# Contextual Safeguarding Across Borders:

## testing the applicability and feasibility of 'Contextual Safeguarding' as an approach to safeguarding adolescents from extra-familial harm in international settings

Year One Scoping Report
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# Contents

## Key terms

**Safeguarding** – measures to protect the health, well-being and rights of children, young people, and vulnerable adults to live free from abuse, harm, and neglect.
**Extra-familial harm** – forms of abuse that take place beyond the family, for example peer-on-peer harm or abuse by adults in contexts including peer groups, schools, and neighbourhoods.
**Multi-agency partnerships** – professional collaboration between different agencies most often including social care, health, education, and the police.
**Adolescence** – young people aged between 10-25.

# 1. Background to the research

## 1.1. The 'Contextual Safeguarding Across Borders' project

Contextual Safeguarding Across Borders (CSAB) is a two-year research project funded by Porticus Foundation. The study will explore the feasibility and applicability of a 'Contextual Safeguarding' approach to safeguarding adolescents from the risks and harms they experience in their peer groups, schools, and neighbourhoods, in settings outside the U.K. Since 2017, the Contextual Safeguarding research programme has supported policy makers and child protection professionals in England and Wales to develop the guidance, policies, language, interventions, and outcome measurements required to effectively safeguard adolescents from a range of 'extra-familial' harms (harms outside of their families). In 2018 'Contextual Safeguarding' was included in statutory safeguarding guidance in England and Wales, acknowledging that when young people experience significant harm in settings beyond their families, this is a form of child abuse requiring a child protection response. We have supported local government social work departments (and their multi-agency partners), schools, and voluntary sector organisations to make 'systems changes' to better support the identification of, and response to, extra-familial harm in adolescence. We have also supported schools, youth clubs, faith groups, and sports groups to identify and address the levers and barriers to safeguarding adolescents from extra-familial harm in their youth settings.

To date, the programme has worked with 10 local authority children's social care teams in England and Wales to implement Contextual Safeguarding, adapting their safeguarding system to better meet the needs of adolescents. The Contextual Safeguarding Network, an online platform sharing resources and practice tools drawn from our research, has over 11,000 members and a further 54 local authorities are engaged in our Local Area Interest Network and Local Area Implementation Group; exploring the feasibility or applicability of Contextual Safeguarding in their local councils respectively. Our Contextual Safeguarding Advisory Network brings together key strategic players from government departments to understand the implications of the approach for legal, policy, and practice frameworks that inform the child protection system in England and Wales. As a result of the Network's work, updated statutory child protection guidance and government inspection frameworks,

as well as policing action plans in England and Wales, have been informed by Contextual Safeguarding principles.

Contextual Safeguarding is a response to the specific legislative and organisational contexts that govern child protection in England and Wales, as detailed in section 1.2. of this briefing. However, we know that adolescents across the globe are navigating a range of harms in contexts outside of their families (see section 2). We also know that child protection systems and services across the globe can struggle to engage adolescents, to recognise the harms they experience as forms of child abuse, and that in many places, including the UK, adolescents continue to face criminalisation because of their abuse and exploitation.

This project aims to test the feasibility and applicability of Contextual Safeguarding in other European settings. What shared risks do young people face across European contexts? Where are the divergences, and what can we learn from them? What challenges do child protection systems and other professionals encounter in their attempts to create safety for adolescents? Are there shared opportunities for improving outcomes for young people?

To understand the feasibility and applicability of Contextual Safeguarding in Europe the project will focus on a single European country and a specific cohort of adolescents. This project will focus on asylum-seeking adolescents in Germany, due to the high numbers of adolescent asylum-seeking young people entering Germany since 2015 and the extra-familial risks that can accompany asylum-seeking.

Over the next two-years the CSAB project will explore these questions by engaging in the following activities:

- ✓ A scoping review of the literature on adolescence and extra-familial harm in Europe, with a specific focus on asylum-seeking and refugee adolescents and the risks they face in their communities;
- ✓ Identifying and partnering with a service delivery organisation in Germany to run a pilot intervention to explore and support the adolescents they engage to be safer in extra-familial contexts;
- ✓ Convening a stakeholder group in two roundtable discussions to reflect on the findings of our scoping review, our plans for implementing a Contextual Safeguarding intervention in Germany and the findings from the pilot, and to disseminate learning at a pan-European policy and practice level.

This briefing is an introduction to the CSAB project. It will provide an overview of the Contextual Safeguarding approach, before presenting the findings of a scoping review into the nature and response to extra-familial harm in adolescence in Europe. We will consider the specific status of adolescent asylum-seekers in Germany and their safety needs in extra-familial contexts. Finally, we will consider the shared challenges and opportunities for a contextual approach to safeguarding adolescents from risks beyond their families.

## 1.2. What is a Contextual Safeguarding approach?

The child protection system in the UK, and the legislation that governs it, exists to ensure that children are safeguarded from harm and that their welfare is promoted. The child protection system is legislated by the Children Act 1989, with a focus on parental capacity to keep children safe. As such, child protection systems have traditionally focused on younger children and their experiences of harm within their families.

Adolescents (ages 10-25) can experience a range of harms outside of their families, such as harm from their peers or sexual or criminal exploitation by adults. These forms of harm often take place in contexts away from young people's families and homes; in their peer groups, schools and neighbourhoods (see figure one below – detailing the forms of 'extra-familial' harm outlined in UK statutory guidance). The English and Welsh child protection system typically responds by assessing and intervening into families and their homes and has struggled to keep young people safe when harm is taking place outside of these settings. This has meant that adolescents' experiences of significant harm beyond their families are often understood and responded to as behavioural or youth justice issues, rather than as a child welfare issue, requiring a child protection response.

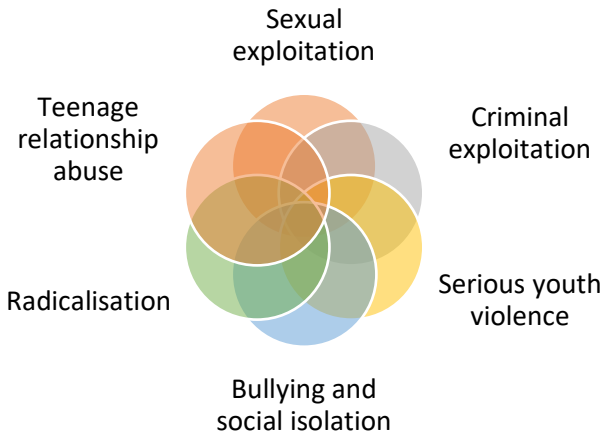


*Figure one: extra-familial forms of harm impacting adolescents*

Contextual Safeguarding is a framework for safeguarding adolescents that has been developed in response to this challenge. How can we design a child protection system that can appropriately respond to adolescents' experiences of harm beyond their families? Since 2018, statutory guidance from the UK Department for Education has included 'extra-familial harm' as a category of harm that the child protection system should be equipped to identify and respond to.

Over the past five years the Contextual Safeguarding research programme has supported local authorities, voluntary and community sector (VCS) organisations and schools and colleges in England and Wales to make 'systems changes' to their child protection services so that they are better able to identify and respond to instances of 'extra-familial harm' experienced by adolescents. The Contextual Safeguarding approach was developed by Professor Carlene Firmin following case reviews of child protection responses (or lack thereof) to adolescent harm where young people had been seriously injured or killed by their peers. The approach is underpinned by four domains (figure two) which

stipulate that for child protection systems to adequately respond to and create safety in the contexts where adolescents experience harm, they should:

- ✓ design their services to **target** the contexts where adolescents experience harm (i.e., not just their families and home, but also their schools/parks/neighbourhoods);
- ✓ do this using child protection **legislative frameworks** (rather than say crime prevention frameworks);
- ✓ work with a range of **partners** i.e. organisations and services that have reach into these spaces (beyond the usual statutory partners);
- ✓ measure **outcomes** not just through changes to young people's behaviours but changes to the contexts where harm occurs.


*Figure two: the four domains of Contextual Safeguarding*

Local authorities, VCS organisations and schools and colleges that have implemented Contextual Safeguarding have made changes at two levels of their system response:

- Level one – adapting traditional child protection assessments and methods to include consideration of contexts beyond families. For example, adapting assessment or referral forms to ask questions about peer groups, schools, or areas where young people feel safe or at risk (safety mapping).
- Level two – adapting service delivery to intervene in contexts beyond families. For example, bringing groups of peers together for mentoring or mediation.

The Contextual Safeguarding approach is underpinned by five values that ensure safeguarding in extra-familial contexts meets the specific needs of adolescents, promoting their right to thrive, as well as their right to protection.

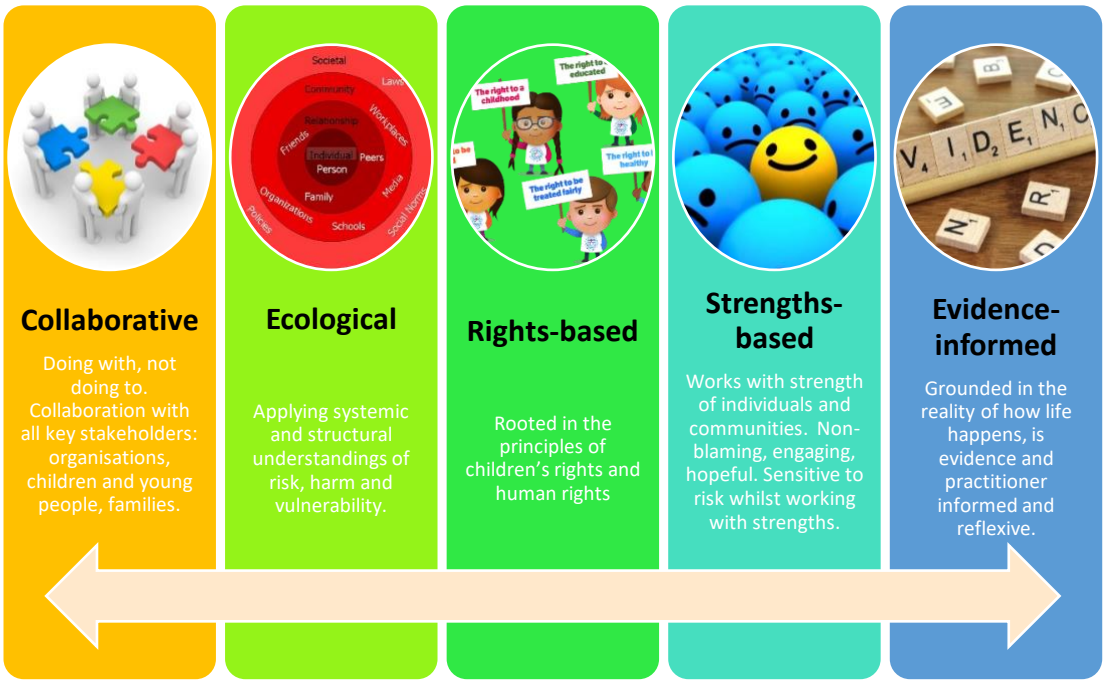


*Figure three: the five values underpinning Contextual Safeguarding*

As a result of our work with local authorities, VCS organisations and schools and colleges in England and Wales to implement a Contextual Safeguarding approach, we have produced a range of resources and practice toolkits to support professionals to create safety for adolescents in extra-familial settings. They can be accessed for free on the Contextual Safeguarding Network website. The website contains examples of interventions that use a Contextual Safeguarding approach across a range of settings – including children's social care services, and schools and voluntary organisations. Below are some examples of contextual interventions that were delivered by voluntary organisations.

**Supporting young people to become peer mentors at a youth club**

Peer relationships can be an important source of support and safety for young people. Some young people might like to act as 'mentors' to give advice and support to other young people accessing a service in the same organisation or attending the same youth club. This case study shares how a social enterprise supporting young women affected by 'gang'-related sexual and criminal exploitation built safety around a peer group through supporting young people to become mentors.

**Improving responses to serious youth violence: The Oldham Youth Now project**

This case study shares examples of how a Youth Justice team, based in a voluntary sector organisation, developed a range of contextual interventions with statutory agencies and community partners. This included conducting a 'school safety audit' with young people and organising a pop-up youth club to make a location in the neighbourhood safer through the provision of positive activities and building 'community guardianship' for young people in the space.

# 2. Scoping review: exploring the challenges and opportunities for safeguarding adolescents from extra-familial harm in European contexts

We conducted a scoping review of peer-reviewed and grey literature to understand current responses to adolescent extra-familial risk in European settings. The methodology for the scoping review is outlined on the project website page.

## 2.1. Child protection systems in Europe and 'extra-familial harm': a brief introduction

Comparisons across child protection systems in Europe indicate that in many European countries, like in the UK, abuse appears to be primarily defined and addressed in the familial setting, with state intervention depending on the abuse being attributable to parenting. Child protection systems in European countries protect children and young people from risks situated within their home/family by removing them from their home environment and/or by creating 'safety nets' for their families through social and economic protection arrangements.[1] Over the last decade, the European Union and the Council of Europe have called for better integrated child protection systems across Europe[2], and European legislation has sought to harmonise responses to child abuse – with a particular focus on sexual abuse and trafficking.[3] Despite these developments, national implementation across European countries is a mixed picture. A mapping of child protection systems across the EU, conducted by the European Union Agency for Fundamental Rights, revealed that while most EU member states have national child protection laws, implementation varied greatly within and between member states.[4] The review notes that certain groups of children do not receive adequate services, including children with disabilities; children belonging to ethnic minority groups; children in juvenile justice systems; irregular migrants; and unaccompanied and separated children. More recently, the 'Global status report on preventing violence against children' by the World Health Organisation, flagged that in two thirds of European countries young people who are at risk of, or have experienced abuse, are not adequately supported.[5]

The distinction between intra-familial harm (within the family) and extra-familial harm (beyond the family) harm doesn't appear to be demarcated in Europe as in the UK. However, key European regional policy developments have focussed on child sexual abuse (including child sexual exploitation) and trafficking of human beings (including the trafficking of children), both of which are harms that typically occur beyond the family. The overarching focus on violence against children is on

[1] Gilbert, N., Parton, N., & Skivenes, M. (Eds.). (2011). *Child protection systems: International trends and orientations*. Oxford University Press; Merkel-Holguin, L., Fluke, J. D., & Krugman, R. D. (Eds.). (2019). *National systems of child protection: Understanding the international variability and context for developing policy and practice*. New York: Springer.; Spratt, T., Nett, J., Bromfield, L., Hietamäki, J., Kindler, H., & Ponnert, L. (2015). Child protection in Europe: Development of an international cross-comparison model to inform national policies and practices. *The British Journal of Social Work*, *45*(5), 1508-1525.
[2] "10 Principles for Integrated Child Protection Systems", European Union, 3 June 2015.
[3] The Council of Europe Convention on Action against Trafficking in Human Beings; The 'Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 2010'; Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography; Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims.
[4] Mapping Child Protection Systems in the EU, FRA, 2015.
[5] WHO (2021) *European regional status report on preventing violence against children 2020*.

forms of violence that children experience or witness. Specific considerations about protecting children and adolescents who may be both victims and perpetrators of violence, including when forced into exploitative situations, or displaying 'problematic behaviour' that could require protective measures, appear to remain largely absent[6].

## 2.2. Responding to sexual exploitation and trafficking in adolescence: key trends and challenges in Europe

Due to varying terminology used to describe extra-familial harm outside of the UK, this scoping review focuses on child sexual abuse that takes place in extra-familial settings (such a child sexual exploitation, commercial exploitation, or other forms of sexual violence that take place beyond the home) and trafficking of adolescents in extra-familial settings. We have focused on these types of extra-familial harm because they have internationally recognised definitions, and because they feature more prominently in the European literature. In section 4.1. of this briefing we consider how Contextual Safeguarding could support us to consider a broader range of extra-familial harms as forms of child abuse. There have been significant developments in international policy frameworks and guidance calling for prevention and responses to child sexual exploitation and trafficking[7], however these forms of extra-familial harm remain widespread in Europe.[8] Most of the English-language literature about responses to these forms of harm comes from the US and the UK[9], with limited English-language literature about responses in extra-familial contexts, including in European countries (the language barrier being an acknowledged limitation of this scoping review). Studies that were identified through this scoping nonetheless surface some shared trends and challenges in various European countries related to identifying and supporting adolescent victims of child sexual abuse and trafficking.

### Identification and referral

One underlying challenge is low levels of identification and lack of referral mechanisms for victims of child sexual exploitation and trafficking. Reasons for this outlined in the literature were[10]:

- Numerous barriers to disclosure
- A lack of awareness, understanding and recognition among parents and the wider public
- A lack of specialised professional training
- Poor information sharing by agencies
- A lack of clarity about what agency has safeguarding responsibility

[6] Bruning, M. R., & Doek, J. E. (2021). Characteristics of an effective child protection system in the European and international contexts. *International journal on child maltreatment: research, policy and practice*, *4*(3), 231-256.

[7] See for instance the EU strategy on combatting trafficking in human beings 2021-2025; The Council of Europe One in Five Campaign.

[8] As reported to the US National Centre for Missing and Exploited Children (NCMEC).

[9] Benavente, B., Díaz-Faes, D. A., Ballester, L., & Pereda, N. (2021). Commercial sexual exploitation of children and adolescents in Europe: A systematic review. *Trauma, Violence, & Abuse*, 1-20.

[10] Barner, J. R., Okech, D. and Camp, M. A. (2018). '"One Size Does Not Fit All:" A Proposed Ecological Model for Human Trafficking Intervention', *Journal of evidence-informed social work,* 15(2): 137-150; Degani, P., Pividori, C., Bufo, M., Donadel, C., Bragagnolo, C., Bedin, E., Bari, G. d., Stoian, G. M., Mitroi, A., Peyroux, O., Dubois, V. and Coll, A. d. (2015). *Trafficked and Exploited Minors between Vulnerability and Illegality*; Dimitrova, K., Ivanova, S. and Alexandrova, Y. (2015). *Child Trafficking Among Vulnerable Roma Communities*, Sofia, Bulgaria: Centre for the Study of Democracy; Forin, R. and Healy, C. (2018) *Trafficking along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking*, Vienna: ICMPD; Muraya, D. N. and Fry, D. (2016). 'Aftercare services for child victims of sex trafficking: A systematic review of policy and practice', *Trauma, Violence, & Abuse,* 17(2): 204-220; Palmer, E. (2019). Trafficked children and child protection systems in the European Union. European journal of social work, 22(4), 551-562; Radford, L., Allnock, D., & Hynes, P. (2015). *Preventing and responding to child sexual abuse and exploitation: Evidence review*. Child Protection Section Programme Division UNICEF Headquarters; UNICEF (2008). *Child trafficking in Europe: a broad vision to put children first*: United Nations Publications.

- Inconsistent definitions across European countries of what constitutes 'child sexual exploitation' and 'human trafficking' leading to varying thresholds for service provision
- Inconsistent applications of European 'National Referral Mechanisms'

## Parenting focus and/or therapeutic interventions

An international scoping review of the literature on responses to child sexual exploitation observed that child protection agencies tend to either directly support child and adolescent victims of sexual abuse and exploitation or refer them to other agencies – including VCS organisations. Case management (through the support of 'key workers' or 'guardians') has been recommended for those working with child victims of sexual exploitation and internal and international trafficking for sexual purposes in many different contexts. Support mainly centres on psychological, behavioural, and interactional factors of child abuse with many interventions focusing on improving child-parent relationships or therapeutic services for children.[11]

In Europe, the Barnahus model, well established in Scandinavia, has been promoted as a best-practice model.[12] The model, developed for children and adolescents, works as a child-friendly service provision under one roof, where law enforcement, criminal justice, child protective services, and medical and mental health workers cooperate and assess together the situation of the child and decide upon the follow-up. Similarly co-located, multi-agency teams were established in the UK in response to child sexual exploitation, however some have raised concerns about how competing partnership priorities between agencies could lead to the criminalisation of adolescents who commit offences as a result of their exploitation and abuse.[13]

## Specialist care provision

Specialist care provision appears to be one response to adolescent exploitation and trafficking, however there were few examples and evaluations in the literature of specialised care settings. Some European countries have specialised care facilities for young people at risk of, or affected by, child sexual exploitation or trafficking providing various forms of support – such as the Netherlands[14]; Sweden, or Bulgaria.[15] In some instances, young people can be placed in 'secured' facilities or detention centres for their protection – evidence of this was found in the Netherlands[16], Norway [17]and Hungary.[18] Moreover, a European review by the foundation Lumos (2020) indicates that adolescents who are trafficking and unaccompanied minors are often placed in institutions 'for protection'. In some cases, victims can be placed in the same institutions as youth offenders. The report shows that being placed in these institutions can make young people more vulnerable to (re)trafficking – and refers to this pattern as "institution-related trafficking".[19]

[11] Radford et al. (2015)
[12] Johansson, S., & Stefansen, K. (2020). Policy-making for the diffusion of social innovations: the case of the Barnahus model in the Nordic region and the broader European context. *Innovation: The European Journal of Social Science Research*, *33*(1), 4-20.
[13] Wroe, L. E. (2021). Young people and 'county lines': a contextual and social account. Journal of Children's Services, 16:1, 39-55.
[14] Aussems, K., Muntinga, M., Addink, A., & Dedding, C. (2020). Call us by our name": Quality of care and wellbeing from the perspective of girls in residential care facilities who are commercially and sexually exploited by "loverboys". Children and Youth Services Review, 116, 105213.
[15] Organization for Security and Co-Operation in Europe (2018). *2018-2019 Report of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings*.
[16] Aussems et al. (2020)
[17] Organization for Security and Co-Operation in Europe (2018)
[18] Denagi et al. (2015)
[19] Lumos (2020). *Crack in the system: Child trafficking in the context of institutional care in Europe*.

### Temporary accommodation

As alternative care provision is generally lacking, victims of exploitation – including European minors and minors trafficked from countries outside of Europe – are often placed in unsuitable emergency or temporary accommodations, such as shelters, or detention facilities, with limited or no access to support.[20] Young people can go missing from their accommodation due to poor living conditions in these shelters or detention centres and/or continued links with their exploiters.[21] Staff running such shelters in Europe, furthermore, lack training to support victims of exploitation.[22]

### Responses are fragmented across agencies

Our scoping further indicates that responses to child sexual abuse and trafficking are fragmented across different agencies and organisations. Due to varying legal definitions and understandings of child sexual exploitation and trafficking, there is ambivalence about who is responsible for safeguarding victims of these forms of harm and thresholds for service provision vary across countries.[23] As a result, responses and care provision tend to sit between the child welfare system, the youth justice system, the voluntary sector, or private care providers.

# 3. Project case study: safeguarding refugee and asylum-seeking adolescents in extra-familial contexts in Germany

## 3.1. Selecting a case study

### Why refugee and asylum-seeking adolescents?

Contextual approaches to child safeguarding highlight the need to understand young people's vulnerabilities in relation the contexts in which they spend their time. As Beckett (2016) demonstrates, understanding the relationship between young people's vulnerabilities, perpetrator risk and protective structures is crucial to providing a holistic supportive and safe environment for young people (see figure 3). For asylum-seeking young people, these are often contexts stripped of the protective structures afforded to citizen children, and for unaccompanied children separated from parents and caregivers these vulnerabilities are amplified.


*Figure four: the interconnected conditions for CSE (Beckett 2011, 2016)*

[20] Degani et al. (2015); Dimitrova et al. (2015); Palmer (2019).
[21] Degani et al. (2015); Dimitrova et al. (2015); Lumos (2020)
[22] Ibid
[23] Degani et al. (2015); Dimitrova et al. (2015); Forin and Healy (2018)

A small body of research in the UK[24] has warned that whilst any child can be exploited or harmed in their community, some children appear to be more at risk than others and that not all children are treated equally by the policies and services in place to keep children safe. One group of children and young people who may be at increased risk of harm in their communities are children who have recently arrived in the country, who are unaccompanied or who have irregular immigration status. In recent months in the UK there have been on-going controversies around the housing of asylum-seeking children in hotel accommodation and the use of 'fast-tracked' age assessments at refugee 'intake units' that result in young people being placed in adult accommodation, subject to adult immigration rules and sometimes detained in immigration removal centres (IRCs). This has recently resulted in a High Court ruling that the treatment of children in this way is indeed unlawful.[25] This is a contested and highly politicised area of practice. Asylum-seeking adolescents are placed at increased risk of a range of harms beyond their families because of policy and practice decisions that fail to prioritise their status as children over their status as asylum-seekers. This can include, for example:

- Young people being wrongly assessed as being over the age of 18 and excluded from child safeguarding protection and support
- Young people being placed in low-supervision, unregulated accommodation
- Exposure to hostile policies, racism and xenophobia
- Risk of re-trafficking for young people who have been trafficked for labour or sexual exploitation
- Delays or barriers to accessing education, employment or training due to lack of advocacy or unresolved immigration status (of self or family) increasing risk of being exploited into precarious or harmful forms of labour

To date, the Contextual Safeguarding programme in the UK has not delivered a project with a specific focus on asylum-seeking young people, yet there is clearly an urgency to explore the relationship between immigration status, age, vulnerability to extra-familial harm and the quality and efficacy of child welfare responses.

## Why Germany?

In 2015 more than one million refugees entered Europe,[26] driven mainly by the war in Syria. At the time, the Women's Refugee Commission warned that an increasing number of people on the move were women and children, and that opportunities to safeguard children and young people were being 'squandered at every opportunity'.[27] In 2015 Germany registered 1,091,894 first time asylum applications (rising from 238, 676 in 2014)[28] and continues to be the main destination for asylum seekers in Europe,[29] registering 102,500 first-time asylum applications in 2020, almost a quarter of all asylum applications in the EU. Over three quarters of people making first time asylum applications in Europe are under 35 and just under one-third are under the age of 18. In 2020 Germany continued to

[24] Amnesty (2018). *Trapped in the matrix: secrecy, stigma and bias in the Met's Gangs Database*. UK: Amnesty International.; Bernard, C. & Harris, P. (2019). Serious case reviews: the lived experience of black children. Child and Family Social Work, 24:2, 256-263; Brown, K. (2019). Vulnerability and child sexual exploitation: towards an approach grounded in life experiences. Critical Social Policy, 39:4, 622-642; Davis, J. and Marsh, N. (2020). Boys to men: the cost of adultification in safeguarding responses to black boys. Critical and Radical Social Work, 8:2, 255-259; Franklin, A. & Smeaton, E. (2017). Recognising and responding to young people with learning disabilities who experience, or are at risk of, child sexual exploitation in the UK. Children and Youth Services Review, 73, 474-481; Hammond, I., Godoy, S., Kelly, M. & Bath, E. (2020). A transgender girl's experience: sexual exploitation and systems involvement. International Journal of Human Rights in Healthcare, 13:2, 185-196; Williams, P. and Clarke, B. (2016). *Dangerous Associations: Joint Enterprise, Gangs and Racism: An Analysis of the Process of Criminalisation of Black, Asian and Minority Ethnic Individuals*. London: Centre for Crime and Justice Studies.; Wroe (2021).
[25] UK judge rules age assessment of asylum seekers was unlawful | Immigration and asylum | The Guardian
[26] Asylum statistics - Statistics Explained (europa.eu)
[27] No Safety for Refugee Women on the European Route | Women's Refugee Commission (womensrefugeecommission.org)
[28] Newly registered refugee numbers in Germany 2014-2018 | Statista
[29] Asylum statistics - Statistics Explained (europa.eu)

register the highest number of asylum applications in Europe for children and young people, with 37% of all child asylum applications being made in Germany in the first half of 2020,[30] and over half of all applications made in Germany being made by minors under 18.[31] Across EU Member States, unaccompanied minors (a young person under the age of 18 entering, or being left alone in, an EU Member State) account for a smaller proportion (less than 10%) of young people making first-time asylum applications,[32] in Germany fewer than 5% of asylum applications made by children were unaccompanied, but Germany continues to be the main destination for asylum-seeking young people.

Asylum-seeking adolescents arriving and living in Germany are therefore a timely and appropriate demographic of adolescents with whom to explore the applicability and feasibility of Contextual Safeguarding in contexts beyond the UK.

## 3.2. Scoping review: safeguarding asylum-seeking adolescents in Europe

### Asylum-seeking adolescents and extra-familial harm

For the purpose of this study, we use the term 'asylum-seeking adolescent' to describe young people aged between 10-25 who are crossing the border into Europe as a result of displacement from their origin country due to persecution and conflict. Within this definition we include young people who have made asylum claims, those who have been granted refugee status or humanitarian protection and those who have not made formal claims under the asylum system.

Asylum-seeking adolescents frequently experience hardship, trauma, and abuse, with ongoing stress and uncertainty throughout their migration journeys which often continues in their destination countries. In addition, many have been at risk of, or subject to, harm in their home countries.[33] Over the last decade numerous studies and reports by human rights organisations have flagged forms of extra-familial harm that children in migration are continuously exposed to through all stages of the migratory process including trafficking;[34] sexual abuse and exploitation;[35] and significant injuries and violence.[36] Despite these significant risks and widespread experiences of harm, the literature suggests that European child protection systems struggle to protect asylum-seeking adolescents. While comparative studies exploring child protection responses to asylum-seeking young people are few,[37] the key trends and challenges they surface echo those for protecting victims of child sexual

[30] Latest statistics and graphics on refugee and migrant children | UNICEF
[31] File:Figure 4 Distribution of first-time asylum applicants (non-EU citizens) by age groups, 2020 (%).png - Statistics Explained (europa.eu)
[32] File:Figure 6 Distribution of minor asylum applicants (non-EU citizens) by status, 2020 (%) v2.png - Statistics Explained (europa.eu)
[33] Alessi, E. J., Kahn, S., & Chatterji, S. (2016). 'The darkest times of my life': Recollections of child abuse among forced migrants persecuted because of their sexual orientation and gender identity. *Child abuse & neglect*, *51*, 93-105; Bhabha, J. (2016). Child Migration and the Lacunae in International Protection. In *The Ashgate Research Companion to Migration Law, Theory and Policy* (pp. 355-380). Routledge; European Union Agency for Fundamental Rights (2019). *Children in Migration in 2019*.
[34] Forin and Healy (2018); Palmer (2019)
[35] Ausubel, E. (2019). An Untold Story: The Need to Address Sexual Abuse and Exploitation of Refugee Boys. *Kennedy School Review*, *19*, 79-84.; Chak, F. M. (2018). Europe's Dystopia: The Exploitation of Unaccompanied and Separated Child Refugees. *Policy Perspectives*, *15*(3), 7-28; Freccero, J., Biswas, D., Whiting, A., Alrabe, K., & Seelinger, K. T. (2017). Sexual exploitation of unaccompanied migrant and refugee boys in Greece: Approaches to prevention. *PLoS medicine*, *14*(11), e1002438 ; Keygnaert, I., & Guieu, A. (2015). What the eye does not see: a critical interpretive synthesis of European Union policies addressing sexual violence in vulnerable migrants. *Reproductive health matters*, *23*(46), 45-55; Oliveira, C., Keygnaert, I., Oliveira Martins, M. D. R., & Dias, S. (2018). Assessing reported cases of sexual and gender-based violence, causes and preventive strategies, in European asylum reception facilities. *Globalization and health*, *14*(1), 1-12; Digidiki, V., & Bhabha, J. (2018). Sexual abuse and exploitation of unaccompanied migrant children in Greece: Identifying risk factors and gaps in services during the European migration crisis. *Children and Youth Services Review*, *92*, 114-121.
[36] Bartovic, J. (2020). Injuries and violence in migrants and refugees as a major health challenge. *European Journal of Public Health*, *30*, 132-165; Iliadou, E. (2019). *Border Harms and Everyday Violence. The Lived Experiences of Border Crossers in Lesvos Island, Greece*. Open University (United Kingdom).
[37] Sandermann, P., Husen, O., & Zeller, M. (2017). European welfare states constructing "Unaccompanied Minors"–A comparative analysis of existing research on 13 European countries. *Social Work & Society*, *15*(2).

exploitation or trafficking. These include a lack of identification and reporting mechanisms; a lack of multi-agency partnerships and professionals training; and a lack of suitable responses.[38]

## Absence of suitable care provision

Asylum-seeking adolescents are either accommodated in dedicated reception facilities – primarily dedicated group homes, with specialised structures (such as in Germany, Austria, Norway and Switzerland); into ordinary child welfare structures (such as in France or the Netherlands); or a mix of both (such as in Sweden). Some countries (such as Belgium, the Netherlands and Norway) have established long-term accommodation for a special group of young people subcategorised as 'unaccompanied asylum seeking young people with special needs' – usually comprising of (pregnant) girls, young people who suffer from psychological disorders and victims of human trafficking.[39]

There are significant differences and varying standards in the care provision for asylum-seeking adolescents in Europe and the lack of suitable care provision for asylum-seeking adolescents can increase risks of (re)exposure to extra-familial harm.[40] Accommodation for asylum-seekers across Europe, including residential accommodation in Germany, has been flagged as a specific location where adolescents can been recruited into criminal activity or exploitative relationships.[41] Despite UN guidelines and EU directives calling for special assistance and accommodation for unaccompanied children and vulnerable individuals, this is not applied consistently across many countries. The absence of suitable care provisions can create additional risks of harm for asylum-seeking young people. Poor conditions in reception centres; isolation from peers/community networks services, and education, and lengthy administrative processes can result in young people 'going missing' and even dropping off the radar of protection systems completely.[42] Young people who are abused or exploited in these contexts are likely to fall through child protection nets and tend to be excluded from prevention efforts and policy discussions.[43] Covid-19, moreover, has contributed to the worsening of conditions of reception and accommodation facilities, further exacerbating risks of adolescents going missing or experiencing harm.[44]

## Migration status as an additional barrier to protection

Another crucial challenge is that identification and response measures for asylum-seeking adolescents are primarily driven by migration, rather than child welfare concerns.[45] This shift has been particularly

[38] Barn, R., Di Rosa, R. T., & Kallinikaki, T. (2021). Unaccompanied minors in Greece and Italy: an exploration of the challenges for social work within tighter immigration and resource constraints in pandemic times. *Social Sciences*, *10*(4), 134; D'Addato, A. (2017). *Let Children be Children: Lessons from the Field on the Protection and Integration of Refugee and Migrant Children in Europe*. Eurochild and SOS Children's Villages International; Degani et al. (2015); Dimitrova et al. (2015); Giovannetti, M. (2017). Reception and protection policies for unaccompanied foreign minors in Italy. *Social Work & Society*, *15*(2).

[39] Sandermann et al.(2017)

[40] Barn et al., (2021); Frechon, I., & Marquet, L. (2017). Unaccompanied minors in France and inequalities in care provision under the child protection system. *Social Work & Society*, *15*(2); Gimeno-Monterde, C., & Gutiérrez-Sánchez, J. D. (2019). Fostering unaccompanied migrating minors. A cross-border comparison. *Children and Youth Services Review*, *99*, 36-42; Lietaert, I., Behrendt, M., Uzureau, O., Adeyinka, S., Rota, M., Verhaeghe, F., ... & Derluyn, I. (2020). The development of an analytical framework to compare reception structures for unaccompanied refugee minors in Europe. *European Journal of Social Work*, *23*(3), 384-400; Horgan, D., & Ní Raghallaigh, M. (2019). The social care needs of unaccompanied minors: the Irish experience. *European Journal of Social Work*, *22*(1), 95-106; Sandermann et al., (2017).

[41] European Union Agency for Fundamental Rights (2019); German NGO Network against Trafficking in Human Beings – KOK (2021). *Trafficking in Human Beings in Germany – Reflections on Protection and Rights.*

[42] D'Addato et al. (2017); Digidiki and Bhabha (2018); Fili, A., & Xythali, V. (2017). The continuum of neglect: unaccompanied minors in Greece. *Social Work & Society*, *15*(2); Freccero et al., (2017).

[43] Freccero et al., (2017); Gimeno-Monterde and Gutiérrez-Sánchez (2019)

[44] Barn et al. (2021).

[45] De Graeve, K., & Bex, C. (2016). Caringscapes and Belonging: An Intersectional Analysis of Care Relationships of Unaccompanied Minors in Belgium. Children's Geographies, 15(1):80-92; Klaassen, M., Rap, S., Rodrigues, P. R., & Liefaard, T. (Eds.). (2020). *Safeguarding Children's Rights in Immigration Law*. Intersentia; Zijlstra, E., Rip, J., Beltman, D., Van Os, C., Knorth, E. J., & Kalverboer, M. (2017). Unaccompanied minors in the Netherlands: Legislation, policy, and care. *Social Work & Society*, *15*(2).

marked since 2015, in the wake of what came to be known as the 'European refugee crisis'. This led to the adoption of laws and practices across many European countries; with some evidence that suggests that these laws and practices disregard fundamental rights and standards for asylum-seekers, and that in European states' attempts to control migration the best interests of children are undermined.[46] A specific example identified in this scoping, which appears to be widespread across many European countries, is the placement of asylum-seeking adolescents in detention centres.[47] This is particularly problematic as it criminalises young people and can result in the violation of their rights, including their right to protection. As for child victims of trafficking, criminal responses continue to override child welfare interventions. Police violence, degrading treatment and the arbitrary detention of refugees – including children – have been flagged by numerous organisations.[48]

### Challenges around integration

An additional challenge to safeguarding asylum-seeking adolescents that emerged in our scoping is that emergency, short-term responses are much more prevalent for asylum-seeking young people than durable solutions aimed at promoting integration and wellbeing.[49] This trend is primarily driven by a lack of resources, combined with constraining legal and policy frameworks – particularly in transit countries, such as Greece, Italy and countries in the Balkan region, where services have focused on providing humanitarian assistance and initial reception services, and where integration policies have not been considered necessary.[50] Since the closure of the Western Balkan route in 2016, refugees have ended up prolonging their stay in this region without access to services beyond humanitarian assistance. In other countries, like Finland or Germany, unaccompanied minors may only receive short-term permits allowing them to stay in the country for a limited time, making it extremely difficult for child protection services and voluntary organisations to support these young people with social inclusion and independent living.[51]

### Additional challenges for older adolescents and young adults

Even when granted asylum, and/or when integrated within child protection systems, opportunities for young people to access education, training and employment remain limited.[52] The strain caused by uncertainty, and an inability to build a future, can further increase the likelihood of young people 'going missing' or finding alternative sources of livelihood. Challenges around integration are exacerbated for older adolescents, particularly when reaching 18 – and for those without regularised immigration status and/or who are waiting on the outcome of their asylum procedure. Upon turning 18, these young people are left without support, rights or protection, and can be forced to leave the country.[53]

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[46] "Council of Europe Strategy for the Rights of the Child (2016-2021)", Council of Europe, March 2016, https://rm.coe.int/168066cff8 ; Majcher, I., Flynn, M., & Grange, M. (2020). *Immigration Detention in the European Union*. Springer International Publishing.

[47] Although UNICEF guidelines stipulate that under no circumstances should a child be placed in any type of detention facilities, European legislation allows the detention of children in the context of migration in exceptional circumstances, as a matter of last resort, and if it has been established that other less coercive alternative measures cannot be applied effectively. PACE resolution 1810 (2011), 15 April 2011, Unaccompanied children in Europe: issues of arrival, stay and return, available at: http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?%leid=17991

[48] D'Addato et al. (2017); Human Rights Watch (2015) *'As Though We Are Not Human Beings'. Police Brutality against Migrants and Asylum Seekers in Macedonia*; Organization for Security and Co-Operation in Europe (2018).

[49] Parusel, B. (2017). Unaccompanied minors in the European Union–definitions, trends and policy overview. *Social Work & Society*, *15*(1).

[50] D'Addato et al. (2017)

[51] Ibid.

[52] D'Addato et al. (2017); Gimeno-Monterde and Gutiérrez-Sánchez (2019); Sigona, N., & Allsopp, J. (2016). *Mind the Gap: Why are Unaccompanied Children Disappearing in their Thousands.* Open Democracy.

[53] De Graeve & Bex (2016); Oxfam (2021). '*Teach us for what is coming: The transition into adulthood of foreign unaccompanied minors in Europe: case studies from France, Greece, Ireland, Italy and the Netherlands*; Zijlstra et al. (2017).

### Ambiguity around 'failed' asylum claims

Moreover, there remains ambiguity about where 'failed' asylum claimants 'fit' in child protection systems. Little research exists on the needs and vulnerabilities of these young people who are either denied a status, stuck in transit, or simply in a condition of protracted waiting, without access to formal welfare support.[54] Safeguards provided in European directives do not apply to young people who, for whatever reason, do not apply for asylum.[55]

## 3.3. Scoping review: asylum-seeking adolescents in Germany

### Child protection in Germany

Child protection in Germany consists of multiple institutions with a legal duty to protect children from, and provide support to, children who have experienced maltreatment. The child and youth welfare system operates under federal and state laws. Whilst federal laws provide the overall legal framework for child protection, states have a responsibility for the structure and designation of services through the Jungendamt (Youth Welfare Office) which provide a broad range of psycho-educational and supportive services to children and families; often in a subsidiary model with non-governmental organisations (NGOs) or Freie Trager. The Jugendamt have a responsibility for assessing cases of suspected or actual child harm, and for out-of-home placements of children. In cases where children are endangered and parents are seen to be unwilling or un-cooperative with support plans for children, the Jugendamt may request an intervention through the Family Courts – for younger children this may result in foster placement and for adolescents more typically in residential care. This system is based on a social pedagogical model of family assistance.[56]

### Asylum-seeking adolescents

Asylum-seeking children under the age of 18 entering Germany alone, or becoming separated from their families in Germany, are recognised as unaccompanied minor refugees. Unaccompanied minor refugees (as all asylum seekers) have the right to claim asylum in Germany, in line with the Asylum Act and the 'The Bundesamt fuer Mitgration und Fluechtlinge' (BAMF), which is the Federal Agency for Migration and Refugees. Unaccompanied minor refugees have a right to special protection from the state including medical support, education, the allocation of a guardian, supported and specialist accommodation.While a young person is under 18 the youth welfare office will be responsible for assigning a guardian (who assumes parental responsibility) and a 'supervisor' for the young person, and funding their accommodation, food, and a personal allowance. The youth welfare office supports any young person who wants to claim asylum to submit that claim. Guardians are allocated by the Youth Welfare Office, these may be Department Guardians from the youth office who have formal guardianship of multiple adolescents, or Honorary Guardians who volunteer to assume guardianship responsibility. Germany operates a 'redistribution' system whereby asylum-seeking young people may be allocated accommodation in a state outside that to which they arrive, determined by availability. Asylum-seeking young people without documentation to evidence their age may be subject to age assessment using medical assessment. Separated asylum-seeking children arriving in Germany are typically accommodated in shared housing with other asylum-seeking young people where they have

[54] Boccagni, P., & Righard, E. (2020). Social work with refugee and displaced populations in Europe:(dis) continuities, dilemmas, developments. *European Journal of Social Work*, *23*(3), 375-383; Parusel (2017).
[55] Ibid.
[56] Witte, S., Miehlbradt, L., van Santen, E. Kindler, H. (2016). Briefing on the child protection system. Hestia.

a 'supervisor' who supports with day-to-day needs. From here young people may be accommodated in group accommodation with other young people, in their own flats or with foster families.[57]

Unaccompanied minor refugees in Germany will be cared for by the youth office until they turn 18, regardless of their immigration status or whether they have submitted or had a successful asylum application. Adolescents cannot be deported during this period unless a parent/carer or child protection agency in their origin country informs the German state that they can be cared for. There are numerous forms of refugee 'protection' in Germany which determine a young person's right to residency and right to travel in and out of Germany. Alternatively, humanitarian protection can be sought or 'acquiescence' from deportation on the grounds that they are a minor, are in education, training or work, or have been in the country long enough that they are eligible for residency. Family reunification procedures apply to young people in Germany, meaning that there are limited circumstances under which they can request for their parents and siblings to join them in Germany.[58]

For asylum seeking adolescents turning 18 without a permit to remain in the country they may become subject to deportation. For all young people turning 18, provisions from the Youth Welfare Office ends, meaning they may be required to move out of their accommodation and will no longer be supported with allowances, education, and training. Extensions to this support can be applied for up to the age of 21 in exceptional circumstances. Young people travelling from countries where 20 is the legal age of majority can access provision from the youth welfare office until they turn 20.[59]

## Key challenges for safeguarding asylum-seeking adolescents in Germany

Research in the field of refugee studies and particularly in relation to asylum-seeking children is still in its infancy in Germany.[60] The mass displacement of people into Europe in 2015 led to a sudden and substantial increase in service demand. The notion of 'crisis' in the German context has been defined in reference to the perceived overburdening of German public infrastructures, finances and its ability to provide hospitality.[61] Some studies have highlighted how the unprecedented increase in unaccompanied asylum-seeking children in Germany has resulted in legislative, policy and practice shifts, as well as surfacing a number of challenges.[62]

One key challenge in Germany is that 'take-in assessments' have been significantly delayed, resulting in some unaccompanied young people being housed in the general adult refugee population, or in emergency shelters with little to no access to other forms of support.[63] It is estimated, furthermore, that 80% of all unaccompanied asylum seeking and refugee children have a public guardianship due to the lack of qualified individuals willing to take on this role, and this means that staff who exert public guardianship are generally overburdened and cannot fully practice their role.[64] Additionally, unaccompanied asylum-seeking adolescents who cannot secure their legal status are particularly vulnerable once they leave care. Although the German Child and Youth Welfare Act offers

[57] BumF (no date). Welcome to Germany: A guide for unaccompanied minors.
[58] Ibid.
[59] Handbook Germany (no date). Unaccompanied minor refugees in Germany.
[60] Zeller, M., & Sandermann, P. (2017). Unaccompanied Minors in Germany. A success story with setbacks?. *Social Work & Society*, *15*(2).
[61] Bock, J. J., & Macdonald, S. (Eds.). (2019). *Refugees welcome?: difference and diversity in a changing Germany*. Berghahn Books.
[62] Aflaki, I. N., & Freise, M. (2021). Challenging the welfare system and forcing policy innovation? unaccompanied asylum-seeking children in Sweden and Germany. *Journal of Refugee Studies*, *34*(1), 264-284; Sichling, F. (2021). 'Mutatio Sub Pressura': An Exploration of the Youth Policy Response to the Syrian Refugee Crisis in Germany. *Journal of Social Policy*, *50*(4), 706-724; Zeller & Sandermann (2017).
[63] Sichling (2021)
[64] Laudien (2017) cited in Zeller and Sandermann (2017)

the possibility to support young people who were previously placed in residential care until they turn 21, in practice this seems to benefit only a small number of unaccompanied asylum-seeking adolescents.[65] Young people who no longer have access to residential care can end up in collective adult refugee reception centres, possibly eventually deported, in the streets, or forced to embark on a journey to another European country.[66]

These challenges are compounded by a German policy context that has increasingly placed restrictions on the rights of refugees and asylum-seekers, both in terms of access to protection, and integration.[67] Such regulations and their impact on practice, some have argued, contribute to a 'hostile context' in Germany that can lead to the social exclusion and psychological distress of asylum-seeking young people.[68] Moreover, there are voices within broader societal political debates '*that keep questioning whether UAMs should really have the same legal entitlements as German children. The latest issue to be discussed in this respect – after the restrictions in regard to family reunification – is that of the age assessment procedure and the suggestion of using a medical examination as a standard procedure to better identify fake refugee minors'.*[69] These debates were reinforced by a number of cases of serious crimes committed by unaccompanied minors suspected of being older than 18, and following the rise of anti-immigration discourse in the wake of sexual assaults committed against women during New Year's Eve celebrations in 2015 in several German cities, attributed to groups of young men from North African origin – including some who were refugees.[70]

[65] Zeller & Sandermann (2017)
[66] Ibid.
[67] Aflaki, I. N., & Freise, M. (2021). Challenging the welfare system and forcing policy innovation? unaccompanied asylum-seeking children in Sweden and Germany. *Journal of Refugee Studies*, *34*(1), 264-284.
[68] Gebhardt, M., & Rocchi, M. (2021). 'I Have No Clue About My Future (…)(if) I Stay Here or Not': Participatory Research With Unaccompanied Minors in the German Reception System. *Journal of Refugee Studies*, *34*(3), 3288-3316.
[69] Zeller & Sandermann (2017), p. 16
[70] Aflaki & Freise (2019); Boulila, S. C., & Carri, C. (2017). On Cologne: Gender, migration and unacknowledged racisms in Germany. *European Journal of Women's Studies*, *24*(3), 286-293; Kosnick, K. (2019). New Year's Eve, Sexual Violence and Moral Panics. *Refugees welcome*, 171-190.

# 4. Shared challenges, opportunities, and practices: scoping the applicability and feasibility of Contextual Safeguarding

We have provisionally identified four key opportunities for mutual learning in relation to safeguarding adolescents from extra-familial harm from our scoping review and conversations with professionals across Europe.

## 4.1. Adolescent development and extra-familial harm

*Applicability of the Contextual Safeguarding framework:*

Domain 1: Target the social conditions of harm

The scoping review revealed limited material specifically about the protection needs of adolescents in Europe. In addition to scoping the literature we spoke to professionals, including NGO workers and academics working in Germany, who explained that the German child welfare system can struggle to engage adolescents. These young people are sometimes referred to as 'systemssprenger' (system crasher), reflecting the barriers child protection systems can face in engaging them, and keeping them safe. These challenges are shared in the UK, where adolescents' experiences of abuse in contexts beyond their families (i.e., serious violence from their peers or adults) are frequently described as 'choices', or examples of young people 'putting themselves at risk', and subsequently dealt with as behavioural or youth justice issues. Contextual Safeguarding understands adolescent vulnerability to harm as underpinned by the dynamics between the adolescent developmental life stage and extra-familial social conditions. Attempts to create safety for young people must address this intersection.

*Adolescent development*

Contextual Safeguarding is grounded in child neuro and social developmental research that identifies a range of vulnerabilities to harm that are specific to the adolescent stage of child development. This literature[71] identifies that cognitive, behavioural, and emotional development continues to at least 25 due to the continued changes in the development of the adolescent brain. The adolescent developmental period can be characterised by increased risk taking, short-term thinking, emotional dysregulation, and an increasing desire for autonomy - with friendships and peer relationships becoming increasingly important.

[71] Coleman, J. & Hagell, A. (2022). Understanding the age of adolescence. In Holmes, D. (2022). Safeguarding young people: risk, rights, resilience, and relationships. London: Jessica Kingsley .

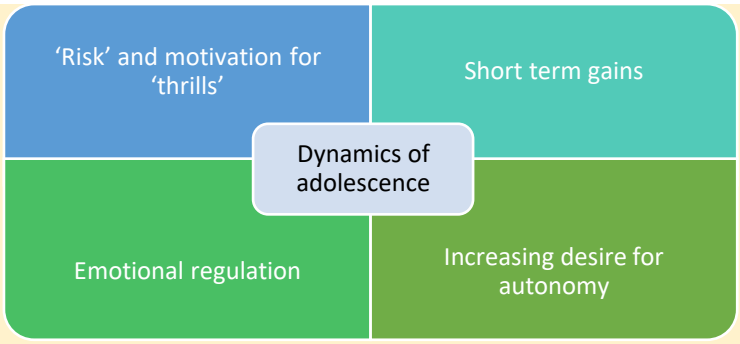



*Figure five: adolescent development and extra-familial harm*

*Social conditions*

Alongside these developmental features, adolescents spend increasing amounts of time outside of the home, in school, with their friends, and often occupying a 'limbo' space, excluded from public places or seen as 'anti-social', whilst lacking the means to access commercial or cultural activities. Older teenagers are excluded from a range of youth services and protections at the age of 18; and those who are not in education, training, or employment, face increased disadvantages.

The combination of these developmental and social conditions can place adolescents at increased risk of exploitation and abuse, whilst also contributing to public and professional attitudes toward them as 'anti-social' and 'making poor choices'. Often, adolescent extra-familial harm is not recognised as abuse, and young people are prosecuted for criminal activity they have been coerced into carrying out. This is compounded for adolescents with insecure or irregular immigration status who are likely to have experienced trauma, loss of childhood and family support and income, and are under increased scrutiny from immigration and criminal justice systems.

Contextual Safeguarding offers an approach to designing child protection systems that are sensitive to the specific dynamics and risks associated with adolescence, and there are opportunities to apply the approach to meet the safety needs of young people whose adolescence is complicated by the loss of family, displacement, and insecure immigration status.

**Reflective questions:**

- **How does an understanding of child development inform responses to adolescent extra-familial harm?**
- **Are services designed to respond to the specific contexts in which adolescents experience harm?**

## 4.2. Protecting children beyond their families: finding a place for extra-familial harm in child protection

*Applicability of the Contextual Safeguarding framework:*

*Domain 1: Target the social conditions of harm*


*Domain 2: Responding to adolescent harm using child welfare legislation*

As identified in the scoping review, child protection systems across Europe are primarily concerned with the protection of children in the context of their families, with varying policy and practice frameworks governing this response. The emerging distinction between 'intra' and 'extra' familial harm appears to be unique to the UK. The (English language) literature that does pertain to adolescent risk in extra-familial contexts is primarily focused on child sexual abuse and exploitation, and the trafficking of juveniles; grounded primarily in the Violence Against Women and Girls and international development literature related to children's rights. Contextual Safeguarding has been instrumental in England and Wales in broadening the types of adolescent harm that are understood as child abuse and that therefore require a child welfare response. These include issues such as: peer-on-peer abuse, serious youth violence, criminal exploitation, and harmful sexual behaviour. Traditionally, and still routinely, these forms of harm experienced by adolescents are dealt with by youth justice agencies, but Contextual Safeguarding has been adopted as a framework in multiple local authorities and voluntary organisations to support a welfare response to these issues.

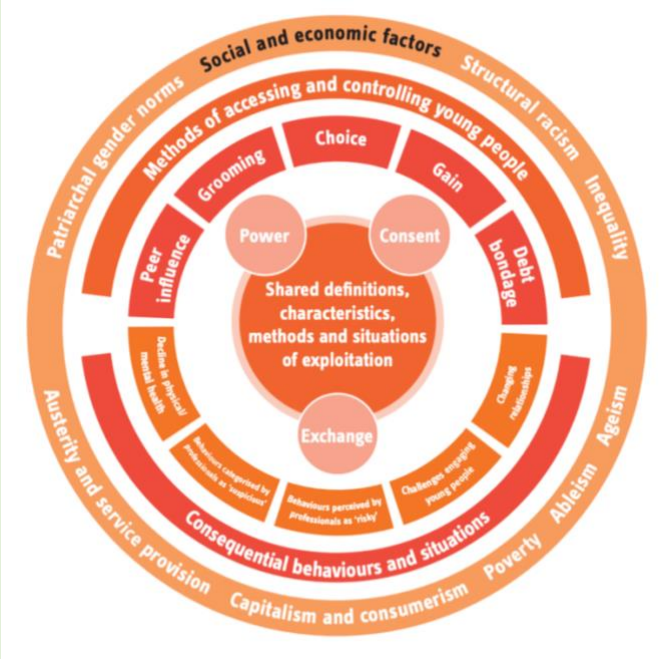
The scoping review identified several shared limitations in how these forms of harm are responded to. Including:

- a lack of adequate support and evidence-based interventions
- an absence of specific protection responses to adolescents who are both victims of, and engage in, harmful activity (often resulting from their experience of exploitation or abuse)
- a lack of clarity about who is responsible for adolescent exploitation and trafficking
- the inadequate use of specialist care placements

These issues are compounded for asylum-seeking adolescents where support is undermined by immigration control priorities, adding additional barriers to safety. In lieu of effective child protection responses to abuse beyond family settings, adolescents are criminalised for breaches of law or immigration policy, and support tends to cease at 18. Through our work supporting local authorities, schools, and voluntary organisations in the UK to respond to extra-familial risk, we have identified many

of these same challenges. This includes limited awareness of the specific needs of adolescents, a lack of robust systems for responding to extra-familial (as opposed to familial) harm, and the ongoing criminalisation or responsibilisation of adolescents who are exploited and trafficked.

Contextual Safeguarding has been supporting change in this area. We have developed a holistic framework for understanding adolescent extra-familial risk, that acknowledges the shared drivers, methods, consequences, and contexts that often feature in adolescents' experiences of harm beyond their families (see figure six below).




1. Peer relationships and influence
2. The process and impact of grooming/coercion
3. Work *with* young people's sense of agency and desire to make choices
4. Make an offer – counteract the gain
5. Mitigate the risks of 'debt'

*Figure six: the exploitation wheel. A holistic framework for understanding extra-familial risk in adolescence (Firmin, Wroe and Lloyd, 2019)*

The development of this framework supports an integrated understanding of adolescent harm and provides a foundation for developing an adolescent safeguarding strategy (domain two – responding to adolescent harm using child welfare legislation), and policy and practice responses that address the contextual drivers of adolescent risk (domain one – targeting the social conditions of harm). This framework could support practice in European contexts where agencies face similar barriers to adequately identifying and addressing adolescent harm in extra-familial contexts.

**Reflective questions:**

- **What other forms of harm do young people experience in extra-familial contexts that share these drivers, methods, and consequences?**
- **How does framing these forms of harm as child protection issues impact how policy makers and services respond?**

## 4.3. Contexts as sources of safety and sources of hostility

*Applicability of the Contextual Safeguarding framework:*

*Domain 1: Target the social conditions of harm*


*Domain 4: Measuring contextual outcomes*

This scoping review indicates that young people in Europe are exposed to risk in extra-familial contexts – such as child sexual exploitation, sexual violence, or trafficking. Our scoping also suggests that asylum-seeking adolescents are particularly vulnerable to these forms of extra-familial harm, and that there are specific aggravating factors – namely the absence of suitable care provisions and the lack of integration measures, combined with a hostile policy environment – that can create additional contextual risks. These aggravating contextual factors can heighten asylum-seeking adolescents' vulnerabilities to extra-familial harm. It is thus important that these contexts are considered in safeguarding responses.

The scoping review also identified some, but limited, examples of interventions into contexts. In Germany, the use of volunteer guardianship services has been highlighted as beneficial to supporting asylum-seeking adolescents in their everyday lives, and developing supportive and trusting relationships with them; however, the literature notes that these services need to be adequately resourced, and complementary to professional guardianships.[72] Mentoring programmes, as trialled for instance in Sweden[73] or Austria[74], can also support young people with integration and transition to adulthood – but again remain limited to children with residence status. There appears to be little research on asylum-seeking adolescents' social support, social capital and on interventions that support their integration and wellbeing.[75]

One form of intervention identified in this scoping review is the use of residential placements (including the use of secured facilities in some countries) to protect young people from sexual exploitation or trafficking. We were interested to see that this trend aligns with findings from a previous research study that we conducted as part of the Contextual Safeguarding research programme, on how distance, secure and specialist placements are used in cases of extra-familial harm in the UK. This study was premised on the assumption that placements, particularly secured accommodation, or distant

[72] D'Addato et al. (2017)
[73] Ibid.
[74] Raithelhuber, E. (2021). 'If we want, they help us in any way': how 'unaccompanied refugee minors' experience mentoring relationships. *European Journal of Social Work*, *24*(2), 251-266.
[75] Ibid.; Scharpf, F., Kaltenbach, E., Nickerson, A., & Hecker, T. (2021). A systematic review of socio-ecological factors contributing to risk and protection of the mental health of refugee children and adolescents. *Clinical Psychology Review*, *83*, 101930.

placements, are used by local authorities to remove a young person from the context in which they experience harm when contextual risks cannot be addressed. Our study found that across the thirteen local areas included in the study, 1 in 10 adolescents supported by children's social care teams due to risks of extra-familial harm were moved away from their families and hometowns.[76] We found that distant placements were often used a last resort intervention to manage escalating physical risks to adolescents. However, young people, parents, and professionals that we interviewed, told us that this form of intervention can be very detrimental to adolescents' relationships, educational attainment, and mental health, and do little to address the risks situated in the contexts that caused adolescents to move in the first place. If adolescents are moved away from their communities to keep them safe, what does this tell us about child protection systems' ability to create safety in their communities and peer groups?

The present scoping suggests that there may be mutual learning opportunities to create safety in the contexts where young people are harmed. Although the risk and protective factors affecting adolescents in schools, friendship groups, and their community, as well as wider societal vulnerabilities, are acknowledged in international strategic documents; our scoping review suggests that child protection interventions in many European countries mainly target parents and individual adolescents, and there is less focus on the need to target those specific contexts in which the harm is happening.[77] Contextual Safeguarding offers a framework to support our understanding of how features of the wider environment intersect with extra-familial harm, and offers some routes for addressing contextual risks – for example, by supporting protective peer relationships or by making places in the community safer, as outlined in the examples of 'contextual interventions' shared in section 1 of this briefing (domain one and four – contextual outcomes). As such, we see potential overlaps with the Contextual Safeguarding approach and the social pedagogical or ecological models that inform the German child protection system. All these approaches highlight the importance of understanding social environments to understand young people's individual behaviours and experiences of harm and safety. As a practice framework that has been tested in the UK, Contextual Safeguarding could complement existing social pedagogical and ecological approaches in Germany and offer examples of what child protection interventions into specific contexts could look like.

**Reflective questions:**

- **How are residential placements used to keep asylum-seeking adolescents safe in your country?**
- **What specific risks and safety needs do they address? What are the challenges?**
- **Can you think more broadly of any examples of interventions that engage with the extra-familial contexts in which adolescents experience harm?**

[76] Firmin, C., Wroe, L., & Bernard, D. (2022). Last Resort or Best Interest? Exploring the Risk and Safety Factors That Inform the Rates of Relocation for Young People Abused in Extra-Familial Settings. *The British Journal of Social Work*, *52*(1), 573-592.
[77] Radford et al. (2015); Sethi, D., Yon, Y., Parekh, N., Anderson, T., Huber, J., Rakovac, I. and Meinck, F. (2018). *European status report on preventing child maltreatment*. World Health Organization Regional Office for Europe.

## 4.4. Developing creative partnerships for addressing extra-familial harm

*Applicability of the Contextual Safeguarding framework:*

*Domain 3: Partnerships*

Finally, our scoping suggests the need for stronger partnerships when it comes to addressing extra-familial harm in adolescence. This is particularly relevant to asylum-seeking adolescents due to the wide range of agencies and organisations involved in safeguarding this group of young people. As our scoping indicates, responses to extra-familial harm are fragmented across different statutory agencies, non-governmental and volunteer organisations. The UK faces a similar challenge, where competing legislation and practice frameworks promote both the criminalisation and safeguarding of adolescents harmed in contexts beyond their families, creating ambiguity about which agencies should take the lead on issues such as youth violence and exploitation. The scoping review revealed that civil society organisations (including larger NGOs and community organisations) tend to lead on service delivery, particularly in offering child protection services to young people affected by trafficking in Europe.[78] Illustratively, a significant proportion of the research relating to adolescent extra-familial risk is funded by NGOs and private organisations.

There seems to be opportunities in Germany for exploring creative partnerships for safeguarding asylum-seeking adolescents. For example, Sichling (2020) shows how in Nuremberg, the unprecedented number of asylum-seeking adolescents led services to adapt, altering the dynamic between different institutions, creating opportunities for coordinating and managing caseloads and collaborating with new institutional actors. The author provides the example of new working groups that were formed between various government and non-profit agencies, including actors that were not typically involved in the provision of youth services, such as the policy department, because of their involvement in identifying unaccompanied minors throughout the city. Sichling observes that this led to improved information sharing, trust between agencies, and allowed for a 'pragmatic management of the high numbers of new arrivals during the peak of the crisis through a flexible handling of established responsibilities and tasks.'[79]

Collaboration has also been strengthened in Germany between state agencies and civil-society organisations, including larger non-government organisations (NGOs) and smaller grassroots and community associations which are traditionally well-established in Germany. Civil-society organisations appear to be key partners for public authorities, providing a wide range of services such as legal guardianship, language courses or vocational training.[80] The rise in volunteering for refugees and unaccompanied minors has even been described by some authors as a new social movement in

[78] Palmer (2019)
[79] Sichling (2021), p.13
[80] Aflaki & Freise (2019); Herrmann, T. (2020). Crisis and Willkommenskultur: Civil society volunteering for refugees in Germany. *Europe and the Refugee Response*, 201-219.

Germany.[81] However, this has also been met with concern regarding the quality of service provision and has led municipalities to develop new governance tools that aim to strengthen cooperation between professional social workers and volunteers.[82] Municipalities are also experimenting with new forms of participatory governance providing opportunities for young refugees to co-design services targeting them.[83]

Contextual Safeguarding has promoted the building of creative partnerships that have a reach into settings where extra-familial harm can occur (domain three – partnerships), providing a framework for the inclusion of less traditional partners such as voluntary and community-based organisations and associations, or businesses – to work alongside statutory agencies to protect young people. For example, some local authorities that are adopting Contextual Safeguarding in the UK have developed new overarching, multi-agency meetings for protecting adolescents from extra-familial harm such as 'vulnerable adolescent strategic panels' or 'context conferences' that bring together statutory agencies (including children's social care, schools, health, community safety, policing and youth work provisions) as well as voluntary organisations, local businesses, neighbourhood associations, private care providers, or faith-based organisations; to develop a joint assessment and intervention plan targeting a specific context – such as a peer group, a particular location or a school. Contextual Safeguarding as a framework could therefore build on international and European regional strategic, policy and practice approaches over the last decade that have called for comprehensive, multi-agency, and community-based approaches to preventing child abuse.[84] In Germany, Contextual Safeguarding could be used as a framework to bridge the various forms of support provided to asylum-seeking adolescents – including more 'informal' civil society initiatives. What would partnerships between statutory agencies and voluntary and community organisations look like? Given the importance of civil-society organisations in the German child protection system, the German context has no doubt much learning to offer about partnership working.

**Reflective questions:**

- **What partnerships are traditionally drawn on to safeguard adolescents from risks beyond their families?**
- **Do these partnerships look different for asylum-seeking adolescents?**
- **What other organisations or individuals have a reach into the contexts where asylum-seeking adolescents are at risk? How could they be incorporated into child protection responses?**

[81] Schiffauer (2017) cited in Aflaki and Freise (2019)
[82] Sauer & Vey (2017) cited in Aflaki and Freise (2019)
[83] Aflaki & Freise (2019)
[84] See for instance: The Council of Europe Policy guidelines on integrated national strategies for the protection of children from violence (2009); Investing in children; the European child and adolescent health strategy (2015-2020); the Progress report on preventing child maltreatment within the European Region (2018); Organization for Security and Co-operation in Europe (2018). *The Critical Role of Civil Society in Combatting Trafficking in Human Beings.*

# 5. Piloting a Contextual Safeguarding response to adolescent harm in Germany

We are in the process of identifying a partner organisation in Germany that delivers services to asylum-seeking adolescents. We will partner with this organisation to plan and run a Contextual Safeguarding pilot between June and December 2022. The Contextual Safeguarding research programme uses embedded research methods to work with statutory and non-statutory organisations to understand their local context, introduce contextual features into service delivery and to provide a framework and the language for working contextually. The Contextual Safeguarding research team uses qualitative, embedded research methods including policy reviews, interviews, observations, case file reviews, surveys and focus groups to understand, implement and track the introduction of contextual approaches to safeguarding adolescents.

A stakeholder group has been formed that will advise the research team on the development of the pilot work, as well as supporting with dissemination of the study findings. The stakeholder group will meet in April 2022 and April 2023.

The pilot will run from June to November 2022 and will test the feasibility and applicability of a Contextual Safeguarding approach to safeguarding adolescents in Germany. The pilot will be supported and tracked by the research team and learning will inform policy makers and professionals in Germany, and the development of an international framework for Contextual Safeguarding in contexts beyond the UK.

Please share the attached poster and infographic detailing the study to professionals and organisations in your network who may be interested in the joining our stakeholder group. The team can be contacted at: lauren.e.wroe@durham.ac.uk.