

Safeguarding Children who may have been Trafficked

Consultation Response Form

The closing date for this consultation is: 16
August 2007

Your comments must reach us by that date.

department for
children, schools and families

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Please tick if you want us to keep your response confidential.

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If your enquiry is related to the policy content of the consultation you can contact the team at: trafficking-guidance.consultation@dcsf.gsi.gov.uk

If you have a query relating to the consultation process you can contact the Consultation Unit on:

Telephone: 01928 794888

Fax: 01928 794 311

e-mail: consultation.unit@dfes.gsi.gov.uk

Please insert an 'X' into one of the following boxes which best describes you as a respondent.

<input type="checkbox"/> Local Authority	<input type="checkbox"/> District Council	<input type="checkbox"/> Local Safeguarding Children Board
<input type="checkbox"/> Primary Care Trust	<input type="checkbox"/> NHS Trust	<input type="checkbox"/> Strategic Health Authority
<input type="checkbox"/> Border and Immigration Agency	<input type="checkbox"/> Police	<input type="checkbox"/> Youth Offending Team
<input type="checkbox"/> Probation	<input type="checkbox"/> Prison or other secure settings	<input checked="" type="checkbox"/> Voluntary and Community sector
<input type="checkbox"/> Faith organisation	<input type="checkbox"/> National organisation	<input type="checkbox"/> Private organisation
<input type="checkbox"/> Business or commercial	<input type="checkbox"/> School or College	<input type="checkbox"/> Connexions-Direct
<input type="checkbox"/> CAFCASS	<input type="checkbox"/> Parent	<input type="checkbox"/> Other (please specify)

Please Specify:

AFRUCA – Africans Unite Against Child Abuse was established in May 2001 to promote the rights and welfare of African Children in the UK. We also work in partnership with other organisations in Africa and across Europe.

AFRUCA works with practitioners working with children and in the African community to raise awareness and educate everyone about issues affecting the welfare of children so we can all act to protect them from abuse and harm. Our work includes:

Awareness raising within the African community across the UK and among young Africans about children’s rights as enshrined in the United Nations Convention on the Rights of the Child and other international conventions and UK legislation promoting the rights and welfare of children.

Information, education, and advisory services to raise the profile of African children in the UK, increase awareness of their needs, improve policies and practices, and develop the leadership potential of young Africans. Activities include research and publishing reports; media work; conferences, seminars, workshops, and training

programmes for parents, policy makers, service providers, community leaders, and young people; community meetings; advice and consultancy services.

Advocacy and policy development, working closely with policy makers, especially within the framework of the Government's 'Every Child Matters' agenda, to shape the development of policy and regulatory action to promote the welfare of children.

Community and international development: in partnership with others, establishing programmes and projects to help relieve some of the suffering and hardship that African children experience.

Our Work on Child Trafficking

AFRUCA is the only African charity in the UK working on counter trafficking issues. Our work on trafficking imbibes a holistic approach, working closely with others to sensitise the community – both in the UK, other countries in Europe and in Africa, support child victims of trafficking and influence relevant governments' policies and regulatory action.

Our activities:

- Awareness raising, sensitization and promoting attitudinal changes amongst the African community in the UK and in source countries regarding the exploitation, abuse and the trafficking of children. AFRUCA believes that the most effective way of safeguarding children is by raising the level of awareness so that people can begin to see child protection and safeguarding as an issue that concerns and involves them.
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- Collaboration with agencies in raising the skills level of staff through taking part in various training activities and in drawing up relevant policies, strategies and protocols to ensure each agency is better able to support and meet the needs of child victims of trafficking.
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- Advocacy and lobbying to ensure governments are aware of and see the need for changes in the law so that child victims can be better protected, and that all those responsible for protecting them are supported and empowered to do so.

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- Providing support, counselling and friendship for victims of trafficking or signposting them to other sources of help to ensure they can get the support and justice they deserve. We do this either directly when we are approached by the young people or those who know them, or indirectly working with various local authorities social services, the police, law firms and others.

Some of Our Achievements

- Since our inception in 2001, we have provided support for over 150 victims of trafficking in different ways. The nature of our support ranges from working directly with victims to access support from the relevant agencies. We have assisted victims to access immigration help and advice to regularise their status in the country. Our staff have assisted victims to access the necessary psychological help from agencies to deal with their abuse, exploitation and trauma. We also befriend and provide emotional support for victims especially those going through the immigration system.
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- AFRUCA continues to be approached by practitioners from different agencies across the country to assist in case work involving Africa children through the provision of advice, consultancy and expert witnessing.
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- We have recently concluded an international conference on child trafficking to the UK. The conference was the first forum to address the link between child trafficking and witchcraft abuse.
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- In 2006, we launched a media campaign on child trafficking through the production and screening of a video on the subject on key African satellite TV stations – BEN TV and OBE TV. Both stations have a total viewing audience of over 4 million people.
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- In November 2002, AFRUCA held the first community meeting in the UK to raise awareness of the growth in the trafficking of African children in to the country. Over 100 members of the African community in the London area attended the event.
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- AFRUCA's 2004 National Conference was focused on the Role of the African Community in the UK in Combating Child Trafficking. Over 200 members of the African community,

practitioners and policymakers attended the programme.

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- In 2005, AFRUCA received funding from the Body Shop Foundation to develop its strategic work against the trafficking of African Children Across Europe. The one year project is the first step in our efforts to develop multi-lateral co-operations in combating the trafficking of children among African community groups across Europe and specifically in Switzerland, Belgium and Ireland. As part of this, we have held a seminar in Dublin, Ireland, and a Round Table meeting in Brussels, Belgium to dialogue with colleagues in those countries about the issue of child trafficking and how to develop collaborative approaches in addressing the problem.
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- In 2006, in partnership with ECPAT UK, AFRUCA has received funding from Comic Relief to develop and run training programmes for practitioners across the UK on Child Trafficking. The programme will enable ECPAT UK and AFRUCA to help develop the skills and competencies of relevant staff in working with child victims of trafficking.
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- In 2006, AFRUCA received funding from the Home Office to hold a series of consultative meetings/ focus groups with members of the African community across London. The meetings enabled us to gather views from members of the African community across the capital about prevention, identification, protection and rehabilitation of victims.

This question relates to the document as a whole.

1 Having read the document do you consider it to be segmented and sequenced in such a way that aids ease of access and reference? If not please suggest alternatives.

Yes

No

Not sure (please specify)

Comments:

The next 3 questions relate to section 3.4 of the guidance.

2 Does this section provide practitioners with adequate information about the reasons why children are trafficked?

Yes

No

Not sure (please specify)

Comments:

The guidance needs to consider that children may be trafficked for multiple purposes at the same time. Most children we have worked with at AFRUCA who are victims of trafficking for domestic servitude were also used to claim many forms of benefits – including housing benefits or to access bigger council homes. Also child benefit, child tax credits as well as other forms of government benefits. In this sense, children are being trafficked and exploited in order to exploit the state.

In many other cases where children have been trafficked to look after children of their exploiters, they were also being exploited to look after other people's children who pay the exploiter for this service. In most cases, the children do

not receive any form of payment for their services.

We have worked with children at AFRUCA who were trafficked to work in restaurants while benefits were claimed for them as children. One victim we worked with was placed to work in a car wash during the week, and in a night club as a toilet attendant at the weekends

In a lot of the domestic servitude cases, money has not exchanged hands because the parents are of the impression their children are coming to the UK to study, in exchange for some form of domestic work – which is normal in most African societies. The problem is they have no way of knowing the extent of the exploitation their children will be subjected to. In this instance, deceit is the key factor fuelling the growing number of African children coming to the UK as victims

The point above is that most children we are aware of were not trafficked to make money directly. Their presence and their lives with the exploiter open up many opportunities to save money as cheap labour and make money...which does not go towards meeting the needs of the trafficked child.

Religion and trafficking

It is important to make the link between certain religious beliefs and practices and how these could be manipulated by potential abusers and traffickers. The well known case of a Kenyan pastor whose wife was jailed in Kenya for false and illegal adoption is a case in point. Here, women unable to give birth were convinced they have been made pregnant through the pastor's ability to perform miracles and then made to go to Kenya where stolen children are miraculously presented as their own children. These children are then registered and brought to the UK.

.Street Children and Child Trafficking

AFRUCA wishes to highlight the plight of street children in many African countries who are extremely vulnerable to trafficking. Across Africa, there are at least 10 million children living on the streets with no one to care for them, with no form of state support, education, or assistance. This consultation has highlighted the plight of children in dysfunctional families who choose to leave home. However, AFRUCA believes that majority of the children living on the streets of many African cities and towns consist of the following:

1. **Aids orphans** whose parents have died and who have been rejected by extended family members end up on the streets. In Kenya alone, there are over 250,000 aids orphans. AFRUCA has worked with many young girls from Kenya who were trafficked into the UK by

virtue of living and working on the streets in key Kenyan cities like Mombassa and Nairobi.

2. Many children have been forcibly ejected and rejected by their families due to accusations of witchcraft. A lot of these children have ended up as victims of trafficking. Key countries where these issues have been highlighted as of major concern include Nigeria, Malawi, Congo DR as well as Angola, Zambia. In fact at our recently concluded conference: "Modern Day Slavery of African Children in the UK: Addressing the Demand and Supply Nexus", the link between child trafficking and witchcraft abuse were keenly discussed by participants. One of the key conclusions of this conference was to organise an educational event to further discuss this issue. While there is no proof that such children are ending up in the UK, the possibility is not too far removed. In this instance, **witchcraft abuse as a possible factor in UK child trafficking needs to be seriously considered and highlighted in this guidance.**

3 Does it provide readers with adequate information as to how and why they might be abused and exploited in the UK?

Yes

X No

Not sure (please specify)

Comments:

The guidance needs to make the following links

Child Trafficking and Private Fostering

In addition to the above, we are of the opinion that the link between child trafficking and private fostering needs to be explored. Our strong belief at AFRUCA is that many children in private fostering situations are very vulnerable to being exploited in the home or for other forms of forced labour. This is because of a lack of strong efforts by local authorities to monitor the welfare of such children and to track their movement and progress. In this view, this guidance needs to be developed hand in hand with a stronger process of training for practitioners so they are more knowledgeable about private fostering regulations and procedures and are able to detect and act when children in such situations are being abused and exploited.

Cultural Practices and Child Trafficking

AFRUCA strongly believes it is important to highlight what some of the cultural practices and attitudes mentioned in this section of the guidance are for the benefit of practitioners. Many research reports including the recent ones by CEOP and ECPAT UK highlighted the fact that children from different African countries account for the second highest numbers of children trafficked in to the country. There are indeed different trends occurring in terms of trafficking from different countries. Most of these African children are of Nigerian origin. Most Nigerian girls exploited as victims of trafficking in the UK are so abused as domestic slaves, although not exclusively so. This is supported by our experience at AFRUCA where most of the young girls we have worked with were trafficked into the country to work as domestic slaves. The CEOP and ECPAT reports also support this assertion.

It is important to understand why Nigerian girls exploited in the UK are predominantly used as domestic slaves in the country. In our view, this is due to the cultural practice of keeping domestic servants in Nigeria. In fact, the Child Welfare League of Nigeria claimed almost every Nigerian household has a child domestic servant in the country. The practice of using children as slaves has therefore been imported by the predominant Nigerian residents in the country.

In our view, it is important to highlight trends around attitudes and cultural practices as indicators of trafficking so practitioners can have a better knowledge of identification and then follow up with investigation.

Child Trafficking and Faith Organisations

The guidance has been very lacking in its identification of the roles of faith organisation in child trafficking. Based on our knowledge and experience, a lot of young victims are known to faith organisations because they do go there or have been trafficked by members of faith organisations. We regret that no mention has been made of the role faith orgs in safeguarding victims of trafficking who come to their churches, for example. Faith workers need to be equally aware of children who demonstrate the indicators of trafficking mentioned earlier and know what to do to help and assist. Faith organisation need to be educated about the rights of children so they can promote the message to their congregation. That little mention has been made of this clearly shows that this guidance is very much lacking.

4 If you think this section could be improved please say how.

Comments:

The section needs to look at cultural trends as highlighted above to assist practitioners to develop their knowledge of the indicators of trafficking. This will enable better identification of victims from different countries and hence help with early safeguarding

This question relates to section 3.5 of the guidance.

5 Does this section provide practitioners with adequate information to alert them to the fact that trafficked children may be at risk of serious and imminent harm even though the child might show no obvious signs of distress or abuse?

Yes

X No

Not sure (please specify)

Comments:

Children “disappearing” into Communities

AFRUCA does not agree with the notion of children “disappearing” into their ethnic minorities to avoid contact with the authorities as stated in the guidance. The truth of the matter is that children are trafficked mainly to be exploited in their communities by their own people. Almost all the young people we have worked with were trafficked by close relatives, family friends and others known to the children and their families back home. Most victims of domestic slavery, for instance, are locked up in homes with no access to help and support. Most victims of sexual slavery might be kept in a house with an excessive number of men visiting at different times during the day and night. Their lack of contact with the authorities is not purposely to avoid doing so. Their so called “disappearance” is due to a lack of efforts, in our viewpoint, by agencies to work more closely with communities to identify child victims, support groups working on the ground to educate communities and encourage community members who can help to come forward with information.

The next two questions relate to section 4.1 of the document.

6 Is there adequate information at this point in the document to show practitioners how and why they need to be alert to the possibility of trafficking when in contact with vulnerable children?

Yes No Not sure (please specify)

Comments:

See Sections 3 and 4 above regarding cultural practices, community trends and indicators of trafficking

7 Are there other agencies or groups which should be included?

Yes No If yes, please specify which agencies

Comments:

AFRUCA regrets the tokenistic reference to the role of communities in safeguarding child victims of trafficking. We are disappointed that the work of community organisations working in this area as well as their role in protecting victims has neither been acknowledged, nor recognised.

The fact remains that community organisations like **AFRUCA** have developed a wealth of knowledge and experience working in different ways to combat child trafficking in the UK. We have child victims walking into our offices to seek our help and assistance in different ways, we also have practitioners across the country ringing us for expert advice on specific cases. We work in-depth in our community raising awareness and educating on the implications of child trafficking. We organise national as well as international events to educate practitioners on child trafficking issues. We also work in partnership with other non governmental organisations in various African countries on specific cases as well as in exchanging information and intelligence on trends and

developments

The resultant effect of the above is that AFRUCA as well as other community groups continue to play a major role in the safeguarding of victims – in many positive ways. We regret that this role continues to be ignored and unacknowledged by government and its agencies. Many community members who have a distrust of mainstream agencies contact AFRUCA for advice on cases of children known to them as victims of trafficking. We regret that this guidance has failed to take this key fact into consideration. We believe that such a grave omission of the key role of community organisations such as ours can only have a detrimental effect on efforts to safeguard our children from exploitation. Sadly, our children will be the losers in this regard.

This question relates to section 4.2 of the document

8 Does this section provide adequate information to help practitioners to identify if a child has been trafficked?

Yes

X No

Not sure (please specify)

Comments:

The guidance seems to focus mainly on trafficking for sexual exploitation but has not explored trafficking of children for other purposes nor does it cover in detail the fate of children trafficked for other purposes. Most of the indicators or risk factors identified are for victims of sexual exploitation. Practitioners need to be more conversant with indicators of children trafficked for other forms of trafficking, especially for domestic servitude. We have highlighted above our belief that most child victims from Africa are trafficked for domestic slavery and are more difficult to detect and identify because they are hidden in people's homes and hardly go to school.

In addition, we are of the opinion that most of these victims can be better safeguarded through better joint working among agencies. For example, it is our opinion, based on our experience of working with many victims, that most victims of domestic servitude are also used to claim state benefit. It is imperative, in our view, that practitioners in social work as well as benefit officers work together to detect such children who are very much at risk.

This question relates to section 4.3 of the document.

9 The risk factors have been developed through the experience of professionals dealing with trafficked children. Are there other risk factors which your experience suggests we should include? Have we included any that you feel are not helpful?

Comments:

In our recent publication: “**What is Child Trafficking?**” designed to help educate members of our community about the subject, we identified the following indicators of trafficking to assist with identifying children in situations of domestic servitude or slavery.

- Unexplained bruises or injuries on different parts of the body
- Does not go to school, or if at all, does not attend school regularly
- Does too much work in the house and is left alone with children for long periods
- Has limited freedom of movement, hardly leaves the house
- Is malnourished, is not allowed to eat regularly or eat proper food
- Is not taken to hospital when ill
- Is always beaten or starved as punishment
- Is working in a restaurant, in a shop or for other businesses, all the time, especially when they should be at school
- Looks unkempt, and uncared for. Does not own a winter coat and goes out in the cold with no proper clothing and shoes
- Carried heavy groceries from the shops or market every-time but hardly takes a bus or other forms of transportation
- Looks sad, miserable, and does not have anyone to talk to

In addition some of these indicators of sexual exploitation (or risk factors, as the guidance chooses to call them) are highlighted in our publication:

- Is pregnant and wants an abortion
- Has a sexually transmitted disease or has tested positive for HIV
- Lives in a house with an excessive number of men visiting all the time. has to pay off an exorbitant debt. Owes a lot of money for someone her age
- Is afraid of the effects of “juju”, voodoo or witchcraft

This question relates to section 4.3.8 of the document.

10 We are concerned that some trafficked children may be hidden from view within private fostering arrangements. Does this section provide adequate information to help practitioners identify this group of children? If not, please say how you think it might be improved.

Yes

X No

If no, please specify

Comments:

In our response to the Home Office Consultation on Proposals for an Action Plan on Human Trafficking, we made the following statement:

“A significant number of African children from abroad living in the UK are privately fostered. A high proportion of these children are vulnerable and prone to abuse and harm. However, AFRUCA is very concerned about the lack of concrete efforts make by local authorities across the country to reach out to communities and familiarise them with the new requirement to notify if they are looking after other people’s children. In all our work within our community, in London, Birmingham and Newcastle, we have never come across anyone who is aware of the requirement for them to notify if they are looking after children...We are therefore highlight concerned about the continued lack of safeguards for African children in such arrangements”

(AFRUCA Response to the Home Office Consultation on Proposals for An Action Plan to Tackle Human Trafficking. 5 April 2006)

Our viewpoint is that this guidance has also failed to take into cognisance the lack of awareness among the public of the requirements to notify if they are looking after children in a private fostering situation. In addition, very few local authorities bother to make inquiries about privately fostered children in their areas as well as collate figures of privately fostered children in their areas. Local authorities do not have systems for tracking and monitoring these children. We are therefore of the opinion that children in such situations will continue to be at risk of abuse and harm because very little is being done to protect them.

In this sense, the guidance puts the onus on practitioners and volunteers in agencies to report cases without mandating local authorities to fulfil their legal roles. This is akin to government shirking its role in ensuring these children are safeguarded appropriately. The fact is that most children in private fostering situations will continue to be at risk because the system does not protect them, and continues to show that it does not value them and does not have their best interests in mind.

This question relates to section 4.8 of the guidance.

11 This section aims to support practitioners in safeguarding children who are already, or who may, go missing. Does it provide sufficient information to help practitioners to protect this group of children?

We would particularly welcome comments here from children's social care and police child protection officers.

Yes

X No

Not sure (please specify)

Comments:

Our view here is that if the framework for child protection and safeguarding is not improved at the policy level, there is very little practitioners can do to make a lot of difference in the lives of victims. In our viewpoint, action needs to be taken by the following agencies to better safeguard victims:

1. The Benefits Agency needs to be more pro-active in detecting people using victims of trafficking to claim state benefits. Children who are categorised as "missing" might not actually be so, but may be used for fraudulent benefit claims under a different identity
2. Local authorities needs to demonstrate better commitment to the welfare of children in private fostering situations by putting in place better monitoring and tracking systems for children, which really should be part and parcel of their legal responsibility to such children. A good tracking system will help to detect children who may have been passed on to others, for example, relatives in another city, to be exploited anew.
3. The education system needs to develop protocols to help identify and safeguard child victims of trafficking who do come to school. In cases where such children are detected, they should be able to identify them as victims of trafficking, and not just as victims of abuse. Children missing from education may be trafficked to another city where they are able to go to school under a different identity. Education needs to be able to detect these children and identify them as victims
4. Frontline police officers need better training to detect children who are victims. Missing children may come to the attention of the police who may not see them as victims of trafficking and thus unable to provide

them with better support and assistance.

This question relates to section 5 of the document.

12 We see LSCBs developing a key role in scoping the extent of child trafficking locally, and in the coordination of work to address this. Effective practice will need all agencies to cooperate in appropriate responses to trafficking cases. We would welcome your views on the need for a national LSCB protocol model template on trafficking. If you have already developed a local protocol on trafficking, it would be helpful if you could enclose a copy with your response to this consultation.

Comments:

An LSCB protocol on trafficking needs to take account of the role that various community organisations can play locally in assisting with work to prevent trafficking and safeguard victims. Currently, there is no LSCB in the country where community organisations are involved in direct work on prevention. At best, community involvement is tokenistic, and at worst, non-existent. This is a deplorable state, bearing in mind the depth of knowledge which in our view such organisations can bring on board in the fight against traffickers, against trafficking and to support the work being done by practitioners to support victims.

13 We would welcome any further comments/views regarding this document.

Comments:

As usual, this guidance, as well as other key documents aimed at safeguarding child victims of trafficking has failed to take cognisance of the sufferings of many invisible children who have never come to the attention of the authorities and who might never appear on any agency's radar screen unless something terrible happens to them. The bulk of this guidance has been on children who are known to the authorities. This means that the "invisible" ones will continue to suffer, inevitably.

Again, we want to highlight the importance of community education in the prevention of child trafficking, especially for domestic servitude and other hidden forms of child exploitation. Children who are locked up in people's homes to be exploited and abused need to be safeguarded. It is not appropriate to wait until something untoward happens to them before acting.

For this reason, yet again, we call on agencies to make more pro-active efforts at sensitisation and engagement so that communities can act to protect victims who are not known to any government agencies but known to people who see them abused on a frequent basis. It is not enough to ask for vigilance by the public as this guidance has done. We believe a strategic awareness raising campaign to help alert people to different forms of trafficking and exploitation as well as a positive engagement process will go a long way to enable those who might know such victims to come forward to help.

Many victims we have come across have highlighted their disappointment that agencies like the police have refused to believe their stories or have taken the words of their exploiters as truth. This in our view is the greatest impediment to safeguarding victims.

For this reason, we ask that more training be given practitioners to enable them identify and support victims. We also ask that more efforts be made to prioritise the plight of victims above those of cost saving exercises which might result in many victims being denied access to justice, help, support and assistance

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply X

Here at the Department for Children, Schools and Families we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

XYes No

All UK national public consultations are required to conform to the following standards:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.
3. Ensure that your consultation is clear, concise and widely accessible.
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

Further information on the Code of Practice can be accessed through the Cabinet Office Website: <http://www.cabinetoffice.gov.uk/regulation/consultation-guidance/content/introduction/index.asp>

Thank you for taking time to respond to this consultation.

Completed questionnaires and other responses should be sent to the address shown below by 16 August 2007

Send by post to: Consultation on Trafficking Guidance, Children's Safeguards Policy Unit, Department for Children, Schools and Families, Level 2C Caxton House, Tothill Street, London, SW1H 9NA

Send by e-mail to: trafficking-guidance.consultation@dcsf.gsi.gov.uk