



When Harm Remains

An update report on trafficked and unaccompanied children going missing from care in the UK

**missing
people**

Registered charity in England and Wales (1020419)
and in Scotland (SC047419)

A lifeline when someone disappears



**Every Child Protected
Against Trafficking**

ECPAT UK (Every Child Protected Against Trafficking) is a leading children's rights organisation campaigning to protect children from trafficking and transnational exploitation. We support children everywhere to uphold their rights and to live a life free from abuse and exploitation. www.ecpat.org.uk

Missing People is the only charity in the UK which is dedicated to bringing missing children and adults back together with their families. We are here for missing people and their families 365 days a year. Understanding the reasons why people go missing and the impact on families left behind enables Missing People and our partners to provide better services. Missing People's research team conducts research and evaluation projects on a range of topics. www.missingpeople.org.uk/research

Acknowledgements

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Background

ECPAT UK and Missing People have previously published research into the scale of unaccompanied and trafficked children going missing from care in the UK.¹ The first study, *Heading Back to Harm*, discovered that an alarmingly high number of children go missing from care with many never being found. The research was updated with the follow up report *Still in Harm's Way*, confirming the findings that trafficked and unaccompanied children are amongst those at greatest risk of going missing in the UK, with over one in four trafficked children and over one in 10 unaccompanied children going missing from care in both 2014–15 and 2017.

ECPAT UK and Missing People recognise the need to continue building the understanding of the problem of looked after trafficked children and unaccompanied children going missing in the UK. This brief report provides an update on the findings of the previous reports. Once again, our findings are based on responses from Local Authority Children's Services to Freedom of Information (FOI's) requests issued under the Freedom of Information Act 2000 to all local authorities in England, Wales, Scotland and Northern Ireland with responsibility for children's social care.

There is no central government statistic for the numbers of trafficked and unaccompanied children who go missing from care. Local authorities hold this data, but many may not record it in an accessible format. A key finding of our reports was a lack of consistency in how local authorities identify and record child trafficking.

Our FOI request related to the total number of children identified as being or suspected of being victims of human trafficking and modern slavery and unaccompanied children who went missing from care in the years 2018, 2019 and 2020.² The definitions used for 'trafficked children' and 'separated children' arise from international legal frameworks as set out in the request. The information requested sought to assess quantitatively the following information:

- Total numbers of children in care suspected or identified as a victim of human trafficking and modern slavery
- Total number of unaccompanied children and separated children in care
- Total numbers of each cohort who had gone missing
- Average number of incidents per child.

The Group of Experts on Action against Trafficking in Human Beings' most recent evaluation of the United Kingdom's implementation of the Council of Europe Convention on Action against Trafficking in Human Beings (ECAT) raised concerns regarding child victims going missing. The report requested the government continue to take action reducing the risk for children, and to set up a system for tracking re-trafficked children in order to understand the extent of the issue and react adequately.³

¹ ECPAT UK and Missing People (2018), *Still in Harm's Way*; ECPAT UK and Missing People (2016), *Heading Back to Harm*

² See Annex A for the submitted request

³ Group of Experts on Action against Trafficking in Human Beings (2021), *Evaluation Report United Kingdom, Third Evaluation Round, Access to justice and effective remedies for victims of trafficking in human beings*



Findings

Findings: local authority response rate

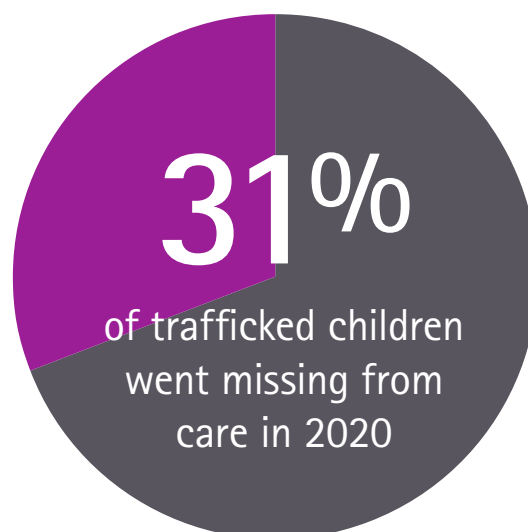
The response rate remains consistent across all three years, with 81% of local authorities responding to the FOI (176 of 218), 45% of the local authorities responding to the FOI being able to provide all data requested, and a further 45% able to provide some of the data. An average of 10% of local authorities were not able to provide any information in response to the FOI request.

As with previous years, local authorities were not able to provide data principally due to the data being held in individual case files and requiring a manual review, or the relevant data not being held.

Findings: child victims of trafficking and modern slavery missing from care⁴

- The number of identified and suspected trafficked children in local authority care has increased over the three years, from 960 in 2018 to 1,231 in 2020: a 22% increase
- The number of identified and suspected trafficked children who have gone missing from local authority care has increased, from 284 in 2018 to 378 in 2020: a 24.9% increase.
- In 2020, almost 1 in 3 (31%) trafficked children were reported missing from care (378 of 1,231)

- In 2020, trafficked children went missing on average over eight times during each year, a rate significantly higher than for the looked after children population, which was 6.5 missing incidents per child in 2020.
- In 2020, the UK instituted Covid-19 public health measures (such as lockdowns) which led to a general decrease in missing children. The increases in number and episodes of missing for the trafficked children demographic is very concerning in contrast with the decrease in missing numbers for children more generally.⁵
- Trafficked children continue to be one of the groups who are most at risk of going missing in the UK, with nearly one third going missing from local authority care in 2020. This compares to one in 10 looked after children in England and around one in 200 children overall in the UK.⁶

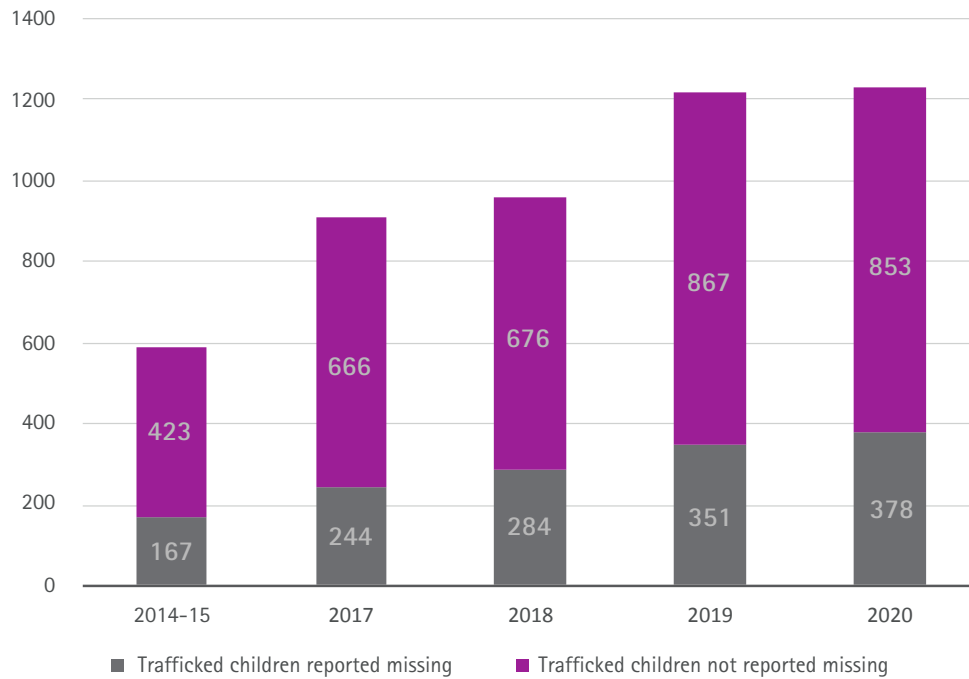


⁴ Data tables are included in Annex B

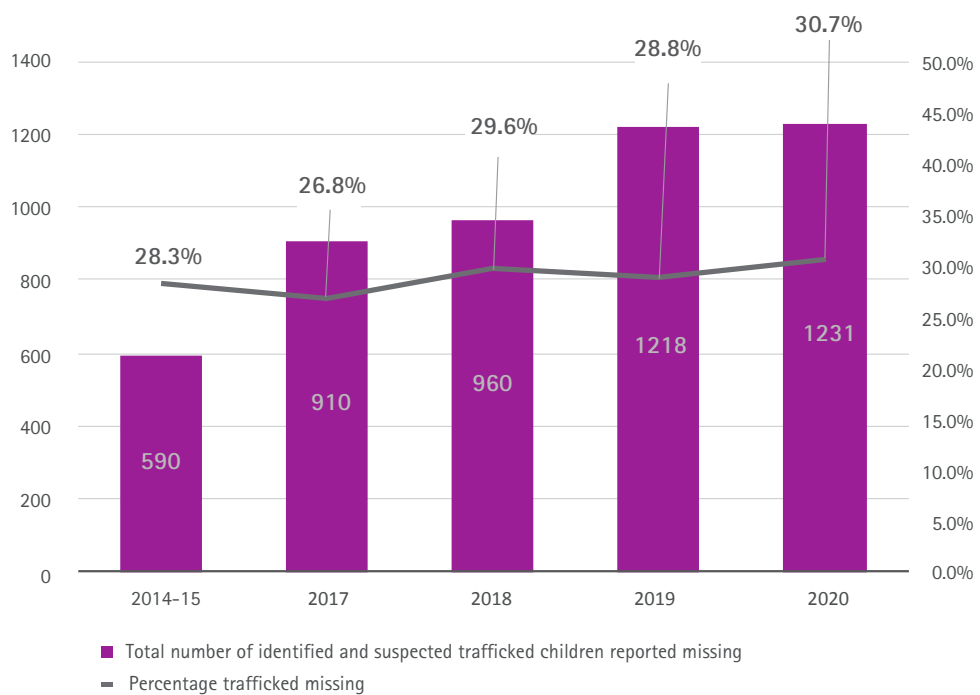
⁵ Shalev Greene, K., et al, University of Portsmouth (2020) *The impact of Covid-19 lockdown restrictions on missing person reports*. This research analysed data from six UK police forces and found that there was a 35% decrease in missing children reports in the first six weeks of the first UK lockdown when compared with the same time period in 2019

⁶ Department for Education, *Children looked after in England including adoption years 2018, 2019 and 2020*

Identified and suspected trafficked children Total and number reported missing 2014-15 - 2020:

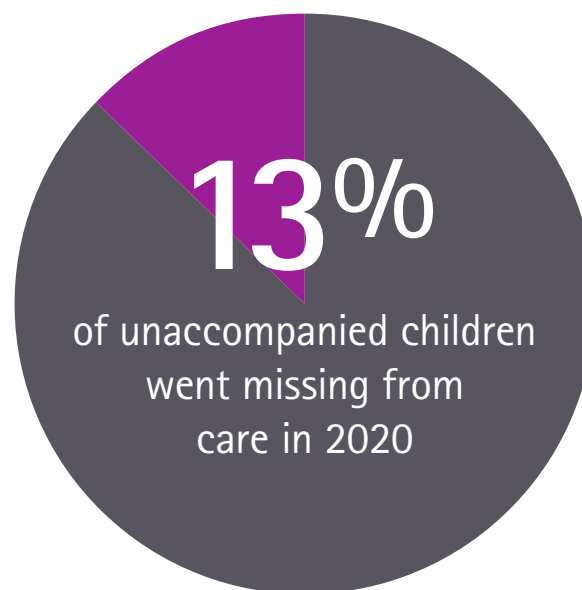


Identified and suspected trafficked children Total and percentage reported missing 2016 - 2020:



Findings: unaccompanied children missing from care

- In 2020 there were 5,263 unaccompanied children in local authority care, up from 4,749 in 2018.⁷ This is an overall increase of almost 10%, despite a slight drop from 2019.
- 13% of unaccompanied children went missing from care in 2020 (692 of 5,263). This was a slight decrease from 14% (708 of 4749) in 2018. It may be the case that the Covid-19 pandemic's impact on migration has had an impact on the number of unaccompanied children in local authority care in 2020.
- There was an increase in 2019, with 799 unaccompanied children going missing: nearly 15% of unaccompanied children in care.
- The average number of missing incidents per unaccompanied child is 2.5, which is significantly less than the average number for the wider looked after children population, which was 6.5 missing incidents per child in 2020.⁸
- Overall, the proportion of unaccompanied children going missing has decreased however, this group remains at very high risk of going missing, and remains at higher risk than the general looked after children population.

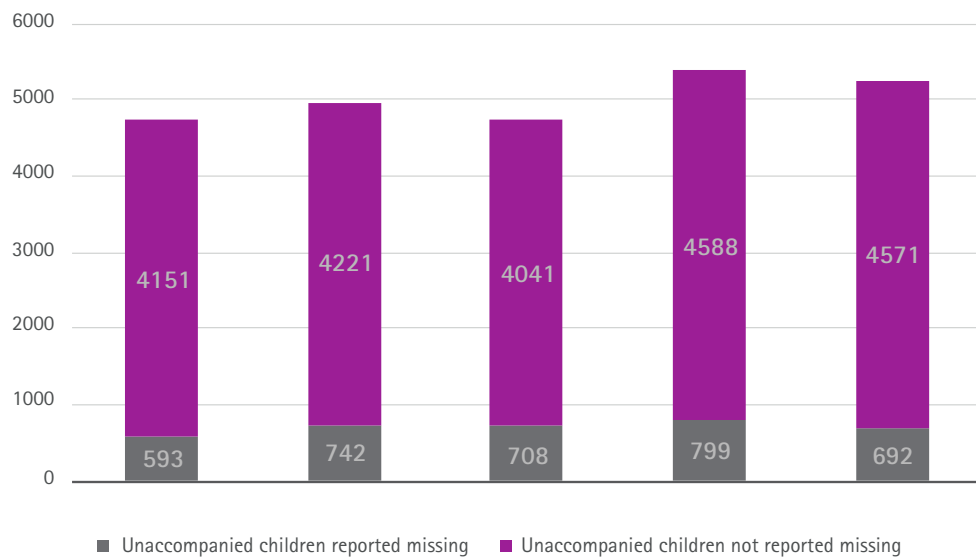


⁷ Department of Education statistics on *children looked after* states that there were 5,000 unaccompanied children in 2020 in England

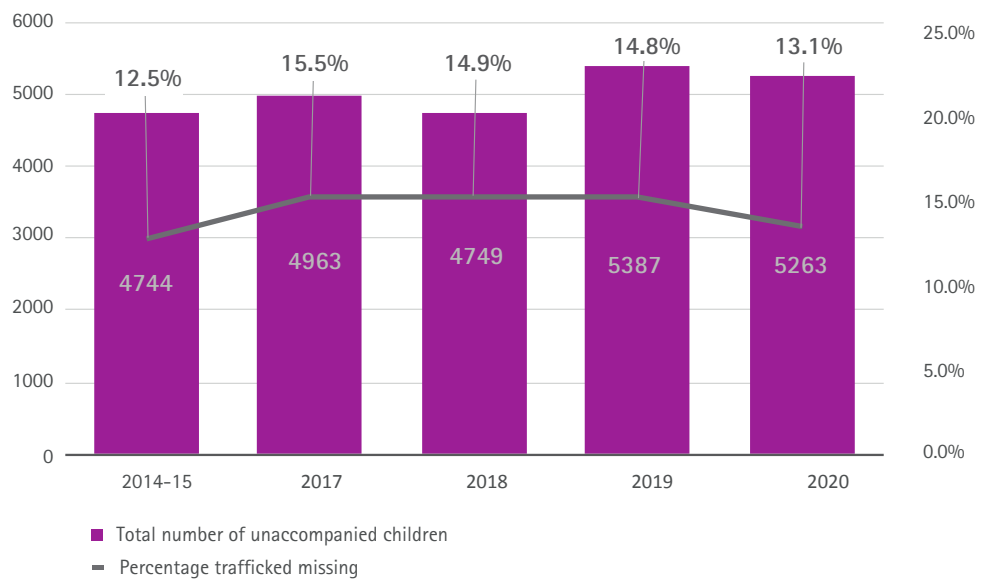
⁸ Asylum applications for unaccompanied children in 2020 decreased by 39% compared to the previous year, Refugee Council (2021) *Children in the Asylum System, May 2021*

Unaccompanied children

Total and number reported missing 2014-15 - 2020:



Unaccompanied children 2016 - 2020: total and percentage reported missing





Legislative and Policy Context

The UK government is obligated under a range of international conventions to uphold the rights of children and to take action to combat child trafficking and exploitation.⁹ Children who are victims of trafficking have a right to specific assistance, support and protective measures in line with international standards.¹⁰ In the UK, local authorities have a duty to provide protection and support to trafficked and unaccompanied children under child protection frameworks.¹¹

All four UK nations have primary legislation pertaining to human trafficking and modern slavery brought forth in 2015¹², with all providing some protections for child victims. Statutory services have additional duties pertaining to children in care going missing.¹³ The most significant recent development is the announcement and launch of a devolved National Referral Mechanism (NRM) decision-making pilot for children – a recommendation made in *Still in Harm's Way*. This also follows calls by ECPAT UK and the Independent Anti-Slavery Commissioner to ensure local multi-agency decision-making is undertaken by statutory safeguarding partners.¹⁴ Anecdotal evidence suggests an improvement to initial safeguarding responses to children, including steps safeguarding partners must take with a view to preventing children going missing, amongst other positive observations.¹⁵ The government evaluation of the pilot sites is still pending.

Building a culture of trust

Our previous reports emphasised the need to build a culture of trust. Recommendations included ensuring that on their first encounter with statutory services, all trafficked, unaccompanied and separated children must be treated with respect and their accounts given credence. As a direct response, the Modern Slavery and Organised Immigration Crime Unit (MSOIC) have rolled out the Operation Innerste programme to 33 police forces.¹⁶ It is a multi-agency response to unaccompanied migrant children across England and Wales, where law enforcement builds a rapport with children at first encounter to improve protection and reduce risks of going missing. The first responder also completes the asylum welfare form and obtains fingerprints and photographs which are uploaded onto immigration systems, allowing children to be identified if they later go missing, are trafficked or found in distressing circumstances. The most recent update of Operation Innerste stated that of the 127 most recently confirmed cases, 98% of children remained in their placement at the 72-hour point.¹⁷ This is an important early measure but significant longer-term issues remain regarding child victims and unaccompanied children going missing from care.

⁹ Convention on the Rights of the Child; Supplementing the United Nations Convention against Transnational Organized Crime

¹⁰ Council of Europe Convention on Action against Trafficking in Human Beings; Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

¹¹ Children Act 1989, Social Services and Well-being (Wales) Act 2014, the Children (Northern Ireland) Order 1995 and the Children (Scotland) Act

¹² Modern Slavery Act (England & Wales), 2015; the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland), 2015, and the Human Trafficking and Exploitation (Scotland) Act 2015

¹³ Department for Education (2014) *Statutory guidance on children who run away or go missing from home or care*; Wales Safeguarding Project Procedures Board (2020) All Wales Practice Guide, *Safeguarding children who go missing from home or care*; Scottish Government (2017), *National Missing Persons Framework for Scotland* and Health and Social Care Board (HSCB) and Police Service for Northern Ireland (PSNI) (2015), *Runaway and Missing from Home and Care, Missing children Protocol*

¹⁴ Home Office (2021), *Devolving Child Decision-Making Pilot Programme – General Guidance*

¹⁵ ECPAT UK and IASC (2021), *Child Trafficking in the UK 2021: A Snapshot*

¹⁶ *Ibid*

¹⁷ *Ibid*

Professionals and children still report a culture of disbelief surrounding their treatment. Many feel disbelieved when they disclose exploitation, their age, and other aspects of their experience. Children's Services social workers have reported concerns regarding discriminatory approaches from law enforcement towards migrant children in general within their area. In some cases, they report a lack of participation in their statutory duties to prevent missing and potential re-trafficking. When a child goes missing, professionals may fail to recognise the significant risk of harm child victims and unaccompanied children face. In some areas with high numbers of trafficked or unaccompanied children going missing, professionals may view these outcomes as inevitable, particularly for children of particular nationalities. These views can hinder effective safeguarding responses which must be taken by all safeguarding partners upon immediate contact with the child. Additionally, missing must be seen as an indicator of exploitation or re-trafficking for this demographic.

Unregulated accommodation

Our previous reports identified the lack of appropriate accommodation as a significant factor contributing to trafficked and unaccompanied children going missing. A disproportionate number of children in unregulated placements are unaccompanied migrant children – an average of 40% of those placed in independent or in semi-independent accommodation by 31 March 2019 compared to 6% of other children in care.¹⁸

On 9 September 2021 there was a change in the law in England banning the placement of those aged 15 and younger in unregulated settings.¹⁹ Child victims and unaccompanied children turning 16 and 17 who

CASE STUDY

Kejsi arrived in the UK from Albania as an unaccompanied child, and was taken into the care of a local authority. He presented with various trafficking indicators including arriving with visible physical injuries, and his social workers were concerned he was at high risk of going missing from care.

At a strategy meeting his social workers raised their concerns that he was being trafficked, and highlighted a real risk he could go missing. However, despite these concerns, they could not persuade a representative from the police to attend as a safeguarding partner.

Kejsi unfortunately went missing from care shortly thereafter. There was no co-ordinated response, with the police determining that there were no reasonable enquiries to make. The circumstances in which Kejsi went missing suggest that he has been re-trafficked and that he is likely facing significant harm. Kejsi remains missing, with few meaningful actions having been taken to find him, despite there being reasonable enquiries to undertake.

are looked after are not afforded this protection from being placed in unregulated accommodation without care. The Department for Education has published a set of standards which organisations running accommodation must follow when accommodating 16- and 17-year-olds.²⁰ However, these standards are substantially less stringent than those regulating children's homes and do not provide the need for specialist accommodation that trafficked and unaccompanied children may require.

¹⁸ Department for Education (2020), *Looked after children in independent or semi-independent placements*

¹⁹ The Care Planning, Placement and Case Review (England) (Amendment) Regulations 2021

²⁰ Department for Education (2022), *Introducing national standards for independent and semi-independent provision for looked-after children and care leavers aged 16 and 17*

Age assessments

Our previous reports show that age assessments and age disputes have a huge impact on whether a child victim feels believed and can develop trust with professionals, as well as increasing the risk of them going missing due to the impact on the type of support and accommodation they receive. Age assessments are a critical determinant in the protection and care of child victims and unaccompanied children, many of whom have no identity documents or may be using false or fraudulent documents provided by their traffickers. Child victims may be coached by traffickers to give rehearsed stories, including saying they are adults when encountered by public authorities. They can also struggle to engage with age assessment processes due to trauma. These factors may lead to their age being disputed. In addition, child victims of criminal exploitation whose ages are disputed and who are arrested or prosecuted for offences committed as a result of their trafficking will not be entitled to an appropriate adult and may be remanded to custody and sentenced as adults.

The Nationality and Borders Bill currently being debated in parliament sets out in Part 4 a new range of powers given to the Secretary of State with regards to age assessments. These provisions alongside the recently decided case in the Supreme Court of *BF (Eritrea) v Secretary of State for the Home Department*²¹ raise significant concerns regarding the increase in children wrongly treated as adults, which can as a result increase the number who go missing. Under the duty set out in Section 51 of the Modern Slavery Act 2015, the government is obligated to provide a putative child victim with the benefit of the doubt regarding their age pending a lawful local authority age assessment, yet these changes will undermine this protection (which additionally does not extend to all unaccompanied children).

Immigration limbo

Previous research found that unaccompanied children (including child victims of trafficking) with irregular immigration status in their late teenage years are particularly vulnerable to going missing by disengaging from children's services due to fears of immigration detention or removal to their country of origin.²² They are likely to seek community and support networks which may lead to exploitation. A recent report from the Shpresa Programme on the experiences of Albanian children found that Home Office delays increase the risk of children and young people's exploitation in the UK, finding the asylum system itself is a push factor for child exploitation.²³ Our previous reports highlighted the lack of long-term solutions for children in the UK as a key driver for leaving children vulnerable to going missing and being trafficked or re-trafficked.²⁴

²¹ R (on the application of BF (Eritrea)) (Respondent) v Secretary of State for the Home Department (Appellant)

²² Sigona, N, Chase, E and Humpris, R. (2017), *Becoming Adult Project: Understanding causes and consequences of going 'missing'*

²³ Christine Beddoe (2021), *Into the Arms of Traffickers: An examination of how delays in asylum and trafficking decision-making increase the risks of trafficking for young asylum-seekers*

²⁴ ECPAT UK and Missing People (2018), *Still in Harm's Way*

WHEN HARM REMAINS:

an update report on trafficked and unaccompanied children going missing from care in the UK

The government currently has a policy to consider a grant of leave for victims of modern slavery and trafficking outside of the immigration rules following a positive conclusive grounds NRM decision in order to meet its obligations under ECAT by discretion. Article 14(2) of ECAT sets out the standard for children to be issued a residence permit solely on their best interest, yet data obtained by ECPAT UK through a FOI request showed that between January 2019 and December 2020, only 17 (or about 2%) of child-related considerations resulted in a grant of leave as child victims of modern slavery.

The Nationality and Borders Bill contains in Part 5 a statutory provision of immigration leave for victims of trafficking and modern slavery, requiring the Secretary of State to grant and deny leave in particular circumstances if a person receives a positive conclusive grounds decision from the NRM. Eligibility is contingent on long-term recovery needs, and on helping with prosecutions and bringing exploiters to justice – standards which are inadequate for child victims and do not fulfil the government's obligations. This is a view shared by the UK's Independent Anti-Slavery Commissioner and UN experts.²⁵

²⁵ Independent Anti-Slavery Commissioner (2021), *Letter to the Home Secretary on the Nationality and Borders Bill*; Special Rapporteur on trafficking in persons, especially women and children; the Special Rapporteur on the human rights of migrants; the Special Rapporteur on contemporary forms of slavery, including its causes and consequences and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. (2022), *Letter to the UK Government*



Recommendations

WHEN HARM REMAINS:

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1. Local authority Children's Services must improve data recording systems. They should collect and hold data on each child's history and risk of trafficking. This is in addition to recording it on a child's individual care plan and in any assessments. This trafficking flag should be in a reportable format, allowing for easy analysis, monitoring and to facilitate multi-agency safeguarding action.
2. Safeguarding partners must develop a **culture of trust** that should be built with trafficked and unaccompanied children to prevent them from going missing. They should ensure that a child's first and subsequent encounters with agencies and services are protective and supportive, that children feel safe and listened to, and that all steps taken during their care are clearly explained.
3. Law enforcement authorities should consider that due to their circumstances, trafficked or unaccompanied children face **increased risks** when they are reported missing, and that additional resource should be provided to support these investigations (which risk children missing in the long-term).
4. The Home Office and local authorities must give trafficked and unaccompanied children the **benefit of the doubt regarding their age**. Age assessments must not be routine and should only be carried out when there are significant reasons to do so.
5. Local authorities must provide **safe and appropriate accommodation** for all trafficked and unaccompanied children. Safety planning must include young people from the beginning.
6. The Home Office must provide a **long-term sustainable solution** for every unaccompanied and trafficked child based on their best interests, in order to ensure children's rights are respected and they can grow into adulthood with stability.



Annexes

Annex A: Freedom of Information Request

To Whom it May Concern,

I am writing to make an open government request for all the information to which I am entitled under the Freedom of Information Act 2000.

Please release the following information relating to looked after children in the care of your authority for the periods:

- 1 January 2018 to 31 December 2018
- 1 January 2019 to 31 December 2019
- 1 January 2020 to 31 December 2020

1. The total number of looked after children in the care of your authority that have:

- a. Identified as having been trafficked or a victim of modern slavery – including, but not limited to those identified through the National Referral Mechanism.
- b. Suspected of having been a victim of trafficking or modern slavery²⁶, if not included in a.
- c. Identified as an unaccompanied asylum-seeking child (UASC) or a separated child.²⁷
- d. Identified as being a victim of exploitation.

2. The total number of looked after children in the care of your authority:

- a. Identified or suspected as having been trafficked/victim of modern slavery and that have gone missing or absent.
- b. Identified as an UASC or separated child and that have gone missing or absent.
- c. Identified as being a victim of exploitation and that have gone missing or absent

²⁶ i) Trafficking is defined in Article 4 of the Council of Europe Convention Against Trafficking in Human Beings as ECAT as "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation." However, for the purposes of trafficking in the case of a child, there is no requirement to meet the 'means' component within that definition as a child is not able to give informed consent. Therefore, any child who is recruited, transported, transferred, harboured or received for the purposes of exploitation is considered to be a trafficking victim, whether or not they have been forced or deceived.

ii) 'Modern slavery' includes human trafficking, slavery, servitude and forced or compulsory labour for the purpose of exploitation.

²⁷ "Separated children" are children, as defined in Article 1 of the Convention on the Rights of the Child, who have been separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members.

3. The total number of individual incidents (which could involve the same child on more than one occasion) of looked after children in the care of your authority:
 - a. Identified or suspected as having been trafficked/victim of modern slavery and that have gone missing or absent.
 - b. Identified as an UASC or separated child and that have gone missing or absent.
 - c. Identified as being a victim of exploitation and that have gone missing or absent.
4. The total number of looked after children in the care of your authority that are still missing or absent (including those that subsequently turned 18 without being found) that were identified or suspected as having been trafficked or identified as an UASC or separated child.
5. *For all of the above please provide a breakdown of these numbers by year and nationality of the child (e.g. British, Vietnamese, etc.) If identification is a concern due to small numbers involved, please give the total figures and specify whether the child is British / an EU national / non EU national. For Q3 & Q4, please add the length of time the child was missing during each incident.*

Please provide this information by email to research@ecpat.org.uk. If any of the information cannot be transmitted electronically, then please send hard copy material to the address above.

Please note that statutory duties include collecting and recording the following:

- Whether a child is a victim of trafficking/modern slavery, or whether there is reason to believe they may be a victim²⁸
- Whether a child is an unaccompanied asylum-seeking child (UASC)²⁹
- Data on children reported missing from care³⁰

I would be grateful if you could contact me if there are any issues regarding this request as I understand that under the Act, you are required to advise and assist requesters. If any of this information is already in the public domain, please can you direct me to it, with page references and URLs.

I understand that you are required to respond to my request within 20 working days after you receive this letter. I would be grateful if you could confirm that you have received this request.

I look forward to hearing from you.

Yours sincerely, ECPAT UK and Missing People

²⁸ The Care Planning and Care Leavers (Amendment) Regulations 2014

²⁹ The Care Planning and Care Leavers (Amendment) Regulations 2014

³⁰ Department for Education (2014), *Statutory guidance on children who run away or go missing from home or care*

Annex B: data tables

Trafficked children going missing from care: 2018 – 2020 data

	2018	2019	2020	% change 18–19	% change 19–20	% change 18–20
Number of identified and suspected trafficked children	960	1218	1231	26.9%	1.1%	22.0%
Number of suspected and trafficked missing children	284	351	378	23.6%	7.7%	24.9%
Percentage missing	29.6%	28.8%	30.7%			
Number of suspected and trafficked missing incidents	2098	2466	3036	17.5%	23.1%	30.9%
Average number of incidents per child	7.4	7.0	8.0			

Unaccompanied children going missing from care: 2018 – 2020 data

Unaccompanied children	2018	2019	2020	% change 18–19	% change 19–20	% change 18–20
Number of unaccompanied children	4749	5387	5263	11.8%	-2.4%	9.8%
Number of UASC missing	708	799	692	11.4%	-15.5%	-2.3%
Percentage missing	14.9%	14.8%	13.1%			
Number of UASC missing incidents	1867	2023	1710	7.7%	-18.3%	-9.2%
Average number of incidents per child	2.6	2.5	2.5			

Local authority response rate

Ability to provide data (no. of local authorities, n.176)	2018	2019	2020
Able to provide all data	77	76	76
Able to provide some data	77	78	77
Not able to provide any data	21	22	23



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Against Trafficking

**missing
people**

Registered charity in England and Wales (1020419)
and in Scotland (SC047419)

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