

# Identifying modern slavery and Human Trafficking in the context of child criminal exploitation

**Presentation by:**

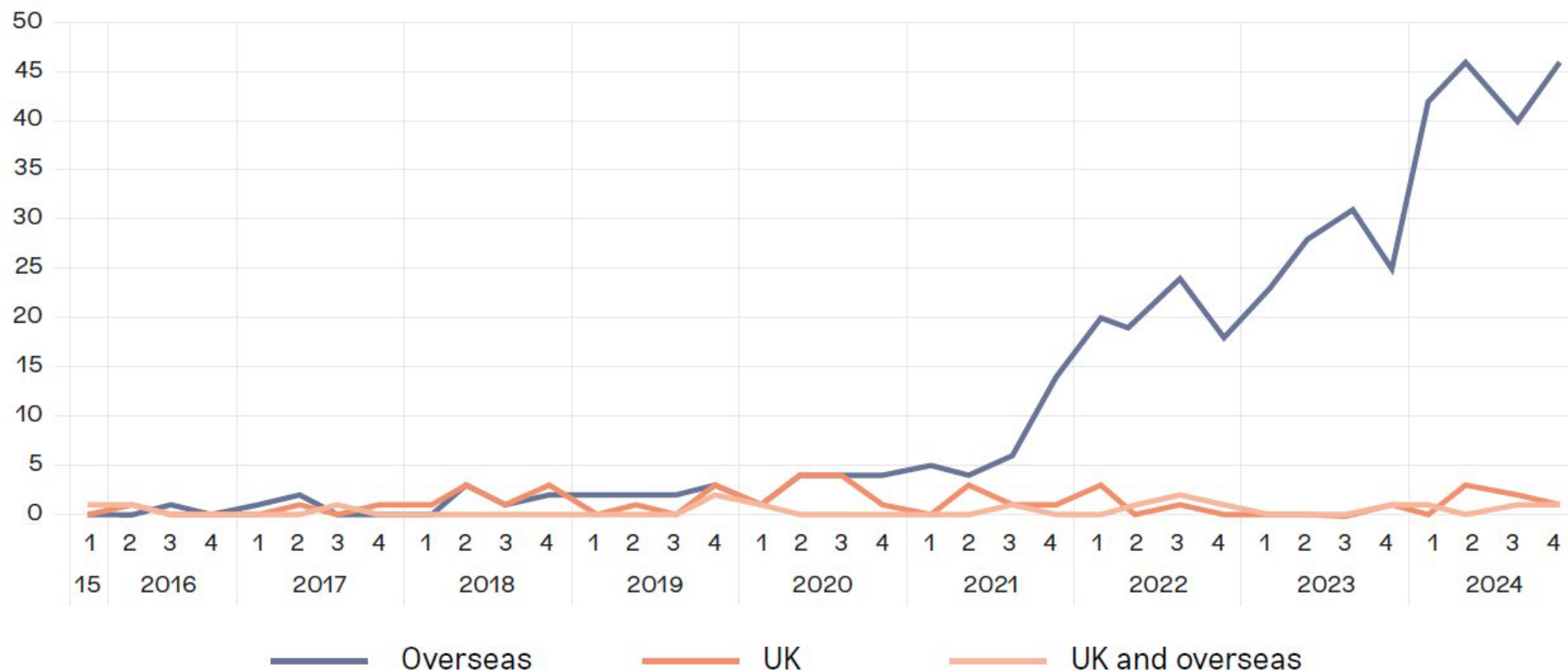
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# The Problem

- Context: increasing focus on child criminal exploitation in Northern Ireland and the harms that contribute to it (e.g. Walsh, 2023).
- From 'emerging concern' to key policy priority (e.g. 2 year CCE Action Plan)
- This harm is not formally identified as modern slavery/human trafficking.

Number of child referrals to the NRM in Northern Ireland reporting exploitation taking place overseas, within the UK (Northern Ireland), or within the UK and overseas.



**Figure 2: Number of child referrals to the NRM in Northern Ireland reporting exploitation taking place overseas, within the UK (Northern Ireland), or within the UK and overseas.**

# 1. What did we do and why?

Aim:

Assess and enhance the understanding of why, given the increased focus on addressing harms experienced by children in the context of criminal exploitation, the formal identification of MSHT within the NRM is largely absent in Northern Ireland.

# Our Methods

- Review of relevant international and domestic law and policy.
- Survey: 43 stakeholders participated.
- Semi-structured interviews: 15 participants in 14 interviews.
- Analysis:
  - Legal analysis
  - Data analysis: JISC survey platform & NVivo software.



# Terminology

## Modern slavery

- Used in the UK as an ‘umbrella’ term, encompassing human trafficking, slavery, servitude and forced labour.
- Not defined in international law.

## Human trafficking

- Defined in international law.
- In the UK, it falls within modern slavery, but often characterised alongside it, i.e. MSHT.



# What is human trafficking?

Act	Means	Purpose
<ul style="list-style-type: none"><li>•Recruitment</li><li>•Transportation</li><li>•Transfer</li><li>•Harbouring</li><li>•Receipt</li></ul>	<b>Threat or use:</b> <ul style="list-style-type: none"><li>• of force or other forms</li><li>• of coercion,</li><li>• of abduction,</li><li>• of fraud,</li><li>• of deception,</li><li>• of the abuse of power or of a position of vulnerability or of the giving or receiving</li><li>• of payments or benefits to achieve the consent of a person having control over another person.</li></ul>	<b>Exploitation</b> <ul style="list-style-type: none"><li>•Exploitation shall include, at a minimum:</li><li>•the exploitation of the prostitution of others or other forms of sexual exploitation,</li><li>•forced labour or services,</li><li>•slavery or practices similar to slavery</li><li>•servitude</li><li>•or the removal of organs.</li></ul>

# Identification is crucial

- Identification is a stand-alone duty.
- Identification is key to a range of additional obligations.





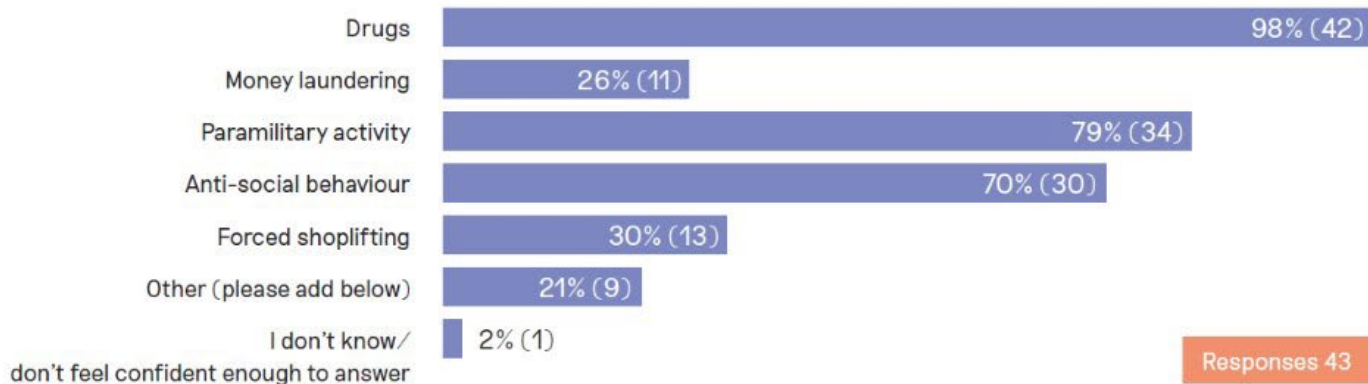
## 2. What did we find?

# 1. Northern Ireland's Unique Context

- **Societal Context**
  - Control over communities
  - Normalisation of harm
- **Northern Ireland's Devolution Arrangements**

## Number of respondents referencing CCE to a specific form of exploitation

If you do encounter, or have been made aware of child criminal exploitation (CCE), which form(s) of exploitation has this been in relation to? Please select all that apply.



*“We have conditions and levels of trauma, for instance, that condition communities and individuals in a way that in post-conflict society that don't exist in other parts of the UK. It's just a reality, no matter how difficult those other parts of the UK have it.”*  
(NI-09)

## 2. Legal and Policy Response

- No statutory duty to identify in NI Act.
- No consequence for failure to identify.
- Section 2 (NI Act): defines trafficking with a requirement of 'travel'.
  - Movement narratives present in policy and practice.

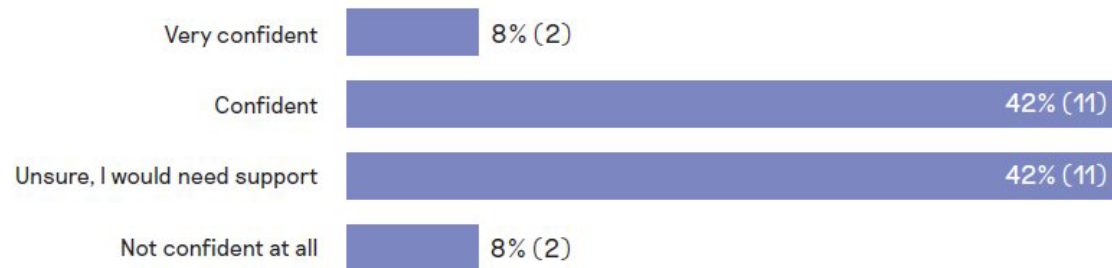


### 3. Knowledge and understanding

- Modern slavery and human trafficking
- Child criminal exploitation
- National Referral Mechanism
  - Perceived drawbacks
  - Potential benefits

#### Number of first respondents and confidence in making an NRM referral

If you work for a First Responder organisation: How confident would you feel about making a National Referral Mechanism (NRM) referral?



Responses 26

*“It's so obvious that paramilitaries have been exploiting young people for decades. And I think it's the elephant in the room, probably in this whole CCE issue. Why have we been so slow to recognize that?” (NI-04)*

## 4. Capacity

- Limited resources
- Need to strategically allocate resources

*“How can we bring in new process that we know we can't deal with?... we can't start creating teams and processes when we don't have the people to do the work.” (NI-01)*



## 5. Moving Picture

- Research undertaken during a time of movement and momentum.
- Acknowledgement of the opportunity.
- Need clarity on ownership: at government, organization, and sector level.

*‘We have an opportunity to build something better than the rest of the UK has. We are, we are creating this safeguarding mechanism, whatever it looks like, so we're creating this thing. We have an opportunity to do one that's more, that's...very specific for here, but also better.... And why wouldn't we grab that between both hands?’ (NI-02)*

# 3.

# What should be done?

# Recommendation 1

The UK Home Office should explore, in consultation with key stakeholders, what regional modifications to the NRM may be required for it to function effectively in the context of each devolved region.





# Recommendation 2

The UK Home Office should consider resourcing an in-depth training and awareness raising programme, combining cross-cutting issues of modern slavery and human trafficking; and child criminal exploitation for first responders, and those who are likely to encounter child criminal exploitation across Northern Ireland.



# Recommendation 3

The NI Government and Assembly should consider:

- (a) amending the Northern Ireland Legislation to remove the requirement for travel.
- (b) progressing plans to introduce the Duty to Notify and Slavery and Trafficking Risk Orders in Northern Ireland.
- (c) introducing an accountability mechanism to ensure referral of children.



# Recommendation 4

The Northern Ireland Department of Justice should consider, in partnership with the Departments of Health and Education, developing a modern slavery and human trafficking and NRM toolkit, with expert lived experience input.



# Recommendation 5

To develop specialist expertise, awareness and capacity for response, the Northern Ireland Departments of Justice, Health and Education should consider investing in Child Criminal Exploitation/Modern Slavery and Human Trafficking champions within regions, bodies and sectors.



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