

The definition and indicators of child trafficking

This fact sheet provides a short overview of the circumstances in which a child can be a victim of trafficking and the signs to look out for that indicate trafficking.

If you have any questions about trafficking you can call our Migrant Children's Project advice line on 0207 636 8505 or email mcp@coramclc.org.uk.

What is the definition of child trafficking?

A child has been trafficked if they have been the victim of an action of "recruitment, transportation, transfer, harbouring or receipt...for the purpose of exploitation". Exploitation is interpreted broadly to include sexual exploitation, forced labour (including forced criminality and forced begging), servitude, slavery-like practices and organ removal. **[1]** Children can also be trafficked for the purposes of benefit fraud and forced adoption. Criminal activities can include drug trafficking, cannabis cultivation, petty theft, fraud and selling counterfeit goods.

Trafficked children may have been trafficked internally within the United Kingdom as well as across national borders. Human trafficking is distinct from 'smuggling' which may involve the clandestine entry of a child across national borders, but does not involve their exploitation.

For children, consent to exploitation is irrelevant. Child victims of trafficking are deemed not to have the legal capacity to 'consent' to their trafficking and so if they have been the victim of a relevant 'action' (recruitment, transportation, transfer, harbouring or receipt) for the purpose of 'exploitation' then any apparent acceptance of this on the part of the child is irrelevant.

A child is a victim even if they haven't been exploited yet: if, for example, a police raid takes place before the exploitation happens. The purpose is key, rather than whether or not exploitation has actually occurred. Even if the UK authorities intervene and prevent exploitation ever taking place in the UK, victims may have experienced serious trauma in their

home country or on the way to the UK and could still be in need of support.

A person may still be considered a victim of trafficking even if the trafficking or exploitation was 'historic'. This is because they may still have been subjected to exploitation and may therefore be considered a victim of trafficking. No matter how long ago or far away it occurred, the person may still be traumatised by their experiences.

How are children trafficked to the UK?

Children and young people who are trafficked to the United Kingdom often travel alone or with an adult who is not their parent or legal guardian. Some children may travel on documents which suggest they are much older than their real age, so that the child is not stopped and asked why they are not travelling with a parent or legal guardian. Children trafficked with the cooperation of their family may be brought to the United Kingdom by a family member or legal guardian only to be abandoned later.

The child may travel to the United Kingdom through different visa routes (with valid or false documents), without the need for a visa (for example, in the case of nationals from the European Economic Area), or clandestinely. Some traffickers may tell the child or young person to claim asylum on arrival in the UK, whereas others may not come to the attention of the Home Office for a long time after entry. The trafficker will often retain the child or young person's passport.

Almost 1,500 potential child victims of human trafficking have been identified since 2009. The most common countries of origin for potential child victims referred to the NRM between 2009 and 2013 were Vietnam, Nigeria, the UK, China and Albania. **[2]**

How can child victims of trafficking be identified?

Children and young people who have been trafficked are very vulnerable. They are likely to be scared of their traffickers, who may have subjected them to

psychological abuse, threats of or actual physical or sexual violence, or neglect. They may have been told that they are to pay off a debt to their traffickers or have been told that their family will be at risk if they disobey. Their ability to escape from the situation may be impeded by not being able to speak to anyone in their own language, or by being afraid of coming to the attention of the authorities.

Even when they do come to the attention of statutory or voluntary sector service providers, children and young people who have been trafficked may not disclose what has happened to them and may deny that they have been exploited. Disclosure may take a long time. Children do not often self-identify as victims of human trafficking and a child or young person may have been coached by their traffickers as to what to say about their identity and their circumstances.

It is therefore very important that professionals are able to recognise indicators that a child or young person may have been trafficked. Identification as a victim of trafficking is the gateway to protection and support, and may also impact on their immigration or asylum case. Trafficked children may face criminal prosecution for illegal activities that were carried out under orders or for immigration offences. In addition, without identification as victims of trafficking, children may not be given adequate protection and support, and may remain at risk, especially if they are inappropriately accommodated and remain in contact with their traffickers.

Trafficked children from abroad are at particular risk of having their needs ignored, and/or going missing from care, because authorities view child trafficking as an immigration control issue.[3] Trafficking victims may be identified by immigration officers at a port of entry. If the child has a visa, immigration officers should check that a child arriving in the United Kingdom is travelling with the adult named in the child's visa. Victims may also come to the attention of the authorities in police or immigration operations and raids, or they may come to the attention of other agencies, professionals or service providers, or members of the public.

All agencies working with children should be alert to signs of trafficking, including trafficking profiles, trafficking routes and arrangements, and the types of control exercised by traffickers.

Indicators of trafficking

The London Safeguarding Children Board has developed guidance and assessment tools to help agencies to identify and support children who have been trafficked. This includes an assessment framework with different indicators to look for, such as:

- Signs of malnourishment
- Unexplained phone calls while in a placement
- Money or possessions which are unaccounted for
- Signs of physical or sexual abuse
- Going missing from local authority care
- Fear of authority figures
- A prepared story, possibly very similar to that of other children
- A history with missing links and unexplained moves
- Showing fear for their family in the country of origin
- Lack of knowledge of where they are [4]

The framework is designed to help professionals to use the information they have about a child to identify child victims of trafficking and assess the risk of harm to a child. The assessment includes questions on the child's development, family and environment. While any professionals working with children can use the assessment tool, those professionals who have not had specific training should, where possible, complete it with their agency's nominated safeguarding children adviser.

NOTES

[1] The definition of child trafficking is set out in the Council of Europe Convention on Action against Trafficking in Human Beings at Article 4 and in European Directive 2011/36/EU at Article 2.

[2] HM Government, Modern Slavery Strategy, November 2014, para 2.24 at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/383764/Modern_Slavery_Strategy_FINAL_DEC2015.pdf

[3] All Party Parliamentary Group (APPG) for Runaway and Missing Children and Adults and the APPG for Looked after Children and Care Leavers, Report from the Joint Inquiry into children who go missing from care, June 2012, at http://www.childrenssociety.org.uk/sites/default/files/tcs/u32/joint_appg_inquiry_-_report...pdf

[4] London Safeguarding Trafficked Children Toolkit, March 2011 at <http://www.londonscb.gov.uk/trafficking/>

This fact sheet should not be used to give legal advice and is for information and guidance only. For advice on individual cases, assistance should be sought from an independent regulated legal adviser.

For further assistance contact our advice line. Call 0207 636 8505 or email mcp@coramclc.org.uk.