

## **ADCS/ADASS Asylum Task Force formal response to Home Affairs Committee's inquiry into Human Trafficking, February 2008**

### **Acronyms**

ADASS - Association of Directors Adult Social Services

ADCS - Association of Directors Children's Services

BIA – Borders and Immigration Agency

DASS - Director Adult Social Services

DCS - Director Children's Services

LSCBs – Local Safeguarding Children's Boards

UASC – Unaccompanied Asylum Seeking Children

### **Executive Summary**

- The associations welcome the recent initiatives from central government but have asked for clarity around the 'accountability' of some of these within statutory safeguarding procedures for children, to ensure there is no 'blurring' of roles. The ADCS is very clear that trafficking is a LSCB responsibility – child trafficking is child abuse and therefore requires all the existing multi agency policies and procedures around child protection.
- It is acknowledged that research, around numbers of victims of child trafficking, is indicative rather than conclusive.
- Issues that have concerned the associations are being addressed through recent initiatives. However, ADCS/ADASS acknowledge there is a lot more to do if we are to work together to recognise and protect trafficking victims who are hidden or those who go missing after being recognised.
- The BIA plan to reform services and support for UASC is welcomed but issues around the trafficking of children must be considered throughout.
- All Directors are concerned about the high number of suspected victims of trafficking who go 'missing'. Early intervention from multi- agency experts is essential to combat the hold the traffickers have over these individuals.
- There are also issues around the fact that it can be unclear where some victims of trafficking should be referred within existing structures.

## **1. Introduction**

- 1.1 ADCS and ADASS are pleased to submit this formal response to the Committee's inquiry into *Human Trafficking*.
- 1.2 ADCS is the national leadership organisation in England for directors of children's services appointed under the provisions of the *Children Act 2004* and for other children's services professional in leadership roles. The Association provides a national voice as a champion for children, with local and central government, and with the public.
- 1.3 ADASS represents all the directors of adult social services in England. It evolved from the former ADSS (Association of Directors of Social Services) when responsibilities for adults and children's services within top tier local authorities were split between two new departments - the one for adults and the other for children.
- 1.4 The ADCS/ADASS Asylum Taskforce works across the two associations, as it recognises that issues around immigration move across the two services and work must link especially around victims of trafficking.

## **2. Working across Children's and Adults Services**

- 2.1 At the present time children under the age of eighteen, who are victims of trafficking, are safeguarded under Children's legislation. Many adult victims have no recourse to public funds, due to their immigration status, and there is a lack of specific legislation to protect them.
- 2.2 The ADCS has already addressed the All Party Parliamentary Group on Trafficking and raised concerns about support for:
  - Trafficked children who reach the age of eighteen
  - Age disputed individuals
  - Those children who are parents with children of their own
- 2.3 The ADCS has reservations on the view that 'secure accommodation' is the solution for children who have been trafficked. DCSs recognise that these children have a range of needs and would like to see the provision of special placements e.g. foster carers who have had extra training so they are able to create a safe environment for children. Access to specialist expertise via support and advice for professionals may mean that the child does not need to move around the country.
- 2.4 There is only one 'Poppy project' and although it provides outreach support across the country the ADCS/ADASS Taskforce would like to see more centres that can support adult victims of trafficking outside of London and provide advice and guidance to other agencies. There also needs to be a consideration of all types of trafficking and not just that of 'sexual exploitation', and consideration of gender, as it is not just women who are trafficked.

2.5 Under the European Convention the UK will have to provide a reflection period of at least 30 days as well as the possibility of a residence order. The Home Office will, in the longer term, seek legislative changes to mainstream adult victims of trafficking and allow access to benefits. This is welcomed and there will need to be safe accommodation and appropriate support from all agencies for adult victims. At the present times a lot of victims of trafficking, whom are subject to immigration control, have 'no recourse to public funds' which has implications on Local Authorities.

### **3 National Initiatives**

3.1 The revised central government guidance 'Working Together to Safeguard Children – Safeguarding Children who may have been Trafficked' is welcomed. The ADCS feel this must be firmly tied into other safeguarding procedures and guidance, so that all agencies are clear that they must be alert to the signs of trafficking.

3.2 The Borders Bill received Royal Assent in November 07. It introduces a statutory duty on the Border and Immigration Agency to keep children safe through a 'Code of Practice'. ADCS has been consulted on this and although this is not a section 11 CA 1989 it is welcomed.

3.3 The NSPCC Child Trafficking telephone Helpline Advice service is now victims of suspected trafficking, through the Pentameter 2 operation. This has led to some confusion around their roles and responsibilities and their accountability within statutory safeguarding responsibilities.

3.4 The ADCS/ADASS Taskforce welcome the Home Secretary's announcement that she intends to accelerate plans to ratify the Council of Europe Convention against trafficking of adults and children. Progress towards ratification includes the agreement of a provisional implementation plan by the Inter-departmental Ministerial Group on Trafficking in July, the development of models of victim support and the piloting of a victim identification process under the police-led, multi-agency anti-trafficking operation, Pentameter 2. We understand that the government is to make the necessary legislative and procedural changes before the end of this year as part of the wider strategy to combat trafficking.

3.5 ADCS (through the ADCS/ADASS asylum taskforce) is now represented on the:

- United Kingdom Human Trafficking Centre (UKHTC) – Overview and Advisory Group
- Association Chief Police Officers (ACPO) – Child Exploitation Online Protection Centre (CEOP) Child trafficking steering group
- NSPCC Child Trafficking helpline advisory group

- 3.6 These initiatives are tackling some of the issues the ADCS/ADASS Taskforce have previously expressed:
- Trafficking is covert and hidden, accurate data and joining up of intelligence is needed.
  - Working across boundaries, both borders and those within agencies must be achieved
  - Consideration of support for those victims who are aged eighteen years and over.
  - Acknowledgement that work needs to be done in the country of origin through education to parents, of the potential situations that they are sending their children into

## **4. Research**

- 4.1 It is acknowledged that accurate research is difficult, due to the covert and hidden nature of trafficking. Most of the intelligence comes from the individuals we are aware of and many children will be referred to Children Services as Unaccompanied Asylum Seeking Children. (UASC) It is acknowledged that many victims of trafficking are not known to the authorities. Improvements on data collection and intelligence will help.

## **5. BIA Better Outcomes : The Way Forward**

- 5.1 Awareness and expertise has developed in those Local Authorities where UASC are supported. With the BIA reform of services and support for UASC and the plan to move to a smaller number of Local Authorities who will specialise in support of UASC, it is essential that all LSCBs have an awareness through training, that will enable them to identify victims of trafficking.
- 5.2 The proposal by BIA to return UASC to their country of origin as early as possible if their asylum application is not granted, concerns ADCS. BIA must carefully consider the possibility of trafficking.

## **6. Missing Children**

- 6.1 It is suspected that many child victims of trafficking will not come to the attention of Children's Services. Those who are supported usually present as UASC and are supported under Children Act legislation. An unacceptable number of those suspected of being trafficked are going missing, often within a few days of arrival. This is a major concern to DCSs.
- 6.2 LSCBs are working on profiling and recognising those children they suspect of being trafficked, and how social workers can give very early messages to these children, of the safety within Children's services. We are aware of the hold the traffickers have over the children and how difficult it is to break this.

- 6.3 More initiatives such as 'Paladin' which had professionals based at port of entry, may help to identify victims of trafficking and lead to intervention at the earliest possible stage.

## **7. Difficulties with Existing Structures**

- 7.1 Trafficking of adults and children is not always a priority to agencies, as it is not always a measurable target that they are being judged on. Work maybe concentrated on issues within performance indicators.
- 7.2 There have been improvements but trafficking does not always fit into recognised structures of work within some agencies and it can be difficult for Adults and Children's services to find the right department to make referrals. E.g. when the trafficking is for the sex trade then there are recognised teams dealing with this, but when the trafficking is for other types of exploitation it can be unclear who the referral should go to.
- 7.3. There are difficulties of involving all the appropriate agencies when trafficking has occurred outside of the UK, if it is suspected without clear evidence, or if it has not occurred but there is suspicion that it will or would have done without intervention.

This response has been prepared by Barbara Donovan, Regional Strategic Project Manager - Children Seeking Asylum, under the auspices of the ADCS/ASASS Asylum Task Force. Any queries regarding this response should be addressed in the first instance to:

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