



**ANNEXE TO ILPA SUBMISSION TO TACKLING HUMAN TRAFFICKING –
CONSULTATION ON PROPOSALS FOR A UK ACTION PLAN**

**EXTRACTS FROM *CHILD FIRST, MIGRANT SECOND: ENSURING THAT
EVERY CHILD MATTERS*¹**

6. Trafficked children and young people

Under the Children Act (1989), children should be safe and protected by effective intervention if they are in danger. This principle is reinforced in the safeguarding principles associated with the ECM framework and the Children Act (2004). This is clearly not possible if the authorities do not know about children's presence in the UK because they have been trafficked into the country.

6.1 Scale of the problem

Human trafficking for sexual exploitation and other forms of forced labour is one of the fastest growing areas of international criminal activity although this phenomenon has only recently begun to receive significant public attention (Bump and Duncan 2003). 'Trafficking' means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, or abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments of benefits to achieve the consent of a person having control over another person, for the purposes of exploitation. Trafficking and smuggling is not the same thing and whilst the distinction between them is not always clear, it is important that the two are not confused. Smuggling refers to the facilitation of illegal entry for a fee paid to an agent. Trafficking refers to the movement of people for exploitation. Traffickers use violence, threats and other forms of coercion to force their victims to work against their will. They may also restrict their victims' freedom of movement, force them to work long hours in dangerous conditions and withhold payment. Trafficking involves the threat or use of violence, deception and/or coercion to the victim of trafficking or someone close to them, so that the person is forced to submit to exploitation.

It is important to acknowledge that the evidence about trafficking is limited. There is a lack of specific information on the extent to which children are trafficked into, and through, the UK. The exploitation of victims through trafficking is, by its nature, not readily visible. The only substantial research into and through the UK is that undertaken by ECPAT UK (Somerset 2001, 2004). Most of these children described in these studies were trafficked for domestic work or for the purpose of sexual exploitation, but there were also cases of trafficking for benefit fraud, restaurant work and involvement in illegal

¹, Crawley, H., for ILPA, February 2006

activities. Those trafficked to the UK for sexual exploitation and domestic labour includes boys as well as girls and young people with disabilities or learning difficulties. Children and young people who are trafficked enter the UK through a variety of different mechanisms. These include:

- Separated children and young people who are told to ask for asylum on arrival in the country. They are placed in care and at a later date are removed or abducted by their traffickers. Often the children make contact with the traffickers as they have been instructed to do;
- Children and young people who enter the country with adults who are, or purport to be, parents or family members, or are brought into the country on some other basis therefore do not come into contact with social services or any other agencies and are then exploited by these adults; and
- Children and young people who are unaccompanied when they arrive in the UK and are collected by an adult (sometimes loosely referred to as a 'sponsor') who claims responsibility for them and exploits them.

Whatever the circumstances of their arrival, trafficked children are extremely vulnerable and it is the responsibility of the professionals who come into contact with them to provide appropriate support and protection. There is evidence that because of the limited information available regarding the scale of the problem in the UK context, many of those coming into contact with these children – including immigration officers, social workers and legal representatives – do not identify them as victims of trafficking or recognise them as having particular safeguarding and welfare needs.

6.2 Identification issues

One of the biggest problems in understanding the extent and impacts of child trafficking into, or through, the UK stems from the difficulties associated with identifying actual or potential victims. The Government's own *Crime Reduction Toolkit on Trafficking of People*² acknowledges that the victims of trafficking are likely to be suffering from extensive fears and worries, and are likely to be mistrustful of the police. Trafficked children and young people are highly unlikely to reveal what has happened to them when they initially come into contact with the authorities or other professionals. A number of additional factors may particularly affect the willingness of trafficked children and young people to discuss their experiences. These include:

- Fear of retaliation from traffickers against themselves or their families;
- Concern about the reaction of their families when it is discovered that the child or young person has not earned the anticipated income or that he or she fled from the trafficker;
- An unwillingness to discuss what has happened to them because of trauma or shame;

² Available at www.crimereduction.gov.uk/toolkits/tp00.htm

- Concern about how their family, friends and the community will react if they find out they have been working as prostitutes or were sexually abused; and
- A distrust of authorities in the UK and abroad and a fear that they will be prosecuted or deported.

There may also be difficulties in determining the age of some trafficked children. Often they have been told to lie about their age by the traffickers (claiming to be either older or younger than they are, sometimes for reasons unrelated to the trafficking). Many trafficked children and young people will be without documentation that can confirm their identity. Identifying children who are victims of trafficking appears to be a major problem even in those countries with legislation that aims to protect trafficking victims. In the US, for example, only a small number of children have been certified as being victims of trafficking (and therefore eligible for protection and assistance) (Bump and Duncan 2003).³ This is despite the existence of the Trafficking Victims Protection Act (2000), which makes adult and child victims of trafficking eligible for a number of different services and benefits regardless of their immigration status.

Given that trafficking victims may be unwilling to discuss their experiences with immigration officials with whom they come into contact, other professionals – in particular, social workers and legal representatives – have an important role to play in identifying children who have been trafficked. Although local authority staff are often amongst the first to be confronted with the consequences of trafficking, the current framework used for assessing children in need does not include specific reference to the risk factors affecting this group of children (DoH, Home Office and DfEE 2002). Neither are these issues addressed in the Integrated Assessment Framework or in the general training of professionals using this or similar frameworks in assessment interviews. Although 26 of the 33 councils in London that were interviewed as part of the ECPAT research reported concerns about trafficked children, none had any guidance explaining the issue or what to do if staff had concerns about a child. Some social workers do not know what trafficking is, while others wrongly believe that there is no need to investigate relationships between children and their supposed relatives or sponsors because they think that immigration services carry out such checks (Somerset 2004). These findings were confirmed in the recent report of the Joint Chief Inspectors (2005) which found that some local authorities are less familiar with issues of trafficking – and therefore how to identify potential victims – than others.

6.3 Lack of support

There is evidence of worrying shortcomings amongst agencies in the UK in effectively tackling trafficking, and a lack of basic knowledge about the issue particularly among social service providers. Currently the response from social

³ For example, each year immigration officials apprehend approximately 100,000 unaccompanied children at US borders. Ninety-five percent of these children voluntarily chose to return immediately to their home countries when faced with the alternative of being taken into US custody. As Bump and Duncan (2003) suggest, it seems likely that a proportion of those children who return and of the 5,000 who are detained annually are unidentified victims of trafficking.

services, police and immigration is at best piecemeal. There is no special assistance on offer for children and no safe house providing specialist care and protection for children in the UK. Without this special protection children remain at risk even whilst in the care of social service departments.

The European Convention on Action Against Trafficking in Human Beings,⁴ which was opened for ratification in May 2005, aims to prevent and combat trafficking in human beings, also taking gender equality aspects into consideration; to protect the human rights of the victims of trafficking and to design a comprehensive framework for the protection and assistance of victims and witnesses, also taking gender equality aspects into consideration, as well as to ensure effective investigation and prosecution; and to promote international cooperation on action against trafficking in human beings. The Convention expands the scope of the UN definition of trafficking (set out in the Palermo Protocol) to expressly include internal trafficking within the borders of one state and trafficking not necessarily involving organized criminal groups. It provides a framework for the enhanced protection of the human rights of trafficked persons by providing for minimum levels of support and increased protection for victims. The Convention would give temporary residence permits to victims endangered by return to their home countries and to those who assist with prosecutions.

Given the focus of this paper it is worth noting that there are specific references to the experiences of children who are trafficked throughout this Convention. For example, there is a presumption that a child should be accepted as a child where his or her age is uncertain and accorded special measures pending verification, and a requirement for representation of all unaccompanied children who are identified as trafficking victims by a legal guardian, organization or authority who should act in the best interests of the child (Article 10). According to Article 14 (2) of the Convention, a residence permit for child victims, when legally necessary, should be issued in accordance with the best interests of the child and, where appropriate, renewed under the same conditions. The UK has not ratified the Convention.

6.4 Ensuring that trafficked children matter

One of the basic principles of the ECM framework is that children should be kept safe from maltreatment, neglect, violence and sexual exploitation and, correspondingly, that they should be provided with security, stability and be cared for. The failure to protect children who have been trafficked from physical and mental harm, and to provide them with security and support where they are identified, represents a failure of the most fundamental objectives of the current framework and profoundly undermines the principle that every child matters. Concrete steps are therefore needed to ensure that there are improvements in the mechanisms for identifying victims of trafficking, for providing specialist support and security, and for ensuring a multi-agency approach that provides these children with protection under the Children Act (2004).

6.4.1 Identifying victims of trafficking

⁴ Council of Europe CM(2005)32 Addendum 1 final (May 2005)

The process of identifying children who are actual or potential victims of trafficking is the most urgent issue agencies face.⁵ Reflecting this, the Metropolitan Police and Immigration Service, together with other government welfare agencies and the NSPCC, recently monitored the arrival of unaccompanied children at London's Heathrow Airport, the country's busiest entry port. According to the report of that exercise – known as Operation Paladin Child - 1,738 children arrived alone from non-EU countries between August and November 2003, the majority of whom were travelling legitimately for education or holidays. A small number of children gave 'grave cause for concern' and police were subsequently unable to locate 12 of the children (Metropolitan Police et al, 2004). The main difficulty with this evidence however is that although it provides an insight into the wide range of circumstances under which separated or unaccompanied children enter the UK, it tells us very little about trafficking: neither child protection concerns nor disappearance are verification that trafficking has occurred.

This evidence suggests that more sophisticated and effective mechanisms are needed to identify actual and potential the victims of trafficking. Immigration officers and other professionals have a key role to play in anti-trafficking activities. The first contact with unidentified child victims is most likely to be made by either immigration officers at ports of entry, police or local law enforcement officers or social service, health and education providers (Bump and Duncan 2003). Although the need for more child protection officers at major ports of entry was a key recommendation of the Paladin Child report, it has not been implemented and there remain very few specialist staff working at ports. Immigration officers are not child protection officers and it is dangerous to expect them to combine the full range of knowledge and skills required for specialist child protection work with immigration control. In addition there is some evidence that immigration officers and staff are not adequately trained on trafficking issues and identification of trafficking victims. This suggests that the Home Office's Trafficking Toolkit should be the basis for more training and the recommendations arising from the Paladin report should be revisited.

Similarly, social, health and education professionals need to be given more training to identify actual or potential victims of trafficking and to support child victims. As reforms of children's services get underway, there are fewer specialist teams of staff with knowledge and experience of the issues facing children who are subject to immigration control. Few social work courses include specific reference to this issue. The Home Office's Trafficking Toolkit should be disseminated more widely and the DfES should produce guidance, resources and training for all SSDs on the identification, care and protection of children at risk entering the country, and in particular on victims of trafficking. This training and guidance should encourage social workers to photograph every separated child with whom they come into contact for identification purposes and to contact the police where there is suspicion that a child either is, or is at risk of, being exploited or trafficked.

6.4.2 Specialist support and legal status

⁵ Unaccompanied children who enter the asylum system are most likely to be identified as victims of trafficking, because of their contact with legal representatives and social services

It is widely recognised that the particular physical, psychological and psychosocial harm suffered by trafficked children and their vulnerability to exploitation means that they should be dealt with separately from adult trafficked persons in terms of laws, policies, programmes and interventions.⁶ Trafficked children and young people need access to additional specialist support services if they are to achieve the five outcomes set out under the ECM framework.

Once children have been trafficked it is difficult to break the cycle of abuse. Children are at high risk of being successively criminalized and of being exposed to further abuses and the risk of potential re-traumatisation by police and judicial practices. Sometimes families do not want children who have been trafficked returned to them because of the stigma attached and in the worst cases children are re-trafficked. The trafficking cycle cannot be broken without attention to the rights and needs of those who have been trafficked. Families may also have been actively involved in the trafficking process and will suffer unwelcome economic consequences if the child is returned. Trafficking in children is child abuse; counter-trafficking work to stop trafficking of children is therefore child protection work. Children and young people who continue to be at risk will need to be protected to secure their safety. A system of protocols and referral procedures should be developed and disseminated to ensure that all Home Office staff follow a simple procedure to arrange for children who are actual or potential victims of trafficking to be provided with proper care. Children who have been trafficked should be given permanent protection through the Refugee Convention and ECHR where this is appropriate.

Any child who is a victim of trafficking should be taken out of the immigration system whilst a decision is being made about his or her future; this decision should be taken according to the circumstances of the individual child. Under the Children Act (1989), professionals working with children who have been trafficked have an obligation to listen to the child and find out what he or she wants. For some children, where it is clear that the family was not responsible for, or aware of, the fact that the child was being trafficked, it may be in the child's best interest to be united with his or her family as quickly as possible. Where this is the case it is imperative that children be accompanied and then supported once home, thereby ensuring that they do not fall into the grips of the trafficker again, suffer reprisals, and/or be re-trafficked. For other children a reflection period may be needed in order for the child to be able to work out what he or she wants to happen next. In some cases the only practical way to prosecute traffickers is to use the testimony of victims. If children and young people fear that they will be arrested and removed when they make a complaint there is little prospect of convicting the traffickers. The decision about whether to give the child a reflection period or to grant a period of leave to remain should not be dependent on whether he or she is prepared to give evidence, but instead be based on the best interests of that child. Not all trafficked children will be capable of consenting to the risks associated with giving testimony in a trafficking prosecution and should not be asked to do so.

⁶ See, for example, the report of the UN High Commissioner for Human Rights to the Economic and Social Council (July 2002)

6.4.3 A multi-agency approach

Although there has been greater political recognition of the problem of trafficking over recent years, the current system for addressing the numerous complex issues relating to trafficking in children is hindered by several systemic gaps found in the UK as elsewhere.⁷ No effective comprehensive plan exists to identify, serve and protect child victims from the point of encounter to family reunification or placement in a foster programme. Whilst the *National Plan for Safeguarding Children from Commercial Sexual Abuse* (DoH 2001) recognises the need for co-ordination and co-operation, it has not been delivered in practice.

There is a need for a national strategy that would ensure effective monitoring and registration of unaccompanied children at all ports of entry in the UK, swift and appropriate social services follow up for all children at risk, and a comprehensive care package for victims. This requires strategic communication and cooperation between different government departments and agencies involved in child trafficking cases. Such an approach is entirely consistent with the intentions of the ECM framework and the programme of organisational and workforce reform with which it is associated. The issue of trafficking can only be dealt with through a multi-agency approach, incorporating police, immigration, social services and voluntary organisations. The challenge is how the key players in the anti-trafficking field can join forces to build a regime that effectively addresses the need to identify and provide services to child victims of trafficking.

7. Children in private fostering arrangements

As is the case where children are not identified as trafficked, it is clearly not possible for children to be safe and protected by effective intervention as required under the Children Act (1989) if they are in private fostering arrangements that are not known to either the relevant local authority or to the Home Office. The invisibility of privately fostered children and the lack of access to appropriate support is a growing cause of concern among social workers working with children, many of whom do not have a specialist knowledge of immigration matters and who may assume that these children are known to the immigration authorities when in reality they are not.

7.1 The invisibility of privately fostered children

Private fostering is where a child goes to live with someone – other than a parent or close relative – and the arrangement is made privately between the parent and the carer. Private fostering is defined in the Children Act (1989) as: *a child under the age of 16 (or under 18 if disabled) being placed for more than 28 days in the care of someone who is not the child's guardian, or close relative, by private arrangement between parent and carer.* In 2001, a DoH leaflet estimated that about 10,000 children in England are privately fostered. This estimate is widely regarded as conservative.⁸ Whilst the practice is most

⁷ See, for example the analysis of the situation in the US by Bump and Duncan (2003)

⁸ The DoH ceased to collect statistics in 1991. According to BAAF, the numbers in local authorities' own records are generally recognised to be meaningless because they only include a tiny number of privately fostered children and their carers. The recently introduced National Minimum Standards for Private Fostering (discussed below) requires that local

common among parents from West Africa living in the UK (who are thought to make up an estimated 80-90% of all private fostering arrangements), other children are also known to be in private foster care, including:

- Children who attend language schools;
- Adolescents temporarily estranged from their parents;
- Children in boarding schools who do not return to their parents during vacations;
- Children on holiday exchanges;
- Children brought from abroad with a view to adoption;
- Children whose parents work unsocial hours (the Chinese community in particular is known to foster privately); and
- Children of asylum seekers whose parents are not in this country, but were brought in by someone and so were not unaccompanied at the time of arrival or not recorded as such.

BAAF have estimated that the number of children who are privately fostered in the UK could be anything from 15,000-20,000 and may be even higher. Whilst not all these children will be subject to immigration control, the categories outlined above suggest that many of them are.

Under the Children Act (1989) (Section 67 (1)), it is the duty of every local authority to satisfy itself that the welfare of children who are privately fostered within its area is being satisfactorily safeguarded and promoted and to secure that such advice is given to those caring for them as appears to the authority to be needed. People caring for a child for whom they do not have parental responsibility, as part of a private fostering arrangement which will last 28 days or more, must inform social services prior to, or within 48 hours, of the child's arrival.

Despite this, studies show that local authorities are often not notified about private fostering arrangements. There is evidence that only a very small proportion of private foster carers notify local authorities at all, partly through ignorance or reluctance on the part of carers and parents to bring such arrangements to the attention of the authorities.⁹ Local authorities have historically considered private fostering to be a low priority and have not devoted sufficient effort to identifying and inspecting private foster placements in line with regulations. Where local authorities are informed, it is nearly always after the fostering has started. Other professionals in health and education who have contact with these children do not realise their status and/or do not refer them to social services. And although Immigration Service staff are required to notify the relevant local authority where a private fostering

authorities once again keep records and monitor the numbers of privately fostered children and private foster carers living in the local authority's area, and that new notifications are recorded on the statistical data return and submitted to the Department for Education and Skills. This may increase the visibility of privately fostered children over the longer term.

⁹ According to the DoH (2001) it is likely that more than 50% of private foster placements are not notified to local councils.

arrangement is found to be taking place, in practice this does not always happen.

As a result, private fostering remains an underground activity and the children living in these arrangements remain largely invisible from both the immigration and social service systems. This situation has continued for many years. In his review of safeguards for children living away from home ('the Utting Report'), Sir William Utting identified private fostering as "the least controlled and most open to abuse of all the environments in which children live away from home" (Utting 1997). Without notification, local authorities are not able to check whether the carers have previously committed offences against children, or whether they are generally suitable. Privately fostered children do not necessarily understand the arrangement, are not informed of their rights and can be traumatised by the experience (Philpot 2001). Not surprisingly, Lord Laming's report into the death of Victoria Climbié recognised the potential vulnerability of children who are privately fostered and also recommended that the Government review private fostering arrangements. The result of this review was set out in *Keeping Children Safe*, which was published in 2003. The Government's response to the review has been to strengthen the existing notification scheme rather than introducing a system for the regulation and approval of private foster carers as many had hoped they would.

The Government's new measures on private fostering in Section 44 of the Children Act (2004) and replacement regulations (the Children (Private Arrangements for Fostering) Regulations 2005) came into force on 1st July 2005. The new measures, along with National Minimum Standards for Private Fostering,¹⁰ are intended to strengthen and enhance the Children Act (1989) private fostering notification scheme. They are also intended to focus local authorities' attention on private fostering by requiring them to take a more proactive approach by identifying arrangements in their area. Each local authority will be required to appoint an individual officer with responsibility for monitoring the effectiveness of private fostering activities and the general duty of co-operation. LSCBs will have a role in ensuring that the new inspection regime covers the effectiveness of interagency cooperation on private fostering. The Act also gives the Government power to establish a registration scheme within four years "in the event that the strengthened notification scheme is found wanting."

According to the Government, these measures will improve notification rates and compliance with the existing legislative framework for private fostering. Many of those working with these children are concerned that notification rates will not significantly increase. Even if private foster carers are aware of the requirement for them to notify local authorities of a placement, they may be reluctant to do so because of concerns about the immigration-related consequences of notification. This problem is likely to increase the more that SSDs become associated with measures designed to control immigration rather than provide support and protection for children.

7.2 Lack of support

¹⁰ Available at www.everychildmatters.gov.uk/files/B569AE6EFC2CA9D4E36C80291E34E571.doc

Privately fostered children are a particularly vulnerable group and may not receive the services and protection to which they are entitled. It is important to acknowledge that the absence of a framework for regulating private fostering arrangements does not mean that these arrangements are inevitably negative for the children involved. Nonetheless private foster carers and those children in private foster care almost universally lack the kinds of support available in local authority fostering placements. The problem with private fostering arrangements is that the needs and rights of children for support, protection, physical and emotional development are being neglected by an inadequate system of regulation. The fact that private fostering arrangements are generally informal and unregulated therefore places both children and carers in a vulnerable position. There is very little research on the motivations and experiences of those who take part in private fostering, either as parents or carers, or of the consequence for those fostered.¹¹

7.3 Ensuring that privately fostered children matter

Privately fostered children and their parents must be afforded the same standard of safeguarding as those children who are child minded or accommodated by the local authority. This requires that private fostering arrangements are subject to a registration and approval scheme, and that Immigration Service staff fulfil their duty of care towards children under the Children Acts (1989 and 2004) and refer all children who are believed to be entering the UK as part of a private fostering arrangement to the relevant local authority.

7.3.1 A registration and approval system

There have been increasing calls for private fostering, like other kinds of social care, to be regulated. The Utting Report (Utting 1997) recommended that private foster carers should be required to seek approval and registration from their local authority and that non-compliance should become a criminal offence. The Government rejected this recommendation considering that the current regulatory system was strong enough and that the failure to comply with the notification system was the problem and that this could be addressed through an awareness-raising campaign. In the event a public awareness campaign did not materialise, although a leaflet and guidance to professionals and parents in England went out in 2001 and 2002 respectively (DoH 2001).

There is concern that the new National Minimum Standards for Private Fostering and enhanced notification arrangements will not deliver improved outcomes for children who are privately fostered. Some of these concerns are related to the standards themselves and how they will be monitored and enforced. The Commission for Social Care Inspection (CSCI) for example, which is tasked with inspecting that the standards are upheld by local authorities, has expressed concern that the standards are not set out under the *Every Child Matters* outcomes as all other National Minimum Standards are, and that the standards do not reflect the breadth of the outcome framework. A survey by the CSCI found that children being privately fostered

¹¹ The Thomas Coram Research Unit are currently undertaking a study to investigate the motivations and experiences of those who foster privately and well as the motivations and experiences of parents who place their children for private fostering, and to investigate the experiences of young adults who have been privately fostered

in the UK want tighter checks on their welfare than the safeguards proposed by the government (CSCI 2005).¹² Neither is it clear to CSCI how a decision will be taken in relation to the sunset clause within the Children Act (2004) which allows for the introduction of a registration scheme for private foster carers if the National Minimum Standards do not deliver better outcomes for children.

The British Association for Adoption and Fostering (BAAF) believes the best way to protect and safeguard privately fostered children is by implementing a registration and approval system for the most vulnerable children – those under the age of 11. Under this system, private foster carers could be approved to care for a named child or approved as generally available so that their name could be included on a list held by the local authority. Organisations such as BAAF recognise that regulation is not a panacea but also maintain that a mandatory scheme for the registration and checking of private foster carers would represent another tool for ensuring that children in private fostering arrangements matter are able to meet the outcomes set out in the ECM framework. In addition, regulation would almost inevitably lead to improvements in the support and information available to privately fostered children and their carers.

¹² The survey of privately fostered children found that they thought a social worker should visit them every month at first to ensure they were safe, and not every six weeks as planned. They also wanted to be able to talk to the social worker away from their carer's house and to be given a telephone number to ring if they felt unsafe. Children in informal or private foster arrangements want high levels of notification, high levels of support and high levels of information. Their expectations are very similar to those of children in conventional fostering arrangements.

7.3.2 The role of the Immigration Service

The Immigration and Nationality Directorate must demonstrate commitment to improving the spread of best practice by immigration officers in safeguarding vulnerable children who seek to enter the United Kingdom in keeping with 'Keeping Children Safe, September 2003', [paras 98 & 99]. Arrangements need to be developed whereby Immigration inform Social Services immediately if an immigration officer considers, or has reason to believe, a child to be at risk of harm. In addition to applying the above criteria to children seeking entry the IND should apply the same duty of care for children who come to their attention after entering the UK

Birmingham ACPV (2004), Report into the death of Toni-Ann Byfield, Recommendation 12

Responsibility for ensuring that children who are subject to immigration control and are in private fostering arrangements are properly cared for lies not only with SSDs but also with the Immigration Service. Immigration officers play a key role in ensuring that separated children who arrive at UK ports of entry are collected by an adult who is known to the child and is able to take responsibility for his or her welfare. If a parent or carer with parental responsibility is not meeting the child, and the application for leave to enter is for more than 28 days, IND has a responsibility to inform social services in the area where the child is staying because this constitutes a private fostering arrangement. Any failure on the part of IS staff to report private fostering arrangements to the relevant local authority increases the vulnerability of these children and runs counter to all the efforts to join up different areas of policy and practice that were established through the Children Act (2004). Failure to take these relatively simple steps also increases the risk that children who are being trafficked – possibly under the guise of a private fostering arrangement - remain invisible. If there is no mandatory system of regulation, then the need for procedures at points of entry that can identify and refer children who are likely to be entering private fostering arrangements becomes even more pressing.