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# CHILD TRAFFICKING IN SCOTLAND



## CHILDREN, EDUCATION AND SKILLS



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# Foreword

Since the fieldwork for this report was completed there have been substantial changes and developments in relation to concerns around child trafficking in Scotland. The impact of COVID-19 on the exploitation of children and young people, and other aspects of service delivery and responses, is not yet known. There may be changes in movement and routes into the UK and types of exploitation, as those seeking to exploit children adapt to internal and external restrictions and opportunities. Over the coming months and years this will become clearer, in addition to any changes to service provision for unaccompanied asylum seeking children arriving in the UK.

Prior to COVID-19, services in Scotland began to identify UK victims of child trafficking and make referrals to the National Referral Mechanism (NRM). There have also been improvements to the use of Inter-Agency Referral Discussions in the child protection process, which should help improve the identification of children who are vulnerable to trafficking. Since last year, decisions regarding victims of trafficking, following a referral to the NRM, are made by trained specialists in the designated Home Office Competent Authority. These developments and their impact on identification and improved practice should become more apparent and are likely to be reported in future strategy updates.

In 2020, the Scottish Government published *The Trafficking and Exploitation Strategy: Third Annual Progress Report and Strategy Review*, which detailed the progress made to date on the Strategy and next steps. The Consultation and Analysis of the Independent Child Trafficking Guardian service was also published in 2020 and development of the new service is currently underway.

# Glossary and definitions

**Human Trafficking** - the legal definition for human trafficking in Scotland is set out in the [Human Trafficking and Exploitation \(Scotland\) Act 2015](#). A person commits an offence of human trafficking if a relevant action is taken with a view to another person being exploited. A relevant action includes: recruitment of another person; transportation or transfer of another person; harbouring or receiving of another person; exchange or transfer of control over another person; or the arrangement or facilitation of any of the above actions. It is irrelevant whether the other person consents to any part of the relevant action.

**Smuggling** – is defined by the [UN Protocol Against Smuggling of Migrants by Land, Sea and Air](#) as the unlawful movement of people across national borders for profit. It is differentiated from trafficking in that there is no coercion or threat and contact with the smugglers ceases on arrival.

**Human trafficking indicators** – there are a number of lists and guidelines to help professionals identify potential victims of human trafficking (see International Organisation for Migration (2009; Home Office 2016)). In Scotland, the [Inter-Agency Guidance for Child Trafficking](#) contains a child trafficking matrix of possible indicators to support identification. The matrix is based on those factors that may indicate a child is a potential victim of trafficking. It is not a validated assessment of actual, or risk of, trafficking. It should not replace a comprehensive child protection assessment. Example indicators include: psychological indication of trauma or numbing; physical indicators of labour; claims to be in debt bondage or “owes” money to other persons; and deprived of earnings by another person. None of the indicators are definitive or, alone, can indicate trafficking.

**National Referral Mechanism (NRM)** – is the UK framework for identifying and referring potential victims of human trafficking, slavery, servitude and forced or compulsory labour and ensuring they receive appropriate support. At the time of the research, referrals were routed through the Modern Slavery Human Trafficking Unit in the National Crime Agency for a trafficking identification decision, within the National Crime Agency (for UK and EU nationals) or the Home Office (non-UK nationals subject to immigration control). Since April 2019, all referrals have been made to one Single Competent Authority, located in the Home Office.

**First Responders** - are those agencies who can refer into the NRM. In Scotland, for children, these agencies are Social Work Services, Police Scotland and the Home Office (see Home Office 2016).

**Competent authority** – the individuals who make a decision if a person is a victim of trafficking or slavery, servitude and forced or compulsory labour, following a referral to the NRM. At the time of this research, the competent authority was located either within the National Crime Agency (for UK and EU nationals) or the Home Office (non-UK nationals subject to immigration control). Since April 2019,

the competent authority has been located within the Home Office, making decisions on all people referred into the NRM.

**Reasonable grounds decision** – a reasonable grounds decision can be made following a referral to the NRM if the competent authority ‘suspects but cannot prove’ a person is a victim of human trafficking, slavery, servitude and forced or compulsory labour.

**Conclusive grounds decision** - a conclusive grounds decision can be made following a reasonable grounds decision if ‘on the balance of probabilities’ there are sufficient grounds to decide that the individual is a victim of human trafficking, slavery, servitude and forced or compulsory labour (see Home Office 2019a).

**Child Sexual Exploitation (CSE)** – the Scottish definition of sexual exploitation is contained in the [National Action Plan to Prevent and Tackle Child Sexual Exploitation](#). Child sexual exploitation is defined as a form of child sexual abuse in which a person(s), of any age takes advantage of a power imbalance to force or entice a child into engaging in sexual activity in return for something received by the child and/or those perpetrating or facilitating the abuse. As with other forms of child sexual abuse, the presence of perceived consent does not undermine the abusive nature of the act.

**Child criminal exploitation** – an overarching term that is often used to include children who are involved in ‘county lines’ exploitation and also those who are victims of child trafficking. It may also include forced begging, stealing and cannabis cultivation.

**‘County lines’** – the National Crime Agency use the term ‘county lines’ to describe urban drug gangs’ expansion of operations to smaller towns in the UK; often using violence to drive out local dealers and exploiting children and vulnerable people to sell drugs; using dedicated mobile phone lines. This term is commonly used in England and Wales.

**Unaccompanied Asylum Seeking Child (UASC)** - defined by paragraph [352ZD of the Immigration Rules](#) as a child who is under 18 years of age when an asylum application is submitted; is applying for asylum in their own right; is separated from both parents and is not being cared for by an adult who in law or by custom has responsibility to do so. Being unaccompanied is not necessarily a permanent status. It may change, for example if the child has family members in the UK.

**Unaccompanied children** - (also called unaccompanied minors) are defined by the [UN Committee on the Rights of the Child](#) as children who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so.

**Separated children** - are defined as children who have been separated from both parents, or from their previous legal or customary primary care-giver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members.



**Age assessments** – sometimes it is necessary to make a decision about an asylum seeker's age when their claimed age is doubted by the Home Office, or local authorities. This can happen when they claim to be a child but are suspected to be an adult or they claim to be an adult but are suspected to be a child and where there is little or no reliable supporting evidence of the claimed age. Age assessments are intended to ensure the individual is treated age-appropriately and that they receive the necessary services and support in respect of protection and safeguarding. Where there is doubt, a careful assessment of the individual's age is required, with the person provisionally treated as a child until a decision on their age is made pending the outcome of the assessment. All accessible sources of relevant information and evidence must be considered, since no single assessment technique, or combination of techniques, is likely to determine the individual's age with precision (Home Office 2019b)

**Getting it right for every child (GIRFEC)** – is the Scottish Government policy aimed at supporting children and families by ensuring children and young people receive the right help, at the right time, from the right people. The GIRFEC approach aims to support children and young people so that they can grow up feeling loved, safe and respected and can realise their full potential. [GIRFEC](#) is a strategic way for families to work in partnership with professionals who can support them.

**SHANARRI** – is made up of eight wellbeing factors which are used to help children, families and the people working with them to discuss how a child or young person is doing. These eight wellbeing factors are often referred to by their initial letters – SHANARRI – safe, healthy, achieving, nurtured, active, respected, responsible and included.

**Scottish policy for referring to children to the NRM**– this is contained in the [Inter-Agency Guidance for Child Trafficking](#). The document recognises that child trafficking is a crime that is a child protection concern and that responses to an identified or suspected case need to be in line with single and inter-agency child protection procedures. Any agency or individual who suspects a child is a victim of trafficking is expected to ensure the immediate safety of the child, if possible, and contact social work services and the police as per national child protection procedures. The relevant child protection personnel in social work and the police, supported by other relevant agencies, should then make a decision regarding possible case discussion and/or immediate referral to the NRM. The guidance states that social work services assume lead responsibility for completion of any paperwork relating to referrals to the NRM and competent authority, in conjunction with the police.

# Summary

The Scottish Government Trafficking and Exploitation Strategy (2017) identified the need for Scotland-wide research to explore experiences of child trafficking in Scotland. This study, commissioned by the Scottish Government, aimed to provide an overview of how many children and young people had been identified as victims of human trafficking, to establish their geographic and demographic routes into Scotland and their experiences of professional responses. The research employed case file analysis and interviews with young people and professionals to illuminate these issues. For the index time-period for the research, no UK nationals were identified for the case file analysis. Consequently, the focus of the research was on children and young people who came to the UK across international borders.

The study highlights that individual journeys, multifaceted social and demographic circumstances, and multiple exploitative experiences of children and young people make documenting clear patterns problematic. Despite the complexities, support for children and young people is apparent across agencies and is appreciated by young people. The support operates within a largely child-centred Scottish policy, although practice does not always fully reflect policy imperatives and there are particular concerns from professionals about systems and processes that span UK and Scottish legislative frameworks and the subsequent impact on children's wellbeing.

## **Complexities of exploitation and limited information**

Due to the limited information available and the number of agencies who engaged with the study, the findings are not definitive although they provide commentary on the complexities of children and young people's lives and aspects of child trafficking responses in Scotland. While comment cannot be made on the reliability of what is, or is not, recorded in any individual organisational system, the research found that decisions made in relation to welfare, legal and asylum issues were often made on the basis of partial information.

## **Prevalence**

While this research did not look specifically at prevalence, it did identify that the referral of UK and Scottish nationals to the NRM remains low in Scotland when compared to the rest of the UK, although the reason for this is currently unknown.

## **Multiple routes and experiences**

Children and young people identified as victims of human trafficking had endured multiple exploitative and potentially traumatic experiences in home countries, in transit and in Scotland/UK. However, there were few clearly identifiable common background circumstances, journeys or exploitative experiences that could easily

inform training, identification and support. While Vietnam is presently the country of origin for the majority of identified victims of child trafficking, there remain many unknown features and aspects of journeys and routes for most children. The identification and profiling of child victims of human trafficking in Scotland remains problematic.

### **Multiple processes, re-telling stories and system trauma**

The study identified concerns that, on arrival in Scotland, children and young people endured additional trauma through the various systems and processes they were exposed to. Young people were particularly concerned about their lack of understanding of the various systems and, in relation to asylum decisions especially, often waiting for considerable periods before being told what was going to happen to them. Professionals expressed concern about the intersection of child protection, trafficking and asylum issues across different legislative frameworks. Young people often had to tell and re-tell their stories to meet different agency requirements, often very soon after arrival in Scotland, and in the absence of any established trust or relationships with professionals.

### **Child protection, trafficking and the NRM**

The research identified that referrals to the NRM appear to take priority over a child protection referral, with inconsistent adherence to child protection procedures. There were also a number of unclear referrals to the NRM, where the information contained on referral forms did not match case records, indicating apparent misunderstanding of what constitutes trafficking among some professionals.

### **Outcomes**

Longer-term outcomes, and future trajectories are difficult to assess. The young people identified for the case file analysis remain in contact with services although professionals still had anxieties surrounding the potential continued exploitation of some young people. In general, young people appeared to be settling well, engaged in education and/or employment and other support services. For many though, a sense of uncertainty about their futures remained as they awaited decisions about whether they would be able to stay in the UK.

### **Recommendations**

There are a number of areas that require attention in order to better address the complexities of exploitation in Scotland and to ensure that children are identified and protected:

- At present the NRM appears to take priority over a child protection referral. There is a need to ensure that a multi-agency child protection response takes priority above referral to the NRM.
- There remains some confusion among professionals about what constitutes trafficking and what information is included on NRM referrals in relation to potential indicators of trafficking. Work is required to clarify which of the indicators relate to possible exploitation and which reflect movement and migration.
- In Scotland, the majority of referrals to the NRM are for non-UK nationals. The identification and support of UK children as potential victims of trafficking requires attention; this may include additional training and awareness-raising for professionals.
- There is confusion about what information about a child can be shared across agencies, and when. Clearer guidance is required for professionals in respect of what information must be shared with which agencies and for what purpose.
- The experiences and complex background journeys of children need to be fully acknowledged in relation to concerns about the possibility of changing narratives and stories emerging as children are interviewed by different professionals. For those agencies providing support for children and young people in Scotland, issues of credibility and consistency of their stories should not become the prime focus for professionals. It is important that children and young people are given time to share their background stories as trusting relationships develop, while ensuring sufficient information is available to ensure their safety.
- There is currently no single agency in Scotland that has an overview of concerns in relation to child trafficking. A central Scottish repository is required to collate information and to monitor prevalence and patterns relating to children exploited through trafficking. The information contained in this repository should be more comprehensive than information contained in current referrals to the NRM and the published statistics.

# Introduction

The issue of trafficking has received considerable attention from politicians, policy-makers, academics and practitioners for a number of years, with significant efforts being made at international, European and domestic levels to establish legal and policy frameworks capable of dealing with this complex and multi-faceted issue (Council of Europe 2005; EU Parliament 2011; Scottish Government 2015; HM Government 2018). Within this broader human trafficking framework, the Scottish Government (2013; 2014) has located child trafficking responses within the existing GIRFEC (Scottish Government 2018a) wellbeing policy framework, developing a multi-agency response to meet international obligations to child victims of trafficking. The Human Trafficking and Exploitation (Scotland) Act (2015) and accompanying Trafficking and Exploitation Strategy (Scottish Government 2017) has further developed international obligations around child trafficking and the need for child-specific responses. Section 4 of the strategy identified the need for Scotland-wide research to identify the presence of young people who have been trafficked and to establish their routes to arrival. This research was commissioned by the Scottish Government in order to fulfil this need.

## Context

Despite substantial international efforts to identify, conceptualise and legislate to combat trafficking in human beings, any clear understanding of what constitutes human trafficking, where it occurs, and how to address this issue remains the subject of much debate. Globally, the United Nations Office of Drugs and Crime (UNODC) (2018) estimates that 49 per cent of all identified victims are women, while 21 per cent are men, 23 per cent are girls and 7 per cent are boys, with trafficking for sexual exploitation the most commonly identified form of exploitation. However, the Global Report also identifies substantial gaps in knowledge and understanding. Within this complex debate there are also concerns about misrepresentation and the focus on a narrow representation of 'types' of human trafficking and victims (Gregoriou and Ras 2018) with wider forms of exploitation often overlooked (Malloch and Rigby, 2016).

In the UK, the National Referral Mechanism (NRM) (see Glossary) is the principle means by which potential trafficking victims are 'officially' identified. It has been in operation since 2009 as the UK Government policy response to international guidance, obligating states to establish mechanisms for identifying potential victims. Annual statistics have been published by the National Crime Agency (NCA),<sup>1</sup> providing numbers of referrals and certain characteristics of those referred to the NRM. Between 2009 and 2018, 25,266 people have been referred into the NRM from across the UK as potential victims of human trafficking.

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<sup>1</sup> From April 2019 the Home Office will publish the statistics

## Child Trafficking

It is estimated that children account for just under a third of trafficking victims globally (UNODC 2018). Under international guidance and conventions, state parties are obliged to ensure that there are specific provisions in place for children due to their particular vulnerabilities (see EU Parliament 2011). Across the UK, children are referred into the NRM in a similar way to adults, albeit using a separate referral form. As human trafficking is a recognised child protection concern, children do not have to consent to a referral. The numbers of children referred to the NRM across the UK has risen annually since 2009 and, over the last two years, the numbers have increased dramatically (NCA 2019a). Much of this increase relates to referrals of UK national children in England, largely the result of identifying child sexual exploitation (CSE), 'county lines'<sup>2</sup> or child criminal exploitation concerns (see Jay 2014, Stone 2018; NCA 2017). Despite these developments, the implementation of child-specific practice in respect of child trafficking in the UK has been described as 'patchy' (Sereni and Baker 2018).

The official referral statistics are likely to be partial as not all victims of trafficking are identified as such, nor are all potential or actual victims referred to the NRM (Setter and Barker 2018). There has been substantial criticism of the implementation of the NRM in relation to children since its inception, not least that it has been too closely aligned with immigration processes and asylum decision-making (Annison 2013; Rigby and Ishola 2016; Setter and Baker 2018). The Home Office undertook a review of the system in order to address some of these concerns (Home Office 2014; 2017) and some changes in relation to decision-making were introduced in April 2019, including a move to the Home Office as the single competent authority.

## Scotland

In Scotland, a number of studies, reports and parliamentary enquiries have investigated the issue of human trafficking (Lebov 2010; Scottish Parliament 2010; EHRC Scotland 2011). None were able to provide a robust analysis of the extent of human trafficking, not least due to the relatively hidden nature of the crime and difficulty in identifying potential victims. Indeed, methodological issues in relation to the study of human trafficking have continually been cited as one of the reasons why there remains relatively little factual knowledge in this area (see Brennan 2005; Surtees and Craggs 2010).

The first concerns about child trafficking in Scotland arose in the mid-2000s, a decade after anxieties were raised in England (Hynes 2010; Rigby 2009). Initially the focus in Scotland was on the major urban areas, specifically Glasgow. A series of reports commissioned by the Glasgow Child Protection Committee were the first

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<sup>2</sup> The National Crime Agency use the term 'county lines' to describe urban drug gangs' expansion of operations to smaller towns in the UK; often using violence to drive out local dealers and exploiting children and vulnerable people to sell drugs; using dedicated mobile phone lines. This term is commonly used in England and Wales.

empirical studies to attempt to identify the extent of child trafficking amongst the unaccompanied asylum seeking children population, and identify responses to the issues (Rigby 2009; Rigby 2010; Rigby et al 2012). Rigby (2009) identified that, depending on the level of risk associated with indicators present in case files, between 21% and 40% of unaccompanied asylum seeking children had been exploited, either in the UK or on their journeys to the UK. Two subsequent studies looked at how professionals understood child trafficking in Glasgow (Cameron 2010), and prevalence across Scotland (SCCYP 2011). Both reports noted concerns around identification and the limited understanding of the issues in Scotland, reflecting UK-wide concerns about the challenges of recognising victims and highlighting that not all local authorities referred all children who were potential victims of human trafficking to the NRM (DfE / Home Office 2017). There has also been substantial concern expressed about the relationship between trafficking and different types of exploitation and the failure to adequately address this issue (Malloch and Rigby 2016).

While the Scottish studies noted above provided insights into child trafficking, and attempted to assess prevalence rates for Scotland, they were limited in their methodological scope. The major limitation of the Glasgow studies was their focus only on one city and on unaccompanied asylum seeking children. While the Scotland's Commissioner for Children and Young People (SCCYP) study conducted research across Scotland, it relied on practitioner understandings of trafficking and the NRM system, which was limited at the time. In this respect, the present study is unique in that it uses case file data from known child trafficking referrals, in conjunction with experienced professional insights. Most importantly, it is the first study of child trafficking in Scotland to hear directly from young people.<sup>3</sup>

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<sup>3</sup> When referring to the study findings, we use the terms children and/or young people depending on the age groups being discussed.

# Methods

The ethical and methodological challenges of researching human trafficking are well documented (Surtees and Craggs 2010; Siegel and de Wildt 2016). Human trafficking is a complex and concealed issue, raising problems for those seeking to identify and recover actual and potential victims, and those who seek to research its extent and nature. Previous research in Scotland has exemplified the challenges of conducting research (Cameron 2010; SCCYP 2011; Rigby 2009; Rigby et al 2010; 2012; Lebov 2010).

The present study set out to map the routes and circumstances of victims and to identify responses across the country using a mixed methodology of documentary analysis, case file analysis and interviews with a sample of professionals and young people. This proved problematic because of the limited information available in case files. As with any study, principles of informed consent, ensuring anonymity, and minimising potential risks and/or harms to participants underpinned all aspects of the work (Siegel and de Wildt 2016).<sup>4</sup> To ensure anonymity, certain information has been redacted.

An index time-period of referrals to the NRM was identified in order to access a sample of children and young people who had been identified as potential child trafficking victims for the case file analysis.<sup>5</sup> No further sampling was made in relation to competent authority<sup>6</sup> decisions as to whether the individuals sampled were victims of trafficking. This was an important aspect of the research as it allowed for commentary on the referral process.

Identifying where young people were located within Scotland for the index period was challenging. Even though young people were referred into the NRM, official statistics do not publish where the children reside, only First Responder details are published. This meant that unless local authorities were identified as a First Responder, geographical locations were not known.

The small number of identified children also meant that issues of anonymity and confidentiality were of paramount concern throughout. In line with the remit of the study, the case file data accessed related only to children and young people identified as potential victims of trafficking through an NRM referral. In this context, in the absence of any UK children identified for the case file analysis, the report

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<sup>4</sup> Ethical approval for the study was obtained from the University of Stirling General University Ethics Panel and subsequently from participating local authorities prior to accessing case files and/or research participants. Ongoing ethical issues were discussed at the Child Trafficking Steering Group where feedback and advice helped to support the research process.

<sup>5</sup> It was agreed at the outset that the study would focus on young people identified across a specified period of time. For reasons of confidentiality and to ensure no identification of young people, the exact period will not be made explicit. The chosen timeframe allowed for a post-identification period to provide some comment on effectiveness of responses in relation to outcomes, to comment on the effectiveness of the NRM model to provide additional support for children, and to make some comparative comments with previous research in Scotland.

<sup>6</sup> At the time of this research, the competent authority was located either within the National Crime Agency (for UK and EU nationals) or the Home Office (non-UK nationals subject to immigration control).



largely relates to separated and unaccompanied children, all but one of whom were non-EU nationals.

A mixed method approach was adopted which involved collating case file information held by local authorities across Scotland. All Chief Social Work Officers for each local authority in Scotland were invited to participate in the study, initially by the Scottish Government Child Protection Team and with follow-up requests by the research team. Ongoing requests aimed at encouraging participation were circulated via Child Protection Committees.

Engagement of local authorities and the participation of other key agencies varied. One third of the local authorities in Scotland (n=11) agreed to initial requests to be involved in the research. Among those who declined to participate, some indicated they did not consider this was an area where they had information or knowledge to contribute, while many did not respond to repeated requests. Two local authority areas provided access to case file data and professionals from five local authority areas were subsequently interviewed.

## **Case file analysis**

Case files are held by all agencies who have contact with unaccompanied children, in line with agency protocols in relation to child welfare and protection. There is guidance for the collection of data on human trafficking victims published by the International Organisation for Migration (IOM) (2009). The extent to which agencies across Scotland and the UK follow such guidelines is unknown.

From the identified sample time period, 41 cases were available for analysis. For four of these, available data was not sufficient to include in a full analysis beyond basic demographic information. The data on 28 cases was supplied by two local authority areas, with an additional 13 cases provided by the Scottish Guardianship Service. Data capture forms were developed using the International Organisation for Migration (2009) guidelines for data collection. They were developed in collaboration and consultation with the National Child Trafficking Strategy Group to capture background information, identification process and service delivery.

In one local authority area there was direct access to social work case records by a member of the research team who completed the data capture forms in collaboration with a senior social worker. In a second local authority area, a social worker completed the data capture forms. The Scottish Guardianship Service completed the remainder of the data capture forms. The amount of information available from the data capture forms was variable.<sup>7</sup>

In order to avoid potential identification of individual children, the information obtained from case files has been presented as aggregate data and, where necessary, some of the specific data has been redacted. The coherence of the data

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<sup>7</sup> Taking into account recording and potentially different narratives the case file information was only as reliable as the agency recordings. The limited data provided impacts on study findings (Brennan 2005).

was variable. For example, for almost half of the young people information on home circumstances was not available, either because the young person did not disclose this information or they were not asked about home circumstances during interview.<sup>8</sup> Due to the variable nature and quality of the data it was only subject to basic analysis, providing simple summaries and percentage occurrences.

The data from the case files varied in consistency, with agencies occasionally recording different and contradictory records on the same young person. In a number of case records and NRM referrals, there were clear discrepancies in recorded information, highlighting its' potential unreliability in terms of accuracy. For example, some NRM referrals claimed exploitation as an indicator, however there was no evidence given in the accompanying notes to explain why exploitation was suspected. In other instances, the NRM referral forms differed in their 'indicators' of trafficking from accompanying case notes.

## Professional interviews

Formal semi-structured interviews were conducted with 14 professionals including representatives of five local authority social work services, and specialist service providers.<sup>9</sup> Requests for interviews with a number of other key informants were unsuccessful. Border Force Scotland hosted a visit by a member of the research team to their Glasgow Airport base and provided the research team with an anonymised sample of case scenarios that had occurred during the index time-period.

Interviews with professionals explored issues of journeys and backgrounds, identification, responses to young people, and barriers and enablers to effective working. The professionals interviewed had varying levels of 'expertise' and experience in relation to child trafficking. While some could draw on direct work with children and young people identified as actual or potential victims of human trafficking, others had strategic or policy level experience. It was suggested by some participants, and reflected in interview responses, that *"the local authorities outside Glasgow/Edinburgh are less experienced in working with trafficked children"* (P3)<sup>10</sup> [see also Children's Commissioner Report, 2011].

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<sup>8</sup> This lack of information is a challenge if safeguarding factors are part of decision-making processes about returns to countries of origin. We note that this information may have been recorded separately in legal statements and/or Home Office documentation.

<sup>9</sup> See appendix 1 for interview schedules.

<sup>10</sup> To protect research participant anonymity, individuals have been identified by participant (P) number rather than job or location.

## Interviews with young people

Semi-structured interviews were conducted with five young people,<sup>11</sup> aged between 16 and 21 and previously identified as victims of trafficking (four males and one female) in order to explore their experiences of support in Scotland.<sup>12</sup> The voices of children and young people have rarely been heard in the trafficking literature, as access can be problematic and there is recognition that direct interviews may risk secondary trauma (Brennan 2005). Accordingly, during interviews, young people were asked about their experiences of services in Scotland, rather than focusing on their journeys and/or exploitation. All interviews were recorded (with permission) and responses were thematically coded using Braun and Clarke's (2012) technique for analysis and exploration.

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<sup>11</sup> See appendix2 for interview schedule.

<sup>12</sup> Interview subjects were not linked to the case file data analysis.

# Findings

## Prevalence

The prevalence of human trafficking (globally as well in the UK and Scotland) has been the subject of much debate and remains a contentious issue (UNODC 2018). While there have been improvements noted in recording and data collection through the NRM (Sereni and Baker 2018), there remains a lack of clarity about the extent to which NRM statistics reflect the number of people exploited through trafficking. Silverman (2013) suggests that those known to authorities and referred to the NRM may only represent 20-30% of the actual number of victims.

A Glasgow Child Protection Committee study also identified that child referrals to the NRM constituted about a third of known cases in the city (Rigby et al 2012). The Report of the Children’s Commissioner for Scotland (SCCYP, 2011) suggested that a lack of awareness may have led to many possible cases of victims remaining unidentified. In the SCCYP report, there appeared to be a gap between the number of respondents who had expressed concern that a child may have been trafficked compared with the number of respondents who had reported making a referral, according to UK Border Agency statistics.

Year	UK referrals	Scottish referrals
2012*	310	29
2013	362	22
2014	671	25
2015	982	42
2016	1278	47
2017	2118	64
2018	3071	53
Total	8792	282

Table 1: Child NRM referrals - \* figures for Scotland were only disaggregated from 2012 (NCA 2018)

Scottish referrals account for approximately three per cent of total UK referrals. It is not clear from the available evidence if numbers of child victims of trafficking are significantly lower in Scotland, or if there is a failure to recognise or identify these young people.

This study cannot comment definitively on these wider questions. However, a number of interview participants expressed concern that the NRM process may not represent the true number of child trafficking victims in the UK. Other participants suggested that in Scotland it was possible that there was some conflation of trafficking and smuggling, thus potentially over or under-estimating the number of victims of human trafficking.

There is also a variable distribution of child trafficking referrals across Scotland. Eleven different local authority areas had made referrals to the NRM during the index time-period and were identified for the case file analysis. Two local authority areas accounted for nearly two thirds of all cases, with 46 per cent of cases in the largest local authority area. This disparity in terms of where children and young people are located is also apparent in relation to unaccompanied children. Across Scotland, it is estimated there are approximately 265 unaccompanied young people being ‘looked after’ by local authorities, with Glasgow City Council accommodating nearly two thirds of all Scottish arrivals over the last nine years (Rigby et al 2018).

## Age when identified

Age	Count (n 41)
14-15 years	15
16-17 years	26

Table 2: Ages of Children/young people at NRM referral recorded in case file data

All the children and young people referred to the NRM in the index time-period were aged 14-17 years old at the time of referral. However, there were indications that some of the young people had left their country of origin up to three years prior to their arrival in Scotland. While one of the professionals identified working with a pre-teen child, the ages identified reflect the age demographics of previous work on child trafficking in Scotland (Rigby 2009).

Age assessments were completed on seven children in the index time-period, two of whom were assessed as over 18 and were not included in this research.<sup>13</sup> Age assessments have been a concern in relation to unaccompanied children (see Crawley 2007), and the Scottish Government (2018) recently published updated guidance for practitioners. Rigby et al (2018) identified that age assessments were the most common assessment undertaken by local authorities, although one of the professional respondents indicated more recently they had “*not been doing so many,*” (P9). There are indications the number of age assessments undertaken for trafficked children is reducing.

<sup>13</sup> Age assessment numbers were provided by Scottish Guardianship Service.

## Gender

Gender	Count (n 41)
Male	23
Female	16
Not known	1

Table 3: Gender of NRM cases recorded in case file data

While the majority of referrals from the Scottish sample were boys (56 per cent) there were some differences in the gender division depending on local authority area. In one local authority area, approximately 66 per cent of victims were girls; nearly 60 per cent of whom were recorded as being trafficked for the purpose of sexual exploitation. Such variations further complicate the task of profiling potential victims across Scotland.

## Countries of origin

Since 2012, 282 children and young people from 33 countries have been referred to the NRM from Scotland. The largest numbers identified were from South East Asia, East Asia, Africa and Eastern Europe, with Vietnamese nationals accounting for 53% of all those referred. This pattern of large numbers of trafficking victims from Vietnam has also been noticeable in the UK for several years (Silverstone and Brickell 2017; ECPAT 2019; NCA 2017; 2018; 2019).<sup>14</sup>

Table 4 presents publicly available statistics, published by the National Crime Agency. For the present research and case file analysis (table 5) individual countries (except Vietnam) have not been identified to prevent possible identification. Instead, geographical areas have been recorded.<sup>15</sup>

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<sup>14</sup> Cameron (2010) identified children from Afghanistan as a major concern amongst professionals and SCCYP (2011) identified Roma children as a concern regarding trafficking. This suggests concerns about children from particular countries over time dissipate or increase as patterns change.

<sup>15</sup> In consultation with the Research Steering Group (National Child Trafficking Strategy Group) Vietnam was identified specifically as it is acknowledged to be the country of origin for most children and young people referred to the NRM from Scotland.

Country of origin	Numbers	Country of origin	Numbers
Vietnam	137	Syria	2
China	29	Egypt	2
Nigeria	14	Ethiopia	2
Eritrea	11	Iraq	2
Sudan	10	Uganda	2
Romania	8	Lithuania	1
UK	9	Latvia	1
Slovakia	6	Sierra Leone	1
Somalia	5	Malawi	1
Bulgaria	5	Congo <sup>16</sup>	1
Albania	5	Ivory Coast	1
Iran	3	UK/Thailand	1
Pakistan	3	Tanzania	1
Afghanistan	3	Poland	1
Gambia	2	Jamaica	1
Zimbabwe	2	Chad	1

Table 4: Child referrals to NRM from Scotland 2012-2018 (NCA 2018)

Country/area of origin	Count (41)
Vietnam	25
Africa	7
East Asia	4
East Europe	3
Middle East	2

Table 5: Country/area of origin recorded in case file data

<sup>16</sup> The official statistics list Congo, it is not clear if this refers to the Democratic Republic of the Congo, or Republic of Congo.

Across the UK as a whole, UK nationals accounted for the largest number of children referred to the NRM. This pattern has not been repeated in Scotland where UK nationals have never made up a substantial number of referrals. Between 2015 and 2018, 2478 UK children were referred to the NRM (the majority in relation to child sexual and criminal exploitation). In Scotland, for the corresponding timeframe, the number of UK children referred was 10.<sup>17</sup> Globally, most trafficking victims are detected in their countries of origin/citizenship (UNODC 2018), suggesting that the referral of mainly international cross-border cases may overlook the exploitation of UK national children as a trafficking concern in Scotland. Only one respondent from the professional interviews referred to the internal trafficking of Scottish children (P10).

There are currently no national statistics recording the extent of child sexual exploitation (CSE) in Scotland. Furthermore, the extent to which UK/Scottish children may be victims of human trafficking within the country is unknown, nor is there any evidence on the extent to which CSE in Scotland is comparable to the rest of the UK. The CSE issue and its relationship with trafficking requires further investigation as it is a concern that has been noted for a number of years (Scottish Parliament 2014; Brodie and Pearce 2012). Similarly, emerging concerns across the UK around child criminal exploitation (Stones 2018; NCA 2017) have not been identified to any significant extent in Scotland.

## **Background circumstances**

Unless stated otherwise, the case file data is based on 37 cases where information was available in addition to country of origin, age and gender.

Numerous antecedents have been identified as contributing to child trafficking, including poverty, gender inequality, family breakup, low levels of school enrolment, children without carers, absence of birth registrations, humanitarian and armed conflict, demand for exploitative sex and cheap labour (UNICEF 2005; Hynes 2015). While many complex social, economic and cultural factors may contribute to experiences of victimisation, identifying individual factors for each child is problematic as they may affect children differently in various social contexts (Kovacevic and Mirovic 2005; Rafferty 2007).

Taking the above into account, the present research attempted to identify background circumstances amongst the children and young people arriving in Scotland. As indicated, this was problematic as the amount of background information contained in case records was variable, an issue that has been identified as contributing to the difficulty of undertaking comprehensive assessments (Hynes 2010).

Additionally, it appears that the majority of the recorded information was elicited from the child or young person's account. While of prime importance, a child's

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<sup>17</sup> Since the fieldwork was completed more UK children have been referred from Scotland.



account may not provide an accurate picture of background circumstances. Children and young people may be reluctant, for good reason, to disclose large amounts of information on their histories (Rigby and Whyte 2015), their recall may be affected by various circumstances (Samuelson 2011) and they may disclose different aspects of their stories to different professionals (Kohli 2006).

Hynes (2015) has also identified how broader demographic factors in relation to age, gender, culture and background are important in understanding trafficking experiences. The available information collated for this study indicates that while age (notwithstanding age assessments) and gender is recorded, the broader aspects of many young people’s backgrounds are not. In 76% of case files extremely limited data was available on background circumstances, although information was available on living circumstances immediately prior to departure.

For just over half of the young people, educational provision prior to departure was not known, although it was possible to identify that a fifth had primary and secondary education, while two had not received any education at all. The limited background information available means that a comprehensive understanding of upbringing, education and social circumstances of children identified as trafficked in Scotland remains elusive.<sup>18</sup>

<b>Living circumstances (country of origin)</b>	<b>Count (37)</b>
Living with parents	13
Living with relatives	9
Living with friends / carers	2
Living on streets	5
No data	8

Table 6: Country of origin living circumstances prior to departure recorded in case file data

As a result of unknown or unrecorded information, a number of years after arrival there remain substantial gaps in understanding the background of children and young people arriving in Scotland who have been exploited through trafficking, as shown in table 6. Given the disparity of information available, legitimate concerns exist in relation to what systematic and reliable information is recorded, or indeed if any of the information is systematic and reliable (Godziak and Bump 2008). This represents a challenge for early identification, assessment, decision-making, support and future planning; which is particularly problematic in terms of contextual

<sup>18</sup> The research did not include access to all partner agency files where this information may have been recorded.

information for 'my world'<sup>19</sup> assessments in line with GIRFEC (Scottish Government 2018a). However, the data that is available on children's personal situations prior to leaving their countries of origin, indicates there are substantial variations in their background circumstances, further complicating attempts to profile victims.

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<sup>19</sup> **'My World'** is used to think about the whole world of the child or young person. It supports practice that considers the child or young person's needs and risks, as well as the positive features in their lives. This may include information about health or learning, offending behaviour or information about issues affecting parenting.

## Case study: Vietnam

For several years there has been rising concern about the trafficking of Vietnamese citizens to the UK (Silverstone and Brickell 2017; ECPAT 2019). In line with UK-wide experience, the index period for this study identified Vietnam as the largest single source country for potential child trafficking victims identified in Scotland, although Vietnam has not always been the largest single source country (Home Office 2010). Despite the well-documented experiences of Vietnamese nationals (Silverstone and Brickell 2017; ECPAT 2019) and increasing knowledge of their experiences, professionals in Scotland remain concerned that “we’re just scratching the surface with that. I mean that’s a real difficult one to grasp exactly what’s going on there.” (P2)

Research participants supported the evidence that exploitation was experienced during journeys and that common routes were through China, Russia, Eastern Europe, France (Silverstone and Brickell, 2017 and ECPAT, 2019):

“They [Vietnamese children] travel very often...through Russia, where they work in different garment factories, or have different kinds of negative experiences. Like different experiences of exploitation, essentially in Russia and through Europe and into France, where I think a lot of them are very aware that they’re in the Jungle [Calais refugee and migrant encampment] trying to cross to the UK.” (P1)

“Trafficked from Vietnam to China, they might work in China doing different sort of menial jobs, different tasks, rubbish collection, recycling, then they might be transported either over land so through Russia, in through the Ukraine and Germany, it could be Belgium, Holland, in lorries and trucks in different ways.” (P3)

While there are some consistencies with the journey and route of Vietnamese nationals, there is no clear pattern for all individuals according to case file accounts of journeys and professional experiences. Planes, trains, trucks, cars and walking were all modes of transport recorded for the children in this study, although entry into Scotland was largely via lorries and cars.

More than any other nationality, professional respondents suspected that Vietnamese young people had been “given” a story which they “stick quite solidly to”. Some of the Vietnamese young people who had been granted refugee status returned to work in nail bars leading to concerns, among some research participants, of ongoing exploitation.

“We certainly hope that it [exploitation] has ended but you’re never really sure to be honest and then a lot of Vietnamese young people after they have status are quite keen to go back and work in nail bars for example. So it’s trying to figure out why.”

It was suggested by professionals that “*traffickers have manufactured the scenario of the Vietnamese*” (P2). That is, they believed that some young Vietnamese people were told by traffickers to make themselves known to the authorities as trafficking victims and to seek asylum in order to get into the care system. This, according to some professionals, potentially placed the young people in the care of

the local authority, while traffickers were able to continue to exploit them, without incurring costs of food and accommodation.

For many professionals in Scotland, Vietnamese arrivals were considered likely to be victims of trafficking: “I think they do appear to put them [NRM Referrals] in for any Vietnamese child that presents. I think that’s well publicised in Scotland as being an indicator, it’s enough to be a Vietnamese child alone.” (P1)

There did not appear to be many consistent factors in the backgrounds of the young Vietnamese people arriving in Scotland. The aspect that was relatively consistent was journeys through China, Russia and Europe before arrival in Scotland, journeys that were long and arduous (ECPAT 2019).

Another consistent aspect for the Vietnamese young people was the type of exploitation. All but three of the recorded instances of labour exploitation involved Vietnamese nationals, and all the recorded cannabis cultivation exploitation involved Vietnamese young people. These patterns of exploitation were similar to other research (ECPAT 2019; Silverman and Brickell 2017) which identified some of the pull factors for Vietnamese nationals such as friends or family members already resident in the UK, established smuggling routes and agents, and opportunities to earn money in the UK. Scottish professionals in this study were not, however, able to clearly identify any patterns of entry.

The case file data also suggested that, where organised crime had been identified as a concern in Scotland, two thirds of these cases involved Vietnamese nationals. However, the nature and extent of this organised crime was unclear from the case file data. This may also link to the findings from the case file data that Vietnamese nationals were more likely to have been exploited in multiple countries, suggesting re-trafficking and continued movement.

Overall, while there were clear concerns about Vietnamese nationals, very little was known about their context and circumstances, despite the relatively high numbers of young Vietnamese people in Scotland who had been identified as victims of trafficking. While professionals continue to have concerns, the issues remain shrouded in confusion and uncertainty and there remains limited understanding of the trafficking of Vietnamese nationals (ECPAT 2019):

“What they [official publications] were saying about the Vietnamese in terms of trafficking, it’s like I kind of agree with that, but it’s not really taking me further forward in what I understand. And I don’t feel like I really understand what’s going on in terms of how kids are getting trafficked from Vietnam to Scotland.” (P1)

## Journeys

The physical and geographical journeys of the children and young people from countries of origin to Scotland were varied. While some were long and arduous (even for those who did not disclose en-route abuse and exploitation), others were very quick. For some children (54 per cent), their experiences of abuse and exploitation commenced prior to leaving their countries of origin. Forty-three per cent of the young people identified were en-route from their countries of origin to Scotland for over a year, and in a small number of cases (n=5) the journey to Scotland took over two years. During this time young people experienced multiple abuses on their journey as they travelled by car, lorry, plane, boat and on foot.

Journey time	Less than 1 week	2 weeks to 1 month	2-3 months	4-6 Months	7-12 months	1 year+	Not known
	1	4	5	2	4	16	9

Table 7: Journey time on route to Scotland in case file data (count 41)

For some of the young people who arrived in Scotland, their experiences were similar to the increased cross-Mediterranean and European journeys reported widely in the press since 2014/2015 (Malloch and Rigby 2016), for example, spending time in transit camps in Europe. The experiences of the young people were supported by some of the professionals who recognised this route:

“They’re coming through Libya, and they’re coming through that place where they just kind of treat everybody that comes in there...as kind of...like animals. They’re used...They’re getting fed and getting somewhere to sleep, maybe in a barn, or in a kitchen, but they’re getting made to work on a farm for a couple of months and hard labour.” (P4)

Records of journeys suggest numerous modes of transport were used across many countries, with no one mode preferred over another. The journeys themselves were often dangerous and hazardous; with descriptions of transfers and changes of transport in forests and across borders, interspersed with experiences of imprisonment in transit accommodation, warehouses and containers. The geographical locations and transfers were also difficult to discern, as the children and young people had no understanding of where they were, and often only had a limited sense of the time some of the journeys had taken.

To supplement the case file information, professionals were able to illuminate some of the specifics from the children’s experiences, although patterns remain difficult to identify:

“Journeys clearly vary depending on where they come from; some nationalities there are similarities in accounts – Vietnamese in particular where their journeys are into Europe then the UK, share a very similar narrative. And there are others where it varies to each individual.” (P6)

Understandably, professionals were hesitant to comment on specific routes, with the exception of those of Vietnamese children (see Case Study on Vietnam), and instead provided broad overviews of geographical journeys. Overall, professionals highlighted that even when working with children who were victims of human trafficking, it was difficult to provide a clear idea of journeys and routes to arrival in Scotland, partly because there are many unknowns, but also because of the variation in travel. Additionally, professionals indicated that accounts might not be factually ‘true’ (for example, where traffickers might have imposed an account of the journey on the child, or because of gaps in the child’s knowledge).

“We’ve seen patterns change over the years...finding out that often what they were telling us about the last part of their journey wasn’t true – found out from discussions with police. That doesn’t mean the rest of what they were telling us wasn’t true. The bits they were telling us about journeys...were true, the abuse they were telling us about...some of them had definitely experienced abuse on the way, sexual assault, forced to work and there is no doubt that was true.” (P8)

Despite some variability over time in the stories told, research participants were keen to highlight that inconsistencies and different stories should not be viewed as intentional manipulation by children and young people.<sup>20</sup> Rather, sharing accurate information of journeys can be a real challenge, even after practitioners have developed good working relationships and trust. In effect, it was often suggested young people “*have no way of knowing how they’ve got here, and they just don’t know, or they’re not willing to share, or able to share.*” (P10)

Many professional participants commented on the journey into and through the UK being a very unclear part of the story. For example, while British Transport Police (responsible for railways) was a recorded First Responder on four occasions, only one of the young people appeared to enter Scotland by train. This suggests three of the referrals from British Transport Police were for children who went to a train station after arriving via other means of transport. Arrival in Scotland was not a simple recollection for most children and young people. Case file data, and the majority of professionals, suggested that most young people came via England, often finishing their journeys in cars or lorries:

“The story about how they kind of get from England and end up in Scotland is a bit hazy but I can only understand that that’s just the way the traffickers are working and controlling them and there’s some way of masterminding that. But I don’t understand it, and then ending up...actively presenting themselves [to local authorities and the police].” (P1)

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<sup>20</sup> One case note clearly indicated an acknowledgment by a young person that their earlier account was inaccurate.

While most professionals highlighted that young people usually arrived via other areas of the UK and travelled by road - “*Most often they seem to have come by truck*” (P9) - the possibility of other routes was also mentioned. In this context, travel through Ireland was indicated as a possibility, and there was also a suggestion by one professional that:

“Although we were getting told they were coming in via England it makes no sense, if they were going to present why not so do in the south east of England? I believe they were coming in much closer to Edinburgh, I think there was a local link and Rosyth makes sense, shown by the numbers stopping when that [Rosyth ferry connection] stopped. In the case of children coming into Glasgow, I would look at sea ports in and around Glasgow. Some arrive off lorries, lots of different ways.” (P8)

While the case file data indicated that arrival by lorry was the single most common type of entry to Scotland (30% of young people), more consideration may need to be given to where they entered, not least because young people hidden in lorries may not necessarily know which port they arrive at. Despite much uncertainty regarding arrival in Scotland, it does seem that direct flights only account for 10% (n=4) of arrivals. Ultimately, professionals acknowledged that the journeys children had taken before arrival in Scotland was simply not known.

## Types of exploitation

Type of Exploitation	Number
Labour	119
Sexual	42
Domestic servitude	22
Unknown	52

Table 8: Types of exploitation identified in Scotland 2012-2016 (NCA 2018)

According to NRM statistics from 2012–2018, the most common type of exploitation identified for children referred from Scotland was labour exploitation. The NCA statistics have for several years recorded referrals by one of three main types of exploitation – labour, sexual, domestic servitude – and unknown exploitation. However, in line with other empirical studies, the present study identified that individual children were often exploited in several different ways and that focusing on one main type of exploitation overlooked the complex nature of their exploitative experiences (Rigby 2009).

<b>Exploitation type</b>	<b>Labour</b>	<b>Sexual</b>	<b>Domestic servitude</b>	<b>Cannabis cultivation</b>	<b>Drug courier</b>	<b>Multiple</b>	<b>N/K</b>
Count (37)	16	10	6	10	2	9	3

Table 9: Types of exploitation recorded in case file data

Taking into account the limited information about background circumstances, the case files and NRM forms indicated that for half the young people, their experiences of exploitation and abuse began in their countries of origin. This exploitation and abuse constituted the start of exploitation through trafficking; for example, being made to transport drugs within a country to pay off debts or experiences of commercial sexual exploitation. There were also instances of domestic work in countries of origin, although whether ‘domestic work’ constitutes potential trafficking or exploitation in some countries is a debatable point (see Howard 2017; Hynes 2015).

At least a quarter of the young people had experienced multiple abuses at various points on their journeys and in transit countries. The case file data suggested that nearly 68% of the young people experienced abuse and exploitation once in the UK, and 54% experienced exploitation in Scotland. It remains the case that the fluid nature of abusive situations, and the vulnerability of children and young people on the move, may expose them to multiple exploitative scenarios (Rigby 2009). Additionally, the multiple types of exploitation identified suggest that identifying one main type of exploitation may minimise the totality of the experiences of children and young people.

<b>Control</b>	<b>Threats/ psychological violence</b>	<b>Physical Violence</b>	<b>Sexual Violence</b>	<b>Debt bondage</b>	<b>Denied food</b>
Count (n=37)	26	21	6	13	4

Table 10: Coercion and control techniques recorded in case file data

In addition to the types of exploitation recorded, three quarters of the young people also experienced multiple types of coercion and control, including physical and/or sexual violence, as well as threats of violence. Physical abuse as a part of the trafficking experience is rarely referred to as a major concern, but it can have a significant impact on children’s psychological wellbeing (Ottisova et al 2018). While coercion and control is not a requirement for identification of child trafficking, these figures indicate the experience of substantial violence in addition to specific exploitation categories.



Several professionals also explained that young people who had been trafficked were particularly at risk of further exploitation because *“the link between the traffickers and traffickees, it’s sometimes hard to...know for sure if the link has been cut”* (P3). Some respondents commented that they suspected exploitation was ongoing in Scotland, even for those children and young people identified and supported by services:

“It’s almost as if they bring somebody in and leave them in Glasgow and say ‘we’ll be back to see you in three years. You just do what you’re doing, tell this...this is a good story, get your status, then we’ll come back and...then we’ll tie into you again’.” (P4)

“If a child comes here and they are found working in a nail bar or working in a cannabis farm, or anything, then the child is met by social work and accommodated by social work and then...children are...looked after and then they make a positive decision on their refugee status, and a positive conclusive grounds decision. But then knowing to what extent are the traffickers still somewhere in the background is really hard to know for sure.” (P3)

Details on how exactly the children escaped from/exited their exploitation were not clear. Often the children’s narratives suggested they were helped by somebody who was involved in their exploitation. There were also indications that children and young people took opportunities to escape from buildings where they were being held and, after meeting people in the street, were referred to appropriate services.

Young people were found in bus and railway stations, at airports, on the street, presenting at police stations, presenting at social work offices, and in places of potential exploitation, the most common being nail bars (n=6). Again, clear patterns and common experiences were difficult to discern.

Despite the abusive and exploitative experiences associated with child trafficking, referrals were not always initially made to Police Scotland or social work services, instead referrals sometimes went directly to the NRM. This contradicts Scottish guidance which indicates social work or Police Scotland should make referrals to the NRM, following child protection investigations (Scottish Government 2013).

## **Indicators of trafficking and the National Referral Mechanism**

“I think sometimes, to me, someone arriving on a lorry is not necessarily an indicator that they’ve been trafficked, because that’s how most people enter the country and the difference between a smuggler and a trafficker is quite...a fine line.” (P5)

The National Referral Mechanism is the principle means by which potential trafficking victims are ‘officially’ identified across the UK. Within the process of referral to the NRM, ‘indicators of trafficking’ constitute a pivotal role in the initial identification, or highlighting of concerns. In the referral forms included in this study

(n=15) these indicators were recorded on the 'indicator matrix'. The indicators provide a brief overview as to why the referrer considers the child or young person to be a victim of trafficking. The indicators in use across the UK mirror those highlighted in international texts and trafficking practice handbooks (IOM 2009; UNODC 2018). They also reflect many of the indicators used in identification of child sexual exploitation (Hynes 2015).

Although only a small number of NRM forms were accessed, an overview of their content, along with the accompanying indicator matrix, provides additional insight into factors that professionals used to make initial identifications of child trafficking. However, it should be noted that the use of indicators, as part of an identification and assessment process, has been criticised.

There is limited understanding of how indicators can support an ongoing assessment process, how they combine with background and social circumstances to aid assessments, or how they predict future risk and help determine which services may best meet children's needs (Rigby 2011). Used alone as an assessment, as it is in many cases (Fairfax and Rigby 2011), the matrix does not provide a chronicle of events that supports wider understanding of children's circumstances (Rigby and Whyte 2015).

Analysis of the NRM forms indicates that written submissions do not always correspond with wider agency recordings and narratives, as one professional commented:

“... Probably different professionals have part of the picture. So I might know part of the picture, it might be a social worker knows something, a guardian knows something, a solicitor knows something, the police know something...” (P3)

In just over a quarter (4/15) of the NRM forms from the case file data, there was no clear evidence for exploitation, and some inconsistency between the information contained in the forms and that contained in case records. One of these cases received a positive conclusive grounds decision,<sup>21</sup> suggesting that competent authorities may have had access to additional information that was not available to support services. While cases of trafficking may not all be identified (Setter and Baker 2018; SCCYP 2011), there was evidence of referrals to the NRM where it was difficult to ascertain the exploitation which formed the basis of referral.

One experienced professional respondent noted that their service had seen NRMs completed that certainly did not constitute human trafficking. Overall, the majority of indicators recorded on the 15 NRM forms analysed in this study were actually markers of movement and illegal entry into the UK, rather than of exploitation. This has implications for future training and identification, as it appears that first responders are focusing on easily identifiable factors, rather than the complexities of exploitation. This reliability of indicators as a marker of exploitation requires

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<sup>21</sup> A conclusive grounds decision can be made following a reasonable grounds decision if 'on the balance of probabilities' there are sufficient grounds to decide that the individual is a victim of human trafficking, slavery, servitude and forced or compulsory labour

further exploration, with concerns similar to those in relation to child sexual exploitation (see Brown et al 2016).

One of the reasons for the inconsistent use of the indicator matrix and information presented may be the process for submitting a referral. Scottish Government policy indicates NRM forms should be submitted following initial discussions between social work services and Police Scotland, and preferably after an initial referral discussion or case conference (Scottish Government 2013). Data from the case file analysis indicated single agency first responder referrals were often made shortly after initial contact, potentially bypassing the primacy of a child protection referral.

## **NRM decisions**

Data from the National Crime Agency<sup>22</sup> indicated that 78 per cent of the NRM referrals for the index time-period received a 'conclusive grounds' decision, with 63 per cent of all referrals receiving 'positive conclusive' grounds. The decision information contained in the files of Scottish agencies was not as accurate and up to date as the data provided by the NCA.

In terms of timescales, where this data was available, agency files indicated that for those young people who had received a conclusive decision, the time-period for decision-making for the majority of young people was three to five months. Seven young people waited over six months and three waited over a year and half. All but one of the competent authority case file decisions (an EU citizen) were made by the Home Office.<sup>23</sup> There is no indication that child welfare, protection and support provision was not in place during the decision-making timeframe, although professionals expressed concern about the time taken to make a determination about trafficking:

“I know we have cases going back one, two years for trafficking, so I think the delays are quite a difficult thing to sometimes understand...I've got a young person that's going to get a conclusive grounds decision very soon and has been in the UK for... maybe 2 years. And just that uncertainty and not knowing I think is very bad for their mental health, very bad for their wellbeing overall.” (P3)

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<sup>22</sup> Please note some of the NRM data and decisions from the National Crime Agency have been redacted for reasons of confidentiality and the actual figures are not included here

<sup>23</sup> At the time of this research, the competent authority was located either within the National Crime Agency (for UK and EU nationals) or the Home Office (non-UK nationals subject to immigration control). Since April 2019, the competent authority has been located within the Home Office, making decisions on all people referred into the NRM.

## Perceptions of the NRM

There was widespread negativity amongst professionals about the NRM as a system of identification and support for child victims of trafficking.<sup>24</sup> While they understood its purpose, they tended to view it as a barrier to providing effective support for children, believing there was limited benefit to children and young people:

“I don’t see what a young person is getting from going through that process apart from a piece of paper to say yes you’re a victim of trafficking, which they already know they are anyway.” (P5)

“It’s very much a bureaucratic system, it’s not set up for...meeting the interests of children, it’s set up...more for statistics to be honest with you, so they can record how many children have been trafficked. I just find the system really flawed because it doesn’t really offer children anything.” (P2)

Most professional respondents viewed the NRM as unnecessary, and indicated that it was not beneficial to the child, taking into account the amount of time it could take to reach a decision and the potential for additional interviews and questions about their experiences. As one professional stated: *“the benefit for the child I don’t think is proportionate to what they have to go through.”* (P3)

There was a suggestion from some professionals that NRM referrals took priority over child protection-informed responses. As indicated the case file data also supported this assertion, as most NRM referrals took place before child protection meetings, in contravention of Scottish policy (Scottish Government 2013).

“My impression of the NRM is that we do it too quickly...and it tends to be the police that do it...whereas it would be better to bring it to a case discussion where you’ve got the relevant agencies round the table.” (P10)

While expressing concerns about the NRM process for children, professionals also provided possible solutions to address problems with the system. These most often coalesced around ensuring initial identification and decision-making took place with the existing child protection framework, with a child protection case conference making the decisions:

“We don’t see why...a multi-agency child protection meeting can’t make that decision about whether somebody has been trafficked or not, and then just [notify] Home Office...and then they deal with the immigration side of it...They do a similar thing for age assessment; social workers conduct age assessments and then communicate to the Home Office their decision.” (P2)

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<sup>24</sup> ECPAT UK (2017) identified that across the UK, 54% of respondents to a survey believed that the NRM process required revision. The actual process of referral into the NRM has been criticised as a bureaucratic process of referral to a central government authority to decide on status, not referral to support services (Arocha and Wallace 2010; Fairfax and Rigby 2011).

“A lot of the work around the NRM, trying to make the NRM more child-centred, a lot of the stuff around...child trafficking should be very much viewed as child protection, a form of child abuse and do we really need an NRM when we already have comprehensive structures?” (P6)

Calls for a more child protection-focused response to child trafficking have been made across the UK for a number of years, not least because of the perceived focus on immigration when decisions are made by the Home Office as to whether a child is a victim of trafficking (see Rigby et al 2014; Rigby and Ishola 2016; ATMG 2014; Harvey et al, 2015; Gearon 2018). Recent changes to the decision-making process may allay some of these concerns, however further work will be required to monitor this.

## Multi-agency work

There is a substantial focus on the importance of multi-agency working in literature and policy on child trafficking (see Harvey et al 2015; Scottish Government 2017). Scottish policy and strategy was recognised by Sereni and Baker (2018) as progressive in its focus on the centrality of a child protection and multi-agency response. Similarly, professionals in the present study were generally positive about their experiences of collaboration and acknowledged the support of the Scottish Government in developing a child-centred approach:

“I feel quite hopeful about the future...and I think people get it, there is a consensus in Scotland. I think that some of the issues that are reserved to Westminster... immigration, impact negatively on some of that.” (P6)

Despite this generally positive outlook, professionals were concerned that outside the larger urban areas of the central belt of Scotland, “*the local approach is a bit patchy, and knowledge about the national policy and guidance is patchy*” (P6). A respondent from a rural area acknowledged that “*there was very limited information...I felt I was floundering about in the dark about how best to support [child].*” (P12)

Gaps in multi-agency working were also evident in relation to the NRM, where single agency referrals were submitted without consultation between agencies:

“I don’t think multi-agency working is happening when it comes to the NRM. I don’t think you’ve got everyone around that young person around the table communicating clearly.” (P5)

At the child protection interface, joint interviews between police and social work did not always occur as set out in the guidance. Respondents noted that, on occasion, police officers would visit children’s units to interview a young person without liaising with social work services to arrange a joint interview.

“There’s police interviewing kids without social work involved. There’s police turn up and do random additional interviews, with no notice to the child, just lots of practice that shouldn’t happen.” (P2)

The study highlights some inconsistencies, reflecting the concentration and location of services and experience in the central belt compared to other areas. For children arriving in Scotland, once referred through the NRM process, multi-agency responses clearly formed the basis of intervention, reflecting the internationally recognised need for collaboration when working with children who had been trafficked. The case file analysis indicated that all of the children and young people in this study had social work and police involvement (although not necessarily in a formal child protection process), with the majority also involved with the Scottish Guardianship Service. Education and health services were involved with over half the children beyond screening assessments, while a third of the young people were in contact with mental health services.

In relation to immigration issues, all young people were linked to the Home Office, although only half the case records indicated contact with legal services in relation to this.<sup>25</sup> Young people identified that professionals who gave them time and developed relationships were the most useful and supportive in a multi-agency context. This is an important consideration for future developments and an area discussed further in the young people’s section below.

An area of multi-agency working that was more problematic was sharing information across agencies, though all professionals recognised there was excellent practice when it worked well. There were some contradictions in experiences with some professionals not reporting problems with information sharing, while others explained that it could be challenging:

“There’s certain information that you can’t share, there’s certain information that you don’t need to share. But I think...especially with trafficking...if everybody is sharing bits of the puzzle you start to get a clearer picture...And if you’ve not got that information shared then...your jigsaw just becomes useless.” (P4)

Participants explained some of the inconsistencies and lack of clarity around information-sharing protocols and procedures, by reference to the different processes in place. As one professional commented: “*I think that’s where the barrier is...these different pressures and different agendas*” (P5). For example, it was unclear to what extent the contents of a child protection joint investigative interview could be shared with the Home Office to help make decisions in relation to trafficking. In this respect, the case file data, and professional responses, also indicated that not all agencies had the same information and that some had only part of the children’s narrative:

“I sometimes struggle to see how it works to be honest and why sometimes it’s shared, why at other times it’s not shared...Why it [information] can sometimes

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<sup>25</sup> This may be a recording issue as no concerns were raised by professionals regarding legal access.

appear in an asylum decision, you told the police this on one day, and other times it's not shared at all." (P3)

Concerns about information sharing were notable in relation to the NRM referral form and the potential impact on an asylum decision. Professionals were concerned that contradictory information contained in child protection interviews and asylum interviews may be used inappropriately in decision-making or to challenge the consistency and credibility of narratives:

"How much information do we share, what's useful, what's not useful?...we're actually currently reflecting on are we providing too much information at the start of the process." (P6)

Professional concerns about the information provided in the NRM referral form were supported by the analysis of the NRM forms which suggested a great deal of the information included was not relevant to a determination of exploitation. For example, details of background circumstances and journeys were prioritised rather than a focus on the actual abuse and exploitation. Overall, there were sufficient concerns expressed about what information was shared, and for what purpose, to require further investigation and to evidence the need for clear guidance to be provided for professionals.

## **System trauma**

"We know that actually quite a lot of the damage that's being done is through the processes. It's like I see young people's mental health deteriorate and a lot of it is not through the experiences they've had, it's actually...a lot to do with it being exasperated by this process." (P2)

"It's frightening for people and I don't think that's fully understood just how intimidating and frightening it is." (P6)

Professionals considered that the confusing landscape and multiple processes could result in 'system trauma' for young people. System trauma refers to the additional trauma for young people caused by the pressures of the various systems and processes they are required to navigate. For professionals, this was pertinent as many victims had already experienced differing levels of trauma. One professional commented on the difficulty this presents in building relationships with the young people: "dealing with children who are very, very traumatised...it's really difficult to get that trust and not knowing the backgrounds...[and]...previous relationships." (P9)

"There's lots of these processes – there's the CP [child protection] process, there's the NRM process, there is the asylum process,...it's just process after process after process, it's just bureaucracy after bureaucracy after bureaucracy, and there must be a better way to do it." (P6)

While professionals acknowledged the potential trauma of trafficking experiences, they, along with young people, also expressed concern about trauma of navigating multiple systems and sharing stories, even when relationships had developed. As one professional explained in relation to a young person:

“He started talking about his journey and then he started talking about going through certain countries, what happened to him, and he really struggled with it. And the lawyer I’m working with is very good, very child friendly, but the next night I met him [young person],...and I said to him “how are you feeling? How’s things and all that? How are you getting on?” And he just turned around and went “I had a terrible night last night. I never slept”. I said “Is that because you were talking about all that stuff at the lawyers?” (P4)

Professionals acknowledged the importance of building relationships with the young people. However, they felt that this was challenged by the need to meet the requirements of different bureaucratic processes, which had timescales that appeared ‘rushed’ to both professionals and the young people.

While young people expressed concern about the constant telling and re-telling of their stories, professionals were also acutely aware of the potential for the systems - child protection, criminal justice, trafficking and immigration – to be a source of trauma for the children who had to contend with them:

”in this whole issue of trafficking, there are so many professionals and so many completely overstretched professionals...struggling for resources, there’s a chance that kids just get processed and the relationships fall out of all of it.” (P1)

## **Narrating Journeys: Issues of credibility and consistency**

Professionals and young people expressed concern about the pressures to get the narrative of the journey and background circumstances ‘right’ for asylum and immigration claims, in addition to welfare and protection issues (‘right’ relating to no inconsistencies and with as much accuracy as possible).

This was evident from the case file information that highlighted inconsistencies between data sources, both in content and recording mechanisms, and from interview respondents who recognised the problems in telling the same complex story multiple times. Professionals and young people consistently stressed that the way in which children and young people were required to tell their story many times to evidence trafficking, smuggling, or support asylum claims, at a very early point of contact, was highly problematic.

It was suggested that young people often found themselves under-going multiple interviews at an early stage in the process when they were not clear of the roles of police, social work and other professionals, and were unlikely to trust any of the



professionals. The speed of the processes, and the subsequent decisions, was viewed as particularly problematic when sharing experiences:

“I think the thing that can be frustrating sometimes for me is a young person will come into the country and then within 2-3 days...even sometimes sooner, they’re in a police office. They’re in a police station with a social worker getting bombarded with questions.” (P4)

“If all of those things happen quite quickly after the young person has presented to the authorities, it then down the line has this massive impact on their trafficking decision and their asylum decision.” (P5)

Some young people explained that having to tell their story many times, to different professionals was a source of distress and was unhelpful.<sup>26</sup> Professionals were especially concerned that information gathered for child protection purposes, NRM referrals and asylum claims was often used to contest claims, calling into question the credibility of children and young people. Professionals were uneasy about the fact that in sharing their stories, young people were providing statements which would subsequently be used to support or contest claims for asylum:

“Within the guidance it states...a child shouldn’t really need to be interviewed... for them to make a decision on trafficking and yet they sneak it into the asylum interview.” (P2)

Information recorded at a young person’s initial contact point with services subsequently had to be verified or defended at a later stage in the process. There were concerns that as relationships developed between young people and professionals, more information was disclosed, some of which may contradict earlier statements and raise questions about the credibility of young people’s narratives. Professionals were also clear that young people were reluctant to disclose a coherent narrative too early:

“It was really difficult...she was very guarded...it took a very long time, she almost drip fed us.” (P12)

“You know we’ve seen so many examples of young people who don’t disclose exploitation until months down the line and then it’s...through probably building a relationship, a trust, and working with them closely.” (P2)

These comments relate to the fact that children who have been abused or exploited may not disclose this to the first person, or professional, they speak to. The building of relationships is key to supporting children to share their stories. While it was recognised that the disclosure of information and the building of a narrative took

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<sup>26</sup> One young person who had agreed to take part in an interview specifically asked if he would have to tell his story to the researcher. He was relieved when assured that for the purpose of the study he would only be asked about the support services in Scotland.

time and was very much a process, the actual formal recording of information (the 'story') was often presented as 'static'.

While it was recognised that children's stories could change as relationships were established and strengthened after they were formally recorded on the system, this was also viewed as problematic. Professionals commented that when stories changed, young peoples credibility was questioned in the asylum process. Professionals were concerned that when the focus of interviews was on getting the 'story' correct, identifying ongoing support needs was often missed.

In terms of narrating stories, professionals referred to the importance of accurate translation services and how this could create problems with the narration and recording. Concerns were highlighted over the use of interpreters who were not always accurate in their translation of a young person's story. This is an issue that again could have significant influence on subsequent decision-making processes and the credibility of a young person's narrative. Accurate interpretation of a young person's account of events was felt to be crucial both in identifying the young person as a victim of exploitation and also in supporting claims for asylum:

"I think the child should have an opportunity to look at that [interpreted account] and see that they're happy...because we've had cases where...the interpreter has been really poor in interpreting and they've said like lots of things that...were not accurate." (P2)

Overcoming the challenges of supporting young people to share their stories in a safe and supportive environment are key to the subsequent decision-making processes and identification of appropriate services. Obtaining information quickly to safeguard children and young people needs to be balanced against potential questions regarding credibility and consistency later, in both the protection and immigration systems.

## **Child protection and support services**

Child exploitation and trafficking is a child protection issue and Scottish guidance and policy is clear that a child protection response should be paramount (Scottish Government 2013; 2014; 2015). However, previous research has highlighted some of the challenges associated with prioritising child protection in this context.

The SCCYP Report (2011) indicated some divergence of opinion as to the expediency of the child protection system in meeting the needs of trafficked children, as a result of competing priorities (gathering evidence to support prosecution, issues of asylum and migration status). Professional respondents indicated that effective child protection procedures required appropriate resources and efficient information sharing and understanding between agencies. Central to this was the opportunity for the young person to disclose necessary information and to change it later. This is especially important in the context of the preceding points made about credibility and how information is shared.

While the point has been made above about many of the interviews and processes being undertaken too quickly after identification, the necessity of timeous action where there may be child protection concerns, and risk of significant harm, is paramount. Scottish guidance is clear about the roles of all relevant agencies in making decisions, and that social work services and police have a statutory role in deciding whether a full child protection investigation should take place (Scottish Government 2014). In relation to child trafficking, the roles of police and social work as First Responders are also clear (Scottish Government 2013). However, even in the context of actions to reduce risk and harm, the speed and immediacy of interviews can remain daunting for young people.

The case file analysis identified that 62 per cent of young people had their cases investigated and/or dealt with by at least one aspect of the child protection process (initial referral discussion, case conference, joint investigative interview). However, there were inconsistencies in the child protection responses across local authority areas. A joint investigative interview was recorded for two young people.

Given that “the purpose of joint investigations is to establish the facts regarding a potential crime or offence against a child, and to gather and share information to inform the assessment of risk and need for that child, and the need for any protective action” (Scottish Government 2014: 89), two instances of joint interviews where child trafficking was concerned appears low. For 30 per cent of the children and young people there was no recorded evidence of a recognised child protection response.

Only eight children had been placed on the child protection register (or equivalent), although it appears that some children went straight to looked after and accommodated status. In respect of housing, most children (n=24) were accommodated initially in residential units and occasionally in bed and breakfast accommodation (n=4) for those aged over 16. One young person was initially accommodated with foster carers.<sup>27</sup>

While it was not possible to ascertain whether comprehensive child protection investigation and processes were required for all children, there did appear to be substantial inconsistency in implementing policy. For a number of young people, exploitation occurred outside Scotland, which may also explain why child protection processes were not always fully implemented. Additionally, limited numbers of child protection registrations could also be due to assessments of no risk of further and ongoing significant harm, however, this was not possible to discern from the limited information available to the researchers.

The inconsistency in child protection processes was also noted by professional respondents:

“It’s not always very consistent. Some young people I work with...are interviewed by the police immediately based upon information passed by social work to the

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<sup>27</sup> Data was not available for all children and young people

police,...I can think of some, that have never been interviewed by the police.”  
(P3)

Despite inconsistencies in the child protection response, professional participants were vocal in the belief that child trafficking was a child protection issue and should sit within the wider child protection framework:

“The discourse about child trafficking should be very much viewed as child protection, a form of child abuse and do we really need an NRM when we already have comprehensive structures.” (P6)

“What’s best practice? Getting it [identification] embedded in Child Protection.”  
(P2)

However, in terms of process, any move to embed identification and support firmly in the child protection system needs to ensure that this system is also responding appropriately. Currently, as indicated by the case file data, it appears that the child protection system is considered secondary to the need to refer into the NRM as quickly as possible. And, there is evidence across the UK that the safeguarding and protection systems do not always respond well to children and young people exploited through trafficking (Harvey et al 2015; Gearon 2018).

## **Post-identification support**

The case file data indicates that children and young people received substantial support from numerous services, and that the young people themselves were appreciative of the support they had received in Scotland. The Scottish Guardianship Service, social work and counselling provision were most often mentioned by young people. Contact with the Home Office and legal services in relation to immigration issues was clear in half of the case files. Given that all except one of the young people included in the case file sample were non-EU nationals, this relatively low figure may be a recording issue.

Seventy per cent of the young people were engaged at various times with secondary and tertiary education. Longer-term engagement with education was more apparent for those young people receiving positive asylum decisions.

Case records indicated that 58 per cent of young people had been in contact with health services beyond initial screening, with 35 per cent of children and young people in contact with psychological provision. While professionals and young people recognised mental health as a challenge, there was one particularly interesting reflection on physical health:

“Quite a lot... are vitamin D deficient, because they have been kept indoors, especially with cannabis farms, I mean that happens anyway with children who have been in trucks.” (P9)

Outwith the 'child protection' services, 38 per cent of children and young people were in contact with a church or mosque for additional support and 27 per cent had also accessed housing support as they moved on from social work supported accommodation. One of the professional respondents indicated their concerns about the future risks of young people becoming homeless once the support they were receiving ended. Further follow-up studies are required to monitor this.

While contact with multi-agency services was identified, the exact nature of this contact and provision was not well recorded in files. This is something that requires further investigation to build on a recent report investigating the potential for a 'befriending' service for unaccompanied children (Scott et al 2018). In this context, young people have shed some light on what they find most helpful and supportive.

# Young people's experiences of support in Scotland

Five young people, identified by the Scottish Guardianship Service, agreed to be interviewed and shared their experiences of the services they engaged with in Scotland.<sup>28</sup> The Scottish Guardianship Service was established in 2010 to support child victims of trafficking and unaccompanied asylum seeking children in navigating complex legal, welfare, protection and asylum systems. It is recognised internationally as a good practice model for working with unaccompanied children and young people (Crawley and Kohli 2013; Ivan 2016).

Given that this was the first time young people in Scotland have been consulted about their views of services as victims/survivors of human trafficking, their voices are afforded a specific section in this report. Due to the small sample size and the potential for young people to be recognised, interview extracts are fully anonymised and gender-neutral terms used when referring to the young people's views. The views of these young people cannot be considered representative of all child victims of trafficking in Scotland due to the small sample size and their recruitment via the Scottish Guardianship Service.

Young people were asked about the support they had accessed in Scotland. Rather than commenting on particular interventions, programmes or services, young people generally highlighted the value of social and relational support as the most useful aspect of service provision. It was apparent that young people considered support in these areas of their lives to be a priority, helping them to navigate the complex systems they found themselves in.

While there were some negative experiences of different agencies, these were largely due to wider system and enforcement issues, rather than the agencies per se. In this respect, the findings below relate specifically to issues that young people perceive to be important. It is apparent that most agencies were able to adapt to accommodate young people's concerns. Where problems were highlighted, it was not particular agencies that were problematic, but the system in which they operate.

The one service that was consistently highlighted as helpful and beneficial was the Scottish Guardianship Service. All the young people explained that the SGS, particularly their own guardian, had been instrumental in enabling them to feel supported. As one young person commented:

“I have no words for what my guardian meant for me. It's someone who is always there for you regardless.”

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<sup>28</sup> There was no direct relationship between the case file data accessed and the young people interviewed

## Available, flexible and caring

Knowing that someone cared, as well as the flexibility and availability of professionals, was highlighted by all of the young people as the most meaningful aspect of the support provided. They explained that being able to phone, text or drop in to the Guardianship Service and talk through their worries was useful: *“if I have a problem I just phone [my guardian] – if I was depressed or whatever”*.

When asked specifically what their guardian had done that was most useful to them, young people focused on the emotional support and encouragement. As one young person put it: *“she always motivates me and encourages me”*. Another young person explained that having a sense that someone cares, is crucial *“[my guardian] is very kind and always asks if I am alright”*.

Young people also indicated that flexible access to services (especially counselling) if and when required was particularly helpful. Young people identified that this counselling support was not necessarily about their previous experiences, but about their sense of uncertainty about the future as they were caught in the asylum and other systems.

## Trust and relationships

In the context of flexible and caring services, a crucial aspect of support for young people was professionals who provided space and time to develop a trusting relationship. Young people acknowledged that it was often difficult to build relationships and that initially they were unsure of who the professionals were.

Young people had concerns around initially not knowing about the roles of different services and professionals. This sense of uncertainty was compounded for some young people when they were told:

*“Oh you are safe now’...like I used to hate that when I first came here...first of all I don’t understand, I don’t even know I have rights. I don’t even know anything about the laws or, I don’t know anything”*.

It appears that some young people in initial contact with agencies were often not aware of which services were focused on providing support, and which were more focused on immigration and asylum concerns. The young person quoted above seemed to suggest that safety is often an elusive concept when there has been exploitation and they are in a strange country, not knowing the systems in place to look after them. It is therefore, understandable that children do not initially trust professionals who tell them they are safe. Safety during the initial period of arrival and settling, when children and young people are unsure of the systems and who they can trust, is a potentially contested issue.

Young people were also acutely aware of how at times it was difficult for them to build safe and trusting relationships:

“Like she had battles with me like at the beginning, cos I wasn’t opening up myself. She just kept banging on my door, like asking if I am OK. I think like, she just really wanted for me to be OK and to be safe.”

Within this context trust was central to enabling young people to feel safer in services, even when not initially understanding their purpose. Young people highlighted, small, but meaningful things, which helped them to feel safer. For instance: “*she gave me the right to not trust her...she was like ‘it’s OK, you don’t have to trust me because you do not know me’*”.

All of the young people explained that it took time to build trust. One young person commented on the development of their relationship with the guardianship service compared with their existing contact with social services:

“At first I was sceptical...I had so much contact with social work and they were really nasty. One support worker contacted guardianship and they came to see me. I thought they’re just trying to be nice and get my permission then they will just twist my words...then I realised they were nice and I started trusting them”.

Another described how “when I first came here I used to watch [TV show] so every night [my guardian] would go home and watch [TV show too] so we could talk about it the next day”. Another young person explained that after interviews when they were feeling particularly stressed, “We would go out for coffee or a cake and she would make you laugh in some way”.

While the young people were clear about the difficulties in establishing trusting relationships and telling their stories, professionals also concurred with the difficulties associated with “*processes that have been designed to meet the needs of people within the UK who have a basic understand of our system and what happens*” (P6). Within this context, characterized by a lack of understanding, young people were also clear of the importance of meeting other young people who were in similar circumstances.

## **Peer support and time out**

When asked about the challenges they had faced since arriving in Scotland, and some of the things that had helped, young people explained that opportunities to meet other people who were in similar circumstances was important. Interestingly, professionals did not talk about this specifically in their interviews. In describing social isolation, mental health issues, worries about safety and asylum, and distrust in professionals, spaces where peer relationships could be developed and maintained were a key supportive factor for young people because: “*When you’re first here, like how do you make friends? You’re in your flat all the time unless you have an interview*”.



For the young people, meeting others in a similar situation contributed to a sense of belonging and not being alone. Isolation could exacerbate existing difficulties with mental health and promote rumination about thoughts they found difficult to manage on their own. A few participants explained that this loneliness could make them feel ‘crazy’. Therefore, the opportunities to get out and do things, like trips with other young people, drop-ins and social gatherings had been useful to their recovery.

While these activities were valued by young people as an opportunity to meet others, they also appeared to promote the element of trust, where they could “*be yourself*” with other young people who had been through “*the same*”, without professionals trying to make ‘sense’ of their stories. Meeting other young people, in a protected environment, was clearly a factor that contributed to feeling safer and feeling a sense of belonging in Scotland.

The role of professionals in supporting contact with other young people was crucial, with social workers and guardians identified as facilitating this at different points:

“My social workers came to talk to me, explain to me about life here – sometimes I ask the staff to take me out so I can relax.”

“When we moved here, we didn’t know anyone, we didn’t know how to get around...So the guardianship was quite helpful. We’d go on residential, and do activities. Things like that – group activities and things like that every week. Yeah, where no one’s watching what you say all the time and trying to twist your words”.

Another young person explained how their social worker had “*helped me to meet other people like me*”. The role of the Scottish Guardianship Service also supported this aspect of meeting others, as one young person stated “*the guardians – they do like receptions, like gatherings twice a month here*”.

The opportunity for time out and contact with their peers appeared crucial for young people in adapting to life in Scotland. The role of both social workers and guardians was considered important to this, although again it was the available, flexible and caring aspects of the professionals that was important, not the professional title.

## **Navigating systems**

Within the broader importance of relationships, young people’s views on what constituted a good service also included the support needed to navigate new, and complex, systems. Access to accommodation, education and legal support featured in interviews with young people. Young people emphasised that support to access education and accommodation was particularly important; firstly as a means of feeling safe, and secondly as a way of getting to know other young people.

While social workers were most likely to be one of the first professional contacts for young people, most often young people indicated they spoke to their guardians to

help them with the intersection of all the systems *“to know and understand about life here. They helped me to know about permissions to stay here”*. Examples were provided of guardians accompanying young people to meetings with other professionals and explaining procedures and policies to them.

It was clear that professionals, regardless of the agency they worked for, who took the time to explain processes, and support young people through complex systems had a substantial impact on helping young people to settle and feel supported. Young people were grateful to the people who supported them, finding it difficult to think of what had not helped or to suggest areas for development.

There was recognition by young people that they were in a system that was governed by legislation and procedures often with limited resources. The statutory duties of social workers, and decisions made in relation to accommodation and age assessment for example, may account for some of the mixed experiences. This young person expressed a sense of disempowerment, encapsulating a number of concerns with the system:

‘It’s just how it works in Britain...the legal stuff, I don’t think they can change it...I would say they need to change everything, but I don’t think they [the system] care. It’s just the process, and probably cos of the money, to treat everyone well and support their needs. I don’t think they’re [the system] interested in that...Yeah I think it’s the budget and things like that.’

Another young person recognised the amount of work required in supporting young people:

“The guardians help a lot of children and I know that my guardian, she has to help a lot of other children, it seems like it’s overwork for her – there are so little [few] guardians but there are many children.”

## **Asylum - not knowing, telling and re-telling**

“I didn’t really understand the whole process, it was quite stressful...I couldn’t handle all the hoping, and I didn’t understand why. One time immigration came to the flat. It was stressful.”

Continuing asylum issues were spoken about many times in interviews with professionals and young people. Young people commented on this as a source of worry and anxiety for them and for other young people they knew. Some young people said they had accessed counselling primarily due to the constant uncertainty about their safety and asylum decisions (an example of system trauma). These were ongoing issues which impacted their mental health significantly when *“it’s hard to open up and say what you need and what you want”* – presumably because of concerns about decisions that may be made regarding support and asylum claims.

In relation to the asylum process the impact of having to re-tell their trauma multiple times was mentioned by a number of young people. This comment captures some of the difficulties:

“You feel like everything is going really quickly and you don’t have time to breathe. You have to tell your story again and again and again. One of my friends...was saying it’s like a pain that’s banging on your skin all of the time and won’t go away...I can pinpoint where I used to have a lot of breakdowns – it was after interviews, it wasn’t like during interviews. During interviews I was afraid – how can I say this? I’d have to kind of have a brave face but once I’ve finished, this person’s just opened up a whole closet, taken out all the information that person wanted, and now I have to deal with the mess in my head. You’re awakening a lot of trauma and a lot of bad experiences. All of that, and now I have to go to my flat...and you want me to go through this every week. So it was going really fast, you don’t have time to breathe.”

The same young person then explained how this ongoing anxiety and trauma impacted the kinds of answers they felt able to provide in asylum interviews. It indicates young people may often respond as they think professionals want them to:

“You’re not gonna get a good answer from [the young people], and then you’re gonna use that answer...people are just gonna say what they think you want to hear.”

In this context the prospect of re-telling stories several times, and not just for asylum and immigration purposes, was described as a source of anxiety for young people.

Despite the challenges, young people were largely positive about their experiences of receiving support from professionals through all the systems and processes. It was clear from the accounts of young people interviewed that the Scottish Guardianship Service was heavily relied upon in a resource-scarce landscape, for additional emotional and practical support. Young people also recognised and appreciated the support from social work services, although there were more mixed feelings in relation to social work, with one young person expressing concern that their social worker had discriminated against them. The importance of counselling services was also mentioned although across the case file sample access to such services was varied.

The young people, all of whom had been in Scotland for a number of years, recognised that resources were scarce, and support services were operating in this environment of financial constraints. While not necessarily agreeing with it, they also recognised they were in a legal and welfare system that had certain processes in place, but were doubtful that the system would change for their benefit. However, when asked about what could make support services better for them, most young people struggled to answer, indicating that they appreciated the support that they had received. It was not necessarily the service that was important, but the ability of professionals to provide support that was flexible and caring, providing

opportunities to build trust, helping to navigate different systems and minimising the need to constantly tell and re-tell their stories.

# Outcomes

“We put a lot of focus in about the supports and needs when they first arrive, and protection, but actually the longer term outcome is still poor, which needs more focus.” (P2)

While outcomes measures for children and young people in Scotland are located in GIRFEC and SHANARRI indicators (Scottish Government 2018), the complexities of the backgrounds and present circumstances of those exploited through trafficking, require a much more nuanced assessment of needs, support and outcomes. One of the prime challenges when commenting on progress and outcomes, was the absence of background information which presents problems for an integrated and holistic assessment of needs and professional oversight of a young person's complete and often complex experiences. In this respect, the longer term outcomes, as identified by the respondent above, do require more focus, monitoring and evaluation.

While trafficking is not an immigration issue, the fact that all but one of the young people identified for the case file analysis were non-EU nationals, meant that claims for asylum featured heavily in both young people and professional narratives. Several of young people (15 out of 37) were still waiting on immigration decisions. In this respect, any idea of being ‘settled’ and ‘included’ and being able to plan for the future (Kohli 2007) remained elusive.

Twelve out of thirty-seven of the young people had been granted refugee status, or leave to remain. For one professional respondent, a positive decision to remain in the country was the most important of all the decisions, *“to get leave to remain, all that anxiety is removed and they are able to move on in other ways”* (P9). All but one of the 12 young people who were granted refugee status were recorded as being in education or employment. It appeared that once certain of their futures young people were better able to engage with other aspects of their lives which were viewed as ‘good outcomes’. This engagement was less evident for those waiting for immigration decisions, although for most, the absence of data precludes further comment.

While none of the case files indicated that young people had been returned to their countries of origin, concerns were expressed by professionals that young people had been returned to their home country at the age of 18, even if they had been in Scotland for several years as a confirmed victim of trafficking.

One professional indicated: *“we have a national policy [UK immigration] that wants to put them out...we want to look after them”* (P8). This statement encapsulates some of the tensions in identifying positive outcomes. What is a positive outcome for the immigration system (a final decision to remain or be removed), may not be a positive outcome for a young person or welfare services.

Looking at other areas of children and young people's lives, most of the children identified in Scotland appeared to be progressing well since being identified as victims of trafficking, and had engaged with a number of services in order to make

use of appropriate and relevant support in relation to housing, health, education, asylum applications and legal support. However, the number of children and young people who had accessed psychological services related to trauma issues and PTSD (approx. 33 per cent), indicated that for a substantial minority there had been ongoing concerns regarding psychological health. The issue of psychological health was also a concern for those young people interviewed, and appeared to have as much to do with the waiting and decision-making in relation to trafficking and immigration issues, as it did with their experiences of exploitation and abuse.

Despite the generally positive progress identified, there were also indications that a number of young people remained in potentially exploitative, or risky scenarios. Concerns about ongoing levels of control were reported by some professional respondents who noted the possibility that the trafficking and asylum process was sometimes used by exploiters to get a young person into the country and care system with *“the possibility of being exploited in plain sight”* (P1).

“We’re finding that young people who have been trafficked tend to gravitate back to nail bars...or forms of employment that we would be concerned about.” (P9)

“They were bringing them to us, we were accommodating them, feeding them, looking after them teaching them English – and then the big worry is we’ve become part of this modelling.” (P8)

The concern noted here is that children and young people may still be susceptible to further exploitation and re-trafficking. It is an issue that has been identified previously in Scotland (Rigby et al 2012), and one that requires continued monitoring and focus. Approximately 10 per cent of the case files indicated some concern amongst professionals in relation to places of employment and possible continued contact with people who may still be exploiting the young people.

Although some professionals expressed ongoing concerns about a small number of young people in terms of exploitation, case file records indicated that none of the children and young people in the index time-period had, to date, gone missing. The majority were still in regular contact with services in Scotland at the time of data collection, and for those who were not, there did not appear to be concerns regarding their whereabouts.

The situation in Scotland is in marked contrast to the rest of the UK where up to 28 per cent of suspected child trafficking victims have gone missing (Sereni and Baker 2018; Setter and Baker 2018). The reasons trafficked children in Scotland have not gone missing to the same extent as the rest of the UK is not known. This requires further examination.

# Conclusions

This study is the first research in Scotland to draw on case file data and the views of young people and professionals to identify the complexities of child trafficking and to provide some indication of the routes (geographically, demographically and socially) young people have taken. As identified in previous literature, there is limited information in relation to many of these antecedents and, as such, the findings are largely indicative due to the dearth of accurate information available, and the limited number of agencies who engaged with the study.

While this research did not look specifically at the prevalence issue, it is apparent that referrals from Scotland are proportionately substantially lower than the UK as a whole. This raises questions about the accuracy of identification processes and actual numbers in Scotland. There was some evidence of the conflation of trafficking and smuggling, perhaps because of the focus on the 'indicators', rather than on actual exploitation. It also seems likely that Scotland is under-referring UK children as potential victims of trafficking compared with the rest of the UK. Again, this seems to reflect a focus on indicators in the NRM matrix, rather than the more complex issues of exploitation, especially in relation to sexual exploitation and exploitation for criminal activity of UK children. In this respect, the absence of UK nationals in the identified cases means that the findings of this study are focused on the experiences of non-UK nationals.

It is clear that children and young people exploited through trafficking, and en-route to Scotland, endured multiple exploitative and traumatic experiences. However, the extent and form of the exploitation experienced by the young people is not always clear in agency records, or NRM referrals, where systems appear to require recording procedures that 'mute' these experiences into a series of indicators, or a single type of exploitation. For those children and young people identified as potential victims of trafficking, the discrepancies and gaps highlight that information may be far from systematic and reliable (Godziak and Bump 2008).

The histories and backgrounds recorded in agency files appear to rely solely on the narratives of children and young people which, may be affected by recall and trauma (Samuelson 2011). Children and young people may share different stories, or parts of their experience, with different professionals (Kohli 2006).

Without additional and independent evidence, it can be difficult for professionals to make sense of information from the potentially numerous countries, situations and people children have encountered on their journeys, especially if children are reticent about sharing (Rigby and Whyte 2015). The variation in the narratives and stories of young people presented in agency records, while understandable in terms of complex journeys and potential trauma issues, raises the question of why some agency accounts are given primacy over others, and why credibility is raised as an issue. A child's physical and psychological journey into exploitation is neither a one-off event (Hynes 2010), nor one that can be readily identified via any one simple narrative for the purpose of identification and support, or asylum decisions.

Due to the limited information regarding journeys and backgrounds, professional comment tended to focus on current circumstances in terms of child protection, asylum and system processes. Young people also focused on the systems and their understanding of these processes. Professionals were particularly concerned about the conflation of child protection and asylum issues. Both case file data and professional responses suggest that timescales for the NRM referrals and asylum system predominate, despite Scottish child protection procedures being at the fore in child trafficking policy and guidance.

It was clear that young people especially focused on the time it took to develop trusting relationships, suggesting that disclosing painful and distressing background details cannot always be the priority. In this respect there is a tension between the 'system' needing to understand the situation, gather information, and provide appropriate support and protection immediately (based on the past), and young people's attempts to look forward and develop a clearer sense of self in their new environment, and their future.

To accommodate these often competing priorities, there may be a need to place greater emphasis on the complexities, uncertainties and risks, while ensuring the systems work to meet the needs of children and young people. For professionals, there was some confusion around trafficking and indicators, unclear referrals to the NRM, inconsistent adherence to child protection/child-centred procedures and tensions between the welfare and asylum systems. For children and young people their uncertainty coalesced around unknown futures and constant telling and re-telling of stories.

It appears that most of the young people identified in the index time-period remain in contact with services and, in general, young people appeared to be settling well in Scotland, engaged in education and/or work and appreciating and engaging well with other support services. Young people provided largely positive accounts of their interactions with professionals, especially with the Scottish Guardianship Service. However, despite the development of good relationships, for many young people a sense of uncertainty remained as they awaited decisions on whether they would be granted leave to stay in the country.

Professionals still had concerns around continued exploitation for some young people, an issue reflected in some of the case files. Linked to these residual concerns around continued exploitation, one of the biggest gaps in agency records was the poor understanding of the *modus operandi* of traffickers and their networks, an issue that has been apparent for several years (Godziak and Bump 2008). Two thirds of agency records had no details about traffickers in Scotland. This is an area of work that requires attention given the focus in Scotland's Human Trafficking and Exploitation strategy on perpetrators.

Despite some concerns about possible continued exploitation, none of the young people identified for this study had gone missing. However, while the numbers of child trafficking victims missing across Scotland is lower than the UK as a whole, it is known that young people do go missing on a permanent basis (MacSween 2013; Rigby et al 2012). This is an area that requires more in-depth investigation,



particularly in relation to the number of Vietnamese young people presently disappearing across the UK (ECPAT 2019).

Overall, the individual, multifaceted social and demographic circumstances, journeys, and multiple exploitative experiences of children and young people trafficked to Scotland, make it problematic in identifying clear patterns. Reflecting previous research in Scotland and elsewhere, profiling trafficked children to aid future identification of potential victims and to prevent trafficking has proven to be difficult (Brennan 2005; Rigby 2009; Rigby et al 2012). As such, patterns of journeys and exploitation, and comparisons between young people, especially with the relatively small numbers in Scotland, are unlikely to be instructive for training, informing preventative and support services, and perhaps more importantly for decision-making.

The relatively small numbers identified in Scotland, and the complexity of the issues, also result in some contradictory findings and responses. The contradictions of responses to trafficking have been well documented (Vance 2011; Lynch and Hadjimatheau 2017) and generally relate to the focus on border controls to 'protect' potential victims and the paradox of increasing risk through alternative entry routes.

This is clearly highlighted in the present study where there is a tension between the safety and protection of children and young people, and immigration concerns over the veracity of their stories and credibility as migrant children. These tensions and contradictions are exacerbated in Scotland by the devolved responsibilities of the child protection system and the border control responsibilities reserved to Westminster.

In moving forward, engagement with the complex social, economic and political factors that lead to exploitation, while focusing on needs, may be the required starting point for protecting young people. Taking young people's views into account for any future work must have at its core their need for secure and trusting relationships. The accounts of young people suggest that services in Scotland are, on the whole, providing the foundations for security, with good relationships developed, despite some of the systemic and procedural issues identified.

# Appendices

## Appendix 1.

Interview Schedule for profession interviews

Interview Schedule (professionals)

- Can you tell me about your experience of working with trafficked children?
- How would you define a young person who has been trafficked/a trafficking victim?
- What training have you participated in? Who has provided the training? (in relation to identifying young people who have been trafficking, responding to needs and accessing NRM system?)
- Can you tell me about your understanding of children's journeys? (geographical, spatial and social)
- What is your experience of the National Referral Mechanism?
- (specific to social work, police, border force) What is your experience of information sharing between competent authorities and first responders?
- What is your experience of multi-agency working for known or suspected child trafficking cases?
- Can you tell me about your opinions of the risk and needs of children and young people who have been trafficked?
- What are your views of local and national policy and guidance?
- Have you experienced any challenges with the present system? (if so, can you say a bit more?)
- Can you describe some positive and good practice in your experience?
- What are your views of the children's hearing system support for victims of trafficking (from abroad)?
- What are your experiences of county lines and/or crossing borders? – has county lines been an issue across your area?
- Any other issues to discuss
- (if interviewing police or social work) Would you allow us to identify you as a first responder? (all anonymised)

## **Appendix 2.**

### Interview Schedule for young people

#### Young Person Interview Schedule

- Can you tell me which agencies/organisations have been supporting you in Scotland?
- Which have been most helpful to you?
- Can you tell me about a good experience you've had with a worker/service?
- Which have been least helpful to you?
- Do you think there are any challenges/anything that makes it difficult for you to access support when you have needed it?
- What differences would you like to see in the services you receive? (Maybe two to three areas where there could be improvements)
- What key messages would you want to give to other workers/services who work with young people who have had similar experiences to you?
- Anything else you'd like to add?

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