

Internal trafficking and exploitation of children and young people with special educational needs and disabilities (SEND) within England and Wales

Understanding identification and responses to inform effective policy and practice

Research report

May 2024

Authors: Anita Franklin, Louise Bradley, Jo Greenaway, Sarah Goff (Manchester Metropolitan University), Sarah Atkins (University of Portsmouth) and Lucy Rylatt (Portsmouth City Council)



Research by:



Acknowledgements

We would like to thank the many people who supported this research. In particular, the parents (participants and advisers) that generously shared their expertise and experience and were so willing to engage in this important research. We wish to thank Ivison Trust (formerly PACE – Parent against Child Exploitation) for their support in helping us facilitate the parent advisory group and supporting parent participants to take part.

Thanks also to all the multi-agency professionals that attended our consultations, thank you for sharing your knowledge and experience which has greatly informed this research.

The research team is grateful to our professional advisory group members who were always generous with their time and who are tirelessly committed to improving policy and practice. All have worked with the team throughout and advised on key aspects of the research and facilitated new connections and contacts that have been drawn on for this research.

We would also like to thank the Modern Slavery and Human Rights Policy and Evidence Centre and the Arts and Humanities Research Council for recognising the need to fund such important research. Their continued support in sharing the findings will indeed help us to improve how we identify and respond to the modern slavery of children and young people with SEND.

The Modern Slavery and Human Rights Policy and Evidence Centre was created by the investment of public funding to enhance understanding of modern slavery and transform the effectiveness of law and policies designed to overcome it. The Centre is a consortium of six academic organisations led by the Bingham Centre for the Rule of Law and is funded by the Art and Humanities Research Council on behalf of UK Research and Innovation (UKRI). The Modern Slavery and Human Rights Policy and Evidence Centre is funded and actively supported by the Arts and Humanities Research Council (AHRC), part of UK Research and Innovation (UKRI), from the Strategic Priorities Fund. The Modern Slavery PEC has actively supported the production of this Research Report. However, the views expressed in this are those of the authors and not necessarily of the Modern Slavery PEC.

Foreword

This report provides a unique and current overview of the gaps that exist in safeguarding policies and legal frameworks which should be in place to nurture, guide and protect exploited children and young people with special educational needs and disabilities (SEND).

Parents and carers play a significant role in the early identification of the exploitation of their child. However, despite their urgent requests for early support before abuse has occurred, the recurrent pattern is that children with SEND are harmed physically, sexually or psychologically before an intervention is made. Furthermore, the intervention the child receives is typically not tailored to the specific and unique needs of a child with SEND.

Whilst there are isolated pockets of good practice, there are missed opportunities in the early identification of SEND in young people and the exploitation they go on to experience. Underpinning these failings is a lack of knowledge and understanding amongst educators and safeguarding professionals about the increased vulnerabilities children with SEND experience in targeting, coercion and disclosure of exploitation.

Without significant investment in training to equip schools, police and youth services to adequately adapt their approach to suit the nuanced needs of children with SEND, we will continue to inadvertently 'grease' the pipeline from school exclusion to criminal exploiters. Alongside the provision of specialist training across safeguarding professionals is the critical need to redress the inequitable power imbalance between parents and services.

This important report has critical learning for us to take on board. Not least, children with SEND are being failed by a system set up to support them falling through the gaps into the hands of exploiters who are deliberately targeting them. Parents need to be listened to, with mechanisms of support in place for the whole family, and training is required. Training for educators, safeguarding professionals, and communities to identify and respond early to signs of exploitation and the additional vulnerabilities of children with SEND.

We also have to reiterate that SEND does not cause child exploitation; an offender coming into contact with a young person and choosing to exploit them causes exploitation. However, we also have to adapt our practices to address the significant relationship as highlighted in this research between SEND, exclusions and exploitation.

This report shines a much-needed light on the experiences of exploited children with SEND. It is imperative we urgently address the systematic failures so that children with SEND and their families are seen, heard and given the protection they so need.

Lindsay Dalton, CEO Ivison (formerly PACE)

Introduction

‘...someone's got to do something. We can't just sit back and pretend this isn't happening’ (Parent)

This report presents the pertinent findings from a qualitative exploratory study which sought to provide evidence to identify and address gaps in safeguarding policy, guidance and legal frameworks in relation to specific risks of modern slavery for children and young people with special educational needs and disabilities (SEND) in England and Wales. Furthermore, the study sought to explore whether policies and guidance provide the mechanisms for appropriate strategic planning and practical responses to modern slavery for this group of children and young people.

The Modern Slavery Act 2015 [MSA] covers the criminal offences of ‘human trafficking’ and ‘slavery, servitude and forced or compulsory labour’. The MSA, at Section 2(1), defines the offence of ‘human trafficking’ as when “[a] person arranges or facilitates the travel of another person (“V”) with a view to V being exploited”.¹ It is irrelevant whether the victim² consents to the travel and the means by which the victim’s travel is facilitated can take many forms.³ Such travel which occurs within a country (i.e. from county to county) also qualifies as trafficking.⁴ Section 3 of the Modern Slavery Act sets out the meaning of ‘exploitation’ for the purposes of the human trafficking offence, and includes a range of situations, that may include child sexual exploitation and child criminal exploitation, though there is no specific definition of child criminal exploitation in primary legislation.

The definition of trafficking assists authorities when investigating, for example, ‘county lines’⁵ cases, and identifying victims of trafficking that might otherwise face charges themselves, these children may also be victims of child criminal exploitation.⁶ Children who experience child sexual exploitation may also be victims of modern slavery. It should also be noted that there is often overlap between criminal and sexual

¹ However, this definition differs from the definition of the European convention against trafficking (C99 Jackson page 124).

² The term ‘victim’ is a contested term. Preferred terms may include ‘experienced modern slavery’ ‘survivor of modern slavery’ however, the term victim is used in legislation and policy currently.

³ E.g. recruiting, transporting / transferring, harbouring / receiving, or transferring / exchanging control over the victim, s. 2(3).

⁴ S. 2(5).

⁵ ‘County lines’ is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of “deal line”. <https://www.gov.uk/government/publications/county-lines-programme/county-lines-programme-overview>

⁶ For some background and issues on the connection between trafficking, exploitation and ‘county lines’ see Turner, Belcher and Pona, *Counting lives Responding to children who are criminally exploited* (The Children’s Society, July 2019), especially p. 34-35 where the relevance of SEN to this issue is raised because “those with a learning disability can be perceived as even easier to exert power over, and thus even easier to influence and control”. [counting-lives-report.pdf \(childrenssociety.org.uk\)](https://www.childrenssociety.org.uk/publications/counting-lives-report.pdf)

exploitation. Therefore, the definition of modern slavery encompasses many forms of exploitation that can amount to criminal offences.

If an authorised organisation has grounds to believe that a person may be a victim of modern slavery or human trafficking, a 'First Responder Organisation' then have a mandatory duty to notify the Secretary of State (SoS) by referring them to the National Referral Mechanism⁷, the UK's system for identifying and supporting victims or as set out in the duty to notify regulation.⁸ Children should be automatically referred in to the NRM but adults must give informed consent to do so. In cases where adults do not give consent for a referral, or where there is missing information, public authority First Responder Organisations in England and Wales have a statutory 'Duty to Notify' the Home Office when encountering a 'potential victim' of modern slavery.

Section 5 of the MSA increases the maximum penalty for such offences to life imprisonment (if convicted on indictment).⁹ The MSA also provides for a statutory defence to protect victims forced to commit criminal offences by their exploiter,¹⁰ and Section 52 creates a statutory obligation on local authorities towards any potential victim of human trafficking including children to the National Referral Mechanism (as detailed below).

The focus of this study, internal trafficking (within UK borders), of children and young people comprises a significant and increasing portion of UK national statistics on human trafficking in the UK each year. The latest statistics identifies that nearly 7,500 potential child victims were referred to the NRM in 2023¹¹. Whilst any person who is a victim of a crime under the MSA should be considered as a vulnerable individual, children (under 18 years) have particular vulnerabilities to exploitation in light of their age and maturity. Children and young people with Special Educational Needs or Disabilities (SEND) not only have vulnerabilities as children, but they also have additional vulnerabilities due to communication, learning or neurodivergent needs which are often unmet. In this study, we define the term of SEND as a combination of Special Educational Needs¹² (the term used in England), Additional Learning Needs¹³ (the term used in Wales) and the

⁷ The National Referral Mechanism (NRM) is a framework for identifying and referring potential victims of Modern Slavery and ensuring they receive appropriate support (Modern Slavery Act, 2015).

⁸ S. 52.

⁹ MSA 2015, section 5.

¹⁰ Part 5.

¹¹ [Modern Slavery: NRM and DtN statistics, end of year summary 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/modern-slavery-nrm-and-dtN-statistics-end-of-year-summary-2023)

¹² SEN: Special Educational Needs (England) when a child has "has a learning difficulty or disability which calls for special education provision to be made for him or her". Children and Families Act 2014 Section 20. (England – not Wales).

¹³ ALN: Additional Learning Needs (Wales) is used when a child or young person 1) has a learning difficulty or disability (whether the learning difficulty or disability arises from a medical condition or otherwise) which calls for additional learning provision and 2) they have 'significantly greater difficulty' in learning than the majority of their peers, or that their disability means they are prevented or hindered from *making use of facilities for education or training of a kind generally provided for others of the same age in mainstream maintained schools or mainstream institutions in the further education sector.* (Wales, not England)

definition of Disability under the Equality Act (2010)¹⁴. Throughout this report children and young people with SEND refers to children and young people who have additional needs, whether through mental health, physical needs, foetal alcohol spectrum disorder¹⁵ or neurodivergence, as well as children and young people whose experiences and trauma significantly impacts their ability to learn and access education. The age range of children and young covered by the study was 0 – 25 years old. Although we have defined the terms and parameters of modern slavery and of SEND that we use in this study, as reported in the findings below these terms are not well understood within multi-agency practice which can result in poor practice.

Our study sought to explore all forms of child exploitation as defined by the modern slavery typology published by the Home Office, which lists 17 types of modern slavery offences (Cooper, et al, 2017). However, as detailed below, the data collected focused predominantly on two forms of exploitation: child sexual exploitation (CSE) and child criminal exploitation (CCE) as these appeared to be at the forefront in practice issues. Child trafficking occurs frequently in both types of exploitation, and they often overlap. This is not to say that other forms of exploitation are not occurring, but perhaps these remain more hidden.

Context of children and young people with SEND and vulnerability to exploitation

Children and young people with SEND may have vulnerabilities due to communication, learning or neurodivergent needs which are often unmet by current service structures. These needs are often not recognised or well understood by multi agency services who rarely receive training in communicating or working with this group of children (Franklin et al, 2015; Franklin and Smeaton, 2016). Many of these children and young people have not had their needs formally diagnosed, and many are on long waiting lists for diagnosis and assessments. Practitioners are also rarely trained in understanding, and/or recognising the risks, or presence of abuse and exploitation in this group (Franklin et al, 2015; Franklin and Smeaton, 2016). Given the lack of understanding and training it can be assumed that responses and requirements, under the MSA and related statutory guidance, often do not recognise the additional

¹⁴ Definition of Disability- Under the Equalities Act 2010 (UK), Disability is defined as a physical or mental impairment, and the impairment has a 'substantial and long-term adverse effect on a person's ability to do normal day-to-day activities'. (There are also some conditions automatically regarded as a disability even if there is no 'significant impact'). The definition means that people who have long-term, significant impacts on their ability to carry out everyday tasks- including accessing education, as a result of childhood trauma or long-term substance use can also be regarded as disabled.

¹⁵ Foetal Alcohol Spectrum Disorder (FASD) is caused by alcohol exposure *before* their birth. FASD can cause a range of difficulties with:- movement, balance, vision and hearing; learning problems such as thinking, concentration, and memory; emotional and social skill development; hyperactivity and impulse control; communication and speech difficulties; physical difficulties <https://www.nhs.uk/conditions/foetal-alcohol-spectrum-disorder/>

vulnerabilities and risks, address this group's needs, nor provide appropriate policy and practice responses.

In England, over 1.5 million children were identified as having SEN¹⁶ in July 2023. Of those, only 389,171 had Education, Health and Care Plans (EHCP's)¹⁷, (72.4 % of which are boys) with over half of these pupils educated in mainstream (state funded) schools. A further 1,183,384 have SEN, but with no EHCP (62.8 % are boys). Speech language and communication needs are the most identified need, followed by social, emotional and mental health needs in pupils with SEN, but without an EHC Plan. The most common diagnosis for children and young people with an EHCP is Autism.

In Wales, the last available figures (2022) indicate approximately 75,000 children with SEN, who may or may not have a statement issued by the local authority to support their needs. However, there have been changes to support for children with SEN, with the old statement of Special Educational Needs being replaced by the Additional Learning Needs Framework (ALN), meaning that current recorded numbers of children are significantly lower than previous years (see Additional Learning Needs Code and Regulations Wales 2021) as children with 'low-level needs' are not registered under the new system. As with England, the most frequently reported SEN/ALN was speech and language difficulties followed by behavioural, emotional and social difficulties.

This group of children and young people often experience; higher rates of poverty, social and school exclusion, isolation, bullying and discrimination (Equality and Human Rights Commission, 2017). They are also over-represented in the care system (Dowling et al, 2012), and face particular challenges when housed in unregulated accommodation¹⁸. This is coupled with often high levels of unmet needs and generally a lack of empowerment and agency. All indicators which correlate to increased risk of exploitation (Franklin et al, 2015).

Despite the focus of the study on the internal trafficking and exploitation of children within UK borders, it must not be assumed that this group consists only of UK-born minors; this group can also include those who have arrived in the UK, such as unaccompanied minors [UAMs] known to and under the care of local services but for whom their special educational needs and disabilities may not have been recognised nor formally diagnosed. This is an under-researched area of need.

¹⁶ See [Special educational needs in England, Academic year 2022/23 – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](https://www.gov.uk/explore-education-statistics). Please note we have used the term SEN (rather than SEND) as this is the term used by the government when reporting these statistics.

¹⁷ EHCP: An Education, Health and Care Plan is a plan to support children and young people when the additional support under the Special Education Needs provision will not meet their needs. A professional, parent or young person (16-25) can ask a local authority to carry out an assessment, but the Local Authority will decide whether to a) carry out an Assessment in the first place, b) create an EHCP. The Local Authorities decision can be challenged and an EHCP should be reviewed every year. If a child or young person has an EHCP, it sets out what a child needs and who is responsible for making sure the needs are met, and how. If a young person is not accessing education or training, the local authority will not continue with an EHCP, even if they have social or health needs.

¹⁸ See for example: <https://becomecharity.org.uk/about-the-care-system/unregulated-accommodation/>

Children and young people with SEND have specific needs, but these can often become invisible to agencies, and signs and indicators of trafficking/harm can be missed or misattributed to an impairment or, in the case of UAMs, to language/cultural barriers or traumatic experiences en route to the UK. For example, physical, mental and psychological signs of trafficking and harm may present in different ways amongst this group of children, with evidence suggesting that harm for this group may continue for longer before being recognised (Hershkowitz et al, 2007). Such complexity often means that this group falls through gaps in services or between service provision – rarely receiving a holistic response which is tailored to meet individual and specific needs.

A systematic review of evidence on safeguarding children and young people with SEND in the UK concluded there is a dearth of evidence to support the development of quality policy and practice responses for this group (Franklin et al, 2022). The review identified only two small scale studies with a specific focus on sexual exploitation of this group; one exploratory study focusing on children and young people with learning disabilities (Franklin et al, 2015; Franklin and Smeaton 2018), the other explored the effectiveness of post sexual abuse support services, of which some provided support for children who had been exploited and/or internally trafficked (Franklin et al, 2019). Although these were small-scale exploratory studies, they included the lived experiences of children and young people with SEND, and their suggestions for improvements to policy and practice. Thus, offering a rare platform for this often silenced, hidden group.

Aims of the research

This study sought to identify strategic opportunities to develop policy and wider legal duties to improve consistent responses and address currently poor outcomes for children and young people with SEND. For this group, unless risk and protective factors are identified and addressed, the risk and experience of modern slavery could continue across their lifespan because their impairment-related vulnerability will not suddenly stop when they reach adulthood. In line with The Special Educational Needs and Disability Regulations (2014) in England (which sets out the requirements on schools, health bodies and local authorities for identifying and assessing children and young people's education, health or care needs up to the age of 25 years in cases of SEND),¹⁹ the research sought to include the needs of young people up to the age of 25 years to encompass the policy and practice issues of these two policy arenas.

Specific aims were to:

1. Identify gaps in relevant law, policy, guidance and evidence to support the better protection of children and young people with SEND in England and Wales who have experienced internal trafficking and forms of harm as identified under the Modern Slavery Act (2015).
2. Examine practice responses from the perspectives of practitioners and parents/carers to better identify the risks, indicators and responses in cases of suspected, or known trafficked and exploited children with SEND.
3. Consult with strategic and frontline multi-agency practitioners to better understand barriers and facilitators to improve policy, guidance and practice.
4. Develop legal, policy and practice recommendations that will support improved guidance and policy development, and practice responses for this group to meet their specific needs.

¹⁹ The Special Educational Needs and Disability Regulations 2014, SI 2014/1530

Methods

To achieve the study's aims, we undertook a number of interrelated data collection approaches.

1. Mapping and analysis of relevant law, policy and guidance.

A comprehensive overview of the policy and practice landscape of extra-familial risks and harms for all children, which includes harms under the MSA, has been published by Huegler (2021). However, Huegler's work does not specifically focus on the law, policy and guidance and any specific recognition of the increased risk and specific needs of children with SEND. Mapping was therefore undertaken to identify any gaps to support the better protection of children with SEND in England and Wales to internal trafficking and exploitation. A 15-point critical appraisal framework (see appendix A) was developed in collaboration with the project expert advisory group to examine areas such as; recognition of increased vulnerability; specific duties to meet additional needs; direction for policy and practice responses including data collection and training; and whether evidence-based. A short summary of this analysis is included below.

2. Interviews with parents/carers of children with SEND where children have experienced exploitation.

Online semi-structured interviews were undertaken with 12 parents/carers (11 mothers/1 father) of children with diagnosed and undiagnosed SEND who had experienced exploitation, to better understand the multi-agency responses received, any unmet needs, the levels of involvement of the child and family in decision-making and what support would aid continued safety and recovery. To ensure that the parents received appropriate support pre and post interview, the parents were recruited from a national voluntary organisation who support parents of children who have been exploited, and from an established parent group linked to a local authority. The interview schedule, and approach to interviewing sensitively and supportively, was discussed at length with our parent advisory group. Care has been taken to ensure the families anonymity and confidentiality. Therefore, in family case examples, we have altered details to ensure families cannot be identified. Children's names are pseudonyms.

3. Multi-agency focus groups in local authorities.

In order to explore the translation of policy and guidance into practice at a local level, four multi-agency focus groups were undertaken with frontline and strategic multi-agency workers across four local authorities including one in Wales (n= 26). A scheduled fifth focus group was cancelled due to an Ofsted inspection. One focus group was entirely online, another entirely 'in person'. The other two were hybrid format consistent with the

local practice for meetings. Due to time constraints the study adopted a convenience sample to select the local authority areas and draw upon existing known contacts. However, care was taken to ensure that the local authorities represented geographical spread, rural/coastal and urban areas, and included diverse populations. The focus groups explored; understanding of modern slavery and SEND, use of legislation, policy and guidance in identifying risks, indicators and responses in cases where children have a diagnosed or suspected SEND, and who have experienced trafficking, exploitation, or episodes of missing where forms of exploitation are suspected, and how current policy and guidance supports practice or could be improved.

4. Three online multi agency consultation events.

To supplement the local authority level data collection, a further three online stakeholder consultation events were held with multi-agency statutory and voluntary sector strategic and frontline organisations. These were undertaken in order to better understand barriers and facilitators and suggestions for improved law, policy, practice and guidance at a national level. These were advertised via the NWG network²⁰, our professional advisory group, and the NWGSDC (National Working Group on Safeguarding Disabled Children). A total of 14 multi-agency practitioners attended these two-hour long online consultations. Clear ethical guidelines were developed to ensure that no individual cases of children were discussed.

5. Survey of Local Safeguarding Children's Boards (LSCBs)

Following suggestions from our advisory group of professionals an additional data collection method was added to the study. A short online questionnaire consisting of five questions to explore local strategic responses regarding modern slavery and children and young people with SEND was distributed to LSCBs via The Association of Safeguarding Partners (TASP) News Brief. This yielded just one response, this data has not been included.

6. Involvement of children and young people with SEND.

The voices of children and young people who have been trafficked or exploited and who have SEND are considered by the research team to be paramount in informing good practice. However, due the remit of the research regarding how law, policy and guidance affects practice, tight time constraints and the sensitive ethical considerations, substantial direct work with children and young people was not possible within this research project. Recommendations for practice concerning sexual exploitation made by this group of children and young people can be found in Franklin et al, 2015; Franklin et al, 2019. However, this study's findings have been shared with a group of young people,

²⁰ <https://nwgnetwork.org/>

some with lived experience, from an established research organisation, for their comments and feedback thus ensuring a safe, ethical environment. The group were asked for their feedback on draft recommendations, and these have informed the final development of the recommendations in this publication.

Participants in the Study:

Practitioners

Across the three consultations and four focus groups, a total of 40 practitioners attended and contributed to this research. Whilst the remit of our research included young people up to the age of 25, adult-focused practitioners were only represented within one focus group despite our considerable attempts to include practitioners who worked across the whole age range. Whilst the largest group of participants were social care/social workers, a significant number represented other statutory services: Youth justice, police, school, children's mental health nursing, virtual school staff and Educational Psychology. A small number of participants represented tertiary organisations, including Special Educational Needs and Disabilities Information Advice and Support Services (SENDIASS) and Independent Sexual Violence Advice (ISVA) services.

Parents

Due to ethical considerations, the parents recruited from the two agencies could not be in a current crisis situation, had to have had previous support, and also be able to access support from the organisations post-interview. We are aware therefore that the parents interviewed may not represent many parents who are: a) not aware of support agencies such as the recruiting organisations to access support, b) are still in crisis situations that are ongoing, and therefore not be in a position to be interviewed, c) may be in circumstances that impact on their capability to access support. We found that all the parents interviewed were strong and active advocates for their children and were keen to tell their experiences, despite this being very painful.

The 12 parents who were interviewed lived across England, and their children (which totalled 13 who had experienced exploitation) had a range of undiagnosed or diagnosed SEND; overwhelmingly autism and ADHD. Of the 13 children; four daughters had experienced sexual exploitation and 9 sons had experienced criminal exploitation. The age at which exploitation appeared to have started ranged from 9 to 16 years. The children had predominantly attended mainstream school provision. Most had experienced school breakdowns and a range of alternative educational provision (Pupil Referral Units (PRUs), Alternation Provision, Home Schooled or no education being provided).

The study received ethical approval from University of Portsmouth. All data were transcribed, analysed thematically and triangulated. The following presents some main

findings from the study, organised into distinct areas to facilitate policy and practice learning, and most importantly change.

Context: Recognition of modern slavery in current policy and guidance to meet needs and protect children

A mapping of all relevant law (international and domestic), statutory national policy and guidance in England and Wales concerning either SEND and safeguarding children and young people was undertaken to identify any gaps to support the better protection of children with SEND to internal trafficking and exploitation. The relevant statutory national policy and guidance was collated from the Department for Education (DfE), Home Office, and the Department of Health and Social Care. The mapping of how local services interpret and operationalise national policy and guidance within their localities was beyond the scope of this small-scale study. An in-depth study of local practice to better understand models of working and good practice with this group of children is much needed.

A 15 point critical appraisal framework of policy and guidance was developed (see annex A). The depth of information gathered is too detailed for this short report. However, in summary it can be seen that there is a lack of joined-up thinking across statutory guidance which would aid the better protection of children and young people with SEND - in short there is little recognition of increased vulnerability and risk for children and young people within SEND in policy and guidance, and discussion of appropriate preventative measures and responses. Additionally, there is an absence of specificity within safeguarding and modern slavery policy and guidance to this group's needs, beyond a cursory nod to increased risk and vulnerability of disabled people (not children specifically), for example, within the Modern Slavery Act Statutory Guidance.

Whilst children and young people with SEND are of course children and all protection measures equally apply to them, as will be demonstrated in this report, unless there is adequate attention and focus on meeting their specific needs they fall through the gaps in law, policy and guidance. For example, there is a lack of detail on specific duties to meet additional needs; limited direction for policy and practice responses including data collection and training; and little evidence-based research to support strategic and frontline practitioners. Ultimately, what the various statutory guidance illustrates is a lack of 'joined up' thinking by the government when it comes to the link between SEND and modern slavery/trafficking and exploitation. The lack of consideration about risks of trafficking or exploitation and how that may impact on children and young people with SEND is quite remarkable and in urgent need of reform.

To illustrate, the SEND Code of Practice:0 to 25, produced jointly by the Department for Education (DfE) and Department of Health (DoH) pursuant to part 3 of the Children and Families Act (2014), explains the duties of local authorities, health bodies, schools and colleges on how to provide for children and young people with SEND. Specifically, it

provides them with guidance on the SEND system for children and young people aged 0 to 25. However, the Code of Practice is silent on the subject of modern slavery or trafficking. There is one reference to 'exploitation', but only in the context of providing support in using the internet and social media as an aspect of participating in the community in order to reduce the risk of cyber-bullying and exploitation. Therefore, there is a notable absence of guidance here in respect of children and young people with SEND (or for those supporting them) on the real risks they face in terms of modern slavery and trafficking. This leads to siloed thinking and siloed working across multi-agencies, and a lack of visibility, direction, and accountability for safeguarding of this group. As will be illustrated below, policy decisions, for example, within education can be seen to be having a direct link to increased risks for children and young people with SEND.

Specific practice guidance on safeguarding disabled children and young people²¹, which provided specificity, direction and was evidence-based has not been updated since 2009, despite the call from many in the sector for this to be updated and re-published. It can be seen from the evidence that there is a need for joined up approaches which meet the early help needs of children and young people with SEND as part of prevention, and for responses to safeguarding concerns to be appropriate and informed by understanding of these children's specific needs (Franklin et al, 2022).

As will be demonstrated, the context of risk for these children can be complex and each findings section below discusses the impact of the absence of specific attention to SEND in policy and practice responses. Positive support has been significantly aggravated by a shortage of early help for all those children with SEND and their families; parents have been left unsupported as demonstrated by their interviews, not only when seeking help with SEND but also when seeking help because of concerns about their child's safety. Contributions from youth justice colleagues and social care practitioners have also highlighted that speech, language and communication needs which severely affect how children and young people make sense of the world are often only recognised once they have been drawn into exploitative situations and have come to the attention of services. Not before as part of regular access to services or indeed education, nor as part of preventative work when social care request such help to facilitate their work with children about whom others are concerned. Children with SEND and their families have to wait until they have been harmed. The DfE themselves highlight the 'vicious cycle of late intervention, low confidence and inefficient resource allocation' for children with SEND (Summary of the SEND review DfE 2022²²).

We recognise that the SEND review promises much; and recognise that the promise of increased specialists such as Speech and Language Therapy and Educational Psychology, the more joined up roles between DfE and DoH, and the role of the ICB

²¹ DfE (2009) Safeguarding Disabled Children: Practice Guidance.

<https://www.gov.uk/government/publications/safeguarding-disabled-children-practice-guidance>

²² [SEND Review - right support, right place, right time \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

(Integrated Care Boards) having a lead SEND person may help. But, in the case of modern slavery, the recommendations in this report seek to add areas that need to be included within National Standards, the planned new SEND Code of Practice and newly published Working Together Guidance to ensure that these children do not continue to fall between the gaps in national and local policy and practice.

In this short report, we can only focus on a few areas of policy and practice pertinent to specific recommended responses to modern slavery. These include: Statutory Guidance on Children who Run Away or Go Missing from Home or Care (2014); the National Referral Mechanism (as implemented as part of the MSA (2015)); the use of residential/out of area placements as a measure to combat the exploitation of children and young people, and the need to work with parents in partnership. The policy context is set out before the findings of the study are explored in detail.

Missing

Statutory guidance on children who run away or go missing from home or care (2014) ^[3] sets out the steps local authorities and their partners should take to prevent children from going missing and to protect them when they do go missing – this includes those who go missing from family homes. References to the risks of trafficking and of exploitation for missing/runaway children are regularly cited concerns within this document. However, the guidance contains little meaningful reference to SEND in its contents. Given that the document acknowledges that some children “may have been coerced to run away by someone else” (p4), the lack of acknowledgment of an apparent link between these issues is cause of some concern in respect of the impressionability and susceptibility to coercion of children with SEND in particular. Children and young people missing from home (or from care placements) can be indicative of exploitation and modern slavery as children are trafficked around the country and/or are coerced into, for example, transportation of drugs (Statutory guidance on children who run away or go missing from home or care, 2014).

Children and young people can also go missing from local authority care after being trafficked into the country. Recent research has indicated that 1 in 4 trafficked children go missing from care, and in 2020, trafficked children went missing on average over 8 times during each year (Missing People and ECPAT, 2022). The reasons for going missing are complex. In this study we focused on gathering data on the extent to which policies and procedures used by multi agencies following missing episodes took account of the specific needs of children and young people with SEND and offered opportunities for services to identify modern slavery and instigate an appropriate protective response.

National Referral Mechanism (NRM)

The National Referral Mechanism (NRM) is a framework for identifying and referring potential victims of modern slavery and ensuring they receive appropriate support (Modern Slavery Act, 2015). Potential victims of modern slavery under 18 years must be referred by authorised organisations who think that the child is a potential victim of trafficking, and the child's consent for referral is not required. However, for those aged over 18 years, there is a requirement that the person's consent should be obtained, otherwise a Duty to Notify (DtN) referral should be made. The NRM does not require the referrer to indicate whether a person has a diagnosed or suspected SEND. Only certain organisations such as immigration authorities, the police, local authorities, Barnardo's or The Refugee Council can refer, and they do this through an online form. The NRM has been criticised for being dominated by enforcement concerns, and that specific procedures for children are not always sufficiently well understood by practitioners (Firmin et al, 2022). It should also be noted that a referral into the NRM does not replace or supersede established child protection processes (up to the age of 18 years), which should continue in tandem, such as a Section 47 investigation (as required under the Children Act, 1989) and any trafficking concerns the local authority may have of the child should be included in the child's care plan, and form part of any transitional planning into adult services.

Out of Area Placements

Some of the practice responses in responding to modern slavery, particularly if a child or young person has engaged with services through youth justice and the NRM, can mean that a child or young person may be moved from their communities for their own, and their family's safety – although this should be seen as a last resort when other safeguarding and disruption tactics have been exhausted. Within statutory guidance²³ the Department of Education and Home Office makes clear that those involved in the care of children who have been trafficked should receive appropriate training to recognise and understand issues concerning this group of children (2011). This best practice is equally as applicable to foster carers as it is to staff in an institutional setting. This is particularly pertinent when children are placed in out of area placements as they will often try to return to their home area, and to somewhere where perhaps they have a sense of identity and belonging (despite this being unsafe). This was described in detail by some of the practitioners interviewed suggesting that this approach is not a panacea for protection.

²³ Department for Education and Home Office (2011) Safeguarding children who may have been trafficked: Practice Guidance.

Findings

Theme 1: Understanding of SEND and Modern Slavery

Understanding of the terminology of both modern slavery, and of SEND, was explored throughout data collection with multi-agency professionals and with parents.

Practitioner understanding of modern slavery

Multi-agency professionals included practitioners from social care/social work, youth justice, police, teachers, virtual school staff, mental health nursing, educational psychology, drug and alcohol support, Special Educational Needs and Disabilities Information Advice and Support Services (SENDIASS) and Independent Sexual Violence Advice (ISVA) service. Practitioners reported that the sector had a mixed understanding of the term modern slavery. The majority referred to criminal and/or sexual exploitation, but 'trafficking' was sometimes only seen in terms of unaccompanied young people coming into the county, not internal trafficking within UK borders. Many practitioners explained they had been working with terms such as 'exploited, coercion and duress' for many years in relation to children and young people's involvement with gangs and child sexual exploitation. Whilst practitioners welcomed a greater acknowledgement of the issues facing young people and the National Referral Mechanism, several practitioners expressed their concern at the term 'slavery' because of the cultural connotations, and the public perception of modern slavery being *adults* trafficked into the country for forced labour.

Parents' understanding of modern slavery

Practitioners identified that parents can find the term 'modern slavery' difficult to understand. Whilst campaigns such as '[Frank](#)' (a government funded national anti-drug advisory service) help parents talk to their children about safe-sex, drink and drugs, conversations around modern slavery are not at the forefront of parents' minds. Parents agreed that they found the term difficult and felt unless a family had some experience of modern slavery it might not have any meaning. Modern slavery was similarly associated with being trafficked into the country, for one parent the association was only of the sexual exploitation of girls, for boys they had no association to what that might be. Another parent shared that herself and others around her were so unfamiliar with some

of the specific terminology that when 'county lines' was mentioned they either drew a blank or thought it was a train line company.

The practitioners in the study tended to work with young people (11+) and their families where concerns had been raised through criminal involvement - and therefore interaction with youth justice, or where there had been sexual exploitation. Some practitioners felt that the experiences of some parents themselves around criminality, sexual abuse and domestic abuse made it more complex for some parents to identify what was happening to their children as modern slavery. Conversely, parents in the study felt they had identified early concerns around exploitation of their children, but services had not listened. It appeared from parents' accounts that they had rarely received information regarding modern slavery, and important mechanisms such as the NRM. This will be explored further below.

Children and Young People's understanding of Modern Slavery

Although the term modern slavery was not explored directly in this study with children and young people themselves, practitioners felt that the terms 'slavery' and 'victim' were problematic for young people and raised concerns regarding young people's understanding and identification of risk, and exploitation itself, regardless of terminology. Children and young people with SEND, who often feel excluded and isolated, were described as finding accreditation in the community through gang membership and not seeing themselves as a victim because they felt 'in control' (at least in some instances or at the beginning). Whereas some parents shared that their children had not recognised they were being exploited and it was only after working with services, and this could be for some time after starting that work, that the realisation came. This was the case for both girls being sexually exploited and boys being criminally exploited. Practitioners also identified that autistic children and young people and/or those with learning disabilities may take a longer time to process what is happening to them suggesting that any help-seeking could be delayed, and that support post-discovery of exploitation needs to be longer to take account of this processing time.

Defining and recognising SEND

The understanding and therefore *identification* of SEND inevitably impacts approaches to prevention, response and recovery to modern slavery. Very few of the professionals in the study represented disability services, and it is noted that in many local authorities, children's services may only have a disability service for children and young people with the most complex learning and health needs. Participants across organisations who work with children and young people reported very different training opportunities around

SEND. Whilst some had, albeit limited mandatory training, others cited that the 'disability expertise' was down to one person in a team.

The majority of practitioners attending the consultation and focus groups recognised SEND as a broad spectrum of needs, including emotional health and trauma; trauma impacting on development and response within education, and in social and emotional skills and wellbeing. Unaccompanied asylum-seeking children were also recognised as having educational and/or emotional needs as a consequence of their asylum-seeking status and language barriers, which may not necessarily be seen as SEND, yet they may also experience similar vulnerabilities and risks. Some practitioners reported misconceptions amongst colleagues that '*physical impairments were disabilities, but learning needs were not*', and that '*autism and neurodiversity were not counted as a disability*'. This demonstrates clearly that policy and guidance concerning training regarding SEND needs to be both robust and detailed. The consequences of practitioners not fully appreciating SEND will be explored further in Themes 2 and 3.

Modern Slavery identified within this study

Across the seven meetings with practitioners; criminal and sexual exploitation, trafficking and county lines were mentioned frequently as forming part of their caseloads with children with SEND; although in children's services it was often not framed as modern slavery per se. There was just one mention each of forced marriage²⁴ and labour exploitation, perhaps indicating the extremely hidden nature of these forms of modern slavery and/or a lack of understanding and focus on the full typology of modern slavery. Early indicators of grooming online were only mentioned in two practitioner sessions. Two parents' children had experience of online grooming for the purposes of sexual exploitation.

There was a shared belief by practitioners and parents that modern slavery is in fact child abuse, and if named as such, would bring a more appropriate response:

You are abusing my child. You are abusing him psychologically, physically, because you've battered him enough times...If the labelling is that's child abuse...that makes society go, oh no, we don't like that. Whereas people are opening their door to a 12-year-old for their weed and they're not associating it with child abuse (Parent)

²⁴ It should be noted that Forced Marriage is currently not included in the UK's legal definition of Modern Slavery yet was raised in terms of wider forms of exploitation and harm affecting children and young people with SEND.

Theme 2: Gaps and Missed Opportunities

When SEND and/or modern slavery is not understood, opportunities for prevention and early intervention may not be recognised.

Case study

One parent shared her son's story through education to exploitation.

'It was this vicious circle for pretty much two years....we kept saying get him tested (ADHD) please...Fourth year of secondary....constant pattern where he was being sent home for stuff that I don't condone but it certainly was a big step away from where we ended up... he'd splash water at somebody. He wouldn't wear his school jumper. He was being boisterous in lessons...he either faced being permanently excluded or...alternative provision...within the first week of Alternative Provision he went from being full of beans and mischievous to stealing our cars. Disappearing days at a time'

The parent did not know her son was being exploited during this time but later learnt he was being taken to a 'trap house' and made to sell drugs.

Her son lost 2 years of school, was frequently reported missing from home and the Alternative Provision he was sent to, but nobody recognised the signs. The exploitation came to light after he tried to take his own life:

'We hear about kids taking their lives all the time as teenagers. And that's what he would have been marked down as, another suicide...the reality is he was being badly abused'.

He was referred for an assessment through Youth Offending and diagnosed with ADHD at 16.

Diagnosed and Undiagnosed SEND

Although national (or even local) statistics on modern slavery and SEND are not routinely collected and collated, a number of multi-agency practitioners in this study anecdotally reported up to 60 - 80% of their caseloads included children and young people with diagnosed SEND. Many recent inquiries and reports call for improved data collection concerning disability including the Independent Inquiry into Child Sexual

Abuse (2022) and a systematic review of evidence to support safeguarding disabled children and young people (Franklin et al, 2022).

Significantly, many practitioners reported concerns that there were high numbers of children and young people subjected to Modern Slavery with *undiagnosed, awaiting diagnosis and/or unrecognised* SEND. Practitioners identified several different reasons for undiagnosed SEND in the children and young people they worked with:

- Early identification of needs impacted by reduced early support for families and children in health and education services.
- Behaviour being misunderstood as 'naughtiness' or 'disruptive' rather than as a result of underlying need.
- Inadequate, and patchy training for teachers and trainee teachers, and reduced training for SENCO's (Special Educational Needs Coordinators) to recognise SEND.
- Long waiting lists (reported by participants in the study to be anywhere up to 4 years) and high thresholds for referral to assessment in services such as Child and Adolescent Mental Health Services (CAMHS).
- 'Adverse Childhood Experiences'²⁵ overshadowing decisions regarding diagnosis.
- Poor attendance in school meaning reduced opportunities for evidence to refer and support to attend assessments.

The reported high numbers of children and young people with SEND amongst the caseloads of practitioners in this study (statistics which are not routinely recorded or reported), in addition to a lack of diagnosis or recognition of SEND indicates that it is a known risk factor to trafficking and exploitation that is not being adequately monitored, recorded and thus addressed. This is a major gap in policy and guidance, and especially concerning as disability is a protected characteristic under the Equality Act (2010).

Significance of Education Services

Educational services have a role in identifying SEND, meeting needs and as a protecting factor from exploitation. Parents spoke at length about how they had first become aware of possible SEND in their children's early years, but when shared with professionals such as health visitors and teachers in primary schools, were told their child was 'going through a phase' or that their behaviours were 'normal', 'natural' and 'not to worry';

²⁵ Adverse Childhood experiences (ACE's) are experiences in childhood such as abuse, neglect, parental substance misuse or imprisonment that can impact on a child's development and long-term health. NSPCC <https://committees.parliament.uk/writtenevidence/84623/pdf/>

'He's a good boy. He's not causing no issues. He's getting on with his work. He's trying his best...As long as they're not causing a problem, it's not a problem to them'. (Parent).

Parents felt the transition from primary to secondary was a trigger on this pathway and further indicator of unmet needs:

'He got to secondary school and it all went wrong....it was different teachers, different classes, different kids, different boundaries' (Parent)

'In his head, it's like he's a square...in a round hole. He doesn't fit...and he's begging to fit in'. (Parent)

Professionals and parents described how early identifiers of SEND that could trigger a response for support were missed, or lost in long waiting lists for assessment, with continuing consequences for children.

'He's always going to be somebody that's vulnerable, he's always going to see things from, you know, he's living in a completely different world, and people see that they can exploit him' (Parent)

The response of educational services to SEND can support or hinder a child or young person. Unfortunately, practitioners and parents felt that there were often unrealistic demands in terms of academic achievement which severely impact a young person's self-esteem and identity, particularly when a child has SEND. Several practitioners called for a re-emphasis on vocational skills and experiences, and practitioners and parents alike called for a more nurturing environment where attendance is praised over punishment (often isolation) for minor rule breaking, such as forgetting their school jumper, length of nails, or the state of school shoes.

'He used to get put in isolation for not having a green pen. And I remember thinking, for God's sake like, this is ridiculous' (Parent)

Parents and practitioners reported that regularly being placed in isolation meant children fell further behind academically.

'He used to say to me, Mum, I feel so stupid. I'm just embarrassed...I've got that far behind. I don't even want to know where to start with catching up' (Parent)

Isolation often spiralled into disaffection and disengagement with schools. Children's SEND combined with being disengaged and out of school increased vulnerability of exploitation and practitioners and parents were very clear that the most significant factor in keeping children and young people safe from modern slavery was their engagement with education services. Schools safeguard and protect children and young people for

many hours each day outside of the home. When not in school exploiters know that safeguarding and protection is missing, increasing a child's vulnerability. School aged children and young people out on the streets within school hours are easily identifiable and parents spoke of this being a 'flag' helping exploiters seek out children and young people to befriend and recruit. Some parents also felt being out of school also sent the message that these children and young people were 'troubled' or not 'conforming' because they are not in school which again exploiters could use to befriend, groom and recruit. This was a typical pathway to exploitation mentioned, and recognised, by most participants (parents and practitioners) in the study.

Training of Practitioners concerning SEND

A lack of robust training around SEND impacts specifically on children and young people who experience modern slavery as this may mean that some practitioners may not be aware of the impact of, for example, autism or ADHD on a person's understanding of risk and social cues. One parent spoke of this issue and how it impacted her son:

Part of his vulnerability was understanding like social cues... it wasn't just affecting his schooling, his ability to process danger and safety. That's why he ended up in a lot of situations that he ended up in. It was because actually he didn't see it the way I could view it or someone else would do it and analyse the danger that potentially could happen (Parent)

Practitioners can also make assumptions based on misconceptions of SEND, such as behaviour which they may define as 'challenging' and not seen as a form of communication of stress, anxiety and fear. Again, parents spoke of these issues. One parent identified schools not always seeing behaviour as a form of communication and being able to 'look for the signs of what the behaviour is trying to tell you'. Similarly, another parent described how her son's needs were misunderstood and punished:

'He had no self-esteem. No confidence. He never had one friend...he would always have a hoodie on...and he always got trouble when he'd wear it. And actually, once you spoke to him you realised he was having anxiety' (Parent).

Practitioners and parents identified that many services fail to acknowledge the unmet educational needs, or trauma, or mental health needs that underlie a child's responses and behaviours; thus leading to increased vulnerability to exploitation and reduced identification opportunities. This was understood by practitioners to be symptomatic of a wider issue of resourcing and training to identify and meet needs.

Training of Practitioners around Modern Slavery

*“It’s that thought of, well, it wouldn’t happen to the child with special educational needs or disabilities because they have SEND, there’s this misunderstanding”
(Practitioner)*

Those practitioners working within modern slavery/exploitation focused services felt they had good training, yet others acknowledged they had gaps in their understanding, and regular and repeated training was not available in all areas or professions. Practitioners across many services gave examples of concerning gaps in understanding leading to missed opportunities to recognise early, report and respond to cases of modern slavery. This was reported to be particularly so for children and young people with SEND needs.

It was noted that when asked about modern slavery training for disability focused services, there was little knowledge as to whether this was available, and often a consensus that this might not be needed, despite modern slavery services seeing a clear link between SEND and heightened risk to exploitation. For example, research has shown increased risk of cases such as cuckooing²⁶ of young adults with learning disabilities, and the exploitation of non-verbal, autistic young people being given. To place this in context, a recent study in Nottingham found more than half of incidences of cuckooing involved adults with diagnosed or suspected learning disability (Nottingham Rights Lab, ND), and the cuckooing of disabled adults was linked to austerity, poor housing and reduced services to support disabled adults by adult practitioners (MacDonald et al, 2022).

There was no evidence of training which covered both modern slavery and SEND, or specialist training for modern slavery services on the impact of SEND and for SEND services on the heightened risk of modern slavery, thus replicating siloed policy and practice. The impact of which means that practitioners are not afforded the opportunity to reflect on combined areas of knowledge and evidence and have the opportunity to reflect on the intersection of good practice across disability and safeguarding children and young adults.

Assumptions and Misconceptions

Sexual exploitation was referred to predominantly in relation to females, and criminal exploitation to male children and young people. However, some practitioners questioned this assumption, identifying that making these assumptions may lead to missed opportunities to identify and disrupt exploitation.

²⁶ Cuckooing: when criminal gangs target and take over the homes of vulnerable people to carry out criminal and drug related crimes and activities. The person is forced to co-operate.

A small number of practitioners also highlighted bias- whether conscious or unconscious, around children and young people from different ethnicities. Particular concerns were raised in this regard from black communities, where lack of understanding and cultural competence across services was seen to be leading to under-identification of modern slavery, and an over-focus on criminality, gang-membership, or behaviour deemed 'violent' amongst black boys. One parent shared her son's experience:

It felt like he was already labelled as, 'he's a black child'. You know that stereotype of that black children ending up in gangs, stuff like that. And that's how I thought these viewed him. Suddenly it was like he was no longer that polite boy, while he still was polite to everyone but based on these shifting like, oh he's a teenager now he's hanging around with guys. You know your typical stereotype version of what a black boy does (Parent)

Another parent shared how her son's experience of 'adultification'²⁷ and 'stop and search' prevented early identification and support for his exploitation because he was not able to trust and engage with services.

When he first started to go out and about, that was his experience of the police....He looks a lot older. And do you know this thing about...what's it called where they do it with black children where they think they're older than what they are? (Parent)

Although not specifically raised by practitioners in this study, research has also indicated an under-identification of SEND and inequalities in SEND support received for children from ethnic minority groups, meaning that vulnerabilities and risk may also be misattributed or not recognised in this group of children (Strand and Lindorff, 2018).

²⁷ Davis and Marsh (2020) define adultification as: 'when notions of innocence and vulnerability are not afforded to certain children. This is determined by people and institutions who hold power over them. When adultification occurs outside of the home it is always founded within discrimination and bias'. See Davis, J (2022) *Adultification bias within child protection and safeguarding*, Her Majesties Inspectorate of Probation. <https://www.justiceinspectors.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/06/Academic-Insights-Adultification-bias-within-child-protection-and-safeguarding.pdf>

Theme 3: Responding Early, Responding Well?

Case study: Missed opportunities for support

One parent knew *'something was happening'* but could not access any support for over two years because her daughter was not able to disclose at that time. The parent described having 'so many' different workers:

'She needed one worker to engage with her... how could she build a therapeutic relationship with any of those people who just turn up once or twice... Grace would have really benefited from a worker that had engaged with her... and I think that would perhaps have led her to talking sooner.'

She described the impact that the lack of SEND recognition, diagnosis and exploitation had on her daughter over that two-year period:

'If this (exploitation) had been addressed when she was 14, we might not be where she's got a personality disorder....she's been in and out of care placements which weren't suitable. No proper therapy really, CAMHS wouldn't touch her. So, we've just been all over the shop and I do totally believe that if those 2 years had been tackled differently, if you know she'd have diagnoses it might not have happened, if those 2 years had of been the right support, we might not be where we are now. But now I'm left with an 18 year old, (becomes tearful) who regularly self harms... uses substances. It's just a real massive challenge that didn't really need to be there.'

Despite early requests for help around possible SEND her daughter was not diagnosed with autism until she was 14 and ADHD at 16.

As already indicated, identification of modern slavery in children and young people with SEND relies on awareness and training, however, once risk and/or early indicators of exploitation for children and young people with SEND are identified, addressing those needs appropriately and preventing entrenchment within modern slavery is vital. Responding well, and responding early was shown by the evidence gathered to be dependent on three key inter-related and inter-dependent factors:

1. Parents being listened to concerning their child's (often undiagnosed or unrecognised) SEND needs.
2. Parents being listened to regarding concerns they had around their child's safety and experiences of exploitation.

3. Parents not being judged, but instead being supported and seen as protectors of their child when harm is being committed outside of the family home.

Working with families and their communities

Many practitioners spoke of the importance of understanding family circumstances as these were seen to impact on a child's development, understanding of relationships and engagement with education and other services. Multi-agency practitioners spoke about the challenges of undiagnosed or unrecognised SEND and the overlaps and overshadowing of social deprivation, poverty, parental involvement with criminal activity, unmet parental learning needs, and exposure to domestic violence. However, they raised concerns that responses can be mis-directed, and either SEND needs or exploitation can be missed or misattributed. This is a complex, sensitive area which requires further research given that trauma and emotional-behavioural needs can be a result of many forms of harm, and as a direct result of unmet SEND needs.

However, it is important to note that most of the parents interviewed reported that presumptions of professionals that there were 'challenges' in the family home often thwarted the identification of modern slavery for their children with SEND. Those families who may not fit the above typology of need reported being seen as either 'neurotic', 'too involved', or 'overbearing'. Despite this complexity, it indicates a lack of in-depth, nuanced training on both SEND and indicators of modern slavery, and high levels of unmet needs in the community.

Challenging issues around funding, multi-agency working and siloed working were mentioned frequently as impinging on prevention and early intervention. However, a small number of examples of good practice were highlighted in discussion, with factors such as access to early diagnosis, access to specialist SEND support being key to their perceived success. However, such opportunities were patchy, and there is no evaluated practice to draw upon. Improved relationships between services, particularly the police and local communities, was also felt to be key in preventative work and a mechanism through which to educate children and young people and their communities regarding risks using local police intelligence (where appropriate). However, prevention is significantly underfunded and reported by some to not be seen as a priority.

Responding to Parent/Carers Concerns

Many parents spoke of their experiences of becoming *the focus of attention*, with children's services focusing on looking for 'risk' in the home rather than focus on the exploitation and grooming of their child outside of the home. Although this is not a new phenomenon and has been highlighted by other studies (Firmin et al, 2022), with this

group of parents whose children have SEND, there is the additional challenge of often unmet and unrecognised SEND which can complicate how untrained practitioners view the child, and their family relationships and circumstances. It was felt this focus was in part because of the current safeguarding policy frameworks under Working Together guidance and models of working which were predominantly designed to protect children from harm in the home, and in part because of the way families 'presented' when asking for help. The interpretation of presentation by practitioners which may not always take into account that parents have already spent years asking for help regarding SEND, prior to any exploitation - years which may have already caused pain and trauma:

*I'm quite passionate and I think the services they see passion as aggression
(Parent)*

Parents were often sent on parenting courses as a response to their requests for help which they did not feel was helpful in keeping their children safe from exploitation, and harm caused outside of the home. Many parents described how they felt 'judged', were just seen as 'making trouble' and experienced 'gaslighting'. Parents who were part of an investigation or complaint requested case notes and some shared what they read had been written about them:

*It was written that 'mum is trying to outsource her parenting'. If your child has childhood leukaemia, is it outsourcing your parenting to take them to hospital?
(Parent)*

A small number of practitioners considered whether the threshold for child protection and criteria for support is helpful when considering modern slavery. The risk is *outside* of the home (most often), not *within* the home. Engaging with parents rather than blaming parents could greatly increase preventative measures post exploitation. Providing secure, nurturing care post-exploitation was seen as key, as was the building of resilience, positive life choices as far as education, employment and training for young people, thus reducing the risk of increased vulnerability, isolation from supportive factors and further exploitation. However, this again relies on funding and resourcing.

Early intervention and disruption

Practitioner training, understanding of SEND and tools available for communicating with children and young people influences if there is positive contact between children and young people and professionals who can identify and support early intervention against exploitation:

"how they might present to police or professionals can be misread and that means they get different responses and I think there's an element of the tools that we offer young people... whilst we're doing our work to try and safeguard

them, the tools that we offer them to try and make changes that might make them safer are not fit for purpose for children with the sort of needs that we're talking about" (Practitioner).

One parent identified that her daughter was groomed online but when help was sought was told 'it was not enough of an issue' for safeguarding involvement. The parent believed this was the 'starting point' of their daughter's sexual exploitation and that with the right support at that time, the exploitation may never have happened.

Tech companies are also well placed to intervene and disrupt at early stages. A parent gave the example of their child being groomed online via a dating website:

She then told him (exploiter) that she was 16 at which (point) the dating site got rid of her. And she said it was like it was almost instantaneous....They must have numbers or words and things that trigger reports....she said that the account just disappeared. But they'd already exchanged numbers (Parent)

The daughter was sexually exploited after exchanging numbers and meeting her abuser which raises questions of websites responsibility and duty to report incidents like this, as well as services responses to a parent's alert.

Response to Missing episodes

Parents' experiences of their children going missing was often linked to their exploitation. For some it was no more than a day at a time, but these were regular episodes, 'I reported her missing I think 220 times in a year'. For others it was longer periods, 'days on end', 'a whole week', or for one parent three months.

It was seen by professionals that they knew where he was...We know where he is and what he's doing. So as long as one professional can put their eye on him, that was a case closed (Parent)

Practitioners also raised concerns regarding aspects of responses to missing episodes, including:

- The initial responses of police to other practitioners' and parents' concerns which often did not take into account a child's SEND needs and/or additional vulnerabilities and risk.
- The effectiveness and delivery of return interviews - one parent shared that during all of the return interviews conducted by professionals, risk of or actual exploitation during these times, was never mentioned or discussed.
- The response to repeated and long-term missing episodes by multi-agency statutory services which did not always include joined up work. Schools were often singled out as being key to holding useful information and supporting

understanding of SEND and/or communication needs but they were not always involved.

- The lack of communication and information sharing between different police forces and local authority services when a child or young person is found, or has been, 'out of area'.

Across the study there was recognition of the importance of involving parents and other agencies such as education services in responding to missing episodes. One service in particular recognised the importance of the period after going missing in terms of this might be when a child chooses to disclose exploitation, and when services should be identifying SEND needs if these have not be previously assessed, and in addition, instigating work to prevent further missing incidents.

One practitioner considered that episodes of 'missing' were not focused on by services in general, as they were more concerned with sexual and criminal exploitation.

*Everywhere you go it's missing, exploited and trafficked, and then the missing gets no time or resources around it because it's not as important. (Being)
Exploited does in that they gave us an NRM which doesn't really protect our young people day to day, just means that they might not go to prison for as long. (Practitioner)*

Indeed, the data gathered in the study does not give a clear picture of practitioners' understanding of the significance of 'Missing' or detailed response and prevention of episodes of missing. However, it should be noted that across practitioner responses, there were considerable differences in service remits regarding responding to missing children and young people. For example, daily strategy meetings were held in one authority for children in care who go missing, but this appeared to not be available to children living in the community and at risk of exploitation. Another practitioner reported concerns in her authority that despite children in care going missing multiple times (in the example given, missing five times) each missing incident was considered in isolation. Despite the child being found in various locations, the child was still seen as medium risk; indicating that frequently going missing does not appear to increase the levels of risk or facilitated responses. This evidence clearly indicating that current guidance is not clear or specific enough, or not being implemented in ways to identify and protect this group of children.

Notably, grooming and online grooming prior to missing episodes was not mentioned specifically by practitioner participants, however, a small number spoke of grooming prior to children and young people being trafficked- but it was unclear whether this involved periods of 'missing' from home.

Further research is recommended to identify preventative and responsive measures of practitioners and organisations to episodes of children and young people 'missing' – specifically exploring practice which recognises the need for identification and appropriate support for children and young people with SEND and additional vulnerabilities, both within care, in unregulated settings and those who are living with their family. It appeared from the data that children and young people could receive very different responses based on the setting, or local authority rather than any needs or risks identified. This echoes previous research examining the evidence base for, and use of, tools and checklists to identify risk of child sexual exploitation (Franklin et al, 2018), and warrants urgent attention within renewed guidance and practice.

Transition from child to adult services - rights and responsibilities and gaps in services.

This study includes policy and provision for young adults up to the age of 25, meaning across the 'transition' from childhood to adulthood, and child to adult services in many cases. However, as noted previously, the practitioners recruited tended to be either child or adult focused. Some child practitioners raised concerns over the lack of post 18 accommodation and support, mental health support as CAMHS provision is ceased, and issues with referral to the NRM after a child turns 18 (when a young person's consent is required). This can affect all young people but raises specific concerns for those with SEND who may require continued multi-agency support to meet their needs. Parents reported many issues and concerns impacted by disjointed policy and practice with detrimental effects. One parent had a child over the age of 18 and shared her experiences around this transition and the impact of her no longer being able to be her child's appropriate adult²⁸ if arrested. This was despite her son's communication needs around time and tense not being understood, which meant while being interviewed her son's accounts were often not accurate therefore incriminating him unnecessarily.

The transition from child to adulthood is further convoluted for young people with SEND considering parental rights of involvement in decisions-making under SEND reforms, yet the rights of emerging adults and the nuances of the Mental Capacity Act (2005) for a person age 16+ to be able to make 'unwise decisions' and the assumption of capacity after 16 years. A small number of adult and child focused practitioners raised practice issues with young people aged 16 and over in decision-making and their rights under the Mental Capacity Act (2005). One parent believed the decisions being made by her son were influenced by the gang in an attempt to orchestrate family conflict to isolate her son and make the exploitation easier. Such recognition of the use of coercion (and increased

²⁸ An appropriate adult is someone who will support you if you are arrested or questioned by the police.

vulnerability of this group to coercion) does not receive adequate attention and direction for practice within current policy.

The issues of transition and capacity are complex and beyond the limits of this short report, however, this is an area for further research.

Theme 4: Too little, too late; unmet needs and unprotected children

As has been demonstrated throughout this report, 'risk' of exploitation was not enough for early help and support and parents described how help only came when they were at crisis and harm was being done. One parent was told she would be able to get help if there was evidence of 'crack' – *'I thought, oh, so we've got to be selling crack cocaine not weed before you help'*. Support is often too little, too late. This echoes findings from a previous study on prevention of adult sexual and labour exploitation, which concluded that there is a larger volume of and better quality of evidence on interventions that aim to treat harm after it has occurred.²⁹

Case study - Doors slammed shut

Sam's parent shared how her son started to self-medicate with cannabis when he was 14. His ADHD and autism was not recognised or supported through school and he experienced school breakdown at 15. His reliance on cannabis meant he was recruited and criminally exploited to pay off his 'debt'.

Sam started experiencing multiple mental health crises. Police would be sent rather than an ambulance because of his rage during these times. Sam's parent shared:

'It was absolutely deemed to be a crime problem and not a health problem'.

The consequence was that Sam's mental health was never properly assessed. CAMHS opening hours were 10am-10pm but his crises would happen outside of these times when there was no out of hours support available.

'If he'd just been a '72 hours section' they would have seen him go through all of his various phases...they only ever saw him when he'd been in a rage...and they wouldn't believe the family testimony or the police testimony who had witnessed him really at his most struggling'.

Sam's vulnerability was not recognised, he was advised by services against his parents' wishes to present as homeless to get his own flat despite the exploitation and mental health difficulties being known about. In interview Sam's mum questioned, *'What would a groomer like more than a kid with his own flat?'.* He was placed in unregulated adult accommodation with no support

²⁹ <https://modernslaverypec.org/resources/prevention-what-works>

in place. The family were told that no other suitable placement was available because his needs were too high.

'The recognition of high needs didn't trigger any additional support, it just slammed doors on where he could have gone'.

Sam was discharged from CAMHS days after being placed in unregulated accommodation.

'They wouldn't treat him while he was taking drugs. And that's like not giving someone a hip replacement until they've run the marathon... NICE guidelines are that substance misuse and mental health issues should be treated in parallel'.

This journey led to catastrophic consequences for Sam, he was aged 16.

From Education to Exploitation

As outlined in Theme 2, education has a significant role in identifying and meeting SEND needs and keeping children and young people in what should be a safe environment. However, when SEND needs are not identified or met or supported and/or when demands are made by education that are not met by the child or young person, there are consequences as described by the parents in this study. Parents shared that their children wanted to stay in school to learn and not be sent home, but their requests were not heard or listened to when voiced in school. Falling behind, poor self-esteem, not feeling accepted, or that they belonged meant children started to disengage which further progressed them down a pathway making them particularly vulnerable to exploitation:

'Two things that enormously contributed [to his exploitation] were being clever and constantly academically failing and being othered and disregarded as a problem. They (school) just regarded him as being a problem, not having a problem... So that sense of being absolutely othered within the normal environment for kids of his age...you don't belong'. (Parent)

A further trigger on this pathway identified by many parents was when their children were excluded from mainstream school and sent to a Pupil Referral Unit or Alternative Provision³⁰. For many this is where their children were recruited by groomers and

³⁰ These settings are defined as 'education outside school' arranged by local authorities or schools when a child or young person is unable to access mainstream school for reasons including exclusion, behavioural issues, or illness.

exploitative gangs either by other students attending who were already entrenched in a gang, or by the exploiters directly who identified them because they were attending these provisions and as such were specifically targeted. Parents suggested that sometimes perpetrators deliberately engineered school breakdowns so that children were more readily available to exploit.

Parents reported in their interviews poor attendance in these settings, that their children started to go missing sometimes for days, and that their children 'picked up a drug habit'. Many reported that they saw a change in behaviour and attitude that resembled 'a *stranger living in our house*', they also witnessed a change in appearance.

'He's gone from this very healthy, mature, young, fit looking handsome man to this gaunt spotty druggy really is the only way I could have referred to him. There were points I couldn't even look at him because it was sad'.

The signs described by parents are typically included in many tools and checklists for risk factors and signs of exploitation currently in use within local authorities. It could be argued that such indicators should have raised safeguarding concerns within the education settings the children attended (or should have attended), which if identified as such could have prompted an earlier referral or enquiry to be made to the appropriate authority. A lack of understanding and training in safeguarding, and specifically criminal and sexual exploitation of this group of children and young people in education settings was apparent, indicating the need for improved multi-agency training and working.

Early substance use

Many parents shared experiences of how their children used drugs or vaping to 'self-medicate', which for many was because of the lack of recognition and support around SEND and consequential feelings of isolation and poor self-esteem. This was due to either unmet needs regarding their SEND which had led to poor behaviour, disengagement, low school attendance or exclusion, and/or due to the impact of exploitation. One parent shared that her son 'heavily relied' on drugs every day.

He's been feeling rubbish for so many years, because he hasn't had the support, and now this drug makes him feel good, he can finally switch off, he can relax, he can go to sleep (Parent)

Some of the children and young people became addicted but because of their needs, there were additional concerns raised by parents regarding how the drugs 'affected them very differently'. Drugs frequently tied the children and young people to gangs, they experienced debt and threats as a result of their addiction. Parents felt that cannabis was often considered 'benign' or 'not that big a deal' but in reality the parents'

experience was that it was harming their children, damaging their mental health, connecting them to criminal activity, and preventing them from escaping exploitation. Such recognition of the links between so called 'low-level' drug use and pathways to exploitation are well known, although perhaps less well understood for this population of children and young people who may use drugs as self-medication for unmet needs associated with their SEND. Current resourcing for drug and alcohol services for children and young people remain scarce leaving many children and young people vulnerable to exploitation by drug dealers and drug gangs. Addressing this requires joined up policy at national and local levels.

Family breakdown and relationships

When children and young people became entrenched with a gang or exploiters, the violent threats and consequences for them and their families over-shadowed their recognition and help-seeking. As a consequence, self-awareness and/or self-disclosure was seen to be very limited by practitioners. One parent shared that her son was not able to disclose, despite asking him many times what was going on, because the gang were threatening to hurt his family and he was trying to protect them. When asked he kept saying, '*mum, you just haven't got a clue*'. Parents reported some practitioners expected self-disclosure³¹, and where self-disclosure was not made, services were withdrawn or refused. One parent shared how she 'begged' for support each time her son went missing but that it was '*never followed up*'. Another parent described how her son's exploitation was at the forefront of her help-seeking but that it was '*almost not discussed*':

There's a lot of discussion with services about Jake's lack of engagement because they all seem to see that as a 'get-out', oh, he won't engage with me so I can't work with him. And the exploitation side of it...it's almost one of those things that's 'any other business'. (Parent)

Parents also felt services did not understand the complexity and extent of manipulation inflicted by the 'gangs' to turn their children 'against them' as part of their exploitation:

He would then say that his dad's hit him. He would then say that he's thrown him down the stairs. His dad was arrested three times. Nobody actually saw it for what it was...he was being advised by, we believe, the gang to try and draw him closer to them...deflect all of what's happening from the gang to the parents, because then the services will be on the parents. The parents will eventually give up and then we've got you. (Parent)

³¹ In no safeguarding circumstances should disclosure been seen as a requirement to receive a service.

There came a point where parents described their children as being so entrenched, they became *'beyond the point of engaging with anybody'* as the groomers and gangs controlled them:

Any sort of engagement with anyone to him meant time and he wasn't allowed that time (Parent)

I felt like I was up against psychological warfare. I felt like I'm raising him, but they're raising him... Quite clever (Parent)

Parents felt they were 'battling' the exploiters but were determined not to let them 'win'. However, it was the parents and families that were left to deal with the overwhelming impact the exploitation had on their lives, their mental health, and their future. Equally, many practitioners reported often feeling powerless to safeguard children from criminal gangs on their caseloads when they had few resources or mechanisms at their disposal.

Impact on siblings and the whole family

A number of parents spoke of their concern for the whole family, and that there should be support for the whole family as they had also experienced the trauma of exploitation. Of particular concern was siblings of the child who had been exploited. Many of which also had SEND. This is an under researched area. As one parent described;

She's [daughter/sister] developed a fear of building a relationship with peers in case we move again. It's so sad in terms of, she went from a bubbly person to not wanting to go to school.

The impact on family life was described by one parent;

You do have a heightened sense. You are watching everybody, everything, every car number plate, every person you're mentally visualising what they're wearing, how old do you think they are? You're profiling them and that is exhausting.

Many parents shared that their requests for support and counselling were rejected or not available because of long waiting list:

We were rejected for family counselling through CAMHS because Callum was addicted to drugs and apparently he wasn't in the right place.

They smashed up my house numerous times while my youngest son and me were here, they tried to set fire to the house with a petrol bomb....His

[son/brother] is on a waiting list...I find that shocking cause no one should wake up thinking their mum's been burnt to death in the night by a petrol bomb.

The impact of exploitation on the wider needs of the family, especially siblings is an under-researched area. The needs, and experiences of wider family members are often overlooked, yet they too have experienced the devastating impact of exploitation and trafficking. As part of wider safeguarding guidance on children, a whole family approach should be adopted to support wider family needs and requirements for protection. Evidence collated here indicated that they were often unheard and had unmet needs.

Theme 5: After? What next and the prevention of further exploitation

After a child or young person has been identified as being subjected to modern slavery, in whatever form, agencies and organisations have to respond to support recovery and to prevent further harm.

The National Referral Mechanism (NRM)

The NRM is a national framework to identify modern slavery and provide support for adults, children or young people. However, the practitioners reported that awareness of the NRM was patchy, and thus referral into the NRM was inconsistent. Within the focus groups, one local authority was working with a neighbouring local authority on the Home Office Devolving Child Decision Making Pilot ³²which appears to have significantly and positively impacted on the waiting times and decision making within the NRM- a major concern for practitioners not in the pilot areas. This explains the varied responses and experiences of whether referral to the NRM was made, as shared by practitioners and parents in the study. However, there were some common themes that emerged throughout the study, whether or not within the pilot scheme. These included:

- Referral to the NRM was often dependent on practitioners' understanding of modern slavery, trafficking, sexual and criminal exploitation (and as already highlighted understanding of SEND). Practitioners felt that there needed to be more training on the NRM.
- Despite having a positive NRM conclusive grounds decision, prosecutions are still brought against young people including those with SEND, even where there is a relevant nexus between the trafficking and offence committed and there appears to be some disparity in the understanding of exploitation and SEND within the justice system in practice. The recent Brecani case ³³(R v Brecani

³² The purpose of the Devolving Child Decision Making Pilot Programme is to test whether determining if a child is a victim of modern slavery within existing safeguarding structures is a more appropriate model for making modern slavery decisions for children. This approach will enable decisions about whether a child is a victim of modern slavery to be made by those involved in their care and ensure the decisions made are closely aligned with the provision of local, needs-based support and any law enforcement response. <https://www.gov.uk/government/publications/piloting-devolving-decision-making-for-child-victims-of-modern-slavery/devolving-child-decision-making-pilot-programme-general-guidance-accessible-version>

³³ See <https://yjlc.uk/resources/legal-updates/nrm-move-towards-local-decision-making> for more details regarding Brecani ruling.

[2021] EWCA Crim 731) will also have implications for the defence for young people with positive NRM, as will the ECtHR VCL and AN judgment.³⁴

- The format of the NRM referral process and reporting processes does not give practitioners specific guidance to explain the impact of a child's SEND on their understanding and processing, communication around their exploitation, and their increased vulnerability and risk including into adulthood. The reporting process does not specifically record SEND nor provide room for narrative explanation including the impact of SEND on a child's daily life and vulnerability to harm. This will need further consideration but does suggest that this leads to an under reporting of SEND.
- Practitioners reported that having a positive conclusive grounds NRM decision does not typically provide any additional resources for support afterwards for children who have been internally trafficked, aside from a regional practice coordinator, despite the recognition of the status as exploited young people.³⁵ Despite the provision of the Independent Child Trafficking Guardian (ICTG) service, a direct worker is typically provided for young people in care, not the majority of young people still under their parent's responsibility.
- A referral to the NRM can inadvertently be used to enable further exploitation as parents and practitioners spoke about the possibility that requesting referral to the NRM is actively being encouraged by gangs to provide children with immunity from prosecution, and thus provide further opportunities for exploitation as they may not be charged or incarcerated if the non-punishment principle is relevant.
- For a NRM referral made before a young person's 18th birthday to continue once they turn 18, the young person must give their consent. However, this places the young person in an almost impossible position and at severe risk of further harm and exploitation as exploitation does not suddenly stop when a young person turns 18. One young person told his parent if he consented to the NRM in adulthood (which the gangs knew he had because of the protection it visibly afforded him when arrested) he would be seen as a 'grass', the risk of that for him was worse than the alternative of no longer being protected by the

³⁴ [V.C.L and A.N v The United Kingdom: A positive step forward for victims of Modern Day Slavery \(yjlc.uk\)](#)

³⁵ However increased support is being tested in the following ICTG Sites: Wales, East Midlands and West Midlands Combined Authority. *"In these ICTG Sites. The allocation of one-to-one support will be tailored to assess the risk, vulnerability and need for each individual child in consultation with other public authorities. In such cases, the ICTG Service will seek consent from the individual with parental responsibility to provide one-to-one support to that child. The ICTG Service should evaluate the needs of the child they support, in consultation with other public authorities, on a continuous basis to ensure that these needs are being addressed. Through these assessments the ICTG Service may identify cases where one-to-one support is necessary to address the individual child's needs and circumstances. When assessing those needs, the ICTG Service may take into account: the child's individual circumstances; any learning disabilities; the types of services that are available to them and how they have engaged with these to date; whether these services take into account the child's needs that arise from their experience in exploitation; any re-exploitation concerns; and any ongoing immigration and criminal justice processes."*

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1034337/Post-18_update_-_Interim_guidance_for_Independent_Child_Trafficking_Guardians_-_v1_-_November_2021.pdf

NRM. This young person aged 18 faced criminal proceedings within an adult system when no longer protected by the NRM and was given a custodial sentence to be served in an adult prison despite being a known victim of exploitation entered in NRM as child.

- Practitioners are also concerned about the capacity of young people to make decisions when they have been groomed and traumatised, in addition to any SEND needs, which may affect their understanding of complex legal issues and consequences of decisions made.

The practitioners in the study who had experience of the newly piloted arrangements for NRM decision making clearly felt it had made a positive impact on referral and decision making for children³⁶. It is recommended that the policies and practice of the Devolving Child Decision Making Pilots be further investigated in due course to ensure equality in access and outcome in response to modern slavery of children and young people with SEND. It was reported by practitioners that for children with SEND any delays on decisions may disproportionately impact them, and as indicated may lack skilled practitioners who understand their needs to support them through the complicated legal process. Study participants, for example, highlighted how training in SEND was lacking for those on NRM panels and the judiciary service, meaning that understanding of higher risks, impact of SEND on social cues, relationships, and reasonable adjustments to processes may not be well understood or implemented. As one practitioner described a young person with SEND on their caseload.

On tag for nine months waiting for his NRM and he's constantly appearing at court to get an update [on the progress of his case], which is pretty much nothing's happening (Practitioner)

It remains to be seen whether the Devolved Child Decision Pilots support the improved identification and understanding of SEND amongst the cases they examine. Given the challenges concerning diagnosis, recognition of SEND, and practitioner understanding and training concerning SEND the issues may not be fully addressed. It is hoped that by having local multi-agency joined up approaches there can be greater nuanced understanding of the impact of SEND and modern slavery.

Residential and out of authority placements practice responses

In responding to modern slavery, particularly if a child or young person has engaged with services through youth justice and the NRM, the outcome may mean that to keep a child

³⁶ The NRM Statistic Bulletin includes an annex providing statistic information on the Devolved Child Decision pilot/

<https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-july-to-september-2023/annex-analysis-of-the-devolved-decision-making-pilot-for-child-victims-of-modern-slavery>

safe, they may be removed from their family and communities and placed in settings at some distance away. Some of these settings may be secure residential children's homes or residential schools or within foster care. In parent interviews, many reported struggling with residential and out of area placements as they felt they were being punished and their children felt 'rejected', adding to the trauma already experienced by these families as a result of the exploitation. One parent described the detrimental effect out of area placement care had on her daughter's education.

She started doing health and social care, which she really loved, and the plan was she was gonna go back and do GCSEs as well. But then that placement broke down...move back home last November, and then there was no education in place...until March...the system holds, there's no, she can't go forwards, because we're holding her back (Parent)

Another parent's son was placed in residential care because of the exploitation but not placed out of area. Therefore, the placement did not remove the risk but instead broke up the family, again adding to the trauma already being experienced.

They moved him two minutes up the road from me, and actually...they moved him down the road from the people that were grooming anyway - into a care home. And then he went missing. I thought you're all mad. You're actually all mad (Parent)

The feeling of a 'broken' system peppered parents' experiences; echoing many concerns raised by practitioners. Parents' stories repeatedly recounted examples where a response meant to be positive in keeping children safe, actually put them at further harm, and did not take into account specific needs associated with SEND.

They said he needed stability. The one place he had stability was at home and they removed him. He ended up with 19 placement breakdowns and a criminal record in the four years that he was in the care system (Parent)

When he got bailed, the social worker said, oh, I can't find him anywhere to go. And the police said, well, we're not letting him go back home, that's just too dangerous. And he's ended up going to stay with (a family member of the exploiters). So children's services, effectively...they asked me for my permission, I said, I'm not giving my permission, I can't. If that's what you have to do, you have to do it but I cannot give my permission for that (Parent)

Several practitioners indicated that moving out of the area was problematic in preventing further exploitation. Moving out of area may mean further social isolation - away from family, positive relationships, familiar places, and result in difficulties in accessing education, and culture. It also necessitates careful planning to reintegrate the child back into their communities at the end of their placement. Concerns were raised about this

practice and its effectiveness in protecting children. Practitioners in the study highlighted that some children especially those with high levels of anxiety, learning and mental health needs may well reoffend as a means to get back to their hometown.

Moving out of area also does not remove the perpetrators, nor their abilities often to reconnect with the child to facilitate further exploitation. Moving children but not removing perpetrators was an issue parents believed was wrong. As one parent shared '*they (exploiters) just spit them out, chew them out...it's just a formula and they just keep going*'.

Provision of services

Parents reports indicate that the mental health of many children is impacted significantly by the lack of CAMHS support and responses by services to the exploitation:

By the time he was self-harming to the point he was needing hospital treatment he was about to turn 18... I think we got a letter through when he was 19 from CAMHS and I thought, thanks...his childhood is ruined. His educational life is ruined. And here you are now, like what's the point? (Parent)

A couple of parents spoke about having too many agencies involved when they finally received support, particularly as this might involve exploitation, SEND and mental health services given the multiple needs of the child - '*dealing with all the services feels like a part time job in itself*'. One parent reported having 17 services at one point. However, having such high input did not always lead to positive outcomes.

Whilst dealing with this crisis situation and all the agencies thinking the other agencies are recommending things and referring things, me not knowing what I'm entitled to, where the help should be coming from, I'm saying I need help (Parent)

Parents also spoke about the inefficiency caused by not having one agency take the lead, despite safeguarding frameworks indicating that this should be social work led.

I know the social worker, in theory, is the lead person but we've been through goodness knows how many social workers...it doesn't really happen in practice. They think someone else is dealing with that...they make an assumption and actually no one's dealing with it. And that's where it falls apart. (Parent)

Parents raised a number of concerns that services should have supported family relationships. As one stated her relationship with her daughter deteriorated when she was placed in care because of her exploiters. Her daughter is autistic and being taken from her family and into care was traumatic. The parent explained that she was the '*only*

one that really understood the ASD...they needed to listen to that' and that she felt blamed for placement breakdowns;

I was told I had caused placements to break down...I was causing Jess to dysregulate because of the things, like my emotional involvement basically.

Parents not being seen as a source of protection, expertise, listened to, or involved in decisions being made about their children and their SEND was shared by many.

However, parents also shared some examples of good practice and the difference this made.

I'd share my concerns with him [CSE worker], which would then make him send emails out, messages out, get a meeting together, look, mum's been in touch, this is what mum's saying, this is what she's scared about, this is what she's concerned about, you know, we need to help her.... And that's when everything changed in terms of the support, you know, it got, you know, life was so much better (Parent)

Simple changes in approach and understanding of children and young people's needs could make a difference.

He (son) would be arrested by the safeguarding team if they could....they would put handcuffs on him, which isn't nice to watch as a mum, but they would go, is that OK? Is that hurting? All those little things just helped a bit with him (Parent)

And, having a good relationship with children's services.

Just knowing you've got that layer of support, someone to talk to, someone to reach out to, someone to share your concerns with, you know, that's a blessing in itself. (Parent)

The data supports the need for all agencies to work together, with the inclusion of the family around a single point of access. This will support the gathering of a full picture of needs including SEND, and the risks and harms to aid careful care planning, to pre-empt and prevent further exploitation.

Positive relationships in preventing re-exploitation

Practitioners pointed to the importance of positive relationships in children and young people's lives. Often, as confirmed by parents, poor relationships with peers and within education led to a push into exploitation:

It started off like, people building relationships with him... you know, pampering him, buttering him up, making him feel good because he had felt rubbish for so many years, because he'd go to school and get told off as far as he was concerned, the teachers hate me....then things weren't great at home... he felt as though he didn't belong, he wasn't respected, he was a nobody... They (exploiters) made him feel really good, and he was like, oh yeah, you know, somebody appreciates me, someone gets me, someone understands me (Parent)

Reversing this push, and developing nurturing, positive and affirming relationships are vital, as is the provision of education or appropriate provision and services. However, significant funding, training and investment is needed in services and professionals to build these relationships and to sustain them.

One practitioner mentioned a perception that *'either you are a victim of modern slavery, exploitation or you can have SEND'*,

It is clear that substantive policy and practice changes are needed to support the identification of both modern slavery and SEND. A continual theme throughout the data collected from parents and practitioners was that the responses to disclosure or discovery of exploitation had to take into account the specific needs of this group of children and young people.

Recommendations for improved policy and guidance

The following presents a series of important recommendations for national and local policymakers and strategic managers. Unfortunately, many of these are not new.

All indicate an urgent need for joined up government policy and approaches to modern slavery and harm of children and young people with SEND, with an urgent need for implementation of improved support for this group.

1. The Department for Education should update the Safeguarding Disabled Children and Young People Guidance:

The Department for Education should commission and publish renewed multi-agency practice guidance to replace the out of date: *Safeguarding Disabled Children and Young People Guidance (2009)*. This would bring it into line with new evidence, emerging innovative practice and updated guidance across all other areas of harm including modern slavery. This would support training, highlight key legal and policy issues such as mental capacity, duties under the Equality Act (2010) including the need for reasonable adjustments, transition planning to adult services and provide good practice examples. As demonstrated current guidance does not provide specificity nor direction for improved practice, targeted guidance could draw attention to the need for improved assessment that includes cumulative and overlapping trauma, whole family support and a strengths- based approach based on understanding of SEND.

2. Implementation of Safeguarding Children with SEND champions.

Local Safeguarding Partnerships should be tasked to identify a champion for safeguarding children and adults with SEND in their area to ensure scrutiny and analysis to reduce risks of modern slavery. Their remit should include urgent work to audit and review modern slavery training and prevention work and assess local service provision for children and young people with SEND who are exploited to ensure availability of appropriate responses for this group to avoid continued risk and harm.

3. The UK government should improve information sharing and data collection that helps agencies understand prevalence and nature of SEND on children and young adults' safeguarding needs.

Local Safeguarding Partnerships need to audit the quality of information sharing across all agencies within referrals and assessments to ensure appropriate reference to a child or young person's SEND and to include information to ensure that reasonable adjustments to working with the child to meet their needs are recorded.

Specific and urgent requirements are needed to ensure that the NRM referral process allows SEND to be recorded and a narrative description required to understand needs is added to the form. This would enable the Home Office to be able to report national statistics on NRM numbers of children and young people with SEND (a protected characteristic under the Equality Act, 2010), and aid better understanding of prevalence and required resource allocation. Similarly, DfE Children in Need statistics which record cases of child criminal and child sexual exploitation should also capture whether children have SEND to enable more sophisticated understanding of prevalence.

It is recommended that the policies and practice of the Devolving Child Decision Making Pilots be further investigated in due course to ensure equality in access and outcome in response to modern slavery of children and young people with SEND.

Improved information sharing is also required across LAs and Police forces to ensure that when a child is placed (or picked up) in another area that information regarding their vulnerability and SEND needs travels with them.

4. The Home Office and DfE should jointly commission and roll out national multi-agency mandatory training across all services to address lack of understanding of modern slavery and SEND amongst frontline workers and managers across statutory and voluntary sectors.

Given the nuanced understanding required, and the need for many multi-agency practitioners to adapt their practice and approach towards special educational needs, disability and vulnerability to harm, training should be mandatory and wherever possible face-to-face to enable full discussion and constructive challenge to some currently held beliefs and practice. This should also include those involved as first responders and decision-makers within the NRM.

5. The Department for Education should support the earlier identification of SEND and support to meet needs through multi agency working.

The established links between increased risks of harm and unmet or unidentified SEND needs requires concerted attention through earlier identification and support to reduce challenges faced in education which lead to exclusion and isolation; this needs urgent attention from DfE. This requires quicker access to, and availability of, key services to support children and their families when risk is first identified. Although the SEND reforms promise some increased resources, without a multi-agency focus which also provides a safeguarding lens, opportunities to reduce risk and respond to harm will be missed. This requires improved multi-agency working and partnership with parents to identify and respond to early concerns around SEND, and should be reflected in updated safeguarding guidance.

6. The Department for Education should lead multi-agency work to prevent of school breakdowns and establish accountable safeguarding processes for young people with SEND.

Urgent multi-agency work, led by DfE, is needed to set up a specific set of resourced actions required nationally by all strategic partners to work together in order to prevent breakdowns at school leading to increased risks of harm for children and young people with SEND when placed in PRUs, Alternative Provision or outside of education. This requires multi-agency working to ensure that there is quality and targeted prevention work including resourced support within EHCPs, and for those children without EHCPs but who may be at risk. Specific work is needed to locate and work with all off-rolled, excluded, home-school and persistently absent children with SEND to ensure they receive their right to an education and are adequately safeguarded. This should be seen as part of disruptive measures to prevent exploitation and trafficking.

7. The Home Office and Department for Education should support local safeguarding partnerships to work with parents as a resource for protection and to fund and produce resources to support parents.

Local safeguarding partnerships should lead a change in practice to seeking to work with parents of children and young people with SEND as a resource for protection, and review with parents how agencies within their area work with and respond to parents in partnership; and address a failure in some parts to listen effectively to parents. This

requires a lead agency to aid communication and approach and accountability. In addition, parents and their children should be provided with accessible information which highlights risk of and promotes understanding of modern slavery. For children and young people this should be appropriate to age and understanding.

8. Local Safeguarding Partnerships should undertake an urgent review of how risk is assessed in children and young people with SEND.

Practice within multi-agency service hubs (MASH) and duty social work systems needs to be urgently reviewed by all Local Safeguarding Partnerships with respect to how risks are assessed when a child or young person has SEND. This is required to improve understanding of patterns of cumulative harms, unmet needs and layers of trauma, use of chronologies, and hearing the concerns of multi-agencies and parents when children are at risk of, or being, exploited. This should have ongoing monitoring by the champion recommended at local safeguarding partnership board level.

9. The Department for Education and the Home Office should update guidance and develop training to support improved practice concerning missing children and young people with SEND.

There needs to be recognition within national guidance of the increased risks for children and young people with SEND when they go missing, and the need for early intervention and improved communication across multi agencies to minimise harm to missing children and young people. Improved return interviews are required which take into account a child or young person's SEND needs and make necessary adaptations to ensure that children and young people can fully participate - this requires training for those conducting the interviews and a multi-agency approach. There is an urgent need for cumulative risk for this group of children to be taken into account when missing incidents are reported and recorded.

10. Local Authorities should reduce distant out of authority placements and their breakdown as a response to exploitation and trafficking.

Alongside a review of local service responses, out of area placements for children and young people with SEND who are exploited outside of the family needs to be reviewed, and as far as possible moves should be kept to a minimum and be subject to good, ongoing planning and Independent Review Officer scrutiny to ensure safety nets are not

fractured. No child should be placed at a long distance from home and specifically not in unregulated accommodation where needs associated with SEND and where risk of exploitation are not supported and monitored. Rather than removing a child from their family or community emphasis should be placed on prevention, disruption and prosecution of offenders.

11. All agencies should improve professional understanding of communication and behaviours of children and young people with SEND

Data collected identified many situations where children have shown or indicated through their 'behaviour' that their needs were not being met, and/or that they were experiencing exploitation and/or trafficking. Listening to children and young people's communication is required at all stages when working with any child, however, training and improved understanding is required when working with children who may communicate, present, or behave in what may be seen as an 'atypical' manner. Greater efforts are needed to build and maintain relationship-based practice with a stable multi-agency workforce. Misconceptions such as relying solely on a child to disclose, and/or as a means to access support needs to be challenged.

Areas for further research to support effective practice development

The lack of evidence to improve prevention, response and recovery from modern slavery for this group of children and young people is palpable. This study has highlighted several immediate urgent areas for evidence development. This list is by no means exhaustive. Further research is required concerning:

- Improved understanding of transition to adult services for this group (including the outcomes for those who do not reach the high threshold for vulnerable adult services).
- The prevalence and practice responses for children and young people with SEND who go missing.
- The effectiveness of different models of practice and their outcomes for children and their families.
- The impact on siblings and their support, particularly as reported here many of these siblings also have SEND.

References

Cooper, C., Hesketh, O., Ellis, N., Fair, A. (2017) A typology of modern slavery offences in the UK. Research Report, 93, Home Office Analysis and Insight.

Davis, J (2022) *Adultification bias within child protection and safeguarding*, Her Majesties Inspectorate of Probation. <https://www.justiceinspectors.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/06/Academic-Insights-Adultification-bias-within-child-protection-and-safeguarding.pdf>

Dowling, S., Kelly, B. & Winter, K. (2012) *Disabled Children and Young People who are Looked After: A Literature Review*. Belfast: Queen's University Belfast.

Equality and Human Rights Commission (2017) *Being Disabled in Britain: A Journey Less Equal*. Equality and Human Rights Commission.

Firmin, C., Lefevre, M., Huegler, N., & Peace, D. (2022). *Safeguarding Young People Beyond the Family Home: Responding to Extra-Familial Risks and Harms*. Policy Press

Franklin, A., Toft, A., Hernon, J., Greenaway-Clarke, J., Goff, S. (2022) UK Social Work Practice in Safeguarding Disabled Children and Young People: From the perspectives of disabled children, parents/carers and practitioners. A qualitative systematic review. What Works for Children's Social Care, London

Franklin, A., Bradley, L. and Brady G. (2019) *Effectiveness of services for sexually abused children and young people. Report 3: Perspectives of service users with learning difficulties or experience of care*. Centre of Expertise on Child Sexual Abuse. London.

Franklin, A., Brown, S. and Brady, G. (2018) The Use of Tools and Checklists to Assess the Risk of Child Sexual Exploitation: Lessons from UK Practice, *Journal of Child Sexual Abuse*, DOI.org/10.1080/10538712.2018.1510453

Franklin, A and Smeaton, E (2018) Listening to young people with learning disabilities who have experienced, or are at risk of, child sexual exploitation in the UK. *Children and Society*, DOI: 10.1111/chso.12231

Franklin, A and Smeaton, E (2016) Recognising and responding to young people with learning disabilities who experience, or are at risk of, child sexual exploitation in the UK. *Children and Youth Services Review*. Volume 73, February 2017, Pages 474-481, <http://dx.doi.org/10.1016/j.childyouth.2016.11.009>

Franklin, A., Raws, P. and Smeaton, E. (2015) *Unprotected, overprotected: Meeting the needs of young people with learning disabilities who experience, or are at risk of, sexual exploitation*. Barnardos, London. [Unprotected, overprotected - meeting the needs of](#)

[young people with learning disabilities who experience, or are at risk of, sexual exploitation 2015.pdf \(barnardos.org.uk\)](#)

Hershkowitz I, Horowitz D, Lamb ME. Trends in children's disclosure of abuse in Israel: A national study. *Child Abuse & Neglect*. 2005;29:1203–1214.

Huegler, N (2021) Mapping the policy and practice landscape of safeguarding young people from extra-familial risks and harms (EFRH). Discussion Paper 2. University of Sussex. Brighton. <https://theinnovateproject.co.uk/about-the-project/extra-familial-risks/>

Independent Inquiry into Child Sexual Abuse(2022) The report of the Independent Inquiry into Child Sexual Abuse. IICSA, London. [The Report of the Independent Inquiry into Child Sexual Abuse | IICSA Independent Inquiry into Child Sexual Abuse](#)

Missing People and ECPAT (2022) When Harm Remains: an update report on trafficked and unaccompanied children going missing from care in the UK. Missing People and ECPAT, London. [When Harm Remains: an update report on trafficked and unaccompanied children going missing from care in the UK | ECPAT UK](#)

Macdonald, S.J.; Donovan, C., Clayton, J., and Husband, M. (2022) Becoming cuckooed: conceptualising the relationship between disability, home takeovers and criminal exploitation, *Disability & Society*, DOI: [10.1080/09687599.2022.2071680](https://doi.org/10.1080/09687599.2022.2071680)

Strand, S., and Lindorff, A. (2018) Ethnic disproportionality in the identification of Special Educational Needs (SEN) in England: Extent, causes and consequences. University of Oxford. Oxford. [maea51f1ea29cde0e36c13a9e2a9dd838 \(ox.ac.uk\)](https://doi.org/10.1080/13600567.2018.1511111)

Turner, A., Belcher, L., and Pona, I. (2019) *Counting lives Responding to children who are criminally exploited*. The Children's Society, London. [counting-lives-report.pdf \(childrenssociety.org.uk\)](#)

Annex A: Policy and Guidance Appraisal Framework:

Modern Slavery and Children and Young People with SEND

1. Is there recognition of the increased vulnerability of children and young people with Special Educational Needs and Disabilities (SEND)?
2. Is there recognition of the increased vulnerability of those who are undiagnosed but who may be considered to have SEND?
3. Is there recognition of the vulnerability of, and guidance regarding support for, young adults with SEND aged up to 25 years?
4. Is the policy/guidance underpinned by any evidence-base?
5. Is there recognition of, and guidance regarding, the need for the 'voice' of the child, and all forms of communication?
6. Is there recognition of the need for 'reasonable adjustments' under the Equality Act (2010) for this group?
7. Is there recognition of the voice and involvement of parents/carers?
8. Does it place specific duties on the lead agency/agencies concerning:
 - a. Identification of the needs of this group of children and young people?
 - b. Supporting this group of children and young people?
 - c. The need to adapt how practitioners work to adjust to the child's needs?
9. Does it highlight what this might mean for multi-agency practice with children and young people with SEND?
10. Does it provide direction on appropriate support for parents/carers of children and young people with SEND?
11. Does it require the specific monitoring and recording of data on this group of children, and the aggregation and analysis of data?
12. Does it recognise the need for specific training concerning the additional safeguarding needs of this group?
13. Does it assume homogeneity within children and young people with SEND?
14. Does it require data collection about outcomes for this group of children and the extent to which the involvement of services has made them safer?
15. Are there links to other relevant sources of information to help inform those reading about the broader needs of children and young people with SEND?

MODERN SLAVERY & HUMAN RIGHTS

POLICY &
EVIDENCE
CENTRE

Led by the University of Oxford

The Modern Slavery and Human Rights Policy and Evidence Centre (Modern Slavery and Human Rights PEC) works to enhance understanding of modern slavery and transform the effectiveness of law and policies designed to address it. The Centre funds and co-creates high-quality research with a focus on policy impact, and brings together academics, policymakers, businesses, civil society, survivors and the public on a scale not seen before in the UK to collaborate on solving this global challenge.

The Centre is hosted by the Humanities Division at the University of Oxford. The Centre is a consortium of three universities consisting of the Wilberforce Institute at the University of Hull, the University of Liverpool, and the Bonavero Institute of Human Rights at the University of Oxford.

Between 2019 and March 2024, the period when this project was awarded funding, the Centre was led by the Bingham Centre for the Rule of Law (part of the British Institute of International and Comparative Law (BIICL)) and was a consortium of six organisations consisting of the Rights Lab at the University of Nottingham, the Wilberforce Institute at the University of Hull, the University of Liverpool, the Bonavero Institute on Human Rights at the University of Oxford and the Alan Turing Institute.



The Modern Slavery and Human Rights Policy and Evidence Centre is funded and actively supported by the Arts and Humanities Research Council (AHRC), part of UK Research and Innovation (UKRI).

Read more about the Modern Slavery and Human Rights PEC at

www.modernslaverypec.org