

The Anti Trafficking Monitoring Group

Breaking Barriers:
Supporting young victims
of human trafficking
transitioning to adulthood

The Anti-Trafficking Monitoring Group (ATMG) is a coalition established in 2009 to monitor the UK's implementation of the Council of Europe Convention on Action against Trafficking in Human Beings (ECAT). The ATMG operates according to a human rights-based approach to protect the well-being and best interests of survivors of human trafficking and modern slavery. It comprises seventeen leading UK-based anti-trafficking organisations.¹

Summary

Child trafficking and modern slavery is child abuse, but the current system response is not sufficiently focused on safeguarding and support, leaving child victims in need. Children identified as potential victims of human trafficking and modern slavery are referred into the National Referral Mechanism (NRM) to formally determine whether they are victims. Child victims turning 18 who consent to remain in the NRM are eligible for support through the Modern Slavery Victim Care Contract (MSVCC). Despite this eligibility, young people transitioning into adulthood continue to experience significant barriers to access it during their transition into adulthood.

There is no publicly available data on the outcomes for children turning 18 in the NRM. This briefing provides

newly obtained data from a Freedom of Information request submitted by ATMG member Snowdrop Project which highlights the key findings on the barriers to support:

- In 2022, 70 % of children turning 18 either withdrew from the NRM or their cases were suspended. These figures highlight the process for children consenting to remain in the NRM leaves most children ineligible for support.
- Many young victims are falling between the gaps, leaving them without specialist support and potentially vulnerable to re-exploitation.
- In 2022, only 13% of children turning 18 in the NRM were referred for support under the Modern Slavery Victim Care Contract, and only 6% went on to receive support.

¹ Anti-Slavery International, Ashiana Sheffield, Bawso, Children's Law Centre (CLC), East European Resource Centre (EERC), ECPAT UK, Flourish Northern Ireland, Focus on Labour Exploitation (FLEX), Helen Bamber Foundation, Hope for Justice, JustRight Scotland, Kalayaan, Law Centre (NI), Scottish Refugee Council, TARA service, The Snowdrop Project, The UK Committee for UNICEF (UNICEF UK).



The Anti-Trafficking Monitoring Group Recommends the following:

1. The Home Office must review the current process for children to provide consent to remain in the NRM.
2. The Home Office should provide funding and specific responsibilities in statutory guidance to a named social worker in the child's local authority area to support young people in the process regardless of that child's care status.
3. The Home Office must clarify the process in statutory guidance that officials in the Single Competent Authority follow when determining the suspension and withdrawal of a child's case.
4. The Home Office should publish quarterly data in relation to children in the NRM which includes: the child's care status, and their status regarding transition to adulthood such as consent to remain, suspended and withdrawn considerations, referral to MSVCC support and access to that support.
5. The Home Office should reinstate the post 18 support provided by Independent Child Trafficking Guardians and fully roll out the service to all local authorities in England and Wales.
6. The Department for Education must provide holistic statutory guidance for local authorities which sets out the duties and obligations to child victims in the NRM of all nationalities and regardless of their care status.
7. The Department for Education should provide funding and support to Local Authorities children's services to ensure their staff receive the sufficient and adequate level of child trafficking and NRM specific training.

Background

The National Referral Mechanism (NRM) was introduced in 2009 to meet the UK's obligations under the Council of Europe Convention on Action against Trafficking in Human Beings (ECAT). Following the implementation of the Modern Slavery Act 2015, the Human Trafficking and Exploitation (Scotland) Act 2015 and the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, the NRM was extended to all survivors of trafficking and modern slavery, acting as the only framework used to identify and support victims and survivors of human trafficking and modern slavery in the UK. The NRM is a two step process constituted by a Reasonable Ground Decision (RGD) and a Conclusive Ground Decision (CGD).

Children and adults are referred to the NRM by designated statutory or non-statutory First Responder organisations. While adults need to 'actively' consent to be referred to the NRM, children do not need to consent, although children should be informed when a referral is submitted and receive information about the procedure according to their developmental stage and in line with their best interest. Adults receive support upon

referral by the Modern Slavery Victim Care Contract (MSVCC) managed by the Home Office. Local Authorities are the primary service provider for support, amongst other duties and obligations, for children. Along with the NRM referral there should always be a referral to the local authority children's social care so that a child protection investigation and or children in need assessment can also be undertaken. Once children turn 18, they may become ineligible for support by children's services. Some children in the NRM may be eligible for some post 18 support by local authorities if they meet the eligibility requirements for care leavers.

If a child turns 18 while they have an outstanding Reasonable or Conclusive Ground decision, they will need to 'actively' consent to remain in the NRM by signing a form confirming they want to remain. The local authority must contact the Home Office Single Competent Authority (SCA) to transfer support to the Modern Slavery Victim Care Contract (MSVCC) to meet their recovery needs such as access to safe accommodation, financial support, legal support and health care needs amongst others.



There is no publicly available data regarding the number of children who turn 18 while going through the NRM and how many of them consent to remain in the process. It is also unclear what type of support children and young people receive due to the lack of data on the care status of children in the NRM. Furthermore, there

is inconsistent availability of support for children who are referred to the NRM, creating a postcode lottery depending on the level of training and quality of services from their local authority children's area and whether they can access an Independent Child Trafficking Guardian (ICTG) in England and Wales.

What does the data tell us?

A Freedom of Information request submitted by The Snowdrop Project to the Home Office highlights a concerning picture.

During the year 2022,

2,634 

children turned 18 while awaiting an NRM decision.

50% (1,332)

were suspended as a result of neither consenting to remain nor withdrawing from it and **20%** (539) from seemingly active withdrawal from the NRM.

Of these, **70%** (1,871)

'withdrew' from the NRM or their cases were suspended.



Of those who actively consented to remain in the NRM (772), only

43% (335)

were referred for Modern Slavery Victim Care Contract support and only **20%** (151) received any support at all.



Number of people	Number of people	Percentage of total number
Total in NRM who turned 18 in 2022	2,643 *	
Consent to NRM continuation	772	29 %
Withdrew from the NRM	539	20%
Referred to The Salvation Army for MSVCC support	335	13 %
Received support under MSVCC	151	6 %

* Does not include cases that were withdrawn or suspended before the potential victim turned 18

The ATMG remains concerned about the consent process for children and the lack of support provided to make informed decisions regarding the NRM. The data also highlights the issues for children who do consent to remain in the NRM and the lack of support most receive when turning 18.

Research shows that survivors who are not able to have their basic support needs met will be at an increased risk of re-trafficking, financial instability and destitution, and will have their recovery process delayed.² Lack of adequate specialist support and safeguarding for young people may lead to re-traumatisation or leave them subject to poor living conditions with limited support, thereby increasing the risk of going missing, re-trafficking and exploitation.³

² The Anti-Trafficking Monitoring Group (ATMG). (2022). *One Day at a Time*.

³ Hynes, P. Connolly, H. and Durán, L. (2023). *Creating Stable Futures: Human Trafficking, Participation and Outcomes for Children*.

Issues providing ‘informed consent’

The NRM is a complex system which requires support to be understood, especially by children and young people whose trauma and developmental stage will affect their capacity to fully comprehend the process. The Modern Slavery Statutory Guidance states that support for child victims is to be provided through local authorities, but unlike section 8 of that guidance, there is no policy or guidance that sets out the minimum requirements for child victims of trafficking beyond the statutory obligations of children’s services.⁴ These are general duties to safeguard and promote the welfare of children under the Children Act 1989 and to investigate child abuse and assess children’s needs, but only specific ongoing duties are owed to children who are in the care of the local authority. There is no consistent, specialist support from local authorities for child victims. There is also no data available on the ‘care’ status of potential child victims referred into the NRM.

To provide informed consent when turning 18, children and young people must receive enough information to understand and support to complete the form to remain in the NRM. Yet, many children receive no such support or advice. **There is no clear pathway of responsibility for obtaining informed consent when a child victim reaches their 18th birthday, nor a mechanism for quality assuring that their options are presented to them.** Children known to ATMG members often don’t even know they have been referred into the NRM or what it means. Contact details for new professionals supporting the child may not be transmitted to the Home Office (such as in the transition from a Social Worker to a Personal Adviser), resulting in documents shared with the wrong professionals creating delays or failures to return the consent form documents.

⁴ Home Office. (2024). *Modern Slavery: Statutory Guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and Non-Statutory Guidance for Scotland and Northern Ireland.*



Even when the correct professional receives the form, they may have limited knowledge of the NRM process itself and are unable to explain the benefits or implication of providing consent. The section 'Child victim transition into adult support' in the Modern Slavery: Statutory Guidance provides no clear information on the process that must be followed by local authority children's services to obtain informed consent, to inform children of reasons to remain in the NRM nor the support they can access as they turn 18.⁵ The data also shows that children who do not provide a signed consent or request to be withdrawn from the NRM upon turning 18 are being suspended from the NRM. The Statutory Guidance does not outline the process for officials nor outline the potential outcomes for children. The lack of transparency of the procedure and information about what stage young people are suspended or eventually withdrawn from the NRM hinders the ability of professionals supporting them to explain the options accurately so that child victims can make informed decisions regarding their future.

The difficulties in understanding and processing information about the NRM system are also heightened by the fact that many children will be going through multiple processes which are often inevitably interconnected (i.e immigration, criminal justice and leaving care), making it even more difficult to distinguish one process from the other. Children who are accessing legal advice for immigration procedures may be able to receive advice about consenting to remain in the NRM, but there is inconsistent practice, with some solicitors only sharing forms and requesting a signature, while specialist solicitors tend to schedule a meeting to provide information and advice. Children without immigration matters are not entitled to pre-NRM civil legal aid. Issues with legal representation are also exacerbated by the current legal aid crisis, which is delaying and limiting access to solicitors as well as creating challenges in maintaining regular communication with them.

⁵ *Ibid.*

The data highlights the high number of children who have been suspended from the NRM upon turning 18 with no opportunity of completing their identification process as victims. Taken together, these issues are routinely impacting on outcomes for child victims of trafficking, denying their right to make informed decisions about consent, or to even know they need to consent to

remain in the NRM. There is no coherent framework for supporting child victims of trafficking into adulthood. The system is opaque, fragmented and difficult to understand. It is particularly concerning that children and young people, with particular vulnerabilities and at the most risk of abuse and exploitation are at such a significant disadvantage.

Case study

The Snowdrop Project briefly worked with a young person who needed advice in relation to the NRM. The young person had recently turned 18 and had received refugee status. They had been told by their solicitor to withdraw from the NRM without any explanation why. They had been sent the document and simply told to sign it. This young person sought Snowdrop's advice as they didn't know what the NRM was and were not sure what to do. They couldn't get through to their solicitor to ask for an explanation.

This case study demonstrates that even for those young people who have received their leave to remain and have a solicitor, there is a lack of access to appropriate information and support, throughout the NRM journey but particularly when a young person turns 18.

Access to Independent Child Trafficking Guardians

The need for specialist support for children was acknowledged by the introduction of the Independent Child Trafficking Guardianship (ICTG) service in line with section 48 of the Modern Slavery Act 2015 in England and Wales which continues to be trialed and has not yet been commenced. Similar provisions have been implemented by devolved administrations in parallel legislation such as section 11 of the Human Trafficking and Exploitation (Scotland) Act 2015 in Scotland commenced on 1 April 2023 and section 21 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 commenced on 14 November 2015.

In England, this service provides a direct guardian to children who have been referred to the NRM and have no one with parental responsibility for them to ensure the child's best interest is always upheld in every decision concerning them.⁶ One of

the guardian's responsibilities is supporting the child to understand the NRM process and to navigate this together with other legal processes.⁷ However, many children don't have access to the ICTG service as it is not available to all children referred into the NRM and has only been rolled out to two thirds of local authorities in England and Wales so far.

Furthermore, the ICTG service is only available to children under 18. Following the recommendations of the Independent Review of the Modern Slavery Act in 2019, a few pilot sites across England and Wales were offering support to young people over 18.⁸ This pilot has now been discontinued in the revised model for 2024/25 with no consultation, nor official announcement and despite the significant gaps in transition to adulthood which may leave young people at significant risk.

⁶ In exceptional circumstances, a child with a figure of parental responsibility in the UK may be allocated a direct guardian to support them based on their vulnerability and risk factors.

⁷ Home Office. (2024). *Interim Guidance for Independent Child Trafficking Guardians*.

⁸ Home Office. (2019). *Independent review of the Modern Slavery Act: final report*.

Issues with accessing support upon turning 18

The data shows that only a small number of children give consent to being referred to MSVCC support and of these only 20% actually receive support. This is particularly concerning given that the only other support available for child victims turning 18 is dependent on whether they are in the care of a local authority. Local Authorities do not have any responsibilities for children who are not looked after, for these young people the support entitlement under the MSVCC may be essential. Even for those who are former relevant children or qualifying care leavers, access to MSVCC support may be crucial, given the lack of specialist trafficking related support available.⁹

The Care Planning and Care Leavers (Amendment) Regulations 2014 (which amended the Care Planning, Placement and Case Review (England) Regulations 2010 and Care Leavers (England) Regulations 2010) were introduced in recognition that there was a need for some focus and attention being directed at the specific needs of those children in care who have experienced trafficking

or who are separated from their family. The Explanatory Memorandum to the amendment regulations states that unaccompanied and trafficked children ‘often have complex needs in addition to those faced by other looked after children’ and states that the amendment aimed to ‘bring greater attention and focus to the particular needs’ of children who are or may be victims of trafficking and/or unaccompanied children and to ‘help ensure they receive from local authorities the specialist support and care they need’.¹⁰ Under the amendment, the local authority is required to record in a care plan for a looked after child whether a child is or may be a victim of trafficking and/or unaccompanied child. The local authority must also have regard to whether the needs of the child as a victim of trafficking are being met. The same approach is meant to be taken when they transition to adulthood and are leaving care.

This is also reflected in the separate statutory guidance issued by the Department for Education on the care of unaccompanied migrant children, of which

⁹ A former relevant child is between the age of 18 to 25 and was looked after by children’s services for a period of 13 weeks from the age of 14. A qualifying care leaver is aged between 16 and 25 and spent less than 13 weeks in care since 14th birthday so does not fulfill criteria as an eligible or relevant child.

¹⁰ The Care Planning and Care Leavers (Amendment) Regulations 2014. [Explanatory Note](#)

one category is identified as child victims of modern slavery.¹¹ It does not address the position of child victims of trafficking who are British or otherwise have leave to remain in the UK or those who are not in the care of the local authority. That guidance in any event does not address specifically the additional recovery needs that child victims of trafficking have. In contrast to the Recovery Needs Assessment (RNA) guidance issued by the Home Office concerning adult support that supplements the statutory guidance and distinguishes between available mainstream social care support that an adult victim may receive and the support they require for their recovery specific to modern slavery.¹²

The Statutory Guidance 'Working Together to Safeguard Children' does refer to the assessment of needs of child victims, but does not set out what considerations need to be addressed or what support is required to meet those needs, as distinct from other needs that a child may have from a safeguarding or welfare

perspective.¹³ Again this contrasts with the risk and needs assessment framework in the RNA guidance which recognises the particular and ongoing risks of re-trafficking that are posed to those who have been trafficked.

For those children who are not eligible for leaving care support from a local authority, there are different services they can access going forward depending on their immigration status. British children and those with leave to remain are entitled to mainstream welfare benefits but in the absence of community support they are likely to struggle navigating these processes. Additionally, young people who are claiming asylum who did not spend 13 weeks in care may access section 95 support upon their 18th birthday.¹⁴ However, these provisions lack appropriate safeguarding for such a vulnerable cohort with reports of poor living conditions and limited support, which may result in young people going missing, re-trafficked and exploited.¹⁵

¹¹ Department for Education. (2017). *Care of unaccompanied migrant children and child victims of modern slavery*.

¹² Home Office. (2024). *Recovery Needs Assessment*.

¹³ Department for Education. (2023). *Working Together to Safeguard Children*.

¹⁴ Immigration and Asylum Act 1999

¹⁵ Refugee Council. (2022). *Lives on hold: The Experience of people in Hotels Asylum Accommodations*.

Children in the NRM have limited options for post-18 support. The data shows very few of them are accessing support under the MSVCC even when consenting to remain in the NRM, and the reasons for this should be investigated. The ATMG

re-affirms its concerns about the abject failure to support for child victims as they transition into adulthood which is heightening their risk of re-trafficking and exploitation as they transition into adulthood.

Recommendations

The data gathered raises serious concerns regarding the high number of children suspended from the NRM upon turning 18 and the access that children who do consent receive. The publicly available statistics for children in the NRM lack some crucial data such as the children's care status or what type of support they are accessing. This results in limited understanding of the outcomes of children who transition to adulthood while in the NRM.

The Anti-Trafficking Monitoring Group recommends the following;

1. The Home Office must review the current process for children to provide consent to remain in the NRM.
2. The Home Office should provide funding and specific responsibilities in statutory guidance to a named social worker in the child's local authority area to support young people in the process regardless of that child's care status.
3. The Home Office must clarify the process in statutory guidance that officials in the Single Competent Authority follow when determining the suspension and withdrawal of a child's case.

4. The Home Office should publish quarterly data in relation to children in the NRM which includes: the child's care status, and their status regarding transition to adulthood such as consent to remain, suspended and withdrawn considerations, referral to MSVCC support and access to that support.
 5. The Home Office should reinstate the post 18 support provided by Independent Child Trafficking Guardians and fully roll out the service to all local authorities in England and Wales.
 6. The Department for Education must provide holistic statutory guidance for local authorities which sets out the duties and obligations to child victims in the NRM of all nationalities and regardless of their care status.
 7. The Department for Education should provide funding and support to Local Authorities children's services to ensure their staff receive the sufficient and adequate level of child trafficking and NRM specific training.
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