



# Modern Slavery Act 2015

## 2015 CHAPTER 30

### PART 5

#### PROTECTION OF VICTIMS

#### **48 Independent child trafficking advocates**

- (1) The Secretary of State must make such arrangements as the Secretary of State considers reasonable to enable persons (“independent child trafficking advocates”) to be available to represent and support children where there are reasonable grounds to believe they may be victims of human trafficking.
- (2) In making arrangements under subsection (1) the Secretary of State must have regard to the principle that, so far as practicable, a child should be represented and supported by someone who is independent of any person who will be responsible for making decisions about the child.
- (3) The arrangements may include provision for payments to be made to, or in relation to, persons carrying out functions in accordance with the arrangements.
- (4) A person appointed as an independent child trafficking advocate for a child must promote the child’s well-being and act in the child’s best interests.
- (5) The advocate may (where appropriate) assist the child to obtain legal or other advice, assistance and representation, including (where necessary) by appointing and instructing legal representatives to act on the child’s behalf.
- (6) The Secretary of State must make regulations about independent child trafficking advocates, and the regulations must in particular make provision—
  - (a) about the circumstances in which, and any conditions subject to which, a person may act as an independent child trafficking advocate;
  - (b) for the appointment of a person as an independent child trafficking advocate to be subject to approval in accordance with the regulations;

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*Status: This is the original version (as it was originally enacted).*

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- (c) requiring an independent child trafficking advocate to be appointed for a child as soon as reasonably practicable, where there are reasonable grounds to believe a child may be a victim of human trafficking;
  - (d) about the functions of independent child trafficking advocates;
  - (e) requiring public authorities which provide services or take decisions in relation to a child for whom an independent child trafficking advocate has been appointed to—
    - (i) recognise, and pay due regard to, the advocate’s functions, and
    - (ii) provide the advocate with access to such information relating to the child as will enable the advocate to carry out those functions effectively (so far as the authority may do so without contravening a restriction on disclosure of the information).
- (7) The Secretary of State must, no later than 9 months after the day on which this Act is passed, lay before Parliament a report on the steps the Secretary of State proposes to take in relation to the powers conferred by this section.