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**Memorandum of understanding in response to the trafficking of children  
through Luton Airport.**

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## **Glossary of Terms**

**ACPO** – Association of Chief Police Officers

**BCI** – Border Citizen Immigration

**BFC** – Border Force Central

**C&L** – Children & Learning Department

**C&YP** – Children & Young Persons Team

**CFI** – Criminal & Financial Investigations

**CID** – Case Information Database

**CIO** – Chief Immigration Officer

**CRS** – Visas Central Reference System

**ECPAT** – End Child Prostitution, Pornography and Trafficking

**EDT** – Emergency Duty Team

**EEA** – European Economic Area

**HMI** – Her Majesty's Inspector

**HO** – Home Office

**IAFS** – Immigration and Asylum Fingerprints System

**RAT** – Referral and Assessment Team

**LA** – Local Authority

**LBC** – Luton Borough Council

**LSCB** – Luton Safeguarding Children's Board

**NAM** – New Asylum Model

**NFA** – No Fixed Abode

**NRM** – National Referral Mechanism

**OIS** - Operational Information System

**PCP** – Primary Check Point

**SCIT** – Serious Crime Investigation Team

**SEA** – Secondary Examination Area

**SOVA** – Safeguarding of Vulnerable Adults

**TA** – Temporary Admission

**UASC** – Unaccompanied Asylum-Seeking

**UKBA** – UK Border Agency

**UKHTC** – UK Human Trafficking Centre

**UNHCR** – United Nations High Commissioner for Refugees

**With thanks to the Manchester Safeguarding Children Board and Partners for use of their original document**

## Introduction

The purpose of this document is to outline an agreed working protocol between Bedfordshire Police, UKBA and the Children & Learning Department at Luton Borough Council in answer to the problem of trafficked children through Luton Airport. Representatives of each agency have agreed inter-agency working practices.

Luton is made up of many diverse communities and trafficking is a crime that can happen in any community.

Trafficked children are at increased risk of significant harm because they are largely invisible to the professionals and volunteers who would be in a position to assist them. The adults who traffic them take trouble to ensure that the children do not come to the attention of the authorities. Or disappear from contact with statutory services soon after arrival in the UK. One of the first areas a relevant authority may come into contact with a child identified as trafficked is at a port of entry, for the purposes of this agreement, Luton airport.

## Definitions

### Child Trafficking

Human trafficking is defined by the UNHCR guidelines (2006) as a process that is a combination of three basic components:

- Movement (including within the UK);
- Control, through harm/threat of harm or fraud;
- For the purpose of exploitation

The Palermo Protocol establishes children as a special case for which there are only two components – movement and exploitation. Any child transported for exploitative reasons is considered to be a trafficking victim – whether or not s/he has been deceived, because it is not considered possible for children to give informed consent. ‘Child’ refers to children 0 to 18 years.

A child may be trafficked for the purpose of:

- Sexual exploitation (including child abusive acts and images)
- Domestic servitude (e.g. domestic chores, looking after young children)
- Labour exploitation (e.g. working in restaurants, building sites, cleaning)
- Enforced criminality (e.g. cannabis cultivation, street theft, begging, drug dealing and trafficking)
- Benefit/housing fraud
- Illegal adoption
- Female genital mutilation
- Servile and underage marriage

A child may be trafficked between a number of countries in the UE or globally, prior to being trafficked into/within the UK. The child may have entered the UK illegally (i.e. with immigration documents).

## Other Terms

'Parent' means parent or carer and 'professional' refers to any individual working in a voluntary, employed, professional or unqualified capacity, including foster carers and approved adopters.

## Principles

The following principles should be adopted by all agencies in relation to identifying and responding to children (and unborn children) at risk of, or having been trafficked:

- Trafficking causes significant harm to children in both the short and long term; it constitutes physical and emotional abuse to children;
- The safety and welfare of the child is paramount (i.e. the nationality or immigration status of the child is secondary and should be addressed only after the child's safety is assured);
- Trafficked children are provided with the same standard of care that is available to any other child in the UK;
- All decisions or plans for the child/ren should be based on good quality assessments and supported by multi-agency services;
- All agencies should work in partnership with members of local communities, to empower individuals and groups to develop support networks and education programmes.

## The Problem of Child Trafficking

### Why do people traffic children?

We know globally that most children are trafficked for financial gain. This can include payment from or to the child's parents, and can involve the child in debt-bondage to the traffickers. In most cases, the trafficker also receives payment from those wanting to exploit the child once in the UK. Organised gangs carry out some trafficking. In other cases, individual adults or agents traffic children to the UK for their own personal gain. The exploitation of children may be progressive. Children trafficked for domestic work may also be vulnerable to sexual exploitation or children initially trafficked for sexual exploitation may be resold.

Children may be used for:

- **Sexual exploitation**
  - Child sexual abuse
  - Child abuse images
- **Domestic servitude – undertaking domestic chores**
  - Looking after young children
- **Labour exploitation**
  - Working in restaurants
  - Building sites
  - Cleaning
  - Farming
- **Enforced criminality**
  - Begging and pick-pocketing
  - Cannabis cultivation
  - Drug dealing and trafficking
  - Benefit fraud
  - Illegal adoption
  - Forced marriage
  - Female genital mutilation
  - Trade in human organs; and in some cases ritual killing

## Why is trafficking possible?

Children may be trafficked from a number of different countries for a variety of different reasons. There will be a number of factors present in the country of origin, which might make children vulnerable to being trafficked.

The Luton area is made up from many diverse communities and trafficking is a crime that can happen in any community. The LSCB and our partners, are committed to developing responses that keep children and young people safe, and hold perpetrators to account without stereotyping, stigmatizing or making assumptions about any given individual or community.

You as individual professionals will demonstrate that seeking to protect the victims is central to our core business of tackling trafficking issues.

## Contributing Factors

- **Poverty:** in general, this is the root cause of vulnerability to exploitation. Families see the recruiter's promises of work or income as a possible escape route from their impoverished circumstances.
- **Lack of education:** attendance at school has proved to be a key means of protecting children from all forms of exploitation, including trafficking. Traffickers promise education for children whose parents cannot afford to pay school fees, or where schools are difficult to access or are of poor quality.
- **Discrimination:** this can be based both on gender and ethnicity. In some cultures, girls are expected to make sacrifices in terms of their education and security for the benefit of the family. They represent less of an investment for the family because their contribution to the family will end when they leave to marry. Many trafficking victims are from minority communities who are socially discriminated against and disadvantages in their own country.
- **Cultural attitudes:** traditional cultural attitudes can mean that some children are more vulnerable to trafficking than others. In some cultures the rights of children are ignored and they are seen as commodities to be traded. In some countries it is the custom for children to work as domestic servants in households. It is, therefore, possible that a relative or someone claiming takes a child abroad to work as a domestic servant. Sometimes the child, or the family of the child, is promised an education and a better life.
- **Grooming:** children are sometimes trafficked out of their country of origin after having been groomed for purposes of exploitation. Child sex offenders can do this over the internet.
- **Dysfunctional families:** children may choose to leave home as a result of domestic abuse and neglect, or they may be forced to leave home for a variety of reasons. They then become vulnerable to trafficking, particularly if they become destitute or homeless.
- **Political conflict and economic transition:** these often lead to movements of large numbers of people and the erosion of economic and social protection mechanism. Parents or guardians may be killed, leaving children vulnerable to trafficking.
- **Inadequate local laws and regulations:** trafficking involves many different events and processes, and legislation has been slow to keep pace. Most countries have legislation against exploitative child labour, but not all have laws specifically against trafficking. Even where there is appropriate legislation, enforcement is often hampered by lack of prioritisation, corruption and ignorance of the law.

### **How are children recruited and controlled?**

Traffickers recruit their victims using a variety of methods. Some children are abducted or kidnapped, although most children are trapped in subversive ways.

- Children are promised education or what is regarded as respectable work – such as in restaurants or as domestic servants;
- Parents are persuaded that their children will have a better life elsewhere;
- Confiscation of the child's identity documents;
- Threats of reporting the child to the authorities;
- Violence, or threats of violence, towards the child and/or his/her family;
- Keeping the child socially isolated;
- Keeping the child locked up;
- Telling some children that they owe large sums of money and that they must work to pay this off;
- Voodoo or witchcraft, which may be used to frighten children into thinking that they and their families will die if they tell anyone about the traffickers;

Many of the children travel on false documents. Even those whose documents are genuine may not have access to them. One way that traffickers control children is to retain their passports and threaten children that should they escape, they will be deported.

The creation of a false identity for a child can give a trafficker direct control over every aspect of a child's life, for example, by claiming to be a parent or guardian.

Even before they travel, children may be abused and exploited to ensure that the trafficker's control over the child continues after the child is transferred to someone else's care.

### **How are children brought to the UK?**

Traffickers might use any port of entry into the UK. There is evidence that some children are trafficked via numerous transit countries and many may travel through other European Union countries before arriving in the UK.

Recent experience suggests that as checks have improved at the larger ports of entry, such as Heathrow and Gatwick airports, traffickers are starting to use smaller ports or other regional airports. Traffickers are also known to use the Eurostar rail service and ferries to UK seaports.

Children enter the UK in two key ways, accompanied by adult/s or as unaccompanied minors.

#### **Accompanied children**

A number of children arrive in the UK accompanied by adults who are either not related to them or in circumstances that raise child protection concerns. There may be little evidence of any pre-existing relationship or even an absence of any knowledge of the sponsor, unsatisfactory accommodation arranged in the UK, or perhaps no evidence of parental permission for the child to travel to the UK or stay with a sponsor. These irregularities may be the only indication that the child could be a victim of trafficking.

To curb illegal migration and improve children's safeguards, new global visa regulations have been in place since February 2006. A photograph of the child is now shown on the visa, together with the name and passport numbers of the adult/s who have been given permission to travel with the child. Some accompanied children may apply for asylum claiming to be unaccompanied, after being told by their trafficker that by doing so they will be granted permission to reside in the UK and be entitled to claim welfare benefits.

### **Unaccompanied children**

Groups of unaccompanied children often come to the notice of the UK Borders Agency (UKBA). Unaccompanied children may come to the UK seeking asylum (Unaccompanied Asylum Seeking Children – UASC), or they may be here to attend school or join their family.

A child may be the subject of a private fostering arrangement.

If the child is unaccompanied and not travelling to his or her parent, or if there are some concerns over the legitimacy or suitability of the proposed arrangement for the child's care in the UK, s/he will be referred to the Children & Learning Department (C&L) Referral and Assessment Team by UKBA staff.

Some groups of children will avoid contact with authorities because they are instructed to do so by their traffickers. In other cases the traffickers instruct the child to apply for asylum, as this gives the child a legitimate right of temporary leave to remain in the UK until the age of 17.5 years.

It is suspected that nationally significant numbers of children are referred to Local Authority children's social care after applying for asylum, and some even register at school for up to a term, before disappearing again. It is thought that they are trafficked internally within the UK or out of the UK to other European countries.

### **Internal Trafficking**

There is increasing evidence that children, both of UK and other citizenship, are being trafficked internally within the UK.

Most evidence that has come to light nationally so far relates to females, there may also be cases of boys being trafficked within the UK.

## **The impact of trafficking on children's health and welfare**

All children who have been exploited will suffer some form of physical or mental harm.

Trafficked children are not only deprived of their rights to health care and freedom from exploitation and abuse, but are also not provided with access to education.

At the time they are found, trafficked children may not show any obvious signs of distress or imminent harm, they may be vulnerable to particular types of abuse and may continue to experience the effects of their abuse in the future.

### **Physical Abuse**

This can include:

- Inappropriate chastisement, not receiving routine and emergency medical attention (through a lack of care about their welfare and because of the need for secrecy surrounding their circumstances;
- Children in the sex industry are open to sexually transmitted infections, including HIV/AIDS; and for girls the risk of early pregnancy and possible damage to their reproductive health;
- Physical beatings and rape;

- Addiction to drugs (some trafficked children are subdued with drugs, which they then become dependent on).
- Alcohol addiction;
- Female genital mutilation;
- Stress/post-traumatic stress-related physical disorders such as skin diseases, migraine, backache, etc.

Some forms of harm might be linked to a belief in spirit possession.

### **Emotional and psychological abuse**

Some types of emotional abuse is involved in all types of maltreatment of a child.

Trafficked children may feel:

- Disorientated after leaving their family environment - this can be compounded for some children who have to assume a new identity or no identity at all.
- Isolated from the local community in the UK by being kept away from school and because they cannot speak English. They may:
- Fear the adults who have physical control of them, and the threat that they will be reported to the authorities as immigration criminals;
- Lose their trust in all adults;
- Have low self-esteem and believe that the experience has ruined them for life psychologically and socially. They may become depressed, and sometimes suicidal;
- Worry about people in their families and communities knowing what has happened to them, and become afraid to go home;
- Feel like criminals as a result of the new identity forced on them;
- Psychological distress owing to their sense of powerlessness;
- Form a dependent relationship with their abusers;
- Flashbacks, nightmares, anxiety attacks, irritability and other symptoms of stress, such as nervous breakdowns;
- Loss of ability to concentrate;
- Becoming anti-social, aggressive and angry, and/or fearful and nervous.

### **Neglect**

Trafficked children may suffer neglect. In particular, they may not receive routine and emergency medical attention.

They may also be subject to physical, sensory and food deprivation. Trafficked and exploited children are deprived of their rights to health and freedom from exploitation and abuse, and to education and related life opportunities.

### **Sexual abuse**

Trafficked children may be sexually abused as part of being controlled or because they are vulnerable. In many cases, sexual exploitation is the purpose of the trafficking.

## Roles of specific agencies and services

### All agencies:

Safeguarding and promoting the welfare of children depends on effective joint working between agencies and professionals. In the case of trafficked children, it is particularly important that links are established between statutory agencies and the voluntary and community sectors.

All agencies and professionals who work with or are in contact with children have a responsibility to safeguard and promote their welfare.

### UK Human Trafficking Centre (UKHTC)

The UKHTC was established in October 2006, following a proposal from the Association of Chief Police Officers (ACPO). It comprises of staff from various disciplines bringing a multi-agency approach to the Centre's response to trafficking both into and within the UK.

It aims to improve and co-ordinate the law enforcement response to human trafficking, working closely with its partners in delivering a diverse set of programmes. A number of these will be targeted campaigns on preventing and reducing human trafficking and improving knowledge and understanding of the problem through best practice and training. A key element in the UKHTC's approach to preventing and reducing human trafficking is to ensure that victims are adequately safeguarded and protected from harm.

## Professionals and agencies

### Identifying trafficked and exploited children

All professionals who comes into contact with children in their everyday work need to be able to identify children who may have been trafficked, and be competent to act appropriately to support and protect these children from harm.

Whenever a professional identifies that a child may have been trafficked, s/he should act promptly before the child goes missing and assess the child's levels of need.

All ports of entry in the UK are potential channels for trafficking children. Identifying trafficked children at these ports of entry is likely to be difficult, as they may not be showing obvious signs of distress.

Child victims may be discovered in routine police operations and detect and disrupt trafficking networks, and during other criminal investigations both in the UK and abroad. Anyone who works with children may come into contact with a victim of trafficking.

### Obstacles to self-identification

Children are unlikely to disclose they have been trafficked as most do not have an awareness of what trafficking is or may believe they are coming to the UK for a better life.

It is likely that the child will have been coached with a story of what to tell the authorities in the UK, and warned not to disclose any detail beyond this.

Apparent collusion with the trafficker can add to confusion when attempting to identify a child as a victim of trafficking. The child may be reluctant to disclose their circumstances because:

- His or her experience of authority in their country of origin is such that they do not trust the police or other statutory agencies.
- The identification and referral process may mimic aspects of what had happened during trafficking – promises of help and a good life, movement by persons the child did not know, being taken to unknown locations where 'everything would be fine' and 'they would be taken care of'.
- The circumstances, even under exploitation, in the UK may compare more favourable to the child's experiences at home.

## Possible indicators that a child may have been trafficked

There are a number of indicators which suggest that a child may have been trafficked into the UK, and may still be controlled by the traffickers or receiving adults. These will be assessed on entry at Luton Airport by UKBA staff.

### At the port of entry

#### The child:

- Has entered the country illegally;
- Has no passport or other means of identification;
- Has false documentations;
- Possesses money and goods not accounted for;
- Is malnourished;
- Is unable to confirm the name and address of the person meeting them on arrival;
- Has had their journey or visa arranged by someone other than themselves or their family;
- Is accompanied by an adult who insists on remaining with the child at all times;
- Is withdrawn and refuses to talk or appears afraid to talk to a person in authority;
- Has a prepared story very similar to those that other children have given;
- Exhibits self-assurance, maturity and self-confidence not expected to be seen in a child of such age;
- Does not appear to have money but does have a mobile phone;
- Is unable or reluctant to give details of accommodation or other personal details;

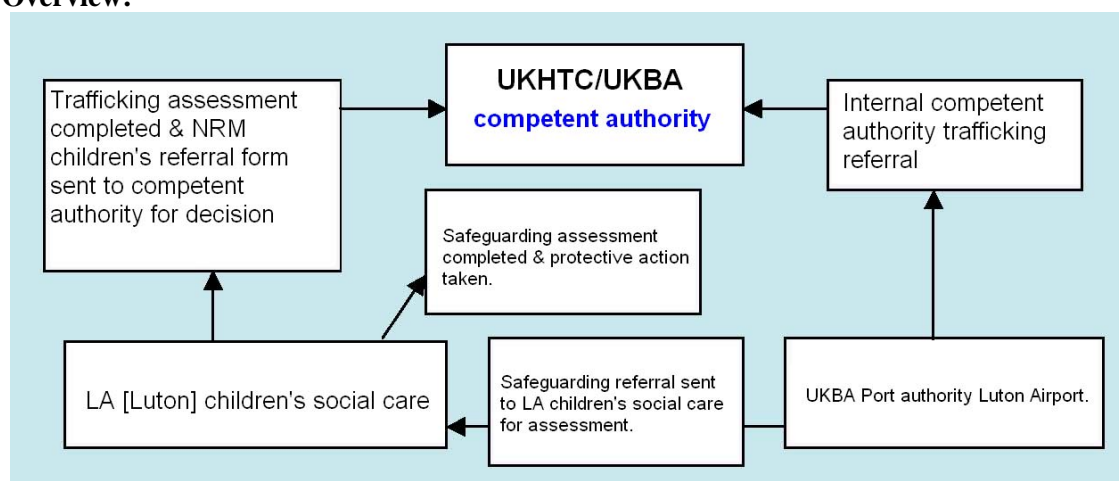
#### The sponsor:

- Could be a community member, family member, or any other intermediary;
- Have previously made multiple visa applications for other children and/or has acted as the guarantor for other children's visa applications;
- Is known to have acted as the guarantor on the visa applications for other visitors who have not returned to their countries of origin on the expiry of those visas.

## National Referral Mechanism

In accordance with the requirements of the Council of Europe Convention on action against Trafficking in Human Beings, the UK has a national referral mechanism for identifying and recording victims of trafficking and ensuring that they are provided with appropriate support wherever they are in the UK.

#### Overview:



The national referral mechanism comprises of a three-stage process for establishing formally that a child is a victim of trafficking.

## Competent Authorities

Trained specialists make decisions about who is a victim of trafficking; they are empowered by designated 'Competent Authorities'. The UKHTC hosts one such Competent Authority.

The UKHTC Competent Authority deals with cases referred by all external agencies such as the police and local authorities, etc. where the person is a UK or European Economic Area [EEA] national, or where there is an immigration issue but the person is not yet known to UKBA.

A linked but separate Competent Authority sits in UKBA for situations where trafficking is raised as part of an asylum claim or in the context of another immigration process.

**Stage one – Safeguarding Assessment:** in the first stage a frontline professional [UKBA] identifies that the child may be trafficked using the indicators. Port authority professional who identifies that the child may be trafficked should make a referral to the Referral and Assessment Team (RAT) at Luton Borough Council Children & Learning Department and to Luton Airport Police Team on: [07799861521](tel:07799861521). (If no response from Airport Team, please call Bedfordshire Police Headquarters on: [01234 841212](tel:01234841212)).

**Stage two – 'reasonable grounds':** with support, as required, Luton Borough Council Children & Learning Department will assist UKBA in assessing whether the child has been trafficked.

### 'Reasonable grounds' test

The 'reasonable grounds' test focuses firstly on the acceptability and credibility of the child's story and circumstances to the definition of trafficking. For cases where it is believed but not able to be proved the child has been trafficked.

**Stage three** – in the third stage the IAT at LBC C&L Dept would refer the child's case to the UKHTC as the competent authority.

When the IAT receive a referral for a child who may be a victim of trafficking and the child is subject to immigration control, in addition to acting promptly before the child goes missing and initiating an assessment of the child's levels of need/risk of harm the professional must notify the competent authority.

This will allow the competent authority to suspend immigration activity for a 45-day period. This should enable frontline professionals to complete the safeguarding assessment needed to inform the trafficking assessment tool, and clarify for Luton Borough Council Children & Learning Department as to whether there are reasonable grounds to believe that the child is a victim of trafficking.

The 45-day period is also a period in which scope for criminal investigation can be explored.

### Age assessments

Assessing the age of a victim of trafficking can be necessary because a child may have documents, which are fake, or belong to another child, in order to make them appear younger or older. Children are groomed (coerced) to lie about their age by the adults trafficking and exploiting them. Accordingly, information about a child provided by an accompanying adult/carer may not be accurate.

When the age of the victim is uncertain and there are reasons to believe that they are a child, either because the victim has stated that they are under 18 years of age or there is documentation or information from statutory or specialist agencies that have raised concerns that they may be under 18, then s/he should be presumed to be a child and be provided with full protection as a child victim of trafficking.

Where there is concern that a child may have been trafficked and an age dispute arises, the child should be given the benefit of the doubt as to their age until his/her age is verified. This is in accordance with the Council of Europe Convention.

In circumstances where it is determined that a young victim of trafficking is an adult, professionals must follow their local Safeguarding of Vulnerable Adults (SOVA) procedure, and also contact the UKHTC.

### **Trafficked children who are looked after**

A child who may be at risk from, or has been, trafficked, may be accommodated after initial information gathering. In these circumstances, Luton Borough Council Children & Learning Department will care for the child as a looked after child. The child will have a care plan based on a thorough needs assessment outlining how the local authority proposes to meet their needs.

The assessment of needs to inform the care plan should cover the same dimensions of need as the assessment for any other looked after child. However in addition, for children who may have been trafficked, the assessment should include:

- Establishing relevant information about the child's background;
- Understanding the reasons the child has come to the UK; and
- Assessing the child's vulnerability to the continuing influence/control of his or her traffickers.

Responding to this information ensures that the care plan includes a risk assessment setting out how the local authority intends to safeguard the young person. This plan should include contingency plans to be followed if the young person goes missing.

Given the circumstances in which potentially trafficked young people present to local authorities it will be extremely important that any needs assessments and related risk assessments are sensitively managed. It should allow for the child's needs to be in a safe place before any assessment takes place and for the possibility that they may not be able to disclose full information about their circumstances immediately as they, or their families, may have been intimidated by traffickers.

### **Divulging the location of the child**

- The location of the child should not be divulged to any enquirers until they have been interviewed by a social worker and their identity and relationship/connection with the child established, if necessary with the help of the police and UKBA.
- Forster carers/residential workers should be vigilant about anything unusual (e.g. waiting cars outside the premises/mobile phone usage/telephone enquiries).
- The Children & Learning Department should continue to share information with the police. This information may emerge during the placement of a looked after child who may have been trafficked and concern potential crimes against the child, the risk to other children, or relevant immigration matters.

Where adults present in the UK claim a family connection to the child, then the local authority should take steps to verify the relationship between the child and these adults and exercise due caution in case they are a trafficker or a relative colluding with trafficking or exploitation of the child.

The Children & Learning Department, Bedfordshire Police and UKBA should investigate anyone approaching the local authority and claiming to be a potential carer, friend, and member of the family, etc, of the child. Normal procedures for re-uniting a child with their family should be followed. Where a child may have been trafficked it will be necessary to ensure that a risk assessment takes place prior to reunification – establishing that the adult concerned is whom they say they are and is able to keep the child safe and exercise responsibility for their care.

It is important that no assumptions are made about young people's language skills and that assessments can call on the services of impartial translators with the necessary competences in responding to children. Each agency will have their own lists of approved interpreters.

## Missing children

Research from End Child Prostitution, Pornography and Trafficking [ECPAT] and Child Exploitation Online Protection [CEOP] suggests that significant numbers of children who are categorised as unaccompanied asylum seeking children have also been trafficked. Some of these children go missing (back into the care of traffickers before being properly identified as victims of trafficking. These cases should be reported to the police covering the area from which they have disappeared.

Local authority children's services should consider seriously the risk that a trafficked child is likely to go missing and take this into account in planning that child's care.

Where missing children come to the attention of LA children's social care or the police, a 24-hour enquiry service available from UKHTC may help in providing advice.

If a child goes missing local missing person procedures should be followed in each case.

Rules and responsibilities of each agency

At port of entry UK Border Agency [UKBA] staff will generally discover the first indicators that a child may have been trafficked. This list of actions and activities has been compiled using existing working practices and agreed improvements. The activities constitute the processes that will be completed by UKBA officers in accordance with their protocols in each case. UKBA will carry out the following procedures in line with their operational guidance.

## UKBA responsibilities where a child is suspected of being at risk

### 1. On Arrival All

#### Nationalities

- Obtain details of stay and sponsor from child with interpreter if necessary;
- Contact sponsor to confirm above, and obtain bio data details, UK status, address, telephone no's and details of passenger's stay;
- Contact parent/guardian in home country or other location to confirm child's statements;
- Carry out checks on passenger, sponsor(s) and address(es) on Home Office(HO) database, PNC, Case Information Database (CID) and UK Visas Central Reference System (CRS);
- Contact Border Force Central Region Intelligence Duty Officer by e-mail: [centralregionintelligencedutyofficer@homeoffice.gsi.gov.uk](mailto:centralregionintelligencedutyofficer@homeoffice.gsi.gov.uk) - Criminal and Financial Investigations [CFI], Staines [Heathrow];
- Fingerprint any child over 5 years and scan (Immigration act 1971, Schedule 2, Paragraph 16);
- Photograph (10 copies per asylum applicants)
- Ensure airline representative or other responsible adult is available to sit with the child
- Baggage search by C & YP trained immigration Officer or legacy HMRC [customs] officer (Immigration Act 1971, Schedule 2, Paragraph 4)
- Complete baggage search pro forma

### 2. Further Examination European Economic Area (EEA) Nationals

- Telephone airport police control room on [07799861521](tel:07799861521) (If no response, contact Bedfordshire Police Headquarters on [01234 841212](tel:01234841212)); record the name of the officer.

- Telephone the Children & Learning Department on **01582 547653** (IAT)
- Complete Referral Form and fax to the Children & Learning Department, including full details of trafficking indicators, to **01582 547813**
- Record referral on designated spreadsheet
- Contact UK Human Trafficking Centre [UKHTC] on **0844 778 2406**
- Refer to Border Force Central [BFC] Intelligence
- Place child in care of the Children & Learning Department and/or Bedfordshire Police; NFA required
- Record details on Case Information Database [CID] and advise Children & Young Persons Team

#### **Non-EEA Nationals**

- Enter on Case Information Database [CID]
- Raise file, identify as Child and possibly Trafficking case, and attach Returns Checklist and Risk Assessment.
- Transfer to Secondary Examination Area for further interview [SEA]
- Interview/screening with responsible adult and interpreter as soon as practicable.
- Telephone the Children & Learning Department on **01582 547653**
- Interpreter to be kept at the airport until Social Worker attends.
- Complete Referral Form including full details of trafficking indicators and fax to the Referral and Assessment Team on **01582 547813**;
- Record referral on designated spreadsheet.
- Contact Airport Police/Bedfordshire Police control room on **07799861521**(if no response, contact Bedfordshire Police Headquarters on **01234 841212**).
- Contact UKHTC
- Chief Immigration Officer [CIO] to consider whether:
- Child to be a witness in a prosecution case: liaise with Criminal and Financial Investigations [CFI];
- Victim should benefit from minimum reflection and recovery period;
- Victim should be provided with access to specialist support;
- Her Majesty's Inspector [HMI] to be informed.
- Decision made as to whether child should be granted entry or refused;
- If refused, HMI to give authority for refusal and removal.

- Child to be given Temporary Admission (TA) on form IS96 and placed in care of The Children & Learning Department.
- Asylum case: file to be transferred to New Asylum Model [NAM]] Caseworker.
- Non-Asylum case: file to be retained at port and agreement to be sought from the Children & Learning Department that they can return the child to the airport in line with the conditions of Temporary Admission [TA].

### **3. Intelligence Requirement**

UKBA (Border Force Intelligence Service) has responsibility for gathering, handling and disseminating Intelligence in order to protect our border and national interests. Information is critical to successful harm reduction.

Section 55 of the Border Citizen Immigration [BCI] Act 2009 sets out the statutory duty to safeguard the welfare of children. The functions as specified in subsection 2 are discharged having regard to the need to safeguard and promote the welfare of children who are in the UK.

#### **Collection**

- Intelligence officers to be advised by Primary Check Point [PCP] officers of arriving passengers hitting indicators on trafficking profiles and/or with welfare concerns.
- Where a referral is made, Intelligence Officers will provide support to frontline officers by undertaking additional checks against documentation/addresses/sponsor(s) details.
- Where resources allow, an intelligence officer will accompany officers conduction baggage searches for Intelligence gathering purposes.
- An intelligence officer will debrief the event to elicit any further information of interest.

#### **Working in collaboration**

UKBA Border Force Intelligence officers will seek to acquire knowledge of “in country” activity, emergent trends and threats from internal and external stakeholders within Immigration Group and law enforcement partners such as Bedfordshire Police and UKHTC to reduce intelligence gaps and assist with updating on entry profiles.

UKBA Border Force Intelligence will regularly update profiles and circulate harm reduction briefings to frontline officers to aid in the identification of vulnerable children on entry.

#### **Risk Assessment**

Prior to removing a child to their country of origin it is important to determine the adequacies of the reception arrangements in place. A Ministerial commitment has been given that says:

*“....any immigration decision to remove an unaccompanied child involves consideration of whether safe and adequate reception arrangements for the child can be made. We would not send an unaccompanied child to another country....unless we were satisfied that arrangements had been made.”*

Safe and adequate reception arrangements include return to the family or to other suitable carers.

In conjunction with the returns checklist a written risk assessment must also be completed to look at the threat that return may pose to the child in relation to issues such as trafficking or the difficulties of reintegration into the home community taking into account the age of the child and the length of time spent in the UK. The child should have access to: food; water; shelter; healthcare; basic safety and child protection. It is considered that this is a minimum in all cases and we must ensure Article 3 standards are met.

In all cases, irrespective of age, the child should be consulted about their return and their opinion should be recorded on file. In the event of a negative response the reasons behind it should be fully explored, however it will not necessarily result in the removal being cancelled. The reasons given may be an important indicator of the risks involved in any removal.

The assessment must be attached to the removal checklist.

The following should also be considered as part of any assessment:

- Documentation
- Splitting of established family groups/units – if a family unit is split then approval must be given by an Assistant Director [AD]
- Health of child
- Any exceptional circumstances

An internal referral form should be completed to refer the matter to the Children & Learning Department

### **Luton Children & Learning Department Responsibilities**

The Children & Learning Department (or the Emergency Duty Team [EDT]) will take responsibility for referrals made by UKBA or Bedfordshire Police where an unaccompanied child or young person comes to notice at the Airport suspected of being trafficked.

UKBA/Bedfordshire Police (where the child or young person is being met by or escorted by a person into the UK and there is a suspicion of child trafficking) will also make referrals. A duty Social Worker will be allocated by the Children & Learning Department, who will attend the Airport as soon as is practicable in line with competing demand for service.

The Children & learning Department will accommodate (s20 Children Act 1989) any unaccompanied minors identified at the port of entry, pending further assessment.

### **Interagency Working**

UKBA and the duty Social Worker will agree at the point of referral whether a young person fits the risk profile.

This risk profile will be updated by The Children & Learning Department to reflect the current research on the issue of trafficking. The details obtained from UKBA will be noted together with any comments made by the young person. UKBA may have taken head and shoulders photographs of the child in line with their procedures.

The Emergency Duty Team (or the IAT) will respond to referrals and will carry out a Merton Compliant Assessment based on the available information.

As part of the assessment, consideration will be given to whether or not there are grounds to 'Look After the Child'/ Where appropriate and possible, steps will be taken to make contact with the child's parents in the country of origin, either at the terminal by UKBA or thereafter by a combination of Children's Service and UKBA, to find out what plans they have made for their child and to seek their views. It will be important to take steps to verify the relationship between the child and those thought to be their parent.

If it is not possible to reunite the child with his or her parent or a responsible adult, the Emergency Duty Team or the Children & Learning Department will arrange to accommodate the child under Section 20 of the Children's act 1989.

In these circumstances, the social worker will complete the remainder of the assessment airside in the presence of the Immigration Officer, the child and an interpreter if one is required and where possible an Independent person.

This will incorporate an assessment of the risks to the child of leaving the terminal building and development of a robust Care plan.

A copy of the Safeguarding/Age Screening tool, including the Care Plan will be handed to the Carer when the child is placed.

The young person will be given advice by the Social Worker explaining the meaning of child trafficking, and will be pro-actively cautioned about the dangers of trafficking and going missing from the care arranged for them by the Local Authority.

An appropriate safe placement, sourced by Luton Children & Learning Department will be found for the young person. The child will become a 'looked after child'.

A thorough needs assessment is needed that will inform the Care Plan, and should cover the same dimensions of need as the assessment for any looked after child.

**In addition for children who may have been trafficked the assessment should include:**

1. Establishing relevant information about the child's background.
2. Understanding the reasons the child has come to the UK and assessing the child's vulnerability to the continuing influence and control of his or her traffickers.
3. The Care Plan will include a risk assessment setting out how the Local Authority intends to safeguard the young person from any trafficking, and to minimise any risk of traffickers being able to re-involve the young person in exploitation activities. This will therefore involve a restriction on the young person's movements, contact with adults and the use of a telephone.
4. A Section 47 investigation will be commenced and a Strategy Meeting will be convened within two working days.
5. A referral to National Referral Mechanism [NRM] should be made by the Children & Learning Department and Bedfordshire Police if there are "reasonable grounds" to believe the child has been trafficked.

Safeguarding Issues take precedence over age assessments, but when an individual is subsequently age assessed as over 18, referrals should still be made to the UKHTC and the Police as standard practice.

Any young person suspected of being trafficked should not be released to an adult claiming them at the airport until the circumstances have been investigated fully and their suitability established.

Anyone approaching the local authority and claiming to be a potential carer, friends, etc. of the young person, is to be investigated by the Social Worker, with the support of Bedfordshire Police or UKBA prior to any release of the young person into their care.

**Luton Children & Learning Department checklist:**

Interview should be conducted in the young person's first language using an approved interpreter.

1. Completion of Safeguarding/age screening assessment.
2. Accommodate under Section 20 – Safe Accommodation (Foster Care or Residential).
3. Obtain photograph from UKBA.
4. Risk assessment regarding leaving airport undertaken and safeguarding plan drawn up.

5. Explanation provided to the young person by the Social Worker about the dangers of trafficking and going missing from care.
6. Initial Care plan to be given to the carers when placed.
7. Section 47 Strategy Discussion arranged with Bedfordshire Police Public Protection Unit (PPU) in the area to which a child/young person is accommodated.
8. Referral to NRM (prior to age assessment).
9. Full Age assessment, if necessary, to be completed within seven days.
10. Report immediately to the Police if young person goes missing and follow "Missing from Care Protocol".

### **Bedfordshire Police Responsibilities:**

#### **First stage referral conducted by front line professional in UKBA**

**When a port authority professional identifies that a child may have been trafficked they should notify Bedfordshire Police and the Referral and Assessment Team (RAT) at the LBC Children & Learning Department.**

**Luton Airport Police: 07799861521** (if no response, contact Bedfordshire Police Headquarters on 01234 841212).

On receipt of call to Luton Airport Police, Bedfordshire Police will initiate the following actions:

- Generate an Operational Information System [OIS] Number.
- Notify Luton Airport Sergeant/Response Patrol Sergeant
- Allocate appropriate resource to attend scene and liaise with relevant UKBA representative
- On arrival at scene, the nominated officer, after consultation with UKBA and the IAT (if appropriate) will
- Speak to the child/victim in a private room
- Explain the procedure and ensure they understand all actions
- Use 'language line' or approved interpreter where appropriate
- Do not use family/friends to assist with interpretation
- Obtain the following details as a minimum standard:
  - Victim's name, Date of Birth & country of origin.
  - Are they aware of any others in the same situation as themselves?
  - If so, how many? Where are they?
  - Ensure all items from the child/victim are secured and noted
  - .Ensure proper continuity of evidence and exhibiting of all property seized.
  - Ensure all records of conversation/interview are properly recorded and retained.

Nominated officer to make referral of child to:

- Bedfordshire police Public protection support team (PPUST)(office hours)
- or the on call force Detective Inspector(Out of hours)

Guidance will be provided by the relevant team as to the future welfare of the child and any subsequent criminal investigations.

## **Information Sharing**

Professionals in all agencies should be confident and competent in sharing information.

Professionals should make all efforts to share information, where appropriate, with others professionals to avoid repetition for children.

Where a professional suspects that a child may have been trafficked and/or is at risk of being trafficked, discussing concerns with the child and his/her family or carer and seeking consent to share information will place the child at increased risk of significant harm. Consent should therefore not be sought.

### **Information exchange**

Information may be exchanged in line with agreed information requirements or when partners; UKBA, Bedfordshire Police, and Luton's Children & Learning Department believe that the information would be relevant to the work of a partner to this protocol.

Information sharing refers to the processing of information on a one-off regular basis for the purpose of achieving a common set of goals. Whilst the advantages of sharing information are clear, information should not be shared purely as a matter of routine. Each case must be reviewed individually with informed decisions being made about whether to share or not.

Wherever possible, opportunities should be sought to share information to support the following purposes:

- The prevention, detection, investigation or prosecution of criminal offences.
- To protect our border and national interests, including counter-terrorism, tackling smuggling, facilitation and immigration crime.
- The administration of immigration control under immigration and Asylum Acts.
- Such other purposes as may be specified.
- Safeguarding and promoting the welfare of children and vulnerable people.
- Protection and furtherance of Human Rights.
- Information can only be shared for a specific purpose which is justifiable to support one or more of the purposes above.
- Information must be adequate for the purpose for which it is being shared.
- When sharing personal information, only the minimum amount of information necessary to meet the purpose should be shared.
- The information should be relevant to the purpose for which it is being shared.
- The decision to share must be recorded and auditable at a later date.

- The record being shared must be as complete as possible.
- A risk assessment should be carried out where appropriate.
- All information/intelligence requested and/or disseminated will comply with the appropriate legislation and gateways as contained within:
  - Borders, Citizen and Immigration Act 2009 (Section 16)
  - UK Borders Act 2007 (Sections 40 & 41a)
  - Immigration, Asylum & Nationality Act 2006 (Section 36)
  - Immigration and Asylum Act 1999 (Sections 20 & 21)
  - Commissioners for Revenue & Customs Act 2005 (Sections 18 & 20)
  - Data Protection Act 1998
  - Common Law Powers of Disclosure
  - The Human Rights Act 1998 (Article 8)
  - Children's Act 1989

**Advice can also be sought from the following agencies:**

**CEOP**

Address: 33 Vauxhall Bridge Road,  
London,  
SW1V 2WG

Tel: 020 7238 2320/2307

0870 000 3344  
Website: [www.ceop.gov.uk](http://www.ceop.gov.uk)

**ECPAT UK**

Address: Grosvenor Gardens House,  
35-37 Grosvenor House Gardens,  
London,  
SW1W 0BS

Tel: 020 7233 9887

E-Mail: [info@ecpat.org.uk](mailto:info@ecpat.org.uk)

Website: [www.ecpat.org.uk](http://www.ecpat.org.uk)

(ECPAT UK stands for End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes).

**Afruca (Africans Unite Against Child Abuse)**

Address: Unit 3D/F Leroy House,  
436 Essex Road,  
London,  
N1 3QP

Tel: 020 7704 2261

0844 660 8607

Website: [www.afruca.org](http://www.afruca.org)

AFRUCA – Africans Unite Against Child Abuse was established in May 2001 as a platform for advocating for the welfare of African children. In particular, AFRUCA has been at the forefront of efforts to denounce the trafficking of African children to the country.

**NSPCC**

Tel: 0800 107 7057 (Professionals only, Monday-Friday - 9:30am to 4:30pm)  
0800 800 5000 (Helpline, Out of hours contact)

Web: [www.nspcc.org.uk/etail](http://www.nspcc.org.uk/etail) (e-mail directly from web form on this page)

Appendix 1:

**BAGGAGE SEARCH PROFORMA**

<b>Name of passenger:</b>	<b>Port ref:</b>
<b>Officer conducting search:</b> _____	
Date, time and place of search: _____	
Identify bags, check tag and name on bags against tags on ticket and confirm that this has been done (tick)	
Number of bags:	Size and type of bags:

	Yes	No
Is this all your baggage?		
Did you pack it yourself?		
Do you have any sharp items?		
Are you aware of the contents of your bags?		
Are you carrying anything on behalf of anyone else?		
Do you have any documents relevant to your stay or visit?		
Do you have anything to declare to Customs?		
Is there anything you do not understand?		

**Note any additional questions below**

**Observations made during search, (e.g. type/quantity of clothing, items not retained but of potential interest, e.g. camera, guidebook, study books, Questions and answers about stay or visit, passenger's attitude etc)**

OTHER SIDE TO BE COMPLETED

**Items taken for further examination found during a baggage search**


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**Items returned to passenger:**

Money (Amount and currency):

*(Important if no money is found or declared by passenger annotate 'NONE')*

Credit cards:

*(Important if no credit cards are found or declared by passenger annotate 'NONE')*

Valuables found (e.g. camera, jewellery, I pod, mobile phone, laptop etc):

*(Important if no valuables are found or declared by passenger annotate 'NONE')*

Officer conducting search to confirm money/credit cards/valuables returned to passenger:

Name:

Signature:

Time/Date:

Passenger signature confirming receipt of above:

Date and Time:

Copy of form handed to G4S:

Yes:

No:

OTHER SIDE TO BE COMPLETED



# REFERRAL TO CHILD WELFARE SERVICES

For advice on filling out this form, contact your Keeping Children Safe Co-ordinator.

*Data Protection Act 1998.*

*The information included in this form is being sent to the local authority Children's Social Work services in the child's area to allow them to safeguard the children involved. It is in keeping with the UKBA statutory duty to keep children safe.*

Referral Completed by:	Date:    /    /    .    Time:
Agency & Office Address:	Telephone Contact:
	Agency Transmission FAX number:
	E-Mail contact for non-secure items:

Details of Children to refer to indicate which child(ren) give(s) rise to concern.				
Child	Names:	Gender: (circle)	Date of Birth:	H.O. Ref:
1		M / F	/ /	
2		M / F	/ /	
3		M / F	/ /	
4		M / F	/ /	

Attach digital or other photograph of Child 1.	Attach digital or other photograph of Child 2.	Attach digital or other photograph of Child 3.	Attach digital or other photograph of Child 4.
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Give contact details of the Social Worker and Local Authority receiving this referral:

**Social Worker,**  
**please note: > > >**

**UKBA Must have written acknowledgement of your receipt of this form within 5 working days.** (Contact details above).

Name of Parents, Carers & Significant Adults.	Relationship.	Date of Birth.	Citizenship.	H.O. Ref.:
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<input type="text"/>	<input type="text"/>	<input type="text" value="/ /"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text" value="/ /"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text" value="/ /"/>	<input type="text"/>	<input type="text"/>

Parents' U.K. address or contact point:

Post Code:  Telephone number:

Child's address, if different:

Post Code:  Telephone number:

Is parent aware of referral?	Yes: <input type="text"/>	No: <input type="text"/>
Has parent's consent been obtained?	Yes: <input type="text"/>	No: <input type="text"/>
Is the child aware of referral?	Yes: <input type="text"/>	No: <input type="text"/>
Has child's consent been obtained?	Yes: <input type="text"/>	No: <input type="text"/>

Give details of any discussion of concerns with parent or child, (e.g. Reason why consent not obtained).

Family's 1<sup>st</sup> & 2<sup>nd</sup> Language & any special communication needs:

1<sup>st</sup> Language:  2<sup>nd</sup> Language:

<p>Summary of Immigration Status &amp; issues:</p>	Date of arrival in the U.K.: <input type="text" value="/ /"/>
	Admitted as / illegal entrant: <input type="text"/>
	Current immigration Status: <input type="text"/>
	Other information: <input type="text"/>

If you suspect the child is a victim of trafficking, (see guidance), tick here >>>

**IN ALL SUSPECTED *TRAFFICKING CASES* THIS FORM MUST BE FAXED TO YOUR UKBA REGION'S "COMPETENT AUTHORITY" AS WELL AS THE SOCIAL WORKER AT THE LOCAL AUTHORITY.**

**Are any Family members already known to UKBA for other reasons? (E.g. previous history which might give cause for concern for the child's safety or be of interest to Children's Services?).**

**Contact details of any other agencies involved with family:**

**Summarise your key concerns about the child, (e.g. Mental or Physical Safety, Health, Education, for potential Victims of Trafficking give reasons/indicators for your suspicions, etc.). Give detail of your contacts with the child / family and any helpful information. What do you want Children's Services to do?**

Continuation Sheet.