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Statement on protecting unaccompanied child refugees against modern slavery and other forms of exploitation

Human trafficking networks and opportunistic criminals are exploiting the refugee and migration crisis and targeting vulnerable children.

Last year I was asked by Theresa May MP, then Home Secretary, to visit relevant locations in Italy and Greece in order to provide advice to the Government on what more can be done to ensure unaccompanied children, and other vulnerable groups, are protected from traffickers. Following my visits last May and June, I provided comprehensive written advice to the Government in July 2016. I have had positive recent engagement with the Government and I am pleased that a number of my recommendations are now being taken forward.

I also last year visited the La Lande camp in Calais with the objective of assessing the risk of children and vulnerable adults being exploited in forms of modern slavery. A letter with my findings and recommendations was sent to the Home Secretary in September of last year. Recommendations included supporting specific measures to improve prevention and identification of modern slavery, to achieve faster family reunification processes, and to ensure proactive UK law enforcement support to French counterparts in proactively targeting traffickers.

In my role as the UK's Independent Anti-Slavery Commissioner, the protection of vulnerable children at risk of human trafficking and slavery is one of my core priorities.

Section 67 of the Immigration Act 2016, widely referred to as the 'Dubs Amendment', has represented an important safe and legal channel through which vulnerable unaccompanied refugee children have been transferred to safety in the UK. Earlier this month the Government announced a total of 350 children would be brought to the UK through this route, with 200 having already arrived and 150 still to come. As I outline below, I would welcome clarity from Government Ministers on local authority capacity, and on the view stated by the Government that the hope of being transferred through Section 67 is discouraging children from staying in safe centres in France, and that continuing to accept children under this route will encourage traffickers.

At the same time, as I outline in this statement, I believe the current debate also offers an opportunity to focus on the UK's wider support for vulnerable refugee children and efforts to prevent human trafficking at source (where this is possible). This must include ensuring that the Dublin Regulation mechanism, which enables unaccompanied children with family members already in the UK to join their relatives here, operates effectively; that there is increased focus on how the UK plays its part in supporting partner agencies and organisations to improve protections for vulnerable refugees and migrants when they arrive in Europe; and that, in tandem with the Government's leading efforts to tackle the root causes of instability, increased impetus is also given to specifically tackle the root causes of trafficking (where this is possible) - including developing solutions at source to combat the ongoing crisis of women and girls trafficked from Nigeria to Europe.

Safe refuge for child refugees under Section 67 of the Immigration Act 2016

One important method of protection is providing refuge for children in the UK through safe migration routes.

The Government has made important commitments to provide humanitarian support at source to the most crisis-affected regions. This includes a commitment to work with the United Nations High Commissioner for Refugees (UNHCR) to resettle 3,000 of the most vulnerable children and their families from the Middle East and North Africa by 2020 under the Vulnerable Children's Resettlement Scheme.

I very much support such action. My advice to the Government has also highlighted how unaccompanied children on the move are particularly vulnerable to human trafficking, slavery and other forms of exploitation when they reach Europe.

Section 67 of the Immigration Act 2016 opened up an important safe and legal route to refuge in the UK for unaccompanied refugee children without family in the UK, providing it was in their best interests. I have been informed of a number of cases whereby through this route children who had been exploited en-route to Europe are now living safely in this country.

The capacity of local authorities in being able to fully support and protect these unaccompanied children is crucially important. There must be effective planning in place between the Home Office, local authorities and other relevant agencies to ensure that resettled children are fully protected once in the UK; otherwise there is a real risk that children could go missing from care here and that they may be exposed to exploitation risks, including trafficking.

The Minister for Immigration, Robert Goodwill MP, recently stated that consultations with local authorities have indicated that they have capacity for 350 children through this route. 200 of these spaces have been filled as a result of children being transferred from France under Section 67. The Government also recently stated that it expects to transfer another 150 children, with Home Office

representatives present in Greece and Italy to ensure this happens. This will bring the total number of children brought to the UK through Section 67 to 350.

Yet over the past week or so it has been suggested that there may in fact be greater local authority capacity, and Baroness Williams, the Home Office Minister, stated that she encourages “more local authorities that think they might have places to come forward”. I would welcome greater transparency on this crucial issue of capacity.

The Government have been clear that they do not wish to enact any policy that encourages children to take dangerous journeys that might otherwise be avoidable. It is important to note that children must have arrived in Europe before 20 March 2016 to be eligible under Section 67. The Government stated that they decided on this cut-off date to counteract any pull factor for children to travel to Europe.

The Home Secretary has also this month stated that French officials do not want the UK to continue to accept children under Section 67 indefinitely, in the view that it is serving as a pull factor, discouraging children from cooperating with the French authorities in the hope of coming to the UK under Section 67, and encouraging traffickers. I would welcome greater clarity from the Government on these statements.

The criteria for accepting children from Greece and Italy under Section 67 has yet to be published. Criteria for transfers from Calais included high risk of sexual exploitation, as identified and referred by the French authorities, but not other forms of exploitation. I wrote to the Government recently to make clear that I would like to see more comprehensive criteria developed for transfers from Italy and Greece focused on all forms of modern slavery, including forced labour and trafficking for the purpose of criminal exploitation. Indeed the initial announcement for the scheme, by former Prime Minister David Cameron in May 2016, stated “those at risk of trafficking or exploitation will be prioritised for resettlement”.

Safe refuge for child refugees under the Dublin III Regulation

The debate on Section 67 is important, and I hope it will also result in wider discussions about how the UK can act to help protect vulnerable unaccompanied refugee children more generally.

It is important to be clear, however, that Section 67 is a special route for unaccompanied children without family in the UK; whereas the Dublin III Regulation is the latest version of a long-standing European mechanism for determining which country is responsible for examining an application for international protection. This is a key route, supported by the Government, enabling unaccompanied children with family members already in the UK to join their relatives here.

It is also important to distinguish between the level of local authority support required for refugee children transferred by the Section 67 and the Dublin III Regulation routes. As children that come to the UK under the Dublin III Regulation have family here, in general, a lower level of local authority support is required as in these cases a relative may be the child's guardian.

During my visits to Italy and Greece I was widely informed that unaccompanied refugee children have very little confidence in the Dublin III Regulation procedure.

The European Dublin III system is under severe strain due to the significant increases in the number of unaccompanied minors arriving in Europe in recent years. This urgently needs to be addressed by the European community: the processes need to operate more quickly and interim safeguarding, whilst awaiting a decision, needs to be effective.

At the time of my visits it was clear that Dublin processes were taking too long, combined with a lack of clear information a) about how the processes work and b) in terms of specific updates to children about their particular case.

The processes are not working for children. They are not waiting. Frustration and lack of confidence in the process is a key contributor to increased vulnerability to risk-taking behaviour, which leads to greater vulnerability to modern slavery. I was told that children were leaving care centres, discouraged by long delays, and that this made them more susceptible to the promises of smugglers and/or traffickers to take them to their destination within a few days or weeks.

The British Red Cross have found that at present it takes an average of 10 months to process a child's case, during which time the child can be left without adequate care.

The UK, following the expediency of transfers of eligible children from Calais, can now lead in demonstrating good practice through improving the efficiency of transfers of eligible children with family in the UK. In Calais last year the Government played a key role in ensuring that the camp was cleared safely and was also able to accelerate the process of transfers of vulnerable children to the UK. The expediency of child transfers from Calais to the UK under Dublin III has shown that the process can, under the right conditions and with the necessary resources, operate more efficiently. We need to learn from these successes and implement a more streamlined system that will work for these vulnerable children.

I would welcome more information from the Government on how it plans to now ensure a faster and more efficient process to proactively identify and transfer eligible children from Europe under the Dublin III Regulation and in accordance with the best interests of the child.

Working with partners to improve protections in Europe

It is also important that the UK plays its part in supporting, where appropriate, partner agencies and organisations in Italy and Greece, and other countries, to improve protections for vulnerable refugees and migrants. People are especially vulnerable to trafficking and exploitation when they first arrive in Europe, and improving immediate identification and protection mechanisms is one of the key areas where more must be done.

I provided comprehensive written advice to the Government last year on what more the UK could do to ensure unaccompanied children and other vulnerable groups are protected from traffickers. Again, I am pleased that a number of my recommendations have been accepted and are now informing the UK's protection response.

The Prime Minister, the Home Secretary and the Secretary of State for International Development are all demonstrating important international leadership in tackling modern slavery. In relation to the situation in Europe, this includes the £10 million Refugee Children Fund and a special £8 million fund to improve protections for women and girl refugees against trafficking and exploitation in the Mediterranean region.

My visits last year underlined the fact that protections against trafficking are currently largely overlooked in frontline humanitarian responses. Following my advice and recommendations, I am pleased that the UK is now beginning to prioritise counter-trafficking protections within the UK's response to the refugee and migration crisis.

In responding to my advice, the Government has made important commitments to a number of my recommendations, including: providing funding to support frontline organisations to scale-up the counter-trafficking identification and protection response in Italy; providing funding for case-working support for potential victims post-disembarkation in Greece; developing work with NGOs to strengthen the way in which they collect and share important information about trafficking and exploitation; and scaling-up the National Crime Agency's engagement with the Hellenic Police to support work to target trafficking and smuggling gangs, particularly in northern Greece.

I look forward to the implementation of this crucial work and I will be engaging with the Government on additional recommendations to ensure the UK does all that it can to improve protections for vulnerable refugees and migrants, in particular, unaccompanied refugee children in Europe.

The importance of working to address the root causes of trafficking and tackling Europe's foremost trafficking crisis at source

To date the UK Government has prioritised upstream interventions and tackling the root causes of instability. This approach is highly commendable. The UK has led the world in the humanitarian response to the Syria conflict, with more than £2.3 billion in aid pledged.

Over the past 18 months I have been working to encourage the Government to expand this approach to tackling the root causes of trafficking at source, where possible. In particular, I have focused on drawing Government and international attention to one of the most urgent and shocking global trafficking trends: the sharp increase in the trafficking of women and girls from Nigeria to Europe.

In 2016 just over 11,000 Nigerian women arrived in Italy from Libya. This represents an almost eightfold increase from 2014, when 1,450 were registered. The International Organization for Migration (IOM), the UN's Migration Agency with counter-trafficking officials on the ground in Sicily and Lampedusa, believes that 80% of these women are trafficking victims destined for brothels in Italy and across Europe, including the UK. In addition, 3,000 unaccompanied Nigerian children arrived in Italy by sea last year, according to the agency's latest figures. This is alarming considering the very high proportion of women and children that are believed to be trafficked and the fact that Nigeria has consistently been one of the major countries of origin of potential victims of modern slavery identified in the UK.

Nigerian victims who are trafficked to Europe (including the UK) for the purpose of sexual exploitation disproportionately originate from just one area: Edo State in the south of the country. This is confirmed by the United Nations Office on Drugs and Crime (UNODC), which states that reporting by Nigeria's anti-trafficking agency has identified that 98% of victims trafficked for sexual exploitation identified outside Nigeria are from Edo State. A 2006 UNODC report put the estimate at 94%.

Last summer I put forward a case for action for UK-supported strategic prevention in Edo State. Following my report, at the United Nations in September 2016, the Prime Minister announced that at least £5 million will be spent in Nigeria to tackle trafficking, particularly in Edo State. This investment will come from the Government's £33.5 million International Modern Slavery Fund, which will focus on countries from where high numbers of victims of modern slavery are identified in the UK.

I look forward to continuing to engage closely with the Government as this work develops – in Nigeria, and other high-risk countries – to ensure that it is effective in developing solutions at source to prevent exploitation from occurring in the first place.

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