

Identifying people at risk (enforcement)

Version 3.0

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About this guidance

This guidance tells Immigration Enforcement officers about some of the vulnerable or 'at risk' people you may encounter. It provides some advice on how to identify if a person may be a victim of exploitation and/or abuse of various types but this guidance is not intended to be a comprehensive guide. Further links are provided where guidance that is more detailed exists. It also details the actions you must take, the agencies and teams you may need to involve and how to find more information.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email Enforcement Policy.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version 3.0
- published for Home Office staff on 23 October 2024

Changes from last version of this guidance

- minor housekeeping links replaced from Horizon to Migration and Borders guidance platform
- changes to 'modern slavery' section to reflect updates to guidance
- updated section on the 'National Referral Mechanism process and the competent authorities'
- updates to process in section on 'people who are absent or missing'
- updates to section on 'referring vulnerable people'
- · insertion of section on 'victims of crime'
- insertion of sub-section on 'spiritual and ritualistic abuse'
- from 1 April 2024, individuals who were previously described as the IE operational grade of 'Assistant Director' will now be known as Grade 7 in this guidance

Related content

Identifying people at risk

This page gives advice to Immigration Enforcement officers who may encounter people at risk during operational visits and provides information about the various types of risk that may be suspected or identified. It also provides information about where to find more detailed guidance and advice.

All officers must try to strike the right balance between protecting the vulnerable and ensuring the maintenance of legitimate immigration control.

As part of the operational planning process, an assessment should have been conducted of the available information, prior to any visit being undertaken with a view to considering whether detention was a likely outcome.

Where an individual is assessed as being at risk or self-notifies that they believe themselves to be at risk, there is a policy presumption that they will not be detained. However, an assessment must be conducted to determine whether it is right to set aside that presumption because of other overriding factors. Details of how to conduct this assessment and the factors to be taken into account is found in Immigration Enforcement: general instructions.

An individual may be regarded as being an adult at risk if they fall within the categories of those described in this guidance. In addition, they will be considered to be potentially an adult at risk and subject to the assessment described above if:

- they declare that they are suffering from a condition, or have experienced a traumatic event, that would be likely to render them particularly vulnerable to harm if they are placed in detention or remain in detention
- those considering or reviewing detention are aware of medical or other
 professional evidence which indicates that an individual is suffering from a
 condition, or has experienced a traumatic event, that would be likely to render
 them particularly vulnerable to harm if they are placed in detention or remain in
 detention whether or not the individual has highlighted this themselves

Related content

Modern slavery

This page gives Immigration Enforcement officers an overview of their responsibilities when identifying and processing victims of modern slavery. Modern slavery is a term used to encompass slavery, servitude, and forced or compulsory labour, and human trafficking.

Guidance associated with modern slavery

You must read the modern slavery section of this guidance, in conjunction with general guidance and further information, relevant to your region, as listed below:

- England and Wales, Scotland and Northern Ireland:
 - Modern Slavery: statutory guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and non-statutory guidance for Scotland and Northern Ireland
- England and Wales:
 - National Referral Mechanism for adults England and Wales
- Scotland and Northern Ireland:
 - National Referral Mechanism for adults Scotland and Northern Ireland
- Scotland:
 - National Guidance for Child Protection in Scotland
- Northern Ireland:
 - 'Working Arrangements for the Welfare and Safeguarding of Child Victims of Human Trafficking' - this guidance details the procedures to be taken when a child is a victim or suspected victim of child trafficking, and was issued jointly by The Department of Health, Social Services and Public Safety and The Police Service for Northern Ireland in February 2011

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National Referral Mechanism (NRM) and the Competent Authorities

The National Referral Mechanism (NRM) is a victim identification and support process. The NRM is designed to make it easier for all agencies that could be involved in a modern slavery case (for example, the police, UK Visas and Immigration, local authorities, non-governmental organisations) to share information about potential victims and facilitate their access to advice, accommodation and support.

The Single Competent Authority is responsible for all NRM decisions.

A further unit, the Immigration Enforcement Competent Authority (IECA), processes NRM referrals for the following cohorts of individuals:

FNOs:

- all adult FNOs detained in an Immigration Removal Centre
- all adult FNOs in prison where a decision to deport has been made
- all adult FNOs in prison where a decision has yet to be made on deportation
- non-detained adult FNOs where action to pursue cases towards deportation is taken in the community as well as in detention

Non-FNOs:

- all individuals detained in an Immigration Removal Centre managed by the National Returns Command, including those in the Detained Asylum Casework process
- all adult individuals in the Third Country Unit / inadmissible process irrespective of whether detained or non-detained

The SCA continues to consider all other NRM cases, including all child cases. In 2021, the Home Office also launched a Pilot to test devolving responsibility for NRM decisions for child victims of modern slavery to local authorities. This approach will enable decisions about whether a child is a victim of modern slavery to be made by those involved in their case and ensure decisions are closely aligned with the provision of local needs-based support and any law enforcement response. For further information on the Pilot see Devolving Child Decision-Making Pilot Programme General Guidance.

To contact the SCA:

- email: nrm@modernslavery.gov.uk (for cases in England and Wales) and NRMSNI@homeoffice.gov.uk (for cases in Scotland and Northern Ireland)
- call:
 - o 0300 0724 345 (for cases in England and Wales)
 - o 0300 0722 789 (for cases in Scotland)
 - o 0300 0722 654 (for cases in Northern Ireland)

These duty lines operate on usual business days between 10am and 4pm

To contact the IECA:

email: IE Competent Authority

• call: 0300 0710 654

For further information, refer to: Modern Slavery: statutory guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and non-statutory guidance for Scotland and Northern Ireland.

Referring potential victims of modern slavery

Anyone - adult or child - can be a victim of modern slavery regardless of their nationality, age, gender or immigration status. If indicators of modern slavery are identified, a referral into the NRM must be made for all potential victims.

National Referral Mechanism (NRM) referral form

If you identify a potential victim of modern slavery, you, as a first responder, must consider referring them to the NRM for further consideration by a Competent Authority. You must refer them by completing a NRM referral form via the online process.

Before you make a referral, adult victims must give their informed consent. Where an adult does not consent to being referred into the NRM there remains a Duty to Notify, and the same form should therefore be submitted indicating that the adult does not consent. If the potential victim is a child (under 18), the child's consent to be referred into the NRM is not required and therefore all child potential victims should be referred.

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First responders will need to capture as much information about the individual and their circumstances as possible on the referral form. You must then complete the NRM referral form. Guidance on completing the form is contained within it.

Following referral, a Competent Authority decision maker will consider the case. A positive reasonable grounds decision will be made where there are reasonable grounds to believe that the individual is a victim. This decision is an objective one, based on all the available evidence, and ordinarily a potential victim's own account, by itself, would not be sufficient to result in a positive decision. Therefore, when a referral is made the first responder should consider what supporting evidence or corroborating information can be provided with it to support a decision.

Following a positive reasonable grounds decision the individual will be eligible for a recovery period of at least 30 days (unless this period is withheld on public order or bad faith grounds), following which a conclusive grounds decision will be made to determine whether the individual is confirmed as a victim.

Indicators of modern slavery

Indicators assist officers (who are considered first responders (FRs)) in making a primary assessment of whether the individuals encountered are, or may be, a victim of modern slavery. Indicators highlight a potential situation to the FR who can then dig deeper to investigate what has happened.

It is not the case that a set number of indicators equate to a person being a victim; it could be just one or a combination of indicators that demonstrate that the person may be a victim. You should consider each case on its own merits. This is not an exhaustive or definitive list, but highlights the more common indicators:

- found in, or connected to, a type of location likely to be used for exploitation
- · distrust of authorities
- expression of fear or anxiety
- depression (lack of interest, hopelessness, suicidal)
- hostility (annoyed and irritated easily, temper outbursts)
- acting as if instructed by another
- passport or documents held by someone else
- perception of being bonded by debt
- being placed in a dependency situation
- threat of being handed over to authorities
- threats against the individual or their family members
- injuries apparently a result of assault or controlling measures
- evidence of control over movement, either as an individual or as a group
- limited social contact
- · lack of access to medical care
- no or limited access to bathroom and/or hygiene facilities
- claims to be older than their actual age if you suspect that an individual may be a child (less than 18 years of age) you must contact Social Services immediately
- a child within a family has a different immigration status (or lack thereof) compared to other children in the family
- child makes repeated trips in and out of the UK
- missing school

A further list of indicators of modern slavery can be found in the guidance: <u>Modern Slavery</u>: statutory guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and non-statutory guidance for Scotland and Northern Ireland.

If no indicators of Modern Slavery are identified, an NRM referral does not need to be submitted. However, this does not mean that an individual is not considered to be vulnerable. If there are concerns around the person's vulnerability, steps must still be taken to make safeguarding arrangements, in line with the <u>safeguarding children</u> and referring vulnerable people sections in this guidance.

Handling possible victims of modern slavery

You must take the potential victim to a secure environment (away from any potential traffickers or other potential victims) and inform them of their right to:

- independent emotional and practical help
- protection
- assistance to allow their rights and interests to be presented and considered at appropriate stages of criminal proceedings against offenders

There is more information on interviewing possible victims of modern slavery in the 'Enforcement interviews' guidance.

Under the NRM, the person may also be entitled to:

- temporary safe accommodation
- medical treatment
- help coping with their experience
- an interpreter (or translator services)
- help finding independent legal advice

Overseas Domestic Workers (ODWs)

See also:

- Guidance on domestic workers who are the victims of modern slavery or trafficking
- Guidance on enforcement action against ODWs

Indicators of domestic servitude

Indicators of domestic servitude:

- living with, and working for, a family in a private home
- not eating with the rest of the family or being given only leftovers to eat
- no proper sleeping place or sleeping in shared space, for example the living room
- no private space
- forced to work in excess of normal working hours or being 'on-call' 24 hours a day
- employer reports them as a missing person
- employer accuses person of theft or other crime related to the escape
- never leaving the house without employer

Related content

Safeguarding children

This page tells Immigration Enforcement officers how to deal with any child encountered during an enforcement operation.

Children: definition and safeguarding responsibilities

Under article 1 of the United Nations Convention on the Rights of the Child, a child is anyone under the age of 18 unless majority is attained earlier under the law applicable to the child.

There is no single law that defines the age of a child across the UK. England, Wales, Northern Ireland and Scotland each have their own legislation setting out the duties and responsibilities of organisations to keep children safe. However, they all agree that a child is anyone who has not yet reached their 18th birthday. Additionally, in Scotland, a young person between the age of 16 and 18 may be viewed as both a child and an adult dependent on whether they are still subject to a supervision requirement or require intervention to protect them and as such would be treated as an adult with care and support needs.

Consequently, for the purposes of this guidance a 'child' is a child or young person under 18 years of age. The children who may be encountered are likely to fall into one of the following groups:

- a child looked after by a local authority
- a child in the care of one or both of their parents, a family member or non-family private foster care
- the dependent child of a FNO, these dependants could be British Citizens or have extant leave

<u>Section 55 of the Borders, Citizenship, and Immigration Act 2009</u> places a duty on the Secretary of State to make arrangements for ensuring that immigration, asylum, and nationality functions are discharged having regard to the need to safeguard and promote the welfare of children in the UK. The duty applies to our contractors as well as Home Office borders and immigration staff.

You must share information in a timely and effective manner with local authority children's services where a child in need, at risk of significant harm, or any other safeguarding concern is identified. The power to share such information is governed by section 115 of the Crime and Disorder Act 1998.

For more information about safeguarding and promoting the welfare of children see: Statutory guidance – Every Child Matters

Safeguarding Advice and Children's Champion

The Safeguarding Advice and Children's Champion (SACC) team includes staff with social work experience and is available to provide specialist safeguarding and

welfare advice to staff. This includes, but is not limited to, advice relating to applications from children, adult family members, family reunion applications, and proposals to separate family members. The SACC can also offer advice on other issues relating to children including family court proceedings and complex cases. If you need advice, email the Children's Champion inbox.

Encountering a child during a visit

See also: Missing children found by Home Office staff

Identifying the child

If you encounter a child, you must take all reasonable steps to ascertain their identity and who has parental responsibility for them. You must check the information provided against Home Office records to check the details are consistent with the records already held for them and to verify their immigration status.

A child must never be left alone in the premises when you are departing.

If there is someone who has parental responsibility for the child, but they are not at the address where the child is encountered, you must take all reasonable steps to find out who they are, where they are and when they will be back. You can converse with the child, despite the absence of a responsible adult, to obtain this information, to offer reassurance and explain the situation. You must not leave the child alone in the premises. It may be appropriate to liaise with the local police so they can reunite the child and the parent, and if necessary, investigate the circumstances of the child being left alone.

In some cases, it may be appropriate to carry out a <u>Police National Computer (PNC)</u> <u>check</u>. If a PNC check is conducted and the child has any known alias names, the same checks must also be conducted on those details. All alias names must also be fully recorded.

You must not ask a child to undergo a mobile fingerprint scan unless there is an appropriate adult present, who has given their consent for the check to be made. The definition of a person who must be present when a child is fingerprinted is found in <u>section 141 of the Immigration and Asylum Act 1999</u>. An immigration officer is not classed as an appropriate adult for the purposes of checking or taking fingerprints, or any other situation where the presence of an appropriate adult is needed, for example, interviewing.

For more information, see Identity management (enforcement).

If you put questions to the child and/or parent to find out their identity and parental responsibility and they refuse to answer them, you must fully record this in your personal notebook. You must fully evaluate the known or suspected risks and continue to gather and assess information as far as possible. Consider:

- contacting an interpreter if one is not on the visit
- explaining the consequences of not co-operating

referring to other agencies

Making a safeguarding referral: children

A safeguarding referral must always be made in the following circumstances:

- signs of abuse or neglect
- potential modern slavery or child trafficking
- female Genital Mutilation
- potential child sexual exploitation
- unaccompanied child
- · missing child
- private fostering agreement

You must note that the above list is not exhaustive. If you have concerns about a child but you are unsure whether you need to make a referral, you should err on the side of caution and refer in cases of doubt.

Where no concerns are identified, you do not need to take any referral action. However, where a referral is not considered necessary, you should record full notes and your reasoning, including for example, what you observed, heard, read.

See in this guidance:

- Safeguarding Advice and Children's Champion
- Children: causes of concern

See also:

- Local authority child referrals
- Referring victims of modern slavery
 - Modern Slavery: statutory guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and non-statutory guidance for Scotland and Northern Ireland
 - o National Referral Mechanism for adults England and Wales
 - National Referral Mechanism for adults Scotland and Northern Ireland

Children: causes of concern

Missing children

See: Child missing from their parents

Child abuse

If you suspect that a child has or is being abused or neglected, they will be in need of protection. When there is a child protection concern, you must call the police and refer the circumstances to local social services immediately. This includes children who:

- may not be subject to immigration control
- are with their parents or someone who has parental responsibility for them

The welfare of the child must be ensured before any other form of action is taken.

If the child is subject to immigration control you may, as an exceptional measure, detain them under immigration powers for a short period while alternative arrangements are made for their care. However, it should be noted, there has to be an administrative immigration basis for that detention, such as the need to identify and / or document the child. Children cannot be accommodated at Immigration Removal Centres.

You may also come across children where there is no suspicion of abuse, but they are in a situation where they are in need of support. For example, a child who has a disability or a child who provides care on their own to a parent with disabilities or chronic health problems. In such cases, you may refer both the child and the parent to children's services.

If none of the checks highlight any cause for concern, no further action need be taken in respect of the child.

For more guidance see:

- Guidance on local authority child referrals
- NSPCC guidance on identifying physical abuse or neglect

Child trafficking and exploitation

Child trafficking works through personal and family networks, as well as through highly organised international criminal networks.

Traffickers specifically target impoverished communities to exploit their vulnerability. Poor and displaced families may entrust the care of their children to traffickers who promise to provide them with education or skills training, but ultimately exploit them for the purposes of prostitution, forced labour or irregular adoption.

Any child moved into a situation of exploitation, or for the purposes of exploitation, is considered to be a trafficking victim, whether they have been forced or deceived. This is because it is not considered possible for children to give informed consent. Even when a child understands what has happened, they may still appear to submit willingly to what they believe to be the will of their parents or accompanying adults. It is important to realise that parents and relatives may be involved in the exploitation of the child, and that children are likely to be very loyal to their parents or caregivers.

Do not expect that the child, on its own initiative, will ask for protection. Children who are in a trafficking situation are often extremely reticent with information, and often tell their stories with obvious errors, possibly because their stories are composed by others and learnt by repetition.

Children are trafficked for a number of purposes, including:

- sexual exploitation through prostitution
- illegal adoption
- under-age forced marriage
- benefit fraud
- child labour, such as:
 - o domestic servitude
 - work in sweatshops
- criminal work, such as:
 - begging
 - o producing and selling drugs

A number of children arrive in the UK accompanied by adults who are either not related to them or in circumstances which raise child protection concerns. For example, there may be little evidence of any pre-existing relationship or even an absence of any knowledge of the sponsor. There may be unsatisfactory accommodation arranged in the UK, or perhaps no evidence of parental permission for the child to travel to the UK or stay with the sponsor. These irregularities may be the only indication that the child could be a victim of trafficking.

Children trafficked into the country may be registered at a school for a term or longer, before being moved to another part of the UK or abroad. This pattern of registration and de-registration may be an indicator that a child has been trafficked. It has been identified as a particular concern in schools that are situated near ports of entry, but you must be alert to this possibility in all schools.

If, having examined the available evidence and considered the indicators of trafficking, you have concerns, you should refer the child. Where things are not clear, always err on the side of caution and refer the case to the appropriate local authority children's services, (first by 'phone and then by referral form), or, if the child is in immediate danger, by phoning the police. You should decide what risk of significant harm the child may need to be protected from, and which agency has the duty to do this.

For more guidance, see:

- Modern Slavery: statutory guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and non-statutory guidance for Scotland and Northern Ireland
- Interim guidance for Independent Child Trafficking Guardians (ICTG) ICTGs
 are an independent source of advice for trafficked children. ICTG provision is
 currently available in a number of local authorities in England and Wales and
 the associated guidance provides these locations and details about the role of
 the ICTG

Private foster care arrangements

There is no provision in the Immigration Rules for a child to come to the UK in order to be privately fostered, so the child will enter the UK under one of the provisions in the Immigration Rules, such as a "visitor" or "student". Private foster carers may be distant members of the extended family such as a cousin or great aunt or may be a friend of the family or someone unknown to the family. A grandparent, brother, sister, uncle or aunt, whether of the full blood, half blood, or by marriage or civil partnership, will not be a private foster carer.

Note: In England, Wales and Northern Ireland, a child aged 16 or 17 will only be privately fostered if they have a disability. In Scotland, a child is only privately fostered if below the upper limit of the age for compulsory education.

Private foster carers, parents and others with parental responsibility are legally required to notify the local authority of their intention to set up a private fostering arrangement:

- in England and Wales: a minimum of 6 weeks in advance of a placement
- in Scotland and Northern Ireland: a minimum of 2 weeks in accordance with Reg 3 of the Foster Children (Private Fostering) (Scotland) Regulations 1985/1798

In some cases, families in the UK are not aware of these rules or are persuaded to ignore them.

It should be made clear that failing to notify the local authority (or, in Northern Ireland, the Health and Social Services Board), of a private fostering arrangement is an offence under section 70 (1) (Ai) of the Children Act 1989 and a written record of this warning should be recorded in your notebook.

In Scotland the offences relating to foster care arrangements are set out in section 15(1)(a) of the Foster Children (Scotland) Act 1984.

In NI the offences are set out at article 117(1)(a) of the <u>Children (Northern Ireland)</u> Order 1995.

Where you believe an arrangement may be a private fostering arrangement and are satisfied that the local authority has not been, or will not be notified, you should report the situation to the local authority in whose area the child will be living.

Related content

People who are absent or missing

This page tells Immigration Enforcement officers the definitions of 'absent' and 'missing', the triggers indicating a child or <u>vulnerable adult</u> may be absent or missing and the required response.

Definitions of 'absent' and 'missing'

In line with the police, local authorities and other safeguarding agencies the action or response required will depend on the risk associated to the disappearance of the child or vulnerable adult.

Absent or missing are the terms used to describe when a child or vulnerable adult fails to report, attend a pre-arranged interview or meeting or reside at a specified address.

Absent:

For the purpose of this guidance, a child or vulnerable adult is to be considered **absent** if they are not at a place where they are expected or required to be.

The 'absent' category is for cases in which people are not presently where they are supposed to be, as detailed above.

You must not ignore an 'absent' person and, when a child or vulnerable adult is reported absent, you must take action within 24 hours to find them, as detailed below.

Missing:

A child or vulnerable adult is **missing** if their whereabouts cannot be established and where the circumstances are out of character or the context suggests the person may be subject of crime or at risk of harm to themselves or another.

Adults who are accommodated in residential care situations, or are day patients at hospital, including accident and emergency departments, can be vulnerable when missing. Their vulnerability may arise from age, infirmity, mental or physical health issues, being targeted for human trafficking exploitation or a combination of factors.

Vulnerable adults whose whereabouts are unknown can be treated as either a missing person or an absconder. An adult should be dealt with as a missing person based on the risk to, and the vulnerability of, the adult and whether they have capacity to make decisions regarding where they move.

When a child or vulnerable adult is missing as defined above a missing persons referral must be made immediately to the police, to the National Crime Agency (NCA) UK Missing Person Bureau (unless the individual has already been reported

as missing to the police, in which case no referral to the NCA is required), and the local authority children's or adult services.

For further information on the non-compliance and absconder process, see Non-Compliance and Absconder process guidance.

For further information on safeguarding children, see:

- Safeguarding Advice and Children's Champion
- Local authority child referrals

For further information on safeguarding vulnerable adults, see:

- Adult referrals
- Local authority adult referral form

Responsible areas: contact points

Responsible officer: definition

For the purpose of this guidance, the responsible officer is the person who first identifies a trigger that a child or vulnerable adult is absent or may be missing. This officer makes initial enquiries to establish if that person is at risk or may be missing. If the person is missing, this officer informs an officer not below the grade of HEO or CIO, reports the person as missing, and informs the caseworker.

Caseworker: definition

For the purpose of this guidance, the caseworker is the officer who is progressing or managing the person's case when they are reported as missing. This officer is responsible for liaising with relevant parties once the missing referral has been made and when the person is found. Where a current caseworker cannot be identified, the Regional Safeguarding Coordinator carries out this role.

UK Missing Persons Bureau (MPB)

The <u>National Crime Agency (NCA) MPB</u> is the national and international point of contact for all missing person and unidentified body investigations. They provide support and advice to police forces in order to resolve cases and act as a hub for the exchange of information and expertise in this area. They also maintain the national database of missing and unidentified records.

Contact details:

email: missingpersonsbureau@nca.x.gsi.gov.uk

• telephone: 0845 000 5481

• fax: 01344 872 572

National command and control unit

The national command and control unit (NCCU) in Manchester are responsible for:

- being a central contact point for the police to notify the Home Office, during the course of an investigation that a non-British child or <u>vulnerable adult</u> has been reported missing or has been found
- when taking an enquiry from the police, performing full checks, and providing any useful information to the police to support an investigation
- where appropriate, update Atlas to opena missing person / vulnerable person alert
- updating Atlas where there is an open Compliance and Enforcement card (personal police officer information is not recorded on Atlas due to GDPR guidelines)
- making a referral to the case owner, safeguarding hub and Safeguarding Advice and Children's Champion team as necessary

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Status Verification, Enquiries Checking Service Status Verification, Enquiries Checking Service (SVEC)) are responsible for:

- being a central contact point for the local authorities to notify the Home Office that a child or vulnerable adult has been reported missing to the police or that a missing child or vulnerable adult has been found
- notifying the caseworker and Central Support Tracing Team that a child or vulnerable adult has been reported as missing or has been found
- updating the, the Atlas view and record communications screen and, where
 relevant the additional notes screen under the Atlas service and task you have
 opened, with the details of the local authority responsible for the child or
 vulnerable adult and the police officer and station dealing with the referral

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Police National Computer (PNC) Team

The PNC update team

- receive copies of all Home Office missing children or vulnerable adult referrals to the police into the Liverpool PNC Team inbox
- ensure that the ATLAS engagement screen and person alerts have been updated by the referring team to show that the child or vulnerable adult has been reported to the police as missing or has been found
- notify Central Support Tracing Team that the child or vulnerable adult has been reported as missing or has been found

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Central Support Tracing Team

The Central Support Tracing Team is responsible for:

- tracing adults who have not been reported missing to the police
- assisting the police to trace missing children or vulnerable adults if requested to do so
- updating Atlas to show that the child or vulnerable adult has been reported to the police as missing or has been found, following notification to SVEC by a local authority

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National Crime Agency (NCA) Child Exploitation and Online Protection (CEOP) Command

The NCA CEOP Command (formerly the Child Exploitation and Online Protection Centre) works with child protection partners across the UK and overseas to identify

the main threats to children and coordinates activity against these threats to bring offenders to account. They protect children from harm online and offline, directly through NCA led operations and in partnership with local and international agencies.

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Identifying that a person is absent or missing

Triggers indicating a child or vulnerable adult may be absent or missing

There are a number of triggers that would indicate whether a child or <u>vulnerable</u> <u>adult</u> is absent or may be missing. On their own they are not sufficient to establish that a child or vulnerable adult is missing and needs to be reported to the police and local authority as such.

The following is a non-exhaustive list of such triggers:

- the parent or family member with care of a child (and who usually brings their child to the reporting centre (RC) for childcare purposes) fails to attend a physical reporting event
- the parent or family member with care of a child (and who usually brings their child to the RC for childcare purposes) fails to attend an arranged, invited, interview
- a vulnerable adult fails to attend a physical reporting event
- a vulnerable adult fails to attend an arranged, invited, interview
- a child or vulnerable adult fails to reside at a specified address
- the parent or family member with care of a child fails to reside at a specified address
- a child who has been allocated a school place fails to attend school
- a child or vulnerable adult is not at the specified address when a compliance or welfare visit is made
- a child, having reached the age of 17½ years, fails to report to a physical reporting event or attend an arranged interview
- a member of the public or the parent or family member makes a disclosure, either in writing or verbally (telephone or interview), that the whereabouts of a child is unknown
- the Home Office is notified by the police, local authority, National Health Service, education services or other government agency that a child or vulnerable adult is, or may be, missing or there are concerns for their safety

- the Home Office is notified by the asylum support accommodation provider that the family, child or vulnerable adult has unofficially left the address
- a family, as defined by the family returns process (FRP), fails to bring a child to an invited contact management meeting after being specifically asked to do so without a genuine reason, such as the child being at school, with friends, unwell or attending a religious ceremony:
 - where there is any doubt about whether the reason for the child's nonattendance is genuine, enquiries must be made to establish that the child is safe and well
- one or both parents reports for removal at port without the child, who also has removal directions for the same flight, and the whereabouts of the child is unknown

As the responsible officer, you are the initial responsible officer and, as such, you must make further enquires to establish if a child or vulnerable adult is at risk or may be missing. You must carry out those enquiries as soon as possible and in any case within 24 hours. See: Initial enquiries

When setting reporting restrictions or inviting for an interview, you must remind individuals of the importance of keeping in contact with the Home Office and notifying any changes that will affect their attendance.

Child or vulnerable adult missing from their parents or a family member

Children subject to immigration controls who are out of touch with the authorities are at risk of harm from many sources. Missing children may be <u>victims of trafficking</u>. Children may be persuaded or coerced into abusing the asylum system by applying on or after arrival in the U.K. Even if they are referred to children's services, they may later abscond or may be abducted by their traffickers. Remember that the children may be entirely persuaded that the trafficker is acting in their best interest and may be unaware that they are being or have been brought to the U.K. to be exploited. Immigration Enforcement staff should be aware of these risks and if they have any concerns about a particular child, should contact children's services or the police by phone, without delay.

As stated in the section - <u>Triggers indicating a child or vulnerable adult may be absent or missing</u> - there are a number of triggers that will give rise to the concern that an accompanied child or <u>vulnerable adult</u> in the care of one or both parents or a family member is absent or has gone missing.

Initial enquiries

As the responsible officer who identified the trigger, you must make the following enquiries to decide if the child or vulnerable adult is missing and/or there are concerns for their safety:

- conduct a full check on Atlas, for example the view and record communications screen and any other relevant Atlas services which may contain additional notes to establish if:
 - there is already an explanation for the person not residing at the specified address or for not attending the pre-arranged interview or meeting
 - action has already been taken to find them or report them as missing to the police and local authority
- if on checking Atlas, there is no explanation for the person's failure to reside at the specified address or attend a pre-arranged meeting or interview, you must contact the child's or vulnerable adult's parents, family, carers, accommodation providers and legal representatives by telephone to locate the person's whereabouts and establish their safety
- if the child is attending school or college, you must notify the school or college child protection officer:
 - if the child is actually in school or college, you must ask the school or college child protection officer to speak to the child to confirm the address they are living at
- if unable to contact the person's parents, carers, accommodation provider, legal representative or school or college child protection officer or, if after making those enquiries, you are unable to confirm the whereabouts of the person and that they are safe and well, arrange for a home visit to be made to their specified address or other address they may be at, you must do this as soon as possible and within 24 hours:
 - in cases where the trigger is a failure to report, the reporting centre (RC) will arrange the home visit
 - in all other cases arrange a home visit by contacting the immigration compliance and enforcement (ICE) team Grade 7 or duty manager
- if a home visit to the address cannot be undertaken, or you consider that to
 delay making a missing persons referral to the police, based on the
 circumstances of the case, would put the child or vulnerable adult at risk, record
 the reasons why on Atlas on the view and record communications service, and
 / or in the additional notes section of the relevant Atlas service, and complete a
 missing person notification form which must be endorsed by a higher executive
 officer (HEO) or chief immigration officer (CIO), or above
- if the child or vulnerable adult is not at the specified address when the compliance or welfare visit is made, the officers conducting the home visit must make enquiries with their family, other occupants or neighbours to ascertain their whereabouts and that they are safe and well
- if it is believed that a child or vulnerable adult is being coerced to abscond or go
 missing, this must be reported as a child protection issue with the local police
 and children's services
- if a disclosure that a child or vulnerable adult is missing is made during an interview, you must ask sufficient questions to establish the connection between the person being interviewed and the child or vulnerable adult and the circumstances of them being missing or other concerns for their safety, you must then make enquiries as outlined above
- if a child or vulnerable adult is no longer residing with their parents or guardians and there are genuine reasons why that person is now residing with another family member, you must amend their Bail 201 and update Atlas to reflect this

The above list is not exhaustive and you must make all reasonable enquiries to locate the child or vulnerable adult before reporting them missing to the local police.

If there is any dispute over the child's age see:

- Assessing age
- Identity management (enforcement): age dispute cases

You must record all enquiries made on Atlas on the view and record communications service, and / or under the additional notes section on the relevant Atlas service as soon as possible and within 24 hours.

Actions following a decision that a child or vulnerable adult is missing

In line with the police, local authorities and other safeguarding agencies the action or response required will depend on the risk associated to the child or vulnerable adult's disappearance.

As soon as there is sufficient information to make a decision that a child or vulnerable adult is missing, or there are concerns for their safety, you must inform an officer, not below the grade of HEO or CIO, and immediately report the person as missing to the local police and local social services:

- complete and save the IS.294 missing persons notification form on Atlas
- report the child or vulnerable adult as missing to the local police and provide them with a copy of the missing persons notification
- email a copy of the missing persons notification to the local authority duty desk and the UK Missing Persons Bureau
- email the caseworker and Home Office Police National Computer (PNC) team to tell them that the child or vulnerable adult had been reported missing to the police and local authority, include their:
 - o full name
 - o date of birth
 - Home Office or port reference number
 - o police station and local authority the report was made to
- make a full record on Atlas on the view and record communications service, and / or the additional notes section on the relevant Atlas service, of the action taken to locate the person and details of the police officer and police station the missing person report was made to

On receipt of the email notification, the PNC team must:

- ensure that the ATLAS engagement screen and person alerts have been updated by the referring team to show that the child or vulnerable adult has been reported to the police as missing
- notify Central Support Tracing Team that the child or vulnerable adult has been reported as missing

On receipt of the email notification, the Central Support Tracing Team must:

check Atlas person alerts has been updated to show that the child has been reported to the police as missing (and update Atlas if it has not been done)

The caseworker must:

- maintain a mutually agreed level of contact with the local authority and the police until the child is found
- make sure that the PNC team are notified when child is found
- record all contact with the police and local authority on Atlas on the view and record communications service and/or the additional notes section on the relevant Atlas service

Child or vulnerable adult missing as part of a family unit

An accompanied child or <u>vulnerable adult</u> who goes missing with their parent or a family member will not routinely be referred to the local police and the National Crime Agency (NCA) UK Missing Persons Bureau (MPB) as missing in their own right unless there are or were concerns about the child's safety or welfare prior to the parent or family member absconding.

This does not negate the responsible officer's requirement to conduct the enquiries and checks as detailed above.

Any children who go missing with one or both parents or a family member where no safeguarding concerns exist should be included on the IS.274 absconder notification of the parent or family member who has absconded in line with the Absconders and non-compliance guidance. A separate IS.294 for each child is not required for such cases.

In these circumstances, you must add each child's or vulnerable adult's details to the main applicant's IS.274 absconder referral form at 'stage 6; May be accompanied by'.

Following receipt of the IS.274, the Central Support Tracing Team will attempt to trace the family unit.

Child or vulnerable adult accommodated by the local authority or in hospital

It is the responsibility of the local authority or NHS, in accordance with their own procedures, to conduct any enquiries necessary to locate the child or <u>vulnerable</u> <u>adult</u>, or report the person as missing to the local police. The local authority will also notify the Home Office SVEC team when a child or vulnerable adult in their care goes missing, or when a missing child or vulnerable adult returns or is found.

On receipt of notification from the local authority, SVEC must:

- confirm with the local social services or NHS and police that the child or vulnerable adult has been reported missing:
 - if the person has not been reported missing to the police, you must complete the IS.294 missing persons notification form on Atlas, based on the information provided by the local services and make a missing persons referral to the local police
- update Atlas person alerts to show that the child or vulnerable adult has been reported to the police as missing
- make a full record on Atlas on the view and record communications service and
 / or the additional notes section on the relevant Atlas service of the child's
 social worker, local authority contact details and the details of the police officer
 and station the child or vulnerable adult was reported missing to
- email the caseworker and the Central Support Tracing Team to notify them that the child or adult with care and support needs has been reported missing to the local police

On receipt of the email notification, the Central Support Tracing Team must:

 check Atlas person alerts has been updated to show that the person has been reported to the police as missing (and update Atlas if this has not already been done)

The caseworker must:

- maintain a mutually agreed upon level of contact with the local authority and the police until the person is found
- notify the Police National Computer (PNC) team when the person is found,
- recording all contact with the police and local authority on Atlas on the view and record communications service and/or the additional notes section on the relevant Atlas service

When a missing child or vulnerable adult is found

Child or vulnerable adult found by Home Office staff

Home Office staff may encounter a missing child or <u>vulnerable adult</u> because of an enforcement operation, a compliance visit, family or welfare visit or at a port of entry.

You may identify a missing child or vulnerable adult as such by checking the Police National Computer (PNC), Atlas, and / or by questioning.

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In these circumstances, the safety and wellbeing of the child or adult with care and support needs is the primary consideration and the local police and local authority must be informed immediately.

In consultation with the local police and local authority, a decision will be made as to where the child or vulnerable adult is to be taken if they are not to be left at the address where they are encountered.

Home Office staff encountering the missing child or vulnerable adult must:

- make sure that the child or vulnerable adult is safe and well and attend to any medical needs
- inform an officer not below chief immigration officer (CIO) or higher executive officer (HEO) that a missing child or vulnerable adult has been found
- inform the police and local authority that a missing child or vulnerable adult has been found
- in consultation with the police, local authority and CIO or HEO, arrange for the child or adult with care and support needs' to be taken to a place of safety
- notify the caseworker and the Central Support Tracing Team that the missing child or vulnerable adult has been found and the police have been informed
- make a full record on Atlas on the view and record communications service, and / or the additional notes section on the relevant Atlas service of the circumstances of the encounter, action taken and location to where the missing child or vulnerable adult was taken

On receipt of the email notification, the Central Support Tracing Team must close the missing child or vulnerable adult person alert on Atlas to show that the missing child or vulnerable adult has been found.

The caseworker must:

- follow up enquiries with the local police and children or adult services in order to identify if there are any safeguarding issues the Home Office must be aware of
- create a record of those arrangements on Atlas on the view and record communications service, and / or the additional notes section on the relevant Atlas service

Child or vulnerable adult found by the police or local authority

The Home Office National Command and Control Unit (NCCU) will be the single point of contact for the local police and SVEC team will be the single point of contact for the local authorities to notify the Home Office that a child or adult with care and support needs has been found.

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NCCU and SVEC must then:

- create a full record on Atlas on the view and record communications service, and / or the additional notes section on the relevant Atlas service of the circumstances in which the child or vulnerable adult was found, any safeguarding arrangements put in place and the location they were taken to
- inform the caseworker and Central Support Tracing Team that a missing child or vulnerable adult has been found
- the Central Support Tracing Team will then close the missing child or vulnerable adult person alert on Atlas (if this has not already been done)

The caseworker must:

- follow up enquiries with the local police and children or adult services in order to identify if there are any safeguarding issues the Home Office should be aware of
- create a record of those arrangements on Atlas on the view and record communications service, and/or the additional notes section on the relevant Atlas service

Related content

Referring vulnerable people

This page tells Immigration Enforcement officers their responsibility and action required when making initial referrals of a child or vulnerable adult who is considered to be at risk to local authorities.

Adults at risk: definition

For the purposes of this guidance, an adult at risk, also known as an adult with care and support needs, is a person 18 years of age or over who is, or may be, in need of community care services by reason of mental or other disability, age or illness; and who is, or may be, unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation, or where there is a risk of self-harm or suicide, or is a victim of trafficking.

Whilst in most cases the child or vulnerable adult at risk would be expected to be a foreign national, the circumstance may arise when that person is a British national and therefore would not have a record on Atlas. It will still be appropriate to make health and social services aware of any perceived risks to the person concerned in such a situation.

For detailed guidance on when and how to make a referral regarding children see referring children to welfare agencies.

For information on how and when to make a referral regarding at-risk children and adults, see referral to health and social services agencies and managing individual cases.

Identifying welfare issues and operational risks

Any contact with families or children undertaken by the Home Office is an opportunity to obtain and update any welfare issues and identify possible operational risks.

Home Office staff must use risk assessments (RAs) and may also use safe systems of working (SSoW) as supplementary tools to identify and control any identified issues or risks to themselves (and others) in carrying out their tasks. Individual responsibility and accountability for ensuring that risks are managed effectively during operations remains with the officer in charge (OIC) and enforcement managers.

If there are significant concerns about the welfare of an individual, or information suggesting that an individual is vulnerable or at risk of significant harm (through health, disability, a propensity to self-harm, or any other factor) this must be clearly noted on Atlas person alerts and a timely referral must be made to local children's or adult social services.

Where there are safeguarding concerns about a child, make the notification immediately by telephone, followed up with the Safeguarding Advice and Children's

Champion (SACC) child referral form. This ensures an immediate referral with the benefit of the officer being able to seek advice on what to include on the form, if needed. Written or e-confirmation of social services receipt of the notification must also be obtained.

The Home Office network of local safeguarding co-ordinators (and the SACC where children are involved) can provide advice to caseworkers, on liaising with local authorities.

Involvement with local safeguarding boards or equivalents

Information sharing between local agencies dealing with children is enabled by:

- Local Safeguarding Children Boards (LSCBs) in England and Wales
- Child Protection Committees in Scotland
- Area Child Protection Committees in Northern Ireland

Home Office staff working in Scotland must refer to the <u>National guidance for child</u> <u>protection in Scotland 2021</u>, which sets out how to protect children and young people from harm.

Although not required to attend by law, the Home Office uses these forums to provide opportunities to ensure immigration legislation, rules and processes are understood; facilitate appropriate information sharing with the Home Office; and proactively resolve any difficulties with particular agencies.

Should you be requested by LSCBs or their equivalents to provide information for serious case reviews, or similar reviews, refer to the current process in the serious case review (SCR) guidance, accessed via the link to child safeguarding practice review.

For guidance on referring vulnerable adults, see: Adult referrals and Suicide and self harm: Links with local agencies and for referring children see <u>Keeping children safe</u> <u>guidance</u>.

For the Home Office safeguarding co-ordinator network, requesting information from local child welfare agencies, and for referral forms, see: Safeguarding Advice and Children's Champion

Homelessness, including rough sleeping

This section gives Immigration Enforcement officers an overview of their responsibilities when identifying individuals who are homeless, including those rough sleeping.

Homelessness covers any situation where an individual does not have a permanent or safe place to live.

This may be because:

- they have nowhere to stay, they are rough sleeping or squatting.
- they have a temporary arrangement; they are sofa surfing or staying in a B&B.
- the accommodation is unsafe, because of the threat of domestic abuse, issues at the accommodation which affect the individual's health, or because it lacks security

This list is not exhaustive.

Everyone who is homeless is vulnerable even if they have no other vulnerabilities because they are more at risk of being exploited or coming to harm, especially those who are rough sleeping. Not all, but some people who are homeless will also have other vulnerabilities such as physical or mental health conditions, substance misuse or illiteracy, for example. These additional vulnerabilities can make their homelessness even more entrenched making it difficult for them to find a route off the streets.

IE staff are encouraged to acknowledge homelessness as a vulnerability in itself and take a person-centred approach to individuals who find themselves in this situation.

When Immigration Enforcement Officers encounter someone who is rough sleeping, or at imminent risk of rough sleeping, a referral should be made to connect the individual to local services either through a referral to the Local Authority responsible for the area of the encounter, or for those in Greater London only, through a referral via StreetLink.

The Local Authority or StreetLink referral should be recorded on Pronto as a record of our action.

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Related content

Victims of crime

Anybody can be a victim of a crime, regardless of their immigration status. IE has a duty to safeguard victims against potential impacts.

When encountering a migrant victim of crime, consider the following:

- severity of the crime- our response should be proportionate and reasonable to the crime committed
- recency of the crime the victim may have immediate or time critical needs for medical treatment, counselling or they may have already been in rehabilitation for a period of time
- justice a victim may be involved with the Criminal justice system and expected to take part in court proceedings, any IE action must consider how it may impact the carrying out of justice
- harm- some victims may present as a risk to others due to their previous behaviour, criminality, or the trauma they have experienced which may lead to more prompt or robust measures being enacted. This does not mean they should not be viewed as a victim - decision making should take into consideration overall harm to others outweighed against the harm to the individual
- language barriers- for some victims, English may not be their first language and
 it is important to provide accessible support for all victims: care must be taken
 when you are selecting an interpreter to ensure that they understand the culture
 and speak the same language / dialect: where possible, the interpreter should
 have a good awareness of gender-based violence in communities: it is
 important that best practice is followed in relation to selecting interpreters for
 the integrity of investigations and friends, children, family members are not
 used as interpreters: more widely, police and prosecutors should consider how
 they can ensure the victim is able to communicate in other ways such as
 signing languages

Domestic abuse

The Domestic Abuse Act 2021 defines domestic abuse as abusive behaviour towards a person aged sixteen or over where the perpetrator and victim are personally connected to each other. This can include physical or sexual abuse, violent or threatening behaviour, controlling or coercive behaviour, economic abuse and psychological, emotional or other abuse. It does not matter whether the behaviour consists of a single incident or a course of conduct.

Migrant victims of domestic abuse may face barriers when attempting to escape domestic abuse relating to their immigration status. A victims immigration status or lack thereof may be used by perpetrators as another way to inflict abuse. Examples of this may include:

 threatening to inform immigration authorities of their immigration status, or cancelling the victim's visa

- withholding immigration and identity documents
- submitting or withdrawing immigration applications without consent from the victim
- threatening to have the victim deported/ separated from children/ removing financial support of the victim if they report the abuse to authorities

When responding to victims of domestic abuse who are also suspected of an immigration offence, victims should always be treated as victims first. Indicators that an individual is experiencing domestic abuse:

- being withdrawn, upset, agitated
- having injuries such as cuts, bruises, burns, bite marks, black eyes
- being isolated from friends and family
- having their finances controlled by someone else
- emails, texts, and letters being monitored and read by someone else
- being forced into sex or sexual contact
- being verbally abused
- reporting feelings of worthlessness
- being extremely apologetic and fearful in the presence of others

Victims may not recognise that they have experienced domestic abuse. Risk assessments should be conducted holistically for individuals suspected to be victims of domestic abuse.

See also:

- Domestic Abuse Act statutory guidance
- Controlling or coercive behaviour statutory guidance

It may be appropriate to signpost victims to appropriate services for support, especially if they have children or have been relocated to new areas where there may be a lack of community support. Victims of domestic abuse may qualify for route to settlement under Appendix Victim of Domestic Abuse or three-months temporary leave and access to public funds under the Migrant Victims of Domestic Abuse Concession (MVDAC).

See: Adult referrals for guidance on making a safeguarding referral and local authority adult referral form.

Related content

'Honour'-based abuse

This page tells Immigration Enforcement officers about 'honour'-based abuse, forced marriage and female genital mutilation.

'Honour'-based abuse is an umbrella term, which encompasses incidents or crimes involving violence, threats of violence, intimidation, coercion or abuse (including psychological, physical, sexual, financial or emotional abuse) which has or may have been committed to protect or defend the honour of an individual, family and/or community for alleged or perceived breaches of the family and/or community's code of behaviour. The role of the family and community in perpetrating and condoning abuse means that victims are likely to be experiencing abuse from multiple perpetrators, often not only in the UK.

Survivors of 'honour'-based abuse are often unable to return to their families and communities even after the immediate risk has been removed and, when they do, they risk being further isolated. Migrant women can be particularly vulnerable because their lack of personal networks can leave them alone and without support if entirely removed from their communities.

Where the use of an interpreter is required for a woman arriving in the UK to claim asylum, professionals should consider the use of a female interpreter for interviews. This will provide women with the opportunity to disclose their experience and is particularly important when dealing with potential cases of 'honour'-based abuse as well as other forms of harmful practice.

The National 'Honour'-Based Abuse Helpline can offer advice to frontline staff who are supporting people affected by 'honour'-based abuse. Contact details:

telephone: 0800 5999 247 (Monday to Friday, 9am to 5pm)

• email: support@karmanirvana.org.uk

• web: Helpline for professionals - Karma Nirvana

Forced marriage

Forcing someone to marry is a criminal offence in England and Wales and carries a maximum penalty of **seven years' imprisonment**.

A forced marriage is a marriage in which one or both spouses do not (or, in the case of some adults who do not have the necessary mental capacity, cannot) consent to the marriage and violence, threats or any other form of coercion is involved. Coercion may include emotional force, physical force or the threat of physical force and financial pressure. In an arranged marriage, both parties have consented to the union and can refuse to marry if they choose to.

It is also an offence to do anything to make or cause someone to marry before they turn 18, even if there is no pressure or abuse. Professionals should be mindful that some young women might have experienced forced or child marriage where the perpetrator(s) have provided different date of births and/or different names.

There is evidence to suggest that there may be factors that increase the risk of someone being forced into marriage, including bereavement within the family. Occasionally, when a parent dies, especially the father, the remaining parent and/or wider family members may feel there is more of an urgency to ensure that the children are married. A similar situation may arise within single parent households or when a step-parent moves in with the family. If an older child (particularly a daughter) refuses to marry then younger female siblings may be forced to marry in order to protect the 'family honour' or to fulfil the original contract. This is also known as becoming the 'replacement bride or groom'.

Women and girls may also face an increased risk of forced marriage if they have disclosed sexual abuse. Her family may feel that this has brought shame on her and that ensuring she is married may be the only way to restore 'honour' to the family. They may also feel that marriage will put a stop to the abuse.

A person may be at a greater risk if they identify as lesbian, gay, bisexual or transgender (LGBT), as their wider family may feel that by forcing the individual into marriage, their sexuality or gender identity will not be questioned. Parents may also do this out of a mistaken belief that this will 'cure' their son or daughter of what they perceive to be abnormal sexual practices.

Victims of forced marriage often face additional barriers to disclose the abuse. For example, they may be more isolated and feel there is nobody they can trust to speak about their situation. In addition, young girls in particular, who are forced to marry frequently withdraw from education, employment and personal development. Victims can often end up trapped in a relationship marred by physical and sexual abuse. It is only rarely that someone will disclose the fear of forced marriage. Consequently, they will often come to the attention of practitioners for behaviour that is consistent with distress.

A learning or physical disability or illness may also add to a young person's, or an adult's, vulnerability and may make it more difficult for them to report abuse or to leave an abusive situation. Their care needs may make them entirely dependent on their carers.

The Forced Marriage Unit (FMU) can offer advice to frontline staff handling cases of forced marriage at any stage in a case. The FMU offers further information and advice on the wide range of tools available to tackle forced marriage, including legal remedies, overseas assistance and how to approach victims. Contact details:

• telephone: 020 7008 0151 (Monday to Friday, 9am to 5pm)

• email: fmu@fco.gov.uk

• web: Forced marriage - Detailed guidance

For all out of hours emergencies, telephone 020 7008 1500 and ask to speak to the Global Response Centre.

Female genital mutilation (FGM)

FGM is a procedure where the female genital organs are injured or changed and there is no medical reason for this. It is frequently a very traumatic and violent act for the victim and can cause harm in many ways. The practice can cause severe pain and there may be immediate and/or long-term health consequences, including mental health problems, difficulties in childbirth, causing danger to the child and mother; and/or death.

The most significant factor to consider when deciding whether a girl or woman may be at risk of FGM is whether her family has a history of practising FGM. In addition, it is important to consider whether FGM is known to be practised in her community or country of origin. The age at which FGM is carried out varies enormously according to the community. The procedure may be carried out shortly after birth, during childhood or adolescence, just before marriage or during a woman's first pregnancy. Further information about risk factors is available in Annex B of the multi-agency statutory guidance on female genital mutilation.

The mandatory reporting of FGM came into force on 31 October 2015 through the Serious Crime Act 2015. The Act's provisions mean that health and social care professionals and teachers in England and Wales must report cases of FGM in under 18-year-olds to the police (it does not apply where a woman aged 18 or over discloses that she had FGM when she was under 18. The duty is also limited to 'known' cases that are identified by a professional or disclosed by the victim). More information on this duty can be found on GOV.UK.

The mandatory reporting of FGM does not apply to case-working staff but you still have a <u>safeguarding</u> responsibility. As stated above, you should immediately make a safeguarding referral where you identify that a child has been, or is at risk of being, subjected to FGM.

The <u>SACC</u> can advise if required. Any general enquiries (non-urgent or non-operational) about FGM can also be addressed to: FGM Enquiries.

See also: <u>Safeguarding children</u>

Spiritual and Ritualistic Abuse (SARA - (including accusations of witchcraft))

Many adults and children have beliefs, spirituality, faith, traditions and even superstitions which are deeply embedded. These can make adults and children vulnerable to those who would use those spiritual beliefs to exploit or harm them and can result in fatal outcomes.

People are vulnerable to spiritual and ritualistic abuse (SARA) as they do not see what happens to them as abuse. They see it as normal behaviour which has been embedded from a young age and not something to be questioned. SARA is not synonymous with one ethnicity, country or even belief in the world. Every country,

community and ethnicity supports a wide range of beliefs and spiritualities, that in some cases can be used as a means of abuse.

Anyone from any culture or community can be an abuser, and anyone can be a victim-survivor of this abuse.

Identifying adults and children who are vulnerable to SARA can be difficult due to a lack of understanding regarding the issue of 'honour' and culture, and officials generally not appreciating family dynamics that can lead family members to be deceptive in these types of cases. Victims may come from 'good' families and backgrounds, where they may appear well-looked after, however it is the cultural and traditional belief systems that determines whether a person is at risk of harm relating to SARA.

IE staff and partners are encouraged to look beyond conventional signs of abuse and appreciate the family dynamics in these types of cases in order to assess risk to vulnerable victims. A common factor is that the abuser can appear to be an upstanding citizen and, without understanding their belief, we would not suspect that they would commit harm.

IE staff who identify a victim of SARA should follow the guidance in this document which sets out how to safeguard vulnerable adults and children. If there is an immediate risk to life, contact the police as a matter of urgency.

Further information can be found at:

- Child abuse linked to faith or belief
- · Child Abuse linked to faith or belief including witchcraft
- National action plan to tackle child abuse linked to faith or belief

Related content

Sexual exploitation and vice

This page tells Immigration Enforcement officers how to identify sexual exploitation and vice.

Indicators of sexual exploitation include:

- adverts for sexual services offering individuals from particular ethnic or national groups
- sleeping on work premises
- movement of individuals between brothels or working in alternate locations
- individuals with very limited amounts of clothing or a large proportion of their clothing is 'sexual'
- only being able to speak sexual words in local language or language of client group
- having tattoos or other marks indicating 'ownership' by their exploiters
- person forced, intimidated or coerced into providing services of a sexual nature
- person subjected to crimes such as abduction, assault or rape
- someone other than the potential victim receives the money from clients
- health symptoms (including sexual health issues)
- signs of ritual abuse and witchcraft (juju)
- substance misuse
- appearing guarded, being accompanied, or having their movement restricted
- not allowed to keep or have limited access to the money they make
- highly distrustful of law enforcement or authorities
- person has false documents.
- found in / connected to a location likely to be used for exploitation
- not knowing the address of where they work or live
- afraid of saying what their immigration status is
- their appearance suggests general physical neglect
- · not being registered with a GP
- providing vague and inconsistent explanations or where they live, work or schooling
- passports or documents held by someone else
- displaying inappropriate sexualised behaviour, such as over-familiarity with strangers, dressing in a sexualised manner or sending sexualised images by mobile phone (sexting)
- increasing their screen time or showing unusual use of online platforms, such as websites, social media, apps or games
- they may also show signs of unexplained physical harm, such as bruising and cigarette burns or normal body movement appears painful
- if English is not their first language, they are always accompanied for any official appointments 'for translation' but conversation does not involve the person, the person accompanying them is answering the questions 'for' them

This list is not exhaustive.

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Contents	