



Thursday 4 April 2019

Dear Home Secretary,

We are writing to you regarding the recent third interim report of the independent review of the Modern Slavery Act 2015 (MSA),¹ on independent child trafficking advocates; led by your parliamentary colleagues Maria Miller MP, Frank Field MP and Baroness Butler-Sloss. We welcome many of the report's recommendations. However, we regret the missed opportunity to help protect some of the most vulnerable children in our society; those separated from their parents and facing serious risks of exploitation, abuse and other safeguarding concerns.

All of our organisations work to provide the best possible outcomes for separated and trafficked children through a combination of advocacy and advice, policy and campaigning.

Following difficult journeys to the UK, separated children can struggle without a parent or carer. They are often required to navigate complex and difficult processes without anyone to act in their best interests, as we would expect a parent to do.

An independent legal guardian would be central to a child's life, connecting them to all of the support they need, instructing solicitors on their behalf and representing their best interests throughout. A similar scheme already exists in Northern Ireland and Scotland; this vital protection is also much-needed for children in England and Wales.

Although they form a small proportion of looked after children, separated children often fall through the gaps in statutory support, facing subsequent risks of mental health crisis, suicide² and a high risk of going missing, which is also an indicator that they may be facing exploitation.³ We are extremely concerned about the rate of self-harm and suicide among these young people, including reports of unaccompanied Eritrean young people who have taken their own lives.⁴

These stories highlight the importance of ensuring that every separated child has a trusted adult on their side with powers to compel agencies to act and advocate on their behalf. A scheme of independent legal guardians could help to safeguard and significantly improve the well-being of separated children, as well as helping to achieve better-coordinated, long-term cost savings for statutory services.⁵

The MSA review panel acknowledged incidents of trafficked children who have not

¹ <https://www.gov.uk/government/publications/modern-slavery-act-2015-review-third-interim-report>

² <https://www.childrensociety.org.uk/what-we-do/resources-and-publications/distress-signals>

³ <https://www.ecpat.org.uk/still-in-harms-way>

⁴ <https://www.theguardian.com/uk-news/2018/jun/17/suicides-raise-alarm-about-uk-treatment-of-child-refugees-eritrean>

⁵ <https://www.childrensociety.org.uk/what-we-do/resources-and-publications/publications-library/costs-and-benefits-guardianship-%E2%80%93-summary>

yet been identified, or others that are vulnerable to being trafficked in future,⁶ and referenced the case for independent legal guardianship for these children. However, the review panel concluded that this issue was outside of the terms of their review. Nevertheless, legal powers for guardians in Scotland and Northern Ireland were introduced through modern slavery legislation and we believe that a similar opportunity exists in England and Wales. We hope that you will conduct your own review into independent legal guardianship for separated children, alongside the wider MSA review.

The Government has already committed to fighting modern slavery, and supporting young victims must be central to this. We also know that the government is committed to promoting children's welfare in all its immigration and asylum functions, including when children are in this country on their own.

We are eager to meet with you to discuss the risks that separated children face and the benefits that independent legal guardians can provide.

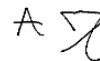
Yours sincerely,



Nick Roseveare MBE,
The Children's Society



Louise King,
Children's Rights
Alliance England



Kamena Dorling,
Coram Children's Legal
Centre



Katherine Mulhern,
ECPAT UK



Mike Penrose,
UNICEF UK

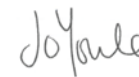


Ilona Pinter, Refugee
and Migrant Children's
Consortium



Almudena Lara,
NSPCC

Dipti Pardeshi,
Chief of Mission,
International
Organization for
Migration (IOM) UK



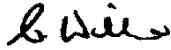
Jo Youle,
Missing People



Maurice Wren,
Refugee Council



John Simmonds OBE,
CoramBAAF



Carolyne Willow,
Article 39



Josephine Naughton,
Help Refugees

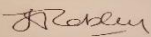
Kerry Smith,
Helen Bamber
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Jon Fayle,
National Association of
Independent Reviewing
Officers

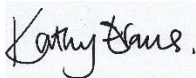


Imran Hussain,
Action for Children

Lauren Wroe,
Social Workers without
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Jo Cobley,
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Kathy Evans,
Children England



Natasha Finlayson,
Become



Sabir Zazai, Scottish
Refugee Council

Frances Crook,
Howard League for
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Steve Crawshaw,
Freedom from Torture



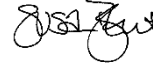
David Westlake,
International Justice
Mission UK



Phil Knight,
Just Enough Group



Kirsty Thomson,
JustRight Scotland



Sue Bent,
Central England Law
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Edie Friedman,
Jewish Council for
Racial Equality



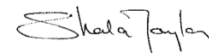
Imogen Jolly,
Simpson Millar



Philip Ishola, Love 146



Sally Anne Kelly,
Aberlour



Sheila Taylor MBE,
NWG Network



Rita Waters, National
Youth Advocacy
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Ursula O'Hare,
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Sheila Melzak,
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Young Survivors in
Exile



Eleanor Harrison OBE,
Safe Passage



Jasmine O'Connor,
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Carolyn Housman,
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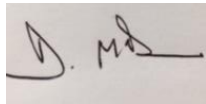
Victoria Marks, ATLEU



Minh Dang, Survivor
Alliance



Ruth Hayes,
Islington Law Centre



Denise McDowell,
Greater Manchester
Immigration Aid Unit

Anna Skehan,
MiCLU



Celia Sands, South
London Refugee
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Sukhchandan Pal Kaur,
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