Cardiff Multi-Agency Human Trafficking Forum

Briefing Paper II for the CCC Cabinet & Cardiff Partnership Board
April 2013

Introduction

The Welsh Government advises agencies and service providers to be proactive in identifying and supporting victims of human trafficking in Wales. The Cardiff Partnership Board endorsed the recommendation that this issue should be progressed as a shared priority and a Multi-Agency Anti-Human Trafficking Forum was established in summer 2012 to facilitate and develop integrated working arrangement focusing on:

- Victim identification
- Victim support
- Assistance with repatriation of victims
- Prevention of human trafficking

Progress to Date

- Growing membership of the Anti-Human Trafficking Forum with wide representation from both statutory & 3rd sector organisations
- Development of an outcome framework. The headline indicators for measuring success have been identified:
  - Numbers of reported cases of human trafficking in Cardiff
  - Numbers of human trafficking victims accessing specialist services and placed in refuge
  - Numbers of staff across the statutory services and the third sector attending human trafficking awareness training
  - Numbers of successful convictions for human trafficking
- Establishment of the Multi-Agency Human Trafficking Response Task Group and development of a localised Response Pathway
- Development of a Human Trafficking Dissemination & Training Strategy commencing in Summer 2013

The Next Steps

In order to develop successful integrated working arrangements in Cardiff, clarity is required about the Cardiff position in relation to the safeguarding of human trafficking victims & the multi-agency response pathway.
1. Safeguarding Victims of Human Trafficking

Who is responsible for the safety and well being of vulnerable suspected victims of trafficking when they present to statutory or third sector organisations before (or if they consent to) being referred & accepted onto the National Referral Mechanism?

Women & Children

If you are a child (or an age disputed child) there is a statutory responsibility for Children’s Services to provide safety. If you are a woman over the age of 18 yrs, BAWSO, in Wales provides refuge, safety and support to female victims of human trafficking. They have 10 units in Cardiff and 3 units of accommodation in North Wales.

Men over the age of 18yrs

BAWSO also provides outreach support to men over 18yrs of age, but do not provide emergency accommodation. Over 18yr old men do not currently have an immediate place of safety to be taken to in Cardiff, until they can be accommodated by the NRM, which could take hours or maybe up to a couple of days. At this point, they will have no recourse to public funds and there is no statutory duty to care for them, if following assessment by adult services, they have no obvious care needs.

“As many adult victims of trafficking have no recourse to public funds, due to their immigration status, they are not entitled to Local Authority housing assistance or benefits. Adult social services departments do not have any statutory responsibility for these adults unless they have additional needs, such as mental health problems or physical disabilities. (SOLACE Report)

This is where tension exists – will Cardiff Council follow the SOLACE position or be bound by the commitment made by the UK Government to the guidance set out in the Council of Europe Convention on Action against Trafficking in Human Beings which outlines the vulnerability of a trafficked person, and as such, implies that the individual is deemed eligible for care/support.

Article 12 of the Convention clearly outlines the role and responsibilities of each Party in relation to the assistance required by victims of human trafficking.

Article 12 – Assistance to victims

1 Each Party shall adopt such legislative or other measures as may be necessary to assist victims in their physical, psychological and social recovery. Such assistance shall include at least:
   a standards of living capable of ensuring their subsistence, through such measures as: appropriate and secure accommodation, psychological and material assistance;
   b access to emergency medical treatment;
   c translation and interpretation services, when appropriate;
   d counselling and information, in particular as regards their legal rights and the services available to them, in a language that they can understand;
   e assistance to enable their rights and interests to be presented and considered at appropriate stages of criminal proceedings against offenders;
   f access to education for children.
2. The Response Pathway & Planning for a Safe House

It was agreed that we require a pragmatic response pathway as a matter of urgency. The difficult element of the pathway is providing an immediate place of safety outside of normal working hours. It was agreed that the Police can make a referral to the Emergency 24hr Homelessness Service, who will find a place of safety for a time-limited period until a victim of trafficking can be found more permanent accommodation either with BAWSO or the NRM (which should be the following day).

Further work is required to seek a more appropriate long-term alternative solution, which takes into consideration the specific needs of trafficked people and their vulnerability, as front-line hostels may not be the ideal location.
Recommendations for Cardiff Council Cabinet & the Cardiff Partnership Board to Safeguard Victims of Human Trafficking in Cardiff

Cardiff Council Cabinet members & the Cardiff Partnership Board are asked to:

1. Accept both the UN definition of Human Trafficking and the guidelines set out in Article 12 of the *EU Convention on Action against Human Trafficking in Human Beings* and that this is communicated to all service areas, departments and organisations across Cardiff.

2. Accept the duty of care to safeguard victims of human trafficking & ratify the Human Trafficking Response Pathway.

3. Endorse a programme of work to re-visit the Safe House plans & the Supported Lodgings Schemes running successfully in England.
Draft 4 Multi-Agency Response Pathway (first 24hrs) for All Suspected Cases/Victims of Trafficking (including Children) into a Place of Safety & Support Services

Service User Concern and any Professional or Organisational Concern

Individuals suspected of being trafficked

If the individual is perceived to be at immediate risk of significant harm 999 should be contacted. Police will contact Social Services & BAWSO for immediate multi-agency support (Emergency Duty Teams OOH)

Children (including age disputed children)
Follow Cardiff LSCB M/A Protocol for Safeguarding Children who may have been trafficked

Adults
Referral made to central point at BAWSO who will complete an individual assessment & co-ordinate the multi-agency response & check NRM status

Referral into the National Referral Mechanism (NRM) if appropriate and if consent given

Set up a Human Trafficking MARAC to develop an action plan (including related others) within 7 working days

No further action & case closed

Development of individual action plan & agency specific actions

Monitoring & watching brief

BAWSO as key agency to set up multi-agency review meeting within 3 months

Child (including age disputed children)
Child Protection Section 47
Assessment
Child Protection Conference within 15 days

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Child Protection Conference within 15 days

Female over 18yrs
Referral to BAWSO who will arrange place of safety

Male over 18yrs
Referral to BAWSO to co-ordinate multi-agency response and make the NRM referral (if needed)

Referral to 24hr Emergency Homelessness Service for immediate place of safety before the Salvation Army accepts the referral

No further action & case closed

Development of individual action plan & agency specific actions

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