

CHILD TRAFFICKING NATIONAL REFERRAL MECHANISM

GLASGOW CHILD PROTECTION COMMITTEE UPDATE

The national referral mechanism for suspected adult and child trafficking victims was introduced into the UK on 1st April 2009 to meet obligations under the European Convention on Action Against Trafficking in Human Beings. Glasgow issued child trafficking guidance notes in September 2009 detailing the process to follow if there are suspicions about child trafficking. To date 13 children have been part of the National Referral Mechanism process in the city. Glasgow also became part of a national pilot monitoring scheme for a toolkit and assessment framework to accompany the National Referral Mechanism. The pilot period is now drawing to a close and a national report is to be published at the conclusion of the data collection phase.

As part of the ongoing monitoring of the National Referral Mechanism in Glasgow a focus group meeting was held on the 15th March to collate the views of those professionals who have been involved in referring children to the Competent Authority (UK Human Trafficking Centre and UK Borders Agency).

The following bullet points are the main themes identified at the focus group discussion¹. This short report complements the recently completed phase 2 of the child trafficking research in Glasgow and highlights the complexity of child trafficking as a relatively new area of child protection work and the absence of a rigorous evidence base from which to develop best practice.

1. What is the point of the National Referral Mechanism?

- The multi-agency case conference is a recognised forum for child protection professionals, how appropriate is it for UKBA staff to overturn a multi-agency CP decision?
- Can the NRM contribute to the protection of children?
- How does the NRM support the asylum process? Unaccompanied children are usually given leave to remain until 17 ½
- Negative decision from the Competent Authority means cases may be more difficult to work from a child protection perspectives – may miss out on further investigation, although a negative decision should not halt normal CP proceedings / enquiries

2. Case conferences

- No information is coming from UKBA if they do not attend
- Useful for sharing information and having initial discussion

3. Resources

- Intensive work drawing on resources because of complexities (needs to be resourced properly across all agencies)
- Human trafficking identified as a high priority but no additional resources
- For many organisations, it is not a priority
- Accommodation for 16yrs old remains problematic

¹ The full notes from the meeting are attached.

5. Information

- Need a two way flow of information from competent authority (UKHTC/UKBA) to first responder (LA/police)
- Information is rarely available at the beginning of the process and it may take time to get information or a disclosure
- Professionals should be prepared to change assessments and decisions in the light of any new information
- Without information at the first indicators, suspicions or concerns professionals should make immediate contact with other agencies as per CP guidelines – ie don't wait for disclosure (which may not come) because in the meantime a child is potentially at risk
- At present there is a one way flow of information from the CP agencies to UKBA
- A lack of dialogue between UKBA staff and the professionals working with families

6. Multi-agency working

- There is often a breakdown of communication between services
- There are new partners around the table within the child protection framework - UKBA - even within the child protection committee it took years of development before agencies were comfortable with multi-agency approach

7. Awareness and understanding

- Social work CP team locality briefings good for awareness raising
- Staff now becoming more aware of the trafficking agenda and making referrals

BUT

- In terms of awareness and understanding *"we are still in the basement, not even on the ground floor"*
- Information about the VYP/NRM is not being disseminated, or digested by those universal services on the front line who are likely to come into contact with children first eg housing; A&E; education
- There is an assumption that if children are in the UK they are here legally and somebody else has checked they are being adequately looked after and safeguarded
- Trafficking and facilitation / smuggling distinction remain unclear
- Many/most people see trafficking as sexual exploitation
- Most evidence, with exception of Glasgow, re child trafficking in Scotland is anecdotal

8. Effect of process on children

- Young people are subjected to extensive and numerous interviews with police, lawyers, UKBA, social work
- Need to *"gather information that serves a number of purposes"* without subjecting a vulnerable child/young person to ongoing interviews
- There could be several months before disclosure is made (if ever) as children do not want to talk about issues, and then is it too late to alter assessment under NRM?

9. Identification and assessment

- Indicator Matrix has been a helpful guide
- Assessment framework getting people to think about areas to enquire

BUT

- Children are 'siloes' and labelled as 'trafficked' 'smuggled' 'facilitated' etc and changes in initial assessment are unusual
- Indicators may be problematic for under 10's – negative reasonable grounds decisions in Glasgow all on younger children
- Assessment framework - a huge document and it was questioned whether worthwhile as not presented to UKHTC and most of this covered in the NRM referral (although not as much detail)
- Age assessment remains a particular problem

10. Protocols & Procedures

- National Referral Mechanism is a good starting point for identifying and beginning to work with victims – the reflective period has some benefits in supporting appropriate interventions

BUT

- There is a lack of clarity about the purpose of the NRM
- The introduction of the NRM was not well managed, both locally and nationally
- Protocol / procedure is not operating as well as it should
- No operational lead for trafficking in some agencies
- Changes required to local procedures to reflect the national monitoring and ongoing work in Glasgow and to fit in with West of Scotland guidance

Different application of procedures

- The CP/VYP procedures with suspected trafficked children have operated to a different timescale and slower process than it would for other children in other CP scenarios
- Agencies are not responding quickly enough to trafficking concerns

11. Complexity

- Need to recognise the complexity of child trafficking – it is probably the most difficult of all child protection challenges because of all the inter-related factors

12. Monitoring and evaluation

- We are beginning to identify prevalence in UASC population
- There is no evidence available yet that the child protection / VYP / NRM protocol is effective or not.
- How can the whole process work better remains a key question.

Concluding remarks

Reflecting the experiences of the remainder of the UK the introduction of the National Referral Mechanism for child trafficking victims has been challenging in Glasgow, not least because of the complexity of the issue, and the absence of a knowledge base for informing best practice.

Despite the complexities, the focus group identified a number of improvements that may assist in developing improved practice, including the requirement for increased training and awareness raising, especially for front line universal services that are more likely to come into contact with trafficked children.

Obtaining accurate information is a problem with child trafficking and it was recognised it is traumatic for children to repeat their stories to inform the decision making of different agencies. This trauma may be addressed by gathering information in one JIT style interview that suits a number of purposes (asylum claim; legal; child protection). It was also suggested that the presentation of information for all purposes at the case conference stage might facilitate asylum – CP – legal – NRM – prosecution/conviction purposes at the same time.

UKBA are a new addition to the multi-agency child protection community and it is likely to take some time to become familiar with child protection procedures in Glasgow. The formation of a multi-agency team in one building co-ordinating and dealing with referrals was identified as a possible solution to the complexities involved in working with child trafficking victims and improving communication.

There is anecdotal evidence of similar barriers and challenges nationally and the recent CPC research in Glasgow has also identified similar issues. What is clear from the focus group, and other available evidence, is that child trafficking is presenting new challenges for child protection professionals in the absence of a framework of understanding and clear evidence base.

The ongoing monitoring and evaluation of the NRM process will be crucial in obtaining a clearer picture of child trafficking in Glasgow and providing a developing evidence base for practice. It is likely that following ongoing monitoring the local protocol and guidance will require amending and that continued policy, practice and research developments will be needed to continually improve practice and respond to the evolving nature of child trafficking. The multi-factorial risk factors involved mean that the Child Protection Committee will remain the key forum for future developments.

Paul Rigby
13 May 2010

NRM FOCUS GROUP - 15 MARCH 2010

The following notes (and they are only notes at present) are the themes I identified at the focus group discussion regarding the national referral mechanism for child trafficking and the piloting of the assessment framework in Glasgow. They will probably further refined when comments come back.

The shaded areas in each section are suggested actions to develop some of the issues mentioned.

No attempt has been made to locate the observations within a wider framework and / or corroborate any of the points made – at the moment this document simply reflects people's perceptions of the NRM to date and the discussion at the group. As such please feel free to add comments to illuminate what has been said or to expand points further (track changes has been enabled so I can follow).

If nobody has any objections, it will be useful to feedback this information to the local CPC VYP child trafficking subgroup at the beginning of May. With this in mind could any changes be forwarded to me by the 16th April please. As already indicated the focus group was held under Chatham House rules so no comments will be attributed to any individual, profession or organisation.

Thanks again with your help on this.

1. Case example

Recent case where after a multi agency meeting (in line with CPC - VYP trafficking procedures) it was decided there were sufficient concerns to refer a child through NRM process, only to receive a negative reasonable grounds outcome. This left all involved at the VYP multi-agency meeting asking "what's the point" and how it protects children when UKBA staff can overturn a multi-agency child protection decision. It is a recognised forum of child protection professionals and if they believe a child is at risk how qualified are UKBA staff to overturn a multi-agency CP decision?

This is concerning if a group of professionals convened under CP guidelines make decisions and are then overturned by decision of an organisation that may not be present at the initial case conference.

The question was raised as to whether UKHTC / UKBA know that in Glasgow it is usually a multi-agency CP decision to make a NRM referral

Ensure that before a reasonable grounds decision is made UKBA have to attend a case conference where the discussion has taken place. It is likely there is information presented there that may not make it onto an NRM form.

Additional information put on NRM referral form that decision has been made by a multi-agency CP conference

2. What is point of NRM

Questions were raised about the point of the NRM and if it actually contributes to the protection of children. In Glasgow even a negative decision should not halt the 'normal' CP/VYP process although it was questioned whether a negative decision may impact on subsequent work.

How does the NRM support the asylum process as unaccompanied children usually given leave to remain until 17 ½ anyway

Furthermore it doesn't / shouldn't affect any decisions that may be subsequently made when become an adult re asylum applications

With these concerns about child protection and asylum the key question is what does a child get out of the NRM - is it not just additional trauma and further interviews and decisions

3. Case conferences

Concerns were noted about the short term notice for case conferences. However it was recognised this is the nature of child protection work and that as the need for attendance is critical (for sharing information and concerns etc) all effort should be made to attend or nominate a replacement.

What may be missing re trafficking / risk decisions at case conferences is that no information is coming from UKBA if they do not attend.

Correct process of working should be ongoing dialogue, contact and discussion prior to case conference and after

There should be a strategic / policy commitment from all agencies, particularly UKBA, to attend initial meetings where concerns are being discussed in order that a more informed decision can be taken at the initial VYP/CP stage

Useful for UKBA to attend initial case conference before they make a reasonable grounds decision

Where an agency are unable to attend meetings written reports should be provided ensuring an informed decision is possible with all information available to professionals.

4. Resources

Additional resources may be needed for all agencies to ensure commitments under NRM are met.

There were concerns that policy makers are identifying human trafficking as important issues but are not providing additional resources and staff to deal with it. It is allegedly a high priority but not funded, and for many organisations it is not a priority. Need to get the message through to those responsible that it is an issue, then look at dealing with resources.

There are numerous resource implications, not least with the amount of work at the beginning of the process, and then the ongoing complexity of the issue.

More trafficking cases will increase workloads of already overstretched and under-resourced services

Need time to actually do the work and identify all the people who may have been trafficked

5. Different application of procedures

Shared anxiety that within CP/VYP procedures with suspected trafficked children the process to date timescales are problematic and it has appeared to be a lot slower process than it would be for UK children in other CP scenarios. We are not as fast in instigating procedures and getting investigations under way with this group and not as fast at getting case conferences organised and decisions made. We wouldn't wait for as long to set events in motion if it was a UK child experiencing the same abuse / issues.

One problem that was identified as a possible contributory factor is we don't always get the information at the beginning of the process and it may take time to get information or a disclosure.

We are a bit slow at decision making in trafficking case and we all have busy diaries but we make time for UK children case conferences

How can the whole process work better is a key question as the introduction of the NRM was not well managed, both locally and nationally.

If there is a negative decision it shouldn't stop ongoing CP enquiries

All additional information should be added to the system as quickly as possible to inform the decision making.

6. Information

It was noted that additional information nearly always come to light after initial investigations and it was emphasised that all professionals should be prepared to change assessments and decisions in the light of any new information (this is linked to the importance of ongoing dialogue and discussion between all agencies)

However, it was reiterated that at the first indicators, suspicions or concerns professionals should make immediate contact with other agencies as per CP guidelines – ie don't wait for disclosure (which may not come) because in the meantime a child is potentially at risk

Concerns that at the moment there is a one way flow of information from the CP agencies to UKBA

Concerns about the lack of dialogue between UKBA staff and the professionals working with the families - a one way flow of information has been the experience to date.

7. Multi-agency working

Have to recognise there are new partners around the table now within the child protection framework - UKBA - and that even within the child protection committee it took years of development before agencies were comfortable with multi-agency approach. We don't always get it right now in the established CP process.

There is often a breakdown of communication between services

A multi-agency team in one building co-ordinating and dealing with referrals

8. Awareness and understanding

In terms of our knowledge base we are still in the basement, not even on the ground floor in terms of getting the message across and the knowledge base increased

Remaining concerns that awareness and understanding around trafficking remains limited and information about the VYP/NRM is not being disseminated, or digested by those on the front line who are likely to come into contact with children first. Universal services are most likely to see trafficked child first – how do we help staff identify where they come across suspected trafficking?
Front line services need more training and awareness raising because they see the people before anybody else – this must include housing; A&E; education

Once a trafficked child is recognised process should be familiar within existing child protection procedures etc – it's getting to recognition that is the main problem. It is a challenge how we reach those agencies who are first responders and how to ensure they are alert to the indicators and presentations of trafficked young people – that's in addition to other front line agencies

A more questioning approach is needed across all agencies - there is an assumption that if children are in the UK they are here legally and somebody else has checked they are being adequately looked after and safeguarded

However there also has to be recognition that there are difficulties in identifying child protection issues, never mind trafficking

Discussion about different aspects of trafficking (eg are children just using the asylum process and sending the money home? Eg 2 families from Iraq who are bringing children in, claiming as their own in effort to protect them from the difficulties they face there. Debate and information sharing that these examples would not be trafficking (assuming no coercion / exploitation) and anxiety was expressed about wider understanding of the different types of movement. There needs to be awareness and understanding about the difference between trafficking and facilitation / smuggling. Though it was recognised the distinction is in itself difficult to ascertain – who is facilitating their own entry and who is being brought in for exploitation? Anxiety that this message is not getting across.

Also concerns that many/most people see trafficking as sexual exploitation – not that it encompasses different trafficking / exploitation scenarios

Individual agencies are arranging appropriate training for certain professionals to raise understanding although it was noted it is particularly important to target first responders across professions.

There was discussion around who responsible for ensuring message is generated nationally and how this would be done – agreed Scottish Government should be lead on this.

9. Effect of process on children

Young people are subjected to extensive and numerous interviews with police, lawyers, UKBA, social work and there was a consensus this is too much and the information gathering should be a more streamlined process. Children are already dealing with so much at the point of contact, feel this is intrusive and traumatic – asking the same questions repeatedly and getting interviewed by any number of authority figures. We have to stop children becoming embroiled in an abusive system and to “gather information that serves a number of purposes” - we need a way to gather as much information as possible without subjecting a vulnerable child/young person to ongoing interviews

The NRM shouldn't add extra interviews.

Children are siloed right from the start - either being identified as smuggled, separated, trafficked etc - and then it is difficult to change initial assessments. There could be several months before disclosure is made (if ever) as children don't want to talk about issues and then is it too late to alter assessment under NRM?

Will one JIT style joint interview on all arriving separated children where trafficking is suspected meet the needs of all agencies ? (time consuming in the first instance, save time and trauma for children longer term)

10. Process

Changes required to ensure it all works properly - eg UKBA can present their information and knowledge of child at the case conference stage. This conference can then discuss asylum – CP – legal – NRM – prosecution/conviction all at one meeting

Should child trafficking develop it into another system on its own – a separate trafficking system (distinct from CP / asylum etc) ?

Are there problems with the NRM itself or are policy makers not being proactive enough. Tipping point is needed but this may take a few years

If a child goes out of the country (suspected trafficked) why is this not seen as a positive reasonable grounds –trafficking is all about the movement of children

Concerns that a negative decision from CA may change interaction with children and their families – even if CP focus is not lost.

Probably further investigations were needed before a negative (or positive) decision was made.

11. Evidence (anecdotal) of trafficking

Has to be a recognition that it is not just happening in Glasgow – but there is even less evidence about the issue elsewhere and as far as we know the numbers remain small in the rest of Scotland, raising wider concerns about the message getting across

Anecdotal evidence about problems at Scottish ports and airports was discussed, but children are not showing up on any statistics as trafficked as they are going missing (eg getting on buses at airports and disappearing before presenting at social work / SRC at destination) before any official contact and assessment by social work or UKBA

Is Glasgow the final destination so children don't go missing as much

Chinese – anecdotal young women arriving pregnant after forced labour and becoming pregnant through 'boyfriends'. Over time Chinese women have disappeared with babies with additional suspicion of continued forced labour

Harrow identified as a possible example of good practice - secure accommodation to keep traffickers out. Not to keep children in.

12. Identification and assessment

Concerns re “ring fencing” people and channelling down a specific road (if they are asylum seekers do x, if trafficked do z etc) but when more work is done, more information becomes available but too late to stop the ongoing processes so let them run their course and decision is made before considering another option/route. Feels that if everyone was able to be round the table at the beginning, may provide a better understanding of which process is appropriate

Indicators may be problematic for under 10's – negative reasonable grounds decisions in Glasgow all on younger children

Assessment framework - this is a huge document and it was questioned whether worthwhile as not presented to UKHTC and most of this covered in the NRM referral (although not as much detail)

Important to look at what we need/want from recording then move from that to identify the data we can get.

Questions were asked about how the assessment form is actually completed – do we need to fill it all in

Need to revisit the NRM and assessment framework - what is needed on it given that it is presently a huge document. What do we need exactly to report on to assess trafficking

13. Age assessment

Age assessment still a problem – there is nothing in medical science that can help in giving a definitive age for a child. In the absence of this the decision can best be made in social interactions and social work assessment

Question was asked do all professionals know what is in the age assessment document?

How does age assessment process fit in with what's happening nationally

It was asked about the possibility of carrying out age assessments on all young people presenting as trafficked – general feeling is that this is inappropriate unless medical reasons for doing so.

14. Protocols & Procedures

No national lead for trafficking/NRM so hard to push any agenda through

Feels the message re NRM is not getting across more than the process not working. This has been raised with Scottish Government and how it is their responsibility to push this through and ensure all agencies across Glasgow and Scotland are fully aware

Discussion around pilot process completion and how after pilot any findings will influence future practice - ie do we all just stop following?

Some changes are required to procedures once the monitoring is complete.

Ensure a protocol is in place which works for professionals and young people and find a way to make this process work for trafficked young people

15. Complexity

Long way to go before we are confident about what we are doing

Need to recognise the complexity of all this – it is probably the most difficult of all child protection challenges because of all the inter-related factors

16. Monitoring and evaluation

Questions were asked about how will we know if the protocol is working? What we don't really have is a statistical collation, a clear picture of what's happening and a breakdown of nationalities

Small number of NRM referrals to date means they can be followed up with at least a process evaluation

No evidence available yet that it is effective or not

Need to be careful about research that identifies gaps because may look like agencies are not responding. Without recognition of the challenges and the complexity of trafficking though we can't begin to identify barriers and issues and what needs to be done to improve provision

At the moment the guidance is considered to be OK where the importance of doing the VYP case conference first is emphasised. However, some changes to the guidance and procedures are likely to be needed following the pilot – not least to fit with West of Scotland guidance.

Positive Points

- Case Conference useful for sharing information and having discussion
- Indicator Matrix has been a helpful guide
- Assessment framework getting people to think about areas to enquire
- Social work CP team locality briefings good for awareness raising
- Staff now becoming more aware of the trafficking agenda and making referrals
- We are beginning to identify prevalence
- National Referral Mechanism is a good starting point for identifying and beginning to work with victims – the reflective period has some benefits in supporting appropriate interventions

Negative points

- There is a lack of clarity about the purpose of the NRM
- NRM has been introduced without much preparatory work
- People are 'siloed' and labelled as 'trafficked' 'smuggled' 'facilitated' etc and changes in initial assessment are unusual
- Negative decision cases more difficult to work from a child protection / children and families perspectives – may miss out on further investigation
- Need a two way flow of information from competent authority to first responder (LA/police)
- Indicator matrix may be problematic for children under 10
- Not sure the NRM is not working - more the identification / overall message hasn't been disseminated
- Agencies are not responding quickly enough to trafficking concerns
- Protocol / procedure is not operating as well as it should
- No operational lead for trafficking in some agencies
- Intensive work drawing on resources because of complexities (needs to be resources properly across all agencies)
- Accommodation for 16yrs old remains problematic
- Age assessment interviews controversial
- Accommodation over the age of 16 is still problematic

What is required

- Legal services (in LA) need to be trained
- Need to gather information in one interview that suits a number of purposes (asylum claim; legal; child protection)
- Housing providers would benefit from more training
- Need a specialist team working together
- How do we raise further awareness and understanding to more people
- Concerns need to be triggered much earlier – school, GP surgeries etc - people on ground level at the front line
- Scottish Government need to do a media campaign – telephone lines etc
- Protocol/Guidance may need amending after pilot
- Fully evaluate the pilot locally