

Communities, Equality and Local Government Committee

Meeting Venue:
Committee Room 2 – Senedd

Meeting date:
28 November 2013

Meeting time:
09:00

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



For further information please contact:

Policy: Sarah Beasley
Committee Clerk
029 2089 8032
CELG.committee@wales.gov.uk

Agenda

Private pre-meeting 9:00 – 9:15

1 Introductions, apologies and substitutions

2 Scrutiny session on Human Trafficking: Representatives from the Wales Anti-Human Trafficking Leadership Group (9:15–10:15) (Pages 1 - 20)

Jeff Farrar, Chief Constable, Gwent Police

Mark Heath, Gangmasters Licensing Authority

Stephen Jones, WLGA Regional Co-ordinator, North Wales

3 Motion under Standing Order 17.42 to resolve to exclude the public from the meeting for the following business: for the remainder of the meeting

Break 10:15–10:30

4 Technical Briefing on the Housing (Wales) Bill (10:30–11:30)

Ceri Breeze, Deputy Director, Housing Policy Division

Kath Palmer, Deputy Director, Homes and Places Division

Neil Buffin, Senior Lawyer, Legal Services

5 Scope and approach to the Committee's Stage 1 scrutiny of the Housing (Wales) Bill (11:30–11:40) (Pages 21 - 32)

[Housing \(Wales\) Bill](#)

[Explanatory Memorandum](#)

6 Committee remit (11:40–11:50)

7 Consideration of draft report: Inquiry into progress with local government collaboration (11:50–12:00)

8 Consideration of the draft report: Inquiry into participation levels in sport (12:00–12:25) (Pages 33 - 86)

9 Consideration of letter: Inquiry into Barriers to Home Building in Wales (12:25–12:30) (Pages 87 - 93)

10 Papers to note (Pages 94 - 130)

Communities, Equality and Local Government Committee

CELG(4)-32-13 Paper 1

Human Trafficking



Submission to the Communities, Equality and Local Government Committee on by Jeff Farrar, Chief Constable, Gwent Police Wales Policing Lead for Human Trafficking - 13 November 2013

1. Background

- 1.1** Modern slavery or human trafficking has become one of the most lucrative areas for illicit criminal activity, worth billions of pounds to organised groups. It is estimated that there are over 20 million current victims of human trafficking across the globe, with around 2.5 million people actively being trafficked or smuggled at any one moment. Often the crime is hidden from public view and victims are reluctant to approach the police due to the levels of control and fear placed on them.
- 1.2** Dealing with human trafficking requires coordinated action across the Governments and Assemblies of the UK. In Wales, the Welsh Government has legislative competence for a number of policy areas integral to combatting human trafficking, in particular the fields of communities, child protection and healthcare.
- 1.3** In response to numerous reports, including those by Joyce Watson ('Knowing No Boundaries – Local Solutions to International Crime', 2008), and by SOLACE (Human trafficking report, 2009) there were a number of measures introduced in Wales. These developments have been bolstered by the appointment of an Antihuman Trafficking Coordinator (AHTC) who aims to make Wales a hostile place for human trafficking to exist and to co-ordinate the best possible support for victims.
- 1.3** On 4 April 2011 Bob Tooby was appointed as the first Anti Human Trafficking Coordinator for Wales with the intention of creating an environment in Wales that was hostile for Human Traffickers.
- 1.4** He was given three key objectives - to scope and inform key agencies of the scale, types and locations of Human Trafficking in Wales and their specific localities, to improve the sharing of intelligence and recording of incidents in Wales and to create a route map for service providers to know how to respond to occurrences of Human Trafficking. Additionally, he was asked to ensure key agencies were aware of developing intelligence in readiness for the 2012 Olympics.

- 1.5 The post holder was initially employed by Gwent Police but the current post holder, Steve Chapman, is now funded by Welsh Government. I initially line managed the Co-ordinator but this responsibility has now passed to the Welsh Government.

2. Key Responsibilities of the Co-ordinator

2.1 Objective 1-

To scope and inform key agencies of the scale and type(s) and location of Human Trafficking in Wales and in their specific localities.

Outcome

- 2.2 Networks were established across Wales and the UK to scope where Human Trafficking is occurring.
- 2.3 Over 70 presentations and additional meetings were held with UK & Welsh stakeholders to raise awareness and encourage compliance with national policies, processes & guidance.
- 2.4 Over 1500 public service providers across Wales were given greater understanding and awareness of how Human Trafficking manifests itself in their locality.
- 2.5 Networks were established with over 80 organisations likely to encounter victims or offenders. This resulted in greater preparedness and consistency of response.
- 2.6 Evidence emerged of greater use and compliance with national policies, processes & guidance, as evidenced by numerous interventions with victims and perpetrators across Wales.

2.7 Objective 2-

Improve the sharing of intelligence and recording of incidents in Wales

Outcome

- 2.8 Cross sector engagement was undertaken that included:
- 2.9 Meetings with all 4 police force intelligence leads, UKHTC, UKBA and gang masters licensing agency to discuss joint approaches on intelligence sharing.
- 2.10 UK Intelligence updates were shared across the region.
- 2.11 UK government guidance on ownership and responsibilities was distributed to relevant agencies.
- 2.12 Intelligence was shared across agencies to ensure a more informed and a joined up approach was taken to prevention, intervention and victim support.

- 2.13** UKHTC statistics were updated and targeted on specific areas in Wales
- 2.14** The coordinators intervention triggered action and intervention in a number of cases including;
- Gwent – multi victim child exploitation;
 - Swansea- Nail bars/ forced labour;
 - Ports – intervention planned to tackle the movement of
 - Trafficked Individuals in line with national best practice;
 - Cardiff – 14 victims were identified and appropriate support and intervention was actioned.

2.15 **Objective 3-**

Create a route map for service providers to know how to respond to occurrences of Human Trafficking

Outcome

- 2.16** All public sector providers were consulted for existing procedures and a route map was prepared for agencies to respond to victims and perpetrators where Human Trafficking is apparent.
- 2.17** All UK investigative agencies were visited to agree the route map.
- 2.18** The compilation of the map identified a number of existing gaps in process and procedure that were highlighted and flagged up to the relevant agency.
- 2.19** The route map was distributed widely across Wales.
- 2.20** Posters and leaflets were prepared to advertise and support this process.
- 2.21** Multi lingual options were produced and a guide was produced for the CPS.
- 2.22** CPS staff were provided with awareness training
- 2.23** Police Investigator training was triggered as part of this process as it was an identified gap and resulted in the first UK training for investigators being delivered by South Wales Police.
- 2.24** Key agencies were provided with a useful and informative guide for how to deal with Human Trafficking if they encounter it.
- 2.25** The introduction of training for Investigators equipped them with greater knowledge and understanding on the most appropriate approach to take when Human Trafficking becomes apparent.
- 2.26** This resulted in both victims and perpetrators encountering a more professional, consistent and joined up service.

3 **Recent Developments**

The accompanying report provided to the Committee by the current Co-ordinator, Steve Chapman, provides a comprehensive commentary on his recent achievements. The highlights are summarised below.

- 3.1** A Wales Anti Human trafficking Leadership Group has been established to provide Strategic Leadership. This group is currently working with partners across Wales to develop a more accurate picture of the scale of human trafficking in Wales.
- 3.2** Regional Human Trafficking Consultation Forums have been established, or are being established, across Wales. They incorporate members from the Police, Health Boards, other relevant partner agencies as well as Welsh Govt departments.
- 3.3** Referrals have subsequently been made to the police by Health Providers.
- 3.4** A training programme has been developed for Senior Investigating Officers that has been recognised as 'Good practice' by the Association of Chief Police Officers.
- 3.5** All four Welsh Police Forces are involved in 'Operation Eagle', which aims to improve the response to human trafficking. The Co-ordinator acts as the Single Point of Contact within each force.
- 3.6** The first Human Trafficking Multi Agency Risk Assessment Conference has taken place and following positive feedback, this process will be used for all future cases involving potential victims of human trafficking.

5 Questions Posed by the Committee

5.1 The Role of the Anti-Human Trafficking Co-ordinator, including its effectiveness and achievements so far.

This has been addressed by the body of this report

5.2 The effectiveness of multi-agency working between UK and Welsh Government departments and other bodies such as health boards and the police.

5.3 The Welsh Coordinator has put Wales firmly on the UK map by gaining acceptance on numerous UK Human Trafficking Boards, such as the UK Threat Reduction Board and the UK Human Trafficking Strategy Board. This has ensured that we remain aware of activities across the UK and Ireland as well as being included in activity across Europe and the rest of the world.

5.4 As stated in this report, there is now a greater degree of partnership working through the Strategic Leadership group. The Police, Health boards and Government departments are represented on this group and on the various local Forums that have been established throughout Wales. At an Operational level, referrals have been made to the Police from Health Boards concerned about individuals who they believed at risk from trafficking.

5.5 The Inter-Departmental Ministerial Group co-ordinates the UK's efforts to combat human trafficking. The Group is chaired by the Home Office Minister for Security and comprises Ministers from other Whitehall Government Departments, the Wales Office, the Scotland Office,

the Scottish Government, the Northern Ireland Executive and the Welsh Government. The Welsh Government is represented by the Minister for Local Government and the Coordinator. There are also regular meetings between the Coordinator and relevant Government departments from across the UK.

- 5.6** Closer collaboration is now in place to target harden entry points for people who are being trafficked. The Coordinator has worked closely with the UKBA and the Welsh Extremist and Counter Terrorist Unit (WECTU) to highlight Human Trafficking Intelligence as well as recommending covert and overt operations that have since been implemented to strengthen the already strong Welsh activity around our ports.
- 5.7** Cross Sector Intelligence Sharing is in place in Gwent, Cardiff, Pembrokeshire and Wrexham amongst others. Additionally, the Coordinator has worked closely with UK Human Agencies as well as visiting over 80 organisations across Wales and the UK to establish the holistic Welsh and UK picture. He has since provided over 70 presentations across Wales to Local Authorities, Health Trusts, the Police and Criminal Justice Partners along with a wealth of charities and non-government organisations. This training would include around 2,500 partners who now understand what to look for and how to respond.
- 5.8** The Coordinator has worked closely with the UKBA and the Welsh Extremist and Counter Terrorist Unit (WECTU) to highlight Human Trafficking Intelligence as well as recommending covert and overt operations that have since been implemented to strengthen the already strong Welsh activity around our ports.
- 5.9** **The Role of Local Authorities in identification and awareness raising.**
- 5.10** Across Wales, Local Authorities play an active role, as demonstrated by the Chief Executive of Denbighshire, Mohammed Mehmet taking the lead as the PSLG lead, cascading good practice and promoting the agenda across the Country.
- 5.11** Local Authorities are enabling their staff to participate in a training package delivered by the Coordinator to raise awareness and explain how and where they should refer incidents or concerns.
- 5.12** Local Authorities are engaging in the Strategic Leadership Board and in the local forums across Wales.
- 5.13** **How the recommendations of the Council of Europe 'GRETA' report and the 2009 SOLACE report on human trafficking are being taken forward and plans for future work.**
- 5.14** The SOLACE report addressed the role of Local Authorities in addressing human trafficking. As described above, Local Authorities are engaging with their partners to further the agenda in Wales. Mohammed Mehmet's role includes raising awareness of the reports throughout the Local Authorities.
- 5.15** The Wales Migration Partnership document (Uncharted Territory: Violence against asylum-seeking, refugee and migrant women and girls, 2013) seeks to further the identification and support of victims across local authorities and partnerships in the future.

- 5.16** A campaign of leaflets and posters has been launched to advise people who to contact to provide victim support and action to be taken against traffickers.
- 5.17** The GRETA Report ('Concerning the implementation of the Council of Europe Convention on Action Against Trafficking in Human Beings by the United Kingdom, 2012') has led to the building of partnerships and structures across Wales to further the aims of the report. The Co-ordinator will continue to work to this agenda and build on his success.

6 **Conclusion**

- 6.1** There remains strong cross party political support & interest in Human Trafficking and the Coordinators role, as well as considerable support and interest from all public service providers in Wales.
- 6.2** The work of the coordinator has attracted positive high level attention outside Wales and there has been considerable media and academic interest and requests for involvement.
- 6.3** There have been regular and positive engagements with the Home Office and other Whitehall Departments There has been excellent engagement with and from key agencies and awareness raising sessions have been well attended.
- 6.4** The National and local coordinators have made effective use of existing good practice in well developed areas such as domestic abuse and community cohesion to formulate their approaches.
- 6.5** There has been excellent engagement with and from key agencies and awareness about the issue has improved.
- 6.6** Partnership working across Wales is now more co-ordinated and effective.
- 6.7** Awareness of the problem across Wales has been successfully raised.

Communities, Equality and Local Government Committee

CELG(4)-32-13 Paper 2

Human Trafficking

Communities, Equality and Local Government Committee's Scrutiny on Human Trafficking

The Gangmasters Licensing Authority (GLA) was set up in 2005 following the Morecambe Bay disaster in and the subsequent passing of the Gangmasters (Licensing) Act in 2004.

The Act required the GLA to implement a licensing regime for businesses and individuals who supply workers, either permanent or temporary workers, into the agricultural, forestry, horticultural and shellfish gathering industries. This included the packing and processing of agricultural produce. The Act applies to the provision of workers into these sectors throughout and into the UK.

Any business or individual who supplies workers to those sectors requires a GLA Licence. Supply of workers to those sectors without holding a GLA Licence is an offence against s12 of the Act, entering into an arrangement for the supply of workers with an unlicensed gangmaster (also referred to as a labour provider) is an offence against s13.

The first licences were issued from April 2006 and since that date there have been between 1100 and 1200 licences in issue at any given time. There are currently 22 licence holders based in Wales. 221 licence holders have stated that they supply into Wales, although this is not verified by the GLA.

Licence holders are required to be, and remain, compliant with the Licensing Standards introduced by the GLA, failure to comply with the standards can lead to revocation of a licence. The Standards cover a number of areas ranging from the payment of wages, statutory deductions, treatment of workers, provision of accommodation, working hours, the right to work, health and safety and contracts.

To support the regulatory requirements set by the Act the GLA has a number of Compliance and Enforcement Officers. These officers conduct inspection of businesses to assess whether it is being operated in a manner which is compliant. Officers are also required to investigate offences created by the Act. The GLA currently has 33 Compliance/Enforcement Officers. They are based at home and throughout the UK. There are currently no officers based in Wales but a number are based in close proximity.

Although the Act applies to the provision of workers, regardless of nationality, a significant proportion of workers are migrant workers.

In May 2012 the Government Minister with responsibility for the GLA stated that the GLA should target areas of non compliance. The Ministerial Statement referred to a number of key areas including:

- Target serious and organised crime working closely with SOCA and other law enforcement agencies
- Ensure that our evidence of worker exploitation contributes effectively to prosecution of organised crime and those engaged in human trafficking
- Reduce the burden on compliant labour providers and labour uses and focus on gross abuse of workers

The GLA has the Strategic Aim of “Working in Partnership to Prevent the Exploitation of Vulnerable and Exploited Workers”.

The GLA has seen an increase in the number of cases of Human Trafficking and Forced Labour within the regulated sector. This requires working alongside the Police, National Crime Agency and other partners, including the voluntary sector, to identify and tackle the gross exploitation of workers. These have included multi agency operations in Wales.

In 2012 the GLA joined the Wales Anti Trafficking Leadership Group. The GLA sits on the Joint Investigation Team Development Board and also attends a number of local and regional meetings to promote the work of the Leadership Group in order to develop and forge links with partner agencies.

The GLA has contributed to the development of the Delivery Plan and subsequently training plans for frontline officers working within the agencies represented within the Leadership Group. This piece of work is ongoing and includes contributing to the training for Senior Investigation Officers within Wales Police.

Through a programme of intelligence development with partner agencies the GLA will continue to work alongside partners in Wales to meet the strategic aim.

Mark Heath
Head of Business Change and Development
Gangmasters Licensing Authority

19 November 2013



WLGA Evidence

The National Assembly for Wales' Communities, Equality and Local Government Committee's Scrutiny on Human Trafficking

The Welsh Local Government Association (WLGA) would like to thank the Committee for the opportunity to submit evidence to its scrutiny exercise. Human trafficking is an abhorrent crime which cannot be allowed to take place in our society and we therefore welcome its consideration by the Committee. While an accurate picture of the extent of trafficking is difficult to obtain (both at Wales and UK levels), we know the impact on victims is extremely high and this necessitates commitment and action from central and local partners alike. Local government recognises the important role it has to play in moving this agenda forward and is committed to playing its part in making Wales hostile to all forms of trafficking.

The role of the Wales Anti-Human Trafficking Co-ordinator, including its effectiveness and achievements so far

We welcome the appointment of an Anti-Human Trafficking Co-ordinator (AHTC) in Wales. The post is a necessary means of supporting public services to build the knowledge, expertise, systems and processes needed to tackle human trafficking, particularly given this is a relatively unfamiliar agenda for many organisations and professionals.

The AHTC has been proactive in building relationships with local government, notably with Chief Executives and Regional Community Cohesion Coordinators. He has established the Wales Anti-Human Trafficking Leadership Group to provide strategic leadership and this group has developed an initial Delivery Plan. However, it must be recognised that the AHTC is a relatively new post and has had relatively limited capacity or resources to drive this agenda forward to the extent that is needed. Recent new appointments to support the role should assist with this. However, as the arrangements that are being put in place mature they will help drive forward progress and embed anti-human trafficking work in day-to-day organisational business. In short, the AHTC and organisations have made a positive start, but tackling this challenging issue will take time and sustained effort.

Further to the work already undertaken to develop a Delivery Plan, we would also advocate the development of a clear, Wales-wide strategy. Given the complexity of this agenda, the number of partners involved and the importance of getting it right, a

clear strategic national focus would help to secure the necessary engagement and ensure the right action is developed at the national, regional and local levels with consistency where necessary and the promotion and systematic use of best practice.

The effectiveness of multi-agency working between UK and Welsh Government departments and other bodies such as health boards and the police

The AHTC has been proactive in building effective links with local government officers at leadership and operational levels. This is helping to ensure there is a productive working relationship between Welsh Government and local authorities as well as supporting the development of consistent approaches across the public and third sector in Wales.

The strength of local partnership working, developed through Community Safety Partnerships and Local Service Boards, provides an ideal platform for taking forward multi-agency action to tackle human trafficking. The close collaborative relationships and established approaches to information sharing will, in particular, stand statutory and third sector agencies in good stead. Furthermore, there are opportunities to borrow and build on models partners have already utilised in relation to other issues, such as the Multi-Agency Risk Assessment Conference (MARAC) and third party reporting.

In addition to local multi-agency working, the North Wales Regional Leadership Group is developing a regional approach to tackle human trafficking. They have recently arranged a conference on the issues and have also appointed a Regional Anti-Human Trafficking Coordinator who will seek to develop strategic and operational links across all relevant bodies and groups and develop shared processes and practices for the region.

Finally, multi-agency working needs to extend across national borders, particularly from the perspective of enforcement and enabling people to return home.

The role of local authorities in identification and awareness raising

Identification and awareness raising are crucial if victims are to be found and supported as early as possible. Local authorities clearly have a significant role to play in identifying cases of human trafficking, along with other statutory and third sector organisations. Importantly, the responsibility for identification does not sit with any particular role or department within an organisation and success is dependent on professionals and communities seeing the signs and acting on that information. Local authority officers work on the frontline in diverse roles and it's important that they can recognise potential evidence of trafficking and know what to do if they find it. On that basis, training is needed for a wide range of staff and would best be undertaken on a multi-agency basis to ensure consistency of understanding and approach. This is being developed as part of the work of the Wales Anti-Human Trafficking Leadership Group and is being designed to meet the needs of staff working in a variety of roles, with different tiers to cover the different levels of knowledge required. We welcome the development of this training and will help promote awareness of its availability.

However, identification is an ongoing challenge. Multi-agency training needs to be supported by shared definitions, commonly understood, multi-agency processes and consistent use of the National Referral Mechanism (NRM). This will help save as many victims as possible and importantly, ensure victims are recognised as victims and not criminalised for the acts they commit under the duress of the traffickers. As mentioned above, partners are working to develop this, but a national strategic approach which shares and extends the use of best practice could be beneficial.

How the recommendations of the Council of Europe 2012 'GRETA' report and the 2009 SOLACE report on human trafficking are being taken forward and plans for future work

Both of these reports helped to raise the profile of human trafficking and increase its prominence. For the local government, the SOLACE report in particular sparked further consideration both nationally and at the local level. This has certainly contributed to senior level championing of the agenda, with Dr. Mohammed Mehmet, Chief Executive of Denbighshire Council taking on the lead for human trafficking within the Public Service Leadership Group. At the operational level, the competency and evidence framework included in the SOLACE report has provided a useful tool. For example, the South Wales Anti-Human Trafficking Forum has been working to embed the competencies in each respective local authority. The GRETA report also remains influential, receiving continued focus from the AHTC and informing the work of local human trafficking forums. We would see these reports continuing to be used as reference points and influencing work on an ongoing basis.

Further comments

While progress is clearly being made, it is important to recognise that the journey towards making Wales hostile to human trafficking is still at a relatively early stage. Consequently, there is still work to be done in raising awareness and developing shared understandings. For example, the language of slavery is emerging in parallel to human trafficking. Adopting the term of slavery or 'modern slavery' in place of human trafficking could have a number of advantages. For example, slavery puts the emphasis on the experience of victims once they have been brought to their destination, whereas trafficking implies an emphasis on the forced movement of victims. In addition, slavery may be better understood and recognised by the public. The use of 'modern slavery' may also increase in prominence with the introduction of a UK Modern Slavery Bill.

As outlined in the opening paragraph, organisations are still without a clear picture of the extent of human trafficking into the UK. This is to be expected, given the lengths traffickers go to hide their victims and prevent them from coming forward. There is potential that a lack of data and likely under-reporting could result in a diminished or insufficient focus. Consequently, improving our understanding of the nature and extent of this crime must be a priority. This obviously goes hand in hand with awareness raising and identification, so human trafficking is being recognised, responded to and recorded to as such. It also means recognising the value of less formal intelligence that can help build a more reflective local picture, in addition to the official data that includes referrals made to the NRM. In short, a lack of data

doesn't mean there isn't a problem and as partners continue to improve processes and practices more accurate data will emerge, leading to more sophisticated intelligence and improved responses.

Document is Restricted

Agenda Item 5

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Communities, Equality and Local Government Committee

CELG(4)-32-13 Paper 7

Human Trafficking

Crown Prosecution Service, Cymru Wales: Kim Ann Williamson

Human Trafficking - Briefing Note

Groups established

The following groups are now established and Kim Ann Williamson from the Crown Prosecution Service (CPS) attends all the forums to ensure consistent approach on behalf of the Leadership Board for the training and awareness work. CPS lead this initiative for Wales.

- Leadership Group
- South Wales Group
- Gwent Group
- Western Bay Group
- Cardiff Group
- North East Wales Anti Human Trafficking Project

Work to date – Raising Awareness and Training

- Western Bay Anti Human Trafficking Group opened by leader of the Council and media coverage undertaken with South Wales Evening Post and Real Radio
- Leaflet, Poster and taxi sticker campaign has begun and the drafting of the posters is on-going.
- Pilot SIO/ CPS course completed and roll out expected early 2014. After local delivery the intention is to offer this training nationally and to include Scotland and Northern Ireland
- Introduction/ Practitioner multi agency training for across Wales agreed – dates to be confirmed for 2014
- Research opportunities / dissertations in Universities to be progressed .
- Operation Eagle continues to be promoted and discussed
- Anti Slavery Day 18 October 2013 - North Wales Conference .
- Training commenced for School Liaison Officers across Wales
- Swansea University – Kim Ann Williamson working with Swansea University to roll out Introduction (3 modules) and Post Graduate Course in Human Trafficking in 2014
- Meet Licencing / Hotels Forums/ National Express/ Cardiff Airport staff/ Local bus companies to offer training and raise awareness .

- Cardiff Group have rolled out master classes for Cardiff staff on a multi agency basis over recent months and enhanced training to be rolled out from November 2013.

Work to date – other strands :

- Joint Investigation Development Board established to share intelligence locally , nationally and internationally. Next meeting scheduled for November 2013 . Group chaired by Kim Ann Williamson from CPS
- Cardiff Pathways and MARAC procedures has been piloted in Cardiff with plans for Area Wide roll out in 2014. One MARAC meeting has taken place.
- Data sharing of referrals that are not forwarded to NRM to be collated and shared to establish global picture of number of victims seeking help across Wales.

Next Steps

- Continue to training defence lawyers and consider Judicial training in 2014
- Human Trafficking Conference to be scheduled for early 2014 – dates to be agreed
- Course material to be accredited
- Work with teaching and youth work staff to increase awareness of human trafficking

Communities, Equality and Local Government Committee

CELG(4)-32-13 Paper 8

Human Trafficking

Credwch
mewn plant
Believe in
children



Barnardo's
Cymru

Title: Communities, Equality and Local Government Committee's Scrutiny on Human Trafficking

From: Menna Thomas
Senior policy and research officer

E-mail: menna.thomas@barnardos.org.uk

Tel: 01639 620771

Address: Barnardo's Cymru Policy and Research Unit
19-20 London Road
Neath
SA11 1LE

- **This response may be made public.**
- **This response is on behalf of Barnardo's Cymru.**

Barnardo's registered Charity Nos. 216250 and SC037605
Rhifau Cofrestru'r elusen Barnardo's 216250 a SC037605

Information and working context of Barnardo's Cymru

Barnardo's Cymru has been working with children, young people and families in Wales for over 100 years and is one of the largest children's charities working in the country. We currently run 82 diverse services across Wales, working in partnership with 19 of the 22 local authorities, supporting in the region of 8,500 children, young people and families last year.

Barnardo's Cymru services in Wales include: care leavers and youth homelessness projects, young carers schemes, specialist fostering and adoption schemes, family centres and family support, parenting support, community development projects, short breaks and inclusive services for disabled children and young people, assessment and treatment for young people who exhibit sexually harmful or concerning behaviour and specialist services for children and young people at risk of, or abused through, child sexual exploitation.

Every Barnardo's Cymru service is different but each believes that every child and young person deserves the best start in life, no matter who they are, what they have done or what they have been through. We use the knowledge gained from our direct work with children to campaign for better childcare policy and to champion the rights of every child. We believe that with the right help, committed support and a little belief, even the most vulnerable children can turn their lives around.

Our experience of working with trafficked children and young people

- Barnardo's has been tackling child sexual exploitation since 1994 and has 23 specialist services across the UK
- In Wales Barnardo's Cymru Seraf service offers specialist services to young people at risk of, or experiencing, child sexual exploitation and trafficking in Wales. The service also offers training and awareness raising work with regard to child sexual exploitation.
- In England Barnardo's has three trafficking services in London, Hampshire and Manchester. As well as direct work with children, these provide awareness and training also.
- We run a specialist fostering service in the South East of England that provides family placements for unaccompanied asylum seeking children, including trafficked children, and supports them through the asylum process.
- Our 16+ service runs a residential unit for looked after and accommodated unaccompanied asylum seeking children, including trafficked children, in Glasgow.

1. The role of the Wales Anti-Human Trafficking Co-ordinator, including its effectiveness and achievements so far.

We are very encouraged to see local Anti-Human Trafficking Groups being established across the country. However, we have some concerns that the coverage is not comprehensive with some areas of Wales not having access to such groups. We consider that these forums have the potential to address some of the more persistent barriers to addressing human trafficking, most of which are derived from a lack of awareness of the problem. Some of these barriers have been identified and highlighted again recently in The Centre for Social Justice's Slavery Working Group policy report: 'It Happens Here: Equipping the UK to fight modern slavery' and include:

- The postcode lottery of responsiveness and service provision.
- The lack of awareness amongst organisations listed as NRM First Responders of the issue of trafficking and the existence of a protocol to address it.
- The lack of training for First Responders in relation to using the NRM.
- The problem of trafficked young people ending up in the criminal justice system due to this lack of awareness.
- The absence of a trafficking and human slavery component to some of our key professional trainings such as social work and teaching.
- The lack of knowledge and awareness with regard to the internal trafficking of young people for sexual exploitation.
- The need for more formal multi-agency work, such as co-located teams, or multi-professional teams to address the related issues of trafficking, child sexual exploitation and missing children.
- The lack of data collection in relation to human trafficking.

There is currently a focus on awareness raising activity in the form of public campaigns and the development of consistent, high quality training. Awareness raising and training, in relation to child trafficking, has been attempted previously via a Welsh Government E-learning course and LSCBs have also delivered training locally on child trafficking in some areas. It may be that giving professionals and practitioners more local control and involvement and access to a professional network for support and advice, will help to push these initiatives more firmly. The establishment of a Human Trafficking Leadership Group at strategic government level to guide the work of the local groups is also helpful, as is the plan to fund an Anti-Human Trafficking post in each area to drive the work forward.

2. The effectiveness of multi-agency working between UK and Welsh Government departments and the other bodies such as health boards and the police

We are not in a position to comment on the working relationship between the UK and Welsh Government departments. However 'It Happens Here: Equipping the UK to fight modern slavery' makes a very strong argument for the establishment of an Anti-Human Trafficking Commissioner at UK level with similar status to a Children's Commissioner. We are aware that this proposal may be taken forward through the forthcoming Modern Slavery Bill.

What can we expect from this potential new role in terms of the relationship with our own Anti-Human Trafficking Co-ordinator? What will it offer to trafficked children and young people in Wales and organisations that work with them?

What we think needs to change in order to better address the problem of internal child trafficking:

Within Wales there have been some useful developments in tackling child trafficking. The first Anti-human Trafficking Forum was established in Gwent, and emanated from Gwent Police. This was followed by Operation Artemis which addresses the perpetration of child sexual exploitation. More recently Gwent have established a multi-agency Missing Service.

Barnardo's Cymru would like to see the establishment of similar multi-agency teams across Wales. Across the UK, Barnardo's are involved in a number of multi-agency arrangements such as the ENGAGE Project¹, established by Lancashire Police. We believe that child sexual exploitation and trafficking and missing children could be the remit of single multi-agency teams, co-locating professionals to enable swift and efficient information exchange and improved interventions.

Recent legislation such as The Mental Health (Wales) Measure and The Social Services and Wellbeing (Wales) Bill set the scene for extensive multi-agency working. We expect to see further opportunities for establishing multi-agency work similar to the ENGAGE project with police forces and safeguarding boards across Wales.

We are encouraged by the current work being undertaken by North Wales Police to address the problem of missing children, and those at risk of or exposed to sexual exploitation.

Children and young people trafficked into Wales and the UK:

There are a number of important interventions to safeguard and protect children and young people at points of entry into the UK eg. Operation Paladin at Heathrow. This is a joint initiative between the Metropolitan Police, the UKBA and the Asylum Screening Unit at Croydon involving information sharing to enable the identification of trafficking suspects as they arrive or leave via Heathrow. In the Netherlands a charity called 'Nidos' works closely with the Border Police and the Immigration Service to identify unaccompanied and vulnerable children and ensure they are safely accommodated when they arrive in the country.²

¹ It Happens Here: Equipping the UK to fight modern slavery. The Centre for Social Justice. March 2013

² As above

We would like to see similar approaches and services made available at all ports and airports in Wales and across the UK.

Barnardo's is involved in multi-agency protocols at two ports in England which identify procedures to be followed where there are suspicions that a child may have been trafficked. Working with police, children's services and the port authorities, we provide one-to-one support to the child as well as advising on personal safety planning and providing a pathway to other services.

3. The role of local authorities in identification and awareness raising

The establishment of local Anti-Human Trafficking Groups in some areas and the changes anticipated in addressing safeguarding and child protection via the new regional Safeguarding Boards, will bring forward changes to the processes of information dissemination, training and service provision. It is too early to say whether these changes will lead to improvements in identification, multi-agency working and improved practice on the ground.

4. How the recommendations of the Council of Europe 2012 'GRETA' report and the 2009 SOLACE report on human trafficking are being taken forward and plans for future work.

Like other organisations, and as a First Responder, we have had concerns about the effectiveness of the National Referral Mechanism (NRM). Included in GRETA's proposals concerning the implementation of the Convention by the United Kingdom is section 20 where GRETA outline where they think improvements need to happen in order for the NRM to be made fit for purpose. We would like to draw attention to the following from sections 20 and 22:

As part of the review of the NRM, GRETA considers that the British authorities should:

- *Entrust the identification of victims of trafficking who are illegally present in the UK to persons who are not involved in the asylum seeking procedure of the applicant, to avoid conflicts in the decision making*

Also Section 22:

Further GRETA urges the British authorities to take further steps to improve the identification of child victims of trafficking, and in particular to:

- *Enhance the involvement of local authorities in the decision making process in order to ensure that the special needs and circumstances of children are taken into account during identification; in this context, it would be appropriate that Local Children's Safeguarding Boards(health*

and Social Care Trusts in Northern Ireland) act as Competent Authorities in child cases;

- *ensure that unaccompanied children are not returned from entry points before being fully assessed by local authority children's service;*
- *conduct interviews with child victims in a child friendly setting;*
- *train all professionals working with child victims of trafficking to recognise and respond appropriately to their needs;*
- *ensure that all unaccompanied minors who are potential victims of trafficking are assigned a legal guardian.*

We support GRETA's position in believing that immigration officials in the Home Office are not appropriately placed to judge the validity of these cases as the considerations made should be based on child protection issues rather than immigration issues. Immigration officials are unlikely to have specialist child protection knowledge to make such decisions. Our practitioners (in England based trafficking services) also report that some solicitors are unwilling to refer to the NRM as a negative decision can have an impact on the young person's asylum claim. This means that some children, who may have received a positive decision, miss out on the support they would have been entitled to. There is no reason to assume that this would be responded too any differently by some solicitors in Wales.

We know that NRM decisions have a huge impact on the support that trafficked children receive. We are very concerned by recent estimates that 65% of the total number of potential victims of trafficking are not recorded in the NRM.³ We believe that this is indicative of a lack of awareness and training around the NRM amongst front-line professionals. We also know that some frontline staff retain a culture of disbelief towards trafficked children, believing that their primary motive is to be provided with asylum. For this reason we would urge the training sub-group of the Cardiff Human trafficking Group to ensure that they key message for professionals working with children is that trafficking is a child protection concern and that children are treated as children first and migrants second.

23. Further, GRETA urges the British authorities to take steps to address the problem of children going missing from local authority care, by providing suitable safe accommodation and adequately trained supervisors or foster carers.

In 2011 Barnardo's received grant funding from the Department for Education to deliver a two-year 'Safe Accommodation Project' in response to the concerns around the current care system to safeguard looked after young people who are at risk, or victims, of child sexual exploitation and/or trafficking. The project was aimed at under-18 year olds and included 13 specialist foster placements. Four of these placements were for victims of trafficking and nine for young people at risk, or victims, of CSE.

³ Association of Chief Police Officer of England, Wales and Northern Ireland. *Position from ACPO Lead's on Child Protection and Cannabis Cultivation on Children and Young People Recovered in Cannabis Farms*

An evaluation of the project was carried out by The International Centre for the Study of Sexually Exploited and Trafficked Young People at the University of Bedfordshire. The evaluation report was published in May 2013 and outlines eleven key messages for practice and an analysis of the cost effectiveness of placements.

http://www.beds.ac.uk/_data/assets/pdf_file/0007/281374/Barnardo27s-SA-Project-Evaluation-Full-Report.pdf

Barnardos' Cymru Seraf Service are currently working with Swansea Local Authority and a private care provider to offer specialist residential provision to young people who are at risk, or are victims, of Child Sexual Exploitation.

.....

Document is Restricted

Lesley Griffiths AC / AM
Y Gweinidog Llywodraeth Leol a Busnes y Llywodraeth
Minister for Local Government and Government Business



Llywodraeth Cymru
Welsh Government

Christine Chapman AM
Chair, Communities, Equality and Local Government Committee
National Assembly for Wales
Cardiff Bay

20 November 2013

Dear Christine

Thank you for the opportunity to attend the Committee on 16 October. At the meeting, I agreed to provide some further information on a number of matters. Your letter of 29 October requests additional material which I have included below.

Local Authority Equality Impact Assessments

A key requirement of the Public Sector Duties is for Local Authorities to carry out Equality Impact Assessments (EIA) for all relevant policies and decisions. In making a decision regarding funding or service provision, Local Authorities must assess the potential impact of those decisions, both positive and negative, as regards race, disability and gender. Should a Local Authority be unable to avoid potential negative impact arising as a result of its decision, this must be a key consideration in future action, which may include looking at the impact of the decision when the financial situation has improved. The reality is, in times of financial constraint, all public authorities will have to make difficult and often unpopular decisions regarding funding and service provision.

I was asked whether we expect all EIAs to be published by Local Authorities and whether we could bring them together in one place. As well as the requirement to carry out EIAs, public authorities must also have arrangements in place for publishing reports regarding these assessments. I would, therefore, expect to see such reports published on Local Authority websites as the following Authorities have done. It is not for the Welsh Government to bring such reports together in one place. However, I would be happy to provide further updates to the Committee and when further reports become available.

<http://www.swansea.gov.uk/index.cfm?articleid=13264>

http://www.valeofglamorgan.gov.uk/en/our_council/equalities/equality_impact_assessments_archive.aspx

<http://www.torfaen.gov.uk/en/Business/TrainingandDevelopment/Equalities-assessmentandconsultation/Equality-Impact-Assessments.aspx>

Examples of Outcome Agreement funding withheld

I promised to provide examples from previous years where Outcome Agreement funding has been withheld from Local Authorities. The assessment process we use for all Outcome Agreements was set out in the original prospectus of March 2010. At the end of each reporting year, Local Authorities provide a full self-assessment of their performance plus supporting evidence. We then evaluate this using a standard methodology.

When assessing Blaenau Gwent County Borough Council's delivery of its 2011-12 Outcome Agreement, it became apparent their performance overall fell short of the standard required to qualify for the full grant. In particular, the Council's delivery of two of the ten outcomes was assessed as unsuccessful whilst three of the outcomes were assessed as being partially successful. This shortfall in delivery resulted in the Local Authority only being entitled to 75% of their grant.

Similarly, the assessment of the Isle of Anglesey County Council's delivery of its 2010-11 Outcome Agreement also revealed their overall performance fell short of the standard required to qualify for the full grant and the Local Authority received 75% of its grant.

Council Tax Reduction Schemes

In relation to Council Tax Reduction Schemes (CTRS), I agreed to provide more information regarding the basis on which the CTRS component of the Revenue Support Grant (RSG) has been distributed to each Local Authority this year and how, potentially, it will be done next year. The distribution for 2013-14 was agreed with Local Government via the Distribution Sub Group. The formula was based on a 50:50 split between individual Authorities' actual expenditure on Council Tax Benefit in 2011-12 (DWP subsidised element only); and their estimated expenditure for 2012-13. For 2014-15, the Distribution Sub Group has recommended the distribution is based wholly on Local Authorities' Council Tax Benefit actual expenditure in 2012-13 (DWP subsidised element only). This distribution is reflected in the Provisional Local Government Settlement which I announced on 16 October.

Your letter of 29 October asked for more detail regarding how I envisage Local Authorities "sharing" the shortfall. The Provisional Settlement included our plans for funding Council Tax Reduction Schemes for 2014-15, with £244m of funding provided for Council Tax Reduction Schemes. This matches the level of support provided for 2013-14. Local Government will be expected to meet any remaining shortfall, as increases in the cost of CTRS are linked to local decisions concerning Council Tax rises. Our monitoring shows any increase in the cost of CTRS since April 2013, and above the level of provision indicated above, is almost entirely down to local decisions regarding Council Tax, as caseloads have not risen.

This funding arrangement reflects the shared ownership of CTRS, which was developed in collaboration with Local Government and which provides support to claimants in meeting their locally determined Council Tax liability. It is only reasonable to expect Local Authorities to take account of the CTRS when making decisions regarding the level at which they set their council taxes.

As we do not yet know the levels at which Council Tax will be set for 2014-15, it is not possible to determine the shortfall Local Authorities may have to meet. Nevertheless, matching the level of funding provided last year, still means the Welsh Government will provide the vast majority of the funding required to operate CTRS.

You also asked I keep you updated as to the outcome of the review to examine options for the longer term future of Council Tax support in Wales. This review is ongoing but I will ensure Assembly Members are kept updated on its progress and outcomes.

Active Travel (Wales) Bill

As I stated at the meeting, the Minister for Culture and Sport is responsible for taking forward the Active Travel (Wales) Bill. However, I understand the funding for implementing the legislation rests within the Economy, Science and Transport portfolio. You should, therefore, write to the Minister for Economy, Science and Transport for further details.

Commercial Sales

I said I would provide a note on whether there are any restrictions on Local Authorities in terms of commercial sales they are able to make and any plans to review this in order to enable Local Authorities to generate more income. There is a range of legislation which regulates the way Authorities may set charges to recoup the costs of providing particular services. The majority of these fall within the remits of other portfolio Ministers.

More generally, as public bodies which receive a large part of their funding from Central Government and taxpayers, Local Authorities are also subject to the widely applicable rules regarding competition and state aid which affect their engagement in commercial activities. The regulation of international trade and anti-competitive practices are not devolved matters.

Funding for Local Government

Your letter of 29 October raises a number of further queries regarding the funding approach, including whether the funding formula used to distribute the RSG adequately addresses inequalities, particularly within deprived communities.

Deprivation-based indicators account for the distribution of over a quarter of the Standard Spending Assessment which is the basis for allocating the RSG. Sparsity-based indicators account for 6% of the formula. The weightings of the different measures within the formula are kept under rolling review to ensure they continue to reflect the factors which drive Local Authority spending. This process is conducted through the Distribution Sub Group (DSG), a technical working group of the Partnership Council for Wales. Its membership comprises Welsh Government and Local Government officials, as well as independent observers, who ensure objectivity in the work programme. Each year, the work of DSG is summarised in a report which is presented to me and which informs the decisions around the Settlement. The work of the group and the background to the distribution formula is published on the Welsh Government's website.

You also asked how the Programme for Government commitment to improve "understanding of the links between Local Government performance and the provision of funding" was being used to allocate more money effectively to drive service delivery. The most recent edition of the Local Authority Services Performance publication includes

analyses of spending and performance. The analyses underline the challenge in making the links between the provision of funding and performance for the purpose of influencing future allocations.

The overall reductions to RSG for 2014-15 and 2015-16 mean it is even more important any proposals to reallocate funding between Authorities is based on sound evidence. Allocating money effectively to drive service delivery should also take account of the mechanisms for providing the funding, as well as the basis of allocation.

Alongside the details of the Provisional Settlement, I announced I am commissioning some work, in partnership with Local Government, to consider what further flexibilities may be made available to Local Authorities so funding is used for its intended purpose, whilst ensuring administration and overheads are minimised.

Finally, on the issue of Local Authorities avoiding taking short-term decisions in responding to the budget reductions, it is important to recognise each Local Authority is responsible to its local electorate for the decisions it takes. My summer visits to Local Authorities provided plentiful evidence and excellent examples of doing things differently which mean services can be sustained and improved despite funding reductions. Key to this is the sharing of best practice. At the Partnership Council on 5 November, I presented the case studies I visited over the summer and we discussed ways in which all public service providers could do more to disseminate and adopt best practice.

The Regional Collaboration Fund (RCF) can play an important role in this, through stimulating and supporting transformational change to help ensure public services are fit for the future. I have already announced funding for 30 projects, many of which have 2 or 3 year programmes of work. The cumulative cost of these projects, which will continue to be funded for the full period, broadly matches the overall funding available from the RCF. I am, therefore, not anticipating to reopen the RCF for a substantive new round of project applications. Evaluation of projects being funded from the RCF will be undertaken.

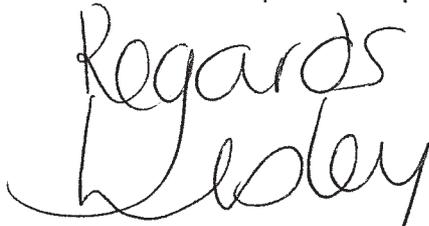
Youth Justice

As I made clear to the Committee, over recent years the Youth Justice budget has increased from £4.7million (2011-12) to £5.2million this financial year. This has been an important contribution towards a reduction in first time entrants into the youth justice system. Also, over the last five years, the number of young people receiving a custodial sentence has reduced considerably, with the latest snapshot data showing fewer than 50 Welsh young people in custody.

However, reoffending rates are now rising. This is due, in part, to fewer children in the Youth Justice System with more concentrated levels of complex needs and more persistent patterns of offending. We are working with the Youth Justice Board (YJB) to consider if a new approach is required to better support this group of young people to prevent them from reoffending. This is one of the key reasons why I have decided to progress a Youth Justice Bill.

This year, I have introduced regional allocations for the Youth Crime Prevention Fund (formerly the Safer Communities Fund). This has resulted in effective collaboration across Local Authority areas with opportunities to implement best practice to maximise impact. Some of the budget has been allocated to resettlement projects in Wales. These projects are aimed at reducing reoffending by improving the way in which Local Authorities (including YOTs), Probation and the secure estate in Wales work together to resettle young people placed in custody and those serving high tariff community sentences.

A Regulatory Impact Assessment will be prepared which will detail cost implications of the Bill and we will prioritise spending from existing funding streams to meet these costs.

A handwritten signature in black ink, reading "Regards Lesley". The word "Regards" is written in a cursive style, and "Lesley" is written in a more fluid, cursive script below it.

Lesley Griffiths AC / AM

Y Gweinidog Llywodraeth Leol a Busnes y Llywodraeth
Minister for Local Government and Government Business

Document is Restricted