



Making every child matter ... everywhere

A scoping study into the outcomes for children and young people encountered in cannabis factories in the UK

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Child Exploitation and Online Protection Centre

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1. Introduction and Terms of Reference

- 1.1. In 2006, the Child Exploitation and Online Protection (CEOP) Centre conducted a scoping project of the level of existing information and understanding of the nature and scale of child trafficking to the United Kingdom. *A Scoping Project on Child Trafficking in the UK* was published in June 2007.
- 1.2. Evidence from this project suggested that some children had been arrested as a result of their involvement in activities connected with their trafficking, such as cannabis cultivation, raising the possibility of them being prosecuted for crimes committed under duress while in exploitative situations. A number of cases were identified in which Vietnamese children had been working in cannabis factories. Further reports of a similar nature have since been received from partner agencies, prompting this scoping study.
- 1.3. The findings from this initial scoping study are based on crime data and, as such, should not be taken to be a complete assessment of the extent to which child victims of trafficking are being exploited in cannabis factories.
- 1.4. This report has been derived from a restricted level publication that has been made available to law enforcement under the Government Protective Marking System.

2. Summary of Findings

- 2.1. The children located ranged in age from 10-18.¹, with the largest group of children aged at 16 years old. In a number of cases the authorities expressed suspicion that the child was not being truthful about their age and that they were in fact adults. In the majority of these the subject was dealt with by police and immigration as a child despite these concerns. In the majority of cases there was no formal age assessment².
- 2.2. Where information about the background of the child was available, there was some evidence of links between the agents who brought the children to the UK and those they worked for after their arrival, indicating that these children were likely to have been trafficked. These links included:
- The child being immediately conveyed to the cannabis factory upon arrival in the UK;
 - The child being aware of the details of their work requirements in the UK prior to having left their home country.
- 2.3. With regard to action taken subsequent to the location of the child by the authorities, the study found that in the majority of cases where there was sufficient information the child was arrested, charged and remanded in custody.
- 2.4. In the vast majority of cases in which bail was granted the children failed to abide by reporting conditions and were not seen again. These children had been placed into the care of Social Services and were reported as missing soon after.

¹ The 10 year old was located in company with people believed to be his parents and was not arrested. One 18 year old also features in this data as he was initially arrested as a 16 year old.

² Cf. Silverstone and Savage (2007), *Vietnamese Organised Crime in the Vietnamese/UK Context* (University of Portsmouth Institute of Criminal Justice Studies) for the suggestion that many Vietnamese 'children' located in the UK were in fact adults using their diminutive stature to pass as children.

- 2.5. Of the cases that have been before the court a guilty verdict was reached in the majority of cases. Sentences ranged from a 12 month Detention & Training Order to 42 months in a Young Offenders Institution.

- 2.6. There were no Border and Immigration Agency (BIA) records of any of these children arriving in the UK. This suggests that their arrivals were unlawful, either clandestine or made possible through the use of false documents.

- 2.7. Asylum claims were made in a minority of cases. Figures were lower than expected, perhaps as a result of the use of false identification in dealings with the police forces and the Borders Agency.

3. Conclusion

- 3.1. The appropriate identification of children as victims of trafficking and their subsequent referral through the child protection system is complex and problematic. This is compounded if the individual has been identified as being involved in, or connected to, a criminal activity.

- 3.2. Based on the cases in this report, the problem in England and Wales does not appear to be that the police and/or Crown Prosecution Service knowingly pursue the prosecution of victims of trafficking. From the cases examined in this research the issue appears to be partly that many of the professionals who encounter these children are not aware of the problem of child trafficking and therefore do not consider the possibility that these children could be victims. A general lack of cooperation with the police by these children also limits the amount of information and/or evidence that is available to investigators and prosecutors to consider the child as a trafficking victim. The problem is exacerbated by the fact that these children are often working unsupervised in a criminal enterprise, use of false documents, provide false names and dates of birth are behaviours which do not fit the typical perception of a 'victim'.

4. Recommendations

4.1. Greater effort should be made to make police first responders, investigators and prosecutors aware that children involved in cannabis cultivation may be victims of trafficking. More specific recommendations are:

- Development of best practice guidelines for police to use in dealing with children that may have been trafficked, to include victim identification and risk assessment processes;
- Increased awareness raising of child trafficking, including this profile, be carried out across law enforcement agencies;
- UK support of source country initiatives to strengthen criminal justice responses to human trafficking and migrant smuggling; and
- Continued intelligence gathering and analysis to track changes in trends of this child trafficking profile in order to inform the UK law enforcement response.

4.2. These recommendations will be taken forward by the Child Trafficking Unit at the Child Exploitation and Online Protection (CEOP) Centre in partnership with other law enforcement agencies.

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