshirescb.proceduresonline.com/p_refer_proce.html).

Customer Service Centre (CSC) will discuss and explore the concerns fully with the referrer and advise on the appropriate outcome. Dependant on the severity and immediacy of the concerns, this may include one or more of the following:

* Referral to Children's Social Care, where a child is suffering or is at risk of suffering, significant harm – For threshold guidance;
* Advising if a Child and Family Assessment is needed to gain further understanding of the child's current situation, their needs and what support they have. Agree who is best placed to complete this assessment;
* Completion of a CE Screening tool to fully explore concerns, when there is indicators that exploitation has, or is likely to occur;
* Advise if a National Referral Mechanism (NRM) has already been submitted for the child, is to avoid duplication or omission of the submission of further NRM's and enable the referrer to contribute to any current NRM that are in the reasonable grounds decision stage;
* If there is not already an NRM in place, concerns have been raised by an organisation that is not a first responder ( see Home Office Guidance) and the threshold for children services involvement is not met, the organisation should be signposted to contact the Independent Child Trafficking Guardianship Service (ICTGS), via their support line on 0800 043 4303 or email (non-secure) **CounterTrafficking@barnardos.org.uk** to discuss the concerns and explore if an NRM is needed;
* If there is not already an NRM in place and the organisation is a first responder, they will to complete an NRM Guidance on which organisations are First Responders, guidance on when and how to complete the NRM and the electronic form is available from [**Home Office Website**](https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales);
* Signpost to the Independent Child Trafficking Guardianship Service (ICTGS) who are an independent source of advice for children subjected to modern slavery and somebody who can speak up on their behalf. ICTG Service can also provide support and guidance to professionals regarding concerns about MDS / trafficking and the NRM process.

Children Services (CS) Practitioners

If a CS practitioner has concerns that a child they are working with may be a victim of Modern Day, Slavery, including human trafficking, they should raise this immediately with their line manager, to discuss and explore fully and agree next actions. Dependant on the severity and immediacy of the concerns, this may include:

* Follow internal CS escalation process;
* Contact Police;
* NRM referral Note: if there is a concern with regards to MDS or trafficking, a referral into the National Referral Mechanism should be made (see [**GOV.UK Human trafficking/modern slavery victims: referral and assessment forms**](https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms)), also see [**Referring a Potential Victim of Modern Slavery to the National Referral Mechanism (NRM)**](https://lincolnshirescb.proceduresonline.com/p_modern_slavery.html#nrm);
* Notify ICTGS via their support line on 0800 043 4303 or email ( non-secure) **CounterTrafficking@barnardos.org.uk**.

The Child and Family Assessment

Specific action during the Social Care Assessment CFA of a child who is possibly trafficked or a victim of compulsory labour, servitude and slavery 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;
* 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.
* Signpost to specialist support service – e.g, [**Barnardos**](https://www.barnardos.org.uk/what-we-do/protecting-children/trafficked-children), [**Children Society**](https://www.childrenssociety.org.uk/).

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

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.

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 attendance and or contribute in regards to decision making/ actions 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.

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. Consideration to suitable any on-going plan/ actions what information is shared confidentially

The assessment of their needs to inform their plan and 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.

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. Trafficked children identified as Unaccompanied Asylum Seeking Children (UASC) may be accommodated by the local authority under Section 20 of the Children Act 1989. Extra vigilance / awareness – risk of other young people potentially in residential

Age Assessments

The [**Department for Education, Care of unaccompanied migrant children and child victims of modern slavery Statutory guidance for local authorities, 2017**](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/656429/UASC_Statutory_Guidance_2017.pdf) states: Age assessments should only be carried out where there is significant reason to doubt that the claimant is a child. Age assessments should not be a routine part of a local authority's assessment of unaccompanied or trafficked children.

Where the age of the child is uncertain and there are reasons to believe they are a child the person will be presumed to be a child in order to receive immediate assistance, support and protection in accordance with section 51 Modern Slavery Act 2015. Assessments must be undertaken in accordance with standards established in case law and should only be carried out where there is reason to doubt that the individual is the age they claim. For further guidance see:[**Age Assessment Guidance published by ADCS**](https://adcs.org.uk/safeguarding/article/age-assessment-information-sharing-for-unaccompanied-asylum-seeking-childre). In all cases where a referral is received concerning an unaccompanied child, the relevant Team will carry out an Assessment in accordance with the Assessment Procedure, to determine whether he or she is a Child in Need.

Referring a Potential Victim of Modern Slavery to the National Referral Mechanism (NRM)

It is a statutory duty that referrals to the NRM for consideration by the competent authority should be made by First Responders where there are any concerns that a child may be a victim of Modern Slavery. The NRM does not supersede child protection procedures, so existing safeguarding processes should still be followed in tandem with the notifications to the NRM. Please refer to [**Safeguarding Children who may have been Trafficked Procedure, Referrals**](https://lincolnshirescb.proceduresonline.com/p_sg_child_traff.html#refs).

**5. Issues and Challenges**

Children who are trafficked outside of the UK may intrinsically be linked to the immigration system. 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. 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.

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.

An e-learning course on Modern Slavery is available via [**The LSCP website: LSCP Trafficking, Exploitation and Modern Slavery Course**](https://www.lincolnshire.gov.uk/safeguarding/lscp/8).

**6. Further Information**

[**Government Response to independent review of MS Act**](https://www.gov.uk/government/publications/government-response-to-the-independent-review-of-the-modern-slavery-act)

[**NRM guidance**](https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales)

[**Modern Slavery Helpline**](https://www.modernslaveryhelpline.org/)

[**How to Report Modern Slavery (Home Office, December 2016)**](https://www.gov.uk/government/publications/support-for-victims-of-human-trafficking)

[**National Referral Mechanism: Guidance for Child First Responders**](https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms)

[**Victims of Modern Slavery - Frontline Staff Guidance Version 3 (Home Office UK Visas and Immigration, March 2016)**](https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims)

[**Home Office Circular - Modern Slavery Act 2015**](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/443797/Circular_242015Final_1_.pdf)

[**College of Policing - Modern Slavery**](https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/modern-slavery/)

[**Modern Slavery Human Trafficking Unit (MSHTU)**](https://www.nationalcrimeagency.gov.uk/what-we-do/crime-threats/modern-slavery-and-human-trafficking)

[**Modern Slavery: Duty to Notify Factsheets (GOV.UK, October 2016)**](https://www.gov.uk/government/publications/modern-slavery-duty-to-notify)

[**Care of Unaccompanied Migrant Children and Child Victims of Modern Slavery: Statutory Guidance for Local Authorities (2017)**](https://www.gov.uk/government/publications/care-of-unaccompanied-and-trafficked-children)

[**NSPCC - Are You a Child Who Has Come to the UK from Another Country?**](https://learning.nspcc.org.uk/research-resources/leaflets/trafficking-leaflets-children)

[**Unseen**](http://www.unseenuk.org/)

[**Modern Slavery Act 2017: Recent developments - Briefing Paper, October 2017**](http://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7656)

[**'Stolen freedom: the policing response to modern slavery and human trafficking, HMICFRS (2017)'**](http://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7656)

[**Modern slavery training (GOV.UK)**](https://www.gov.uk/government/publications/modern-slavery-training-resource-page/modern-slavery-training-resource-page)

[**Stolen Freedom: the policing response to modern slavery and human trafficking**](https://www.justiceinspectorates.gov.uk/hmicfrs/publications/stolen-freedom-the-policing-response-to-modern-slavery-and-human-trafficking/)

**Appendix 1: Human Trafficking/Modern Slavery: Information Report and Guidance**

[**Click here to view Appendix 1: Human Trafficking/ Modern Slavery: Information Report and Guidance**](https://lincolnshirescb.proceduresonline.com/files/app1_human_traffick.pdf).