

Child Trafficking – the need for new measures



By: Therese Wallin, October 2011

In October 2011 the United Kingdom celebrated anti-slavery day for the second year in a row. Concurrently with the celebrations, criticism was directed towards the government for failing child victims of today's form of slavery: human trafficking. The criticism arose after new figures, indicating a rise, were released.

Numbers published by the Child Exploitation and Online Protection Centre show that hundreds of children are illegally brought into the UK annually. During their time in this country they frequently face horrendous living circumstances and abuse. They may, for instance, be forced to work as domestic servants, in cannabis farming or may be sexually exploited.

However, the alarm did not directly relate to the rise of illegally trafficked children, but to the state-provided care they may receive. Provided that a child has been the victim of trafficking, local authorities have a duty of care towards the victim. This is prescribed by the 2004 Children Act.

Troublingly, it has become apparent that many of the affected children in care unexplainably disappear.¹ John Cameron, head of the NSPCC's helpline notes that the trafficking gangs are highly organised and frequently track down children placed in care.² Getaways expose the youngsters to the danger of becoming re-victimised while no longer within the reach of social care.³

¹ http://www.huffingtonpost.co.uk/catherine-mckinnell/marking-antislavery-day-2_b_1014327.html

² <http://www.guardian.co.uk/law/2011/oct/18/children-lost-human-trafficking>

³ http://www.huffingtonpost.co.uk/catherine-mckinnell/marking-antislavery-day-2_b_1014327.html

It recently emerged that Kent county council was unaware of the whereabouts of over twenty children. The missing children had been taken into care after having been trafficked into the UK. Indisputably, such an instance clearly demonstrates a failure in the system. However, it is necessary to consider whether such a failure is partly due to local authorities lacking necessary means. Jenny Whittle, Kent's council cabinet member for specialist children's services, notes that the position of local authorities must be taken into account. She submits that there are limits to what local authorities can do. Even though sincere attempts are made to build relationships signified by trust, the children are not physically locked up. As such, there is inevitably a risk of children escaping. They are often incentivised to do so through fear for their own safety, after having been exposed to threats. These are often directed towards their well-being and their family's safety. Notably there appears to be an increased risk of children in care running away as they approach adulthood. At that time, they are no longer automatically allowed to stay in the country and must apply to do so.⁴ It may be useful to consider whether a particular scheme should be put in place for adolescents. By providing extra support, a safe haven and help with the immigration procedures, the youngsters may feel less inclined to escape.

Yet, what is ultimately needed is a further-reaching policy. Some argue that the government should implement a guardianship scheme. The initiative was headed by a campaign led by Ecpat and The Body Shop, supported by cross-party politicians. The chief executive of Ecpat UK, Christine Beddoe, was certain that it would prevent children from repeatedly falling into abuse and trafficking. Beddoe argued that guardianship would ensure that child victims of trafficking had access to accommodation, legal representation and general support. However, such a policy was dismissed earlier this year by the Government. The prime minister considered that the current system functions in a sufficiently protective manner. He saw a danger in the suggested scheme possibly causing confusion.⁵

Predictions relating to the potential success of a proposed policy are bound to be somewhat uncertain. Regardless, the current policy is failing too many children, putting them in harm's way. Ecpat has conceded that it lacks the necessary background. This being the result of the government not having consulted with key players, such as child rights organisations, victims and professionals.⁶

It is crucial that any policy is the result of a rigorous consultation. By providing the abused children with a safe haven, their well-being is not only gained but there is a better chance of a successful prosecution. Currently, the victims are often reluctant to talk to the police, as they fear what the consequences will be. Ultimately, it is also necessary to look at the state of the countries where the children are brought from

⁴ <http://www.guardian.co.uk/law/2011/oct/18/children-lost-human-trafficking>

⁶ <http://www.guardian.co.uk/law/2011/oct/18/children-lost-human-trafficking>

and opportunities to provide assistance there. It is imperative to educate families on the dangers of trafficking and ensure that those countries develop further.