

SHADOW CITY

**Exposing Human Trafficking
in Everyday London**



Andrew Boff

GLA Conservatives

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Foreword by Anthony Steen

Chairman of the Human Trafficking Foundation, founder of the *APPG on Human Trafficking*, and the *MP whose private Members Bill led to the establishment of the National Slavery Day*

Human trafficking or modern day slavery, as it should be called, is starting to impinge upon public consciousness and affect the political landscape. Few people understand what it's all about and the different kinds of slavery which exist, whether Vietnamese boys tending cannabis plants or Nigerian girls forced into domestic servitude. No one seems to care too much because there are few votes in it anyway. Yet the number of victims identified is increasing year by year and the number of traffickers convicted falling. Nearly 50% of the victims of modern day slavery are found in London and the Home Counties.

Traffickers are traders in human beings; just as if they were coffee they are a commodity. Traffickers are business men and women who use the fact that human beings are recyclable to exploit new business opportunities.

London, as the capital city, has a vast dark side to it that few of us see. London residents don't believe they ever come into contact with it, but they are wrong. As Andrew Boff's report shows, Londoners are probably never more than a few hundred yards away from a victim of trafficking. With 7500 cannabis farms being found in the UK last year, victims are close by and look the same as us, yet they are all unseen, hidden and not easily detected.

Andrew Boff's report shows why victims hidden away in closed communities are even more difficult to detect. The community closes in around them and prevents authorities discovering them. In exploring these issues, Andrew Boff has, once again, done a great service to all of us fighting modern day slavery and to Londoners in particular. His enquiring mind and detective-like qualities have produced a penetrating study exploring what is actually happening in London's 'closed communities'.

By raising this issue in his capacity of leader of the Conservative Group on the Greater London Authority, he is doing exactly what is needed to make us all more aware of how we should be fighting back and rescuing victims caught in this ugly snare. This report is essential reading for those who are concerned to rid this country of modern day slavery.

Methodology

Methods

In this report I have used the following range of qualitative and quantitative methods:

- Qualitative interviews with 64 stakeholders including representatives from the third sector, statutory services, trafficking consultancies, and government officials.
- Formulated a survey for 30 teachers and 30 social workers in London to test their awareness of human trafficking and how to respond to it.
- Data provided by the UKHTC, Mayor's Office for Policing and Crime, the Crown Prosecution Service, Anti-Slavery International's RACE in Europe Project, the Metropolitan Police Service, the UK Missing Persons Bureau, and NGOs working with trafficking victims.
- A review of some of the literature on the topic of human trafficking.
- Produced a Return on Investment (ROI) model for the recommendations in the report

Limitations

This report is a collection of anecdotal and statistical evidence which I have collected over the past year about human trafficking in London. The aim of the report is partly to provide an overview of what various interested parties believe is going on, where disagreements exist, and where stakeholders' concerns lie. Indeed, some of the evidence I have heard in fact contradicts other evidence I have received. However, I wanted to give experts and communities in London a voice and therefore I have included quotations that may be controversial and may require further evidence. I hope these quotations, from experts on trafficking and exploitation, many of which were repeated consistently to me in various guises by other stakeholders, are examined by the authorities, who have greater resource to look into these concerns further.

The nature of human trafficking is fluid and changing. The authorities and police are also constantly changing both in terms of their structure and in their response. Indeed the UKBA was formally dissolved while I wrote this report and the name of the Human Exploitation and Organised Crime Command, which comprises the Metropolitan Police Service's Human Trafficking Unit, has changed multiple times. Therefore some evidence may be out of date or could soon be following this report's publication.

Anecdotal evidence may at times be unreliable. For practical and ethical reasons, the majority of victims' case studies we cite in this report were heard second hand from those who worked with victims of trafficking. Furthermore, qualitative evidence can be unreliable due to possible vested interests of the parties involved, or may be distorted by different views by different stakeholders of, for example, what a victim of trafficking actually constitutes.

Data is also potentially unreliable. As discussed in the report, the data acquired may simply reflect those cases where police are proactively looking. Alternatively, it may predominantly include only those victims who are more easily able to escape, or be found, or who are more easily identifiable as victims of trafficking. What is not in the data may indeed be where we should be most concerned. The reverse however is also possible.

The survey I have carried out involves only a small number of interviewees. This means that the results are not steadfast but simply give a broad brushstroke of possible gaps in London-based social workers' and teachers' knowledge around human trafficking.

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- UKHTC
- UK Missing Persons Bureau

Glossary

Afruca	- Africans Unite Against Child Abuse
ATMG	- Anti-Trafficking Monitoring Group
CEOP	- Child Exploitation and Online Protection Centre
CPS	- Crown Prosecution Service
CFAB	- Children and Families across Borders
CHTB	- Counter Human Trafficking Bureau
CIAC	- Chinese Information and Advice Centre
CSJ	- Centre for Social Justice
DASAC	- Domestic Violence and Sexual Abuse Counselling Service
DfID	- Department for International Development
ECPAT UK	- End Child Prostitution and Trafficking United Kingdom
GLA	- Gangmasters Licensing Authority
GLA	- Greater London Authority
IDMG	- Interdepartmental Ministerial Group
ILO	- International Labour Organisation
IOM	- International Organisation for Migration
IPPR	- Institute for Public Policy Research
LAWRS	- Latin American Women's Rights Services
LSGB	- Local Safeguarding Children Board (LSGB)
MOPAC	- Mayor's Office for Policing and Crime
MPS	- Metropolitan Police Service
NAPTIP	- National Agency for the Prohibition of Trafficking in Persons
NCA	- National Crime Agency
NGO	- Nongovernmental organisation
NHS	- National Health Service
NMW	- National minimum wage
NRM	- National Referral Mechanism
ODW	- Overseas Domestic Worker Visa
PCSO	- Police Community Support Officer
SCD9	- Human Exploitation and Organised Crime Command, Metropolitan Police Service
SC&O7	- Specialist, Organised & Economic Crime Command, Metropolitan Police Service
SC&O9	- Human Exploitation and Organised Crime Command, Metropolitan Police Service
SNT	- Safer Neighbourhood Team
SOCA	- Serious and Organised Crime Agency
TIP	- Trafficking in Persons
UKBA	- United Kingdom Border Agency
UKHTC	- United Kingdom Human Trafficking Centre
UNODC	- United Nations Office on Drugs and Crime
VAWG	- Violence against Women and Girls

Executive Summary

Nearer than you think

Increasingly the authorities and many residents in London know that there is a criminal activity called human trafficking. What they don't usually know, accurately, is what human trafficking actually constitutes and what forms are taking place around them. Most London residents imagine that it does not touch directly on their lives – that the exploitation takes place in brothels run by foreign gangs controlling foreign women. But it's nearer than they think.

If you have had an Irish or Eastern European traveller knocking on your door offering cut-price construction work, if you have had a manicure at a Vietnamese nail bar; if you have been to inexpensive Chinese and Indian restaurants or takeaways; passed by groups of men at mobile soup runs for the homeless; if you have taken cannabis; bumped into Latin American cleaning staff at London hotels; dealt with British or African children who play truant at school; if any of these circumstances are familiar to you, then you may well have seen or even indirectly been involved in the exploitation of a victim of “trafficking.”

But human trafficking is not slavery in the historic sense - this is the first misleading notion and is partly why authorities often fail to recognise, and so let down, victims of trafficking. The scare-stories about thousands of hidden slaves tied up against their will is inaccurate. What can be found in London, in higher numbers, are children and vulnerable British adults and, often irregular, migrants being relentlessly exploited, particularly by British standards and international human rights legislation.

However, “choice”, ambiguous as that term may be, is involved in these victims' circumstances and, in many cases these people – such as migrants from poverty stricken backgrounds or homeless British male victims - may see this life as an improvement on where they have come from. Yet some victims will experience appalling and often gruesome abuse in the UK. Sexual torture, starvation and physical abuse are not uncommon in these outwardly ‘consensual’ environments. However, at the other end of the scale you can find workers experiencing no physical or sexual abuse, and whose ‘traffickers’ have largely kept to the terms of agreement. They will be being paid less than the minimum wage, working unremitting hours, and be in unreasonably high debt bondage to criminals. They will also still live in a state of anxiety relating to those they owe money to, or those they work with, or the British authorities due to their irregular immigration status. This makes human trafficking a grey area, not black and white as is commonly presented.

But does trafficking really exist?

According to the UN Palermo Protocol,¹ Human Trafficking is the recruitment, transportation, and harbouring of a person by threat, force, coercion, abduction, deception, or abuse of their vulnerability with the aim of exploiting them. However, an illegal migrant who has chosen to leave exploitative, possibly violent, circumstances in their homeland to work in a less but still exploitative environment in the UK presents a problem to the authorities. Even child trafficking, while seemingly more clear-cut, since a child cannot consent, contains ambiguities. Dr Nick Mai has criticised the pseudo-objective view of a

¹ <http://www.unodc.org/unodc/treaties/CTOC/>

“child”, which ignores the harsh cultural realities of many migrant children. Dr Mai’s work² with some heterosexual male Roma youths found that Government and NGO services were out of sync with their needs and were not able to match the opportunities the boys felt sex work gave them. Many of the boys felt empowered as it provided them with wealth in a way their circumstance, due to a lack of education and social stigma as a migrant, could not. Unconsciously, the authorities are also rejecting the legal framework requirements to protect children. Indeed, when the authorities come across British children who are sexually groomed by gangs or Vietnamese children working in cannabis farms, they are still failing to recognise children as victims of trafficking and exploitation. Children nonetheless make up a significant number of the potential cases of trafficking in London cited by the Government’s UK Human Trafficking Centre (UKHTC). Between 1st January 2013 and 31st August 2013, 106 of the 389 potential victims of trafficking, exploited in London, were children.³

Some academics question whether trafficking really exists and whether this isn’t just a term used to cloak Western society’s discomfort about the natural movement of poor migrants, living in awful conditions, moving into our countries to live in slightly less awful conditions, and doing jobs and living in conditions we don’t like the sound of. Yes, these academics say, exploitation exists – but it is far more prosaic than any rhetoric on human trafficking would suggest. They feel that there is no such thing as trafficking – a term which emphasises the issue of ‘movement’, which they see as a political but irrelevant issue. Instead they cite that, rather than some broad sweeping term, there are individual crimes and problems that can be broken down into types, such as poverty, rape, abuse, and exploitation. In one sense, I agree. The anti-trafficking ‘rescue industry’ has many well-meaning individuals who are simply uncomfortable with the choices that other people, with more limited choices, have to make. This is particularly marked in some NGOs’ attitudes in conflating all migrant sex workers with trafficked victims.

I do however increasingly think the term “trafficking” helps to expose the abuse involved and explain these individuals’ specific vulnerabilities. I can see that in many cases movement does matter. An orphan placed in an informal fostering arrangement in West Africa may be a reasonable option because there is no formal social security and this situation is regulated by community social structures. However, movement across borders changes everything, as those brought here are suddenly in an illegal situation and so they are more hidden and so more vulnerable. Furthermore, because the children are often here illegally, when they reach eighteen they are invisible to the British authorities and this makes them susceptible to deportation or to going underground and getting involved in dangerous activities. The term ‘trafficking’ is also helpful for British-born cases. Until 2011, the grooming of girls had been played down by the authorities for decades, to the extent that the girls felt that their treatment was normal. The term trafficking reminds them, the system, and the judges that these girls have been treated as mere commodities.

There are, however, reasonable concerns about the consequences of policies to tackle this crime. Campaigning for proactive work to prevent exploitation, for example in restaurants, has the short-term effect of pushing migrants into more underground, dangerous sectors, and may have the long-term effect of discouraging migrants from entering the country. This, in effect, forces them to stay in even more exploitative conditions in their home country.

² Tampering with the Sex of ‘Angels’: Migrant Male Minors and Young Adults Selling Sex in the EU, Prof Nick Mai, *Journal of Ethnic and Migration Studies*, Volume 37, Issue 8, 2011

³ Data provided to us by the UKHTC. See Appendix 2.

When the cause of the trafficking of migrants is poverty, a real victim-focused approach would target this root cause. Instead anti-trafficking approaches often equate to: exploitation exists everywhere; but let's not have it happening here!

This report

Prior to the 2012 Olympics, the human trafficking agenda suddenly became high-profile.⁴ However, policy, media headlines and public rhetoric focused exclusively on the cases of migrant women being sexually exploited in brothels. The Metropolitan Police Service received half a million pounds⁵ to tackle this problem and used the majority of their resources to target the brothel industry.⁶ One source told me that they had been told by a senior police officer that the police intended to use the Olympics trafficking scare as an excuse to bear down on brothels. Indeed, the extra resources and increased brothel raids did little to find victims of trafficking, though it did succeed in closing down many brothels. A year-on-year comparison reveals that there were four trafficking cases recorded in 2011 in London, and similarly only four cases were recorded in the 2012 Olympic year.⁷ There is human trafficking in brothels, but this evidence suggests that it is by no means the majority of cases that take place in London and therefore I believe significant resources were wasted in the run up to the Olympics.

The Mayor's Office for Policing and Crime's (MOPAC) strategy on trafficking is still entirely under the Violence against Women and Girls agenda.⁸ This is a significant oversight when the number of labour trafficking cases being identified by the authorities is catching up with, and will no doubt at some point overtake, the number of sex trafficking cases we are seeing.⁹ Indeed, the Salvation Army's most recent data analysis reveals that they have seen more victims of labour trafficking than victims of trafficking for sexual exploitation.¹⁰ MOPAC's female-focused strategy on trafficking also demonstrates a blindness to the sexual abuse of men and boys, cases of which are discussed in almost every chapter of this report.¹¹ Data shows that, even with this oversight by MOPAC, just over 20% of all victims

⁴ For example, <http://www.telegraph.co.uk/news/uknews/immigration/8647246/Human-traffickers-could-target-Olympics-Home-Secretary-warns.html> and <http://www.standard.co.uk/news/olympics-will-be-magnet-for-sex-trafficking-gangs-warns-yvette-cooper-6565248.html>

⁵ MPA report: METROPOLITAN POLICE SERVICE Human Trafficking response, Report: 7; 28 Jan 2010: "CO14 has successfully bid for £600,000 funding for 2010/12 from the GOL Migration Impact Fund to support the Olympic boroughs in relation to victims trafficked for sexual exploitation."

⁶ <http://mqt.london.gov.uk/mqt/public/question.do?id=38548> Mayoral question 3395/2011 from Andrew Boff, 16/11/2011

⁷ <http://mqt.london.gov.uk/mqt/public/question.do?id=42422> Mayoral question number 2483/2012; 19/09/2012

⁸ The Mayor's The Way Forward 2010-13, <http://www.london.gov.uk/priorities/policing-crime/mission-priorities/violence-against-women-girls/local-vawg-guidance>. Under the previous Mayor "between 2004-08 any Human Trafficking work commissioned by the Mayor was undertaken within the GLA's Domestic Violence Project Team." <http://mqt.london.gov.uk/mqt/public/question.do?id=44971> Andrew Boff, MQT, 01/30/13

⁹ Labour trafficking is already beginning to appear to overtake sexual exploitation - recent Salvation Army data, from July 2011 to April 2013, showed that labour exploitation accounted for more cases than sex exploitation of the cases they had seen - with 43% of cases involving labour trafficking and 40% of cases involving sex trafficking <http://www.parliament.uk/documents/commons-committees/home-affairs/130603%20Human%20trafficking%20written%20evidence.pdf>

¹⁰ <http://www.parliament.uk/documents/commons-committees/home-affairs/130603%20Human%20trafficking%20written%20evidence.pdf>

¹¹ The one exception is the Chapter on Homeless Victims of Trafficking. All other closed communities and trafficking types discussed in this report include cases of sexual abuse of male victims.

found so far in London in 2013 were male.¹² The Mayor's Office for Policing and Crime's strategy on human trafficking is outdated, discriminatory, dangerous for male victims and needs to change.

I also have concerns about the way we are policing human trafficking. Proactive policing, particularly in the boroughs, is often not victim-focused. For example, raids on restaurants or brothels often involve no follow-up with those working on the premises, who are pushed into more underground, dangerous work as a result of police activity.¹³ The Metropolitan Police Service's Trafficking Unit, SC&O7, are regularly praised for their expertise and victim-focused approach. However, they are overstretched and target mostly large-scale organised crime networks which, evidence suggests, means that they are missing large numbers of informal cases, some of which are far more severe than the cases they target. Yet these cases are not being pursued by borough police, whose knowledge, sensitivity and interest in these cases is often limited. Indeed, the boroughs largely fail to recognise any human trafficking cases around them even when victims present themselves to front desks. The above concerns about policing may explain why less than one in ten of those flagged as victims of trafficking in London from January to August 2013 were identified by the Metropolitan Police.¹⁴

In this report I examine some of the more hidden and subtle forms of human trafficking taking place in closed communities in London. Evidence suggests that victims of trafficking in these communities are often overlooked by the authorities. Other victim groups, who I have been unable to cover in this report, but who have been mentioned over the course of this investigation and, I believe, require further investigation by the authorities, include the trafficking of Moroccan, Pakistani and Bangladeshi victims into the UK.

The trafficking and exploitation of Nigerian and other West African victims
Nigerian victims of trafficking were the biggest victim group in the IDMG data from 2012¹⁵ and the second largest group identified in London in 2013.¹⁶ While data on human trafficking is often unreliable and distorted, NGOs working with West African victims said that the abuse of Nigerians, particularly in domestic servitude, was extensive in London.

These cases are usually not organised by criminal organisations but are informal arrangements involving someone the victim may know. Sexual, domestic and criminal (for benefits) exploitation takes place in closed networks in the West African community in residential areas. New trends suggest baby trafficking is on the rise as well. These traffickers

¹² Data kindly provided by the UKHTC – between 1st January-31st August 2013 – 81 of 389 potential victims referred to UKHTC were male. Data provided to us by the UKHTC. See Appendix 2.

¹³ Recent evidence of this in Channel 4 Documentary ex: My British Job is the work of Nick Broomfield and Hsiao-Hung Pa. "She originally worked as a DVD seller and in a restaurant but said that it was impossible to continue after the police cracked down" Quotation from Daily Mail article "Channel 4 documentary reveals what life is like inside Britain's immigrant brothels", by Ruth Styles, 20 September 2013,

¹⁴ Data provided by the UKHTC – between 1st January-31st August 2013 the Metropolitan Police Service only found 36 of the 389 potential victims identified to the UKHTC.

¹⁵ By far the largest number of referrals of potential victims of trafficking received by the UKHTC since the inception of the NRM in April 2009 are Nigerian nationals" First annual report of the Inter-Departmental Ministerial Group on Human Trafficking, 2012

¹⁶ Data provided by UKHTC. 76 potential cases of human trafficking involved Nigerian victims. 118 of 389 referrals were from Africa. Data provided to us by the UKHTC. Data provided to us by the UKHTC. See Appendix 2.

are not gang members but mothers, council workers, pastors and other respectable members of the community. No police raid on a brothel will find them. Yet the victims may be coming into contact with neighbours, churches, health professionals and even teachers fairly regularly.

West African cases of human trafficking are struggling to be recognised. The Government's National Referral Mechanism to identify trafficked victims disproportionately rejects Nigerian cases of trafficking.¹⁷ The police also reject Nigerian cases, seeing victims as "on the make",¹⁸ or claiming that there is too little evidence to charge anyone. Yet one stakeholder working with a Nigerian victim, after being told by police that they couldn't find any evidence on the trafficker, searched for the trafficker's name on Google and found him for the police immediately.

Other concerning evidence I came across revealed that the UK is sometime used as a transit destination and is targeted by Nigerian traffickers who are looking to move victims into mainland Europe. Immigration officials sometimes failed to notice that documents were obviously forged and there is currently no requirement for a personal interview when children are brought into the country. Children are particularly vulnerable in this system and seem to disappear easily in London on expired visas. The lack of exit checks in this country also assists traffickers.

The trafficking and exploitation of Chinese victims

The Chinese community was repeatedly described to me as impenetrable by NGOs supporting victims of trafficking. Stakeholders supporting victims of trafficking relayed how Chinese victims were one of the largest trafficking groups¹⁹ and yet they didn't engage with support services. This should be a cause for concern. Instead some authorities are choosing to ignore this issue and assume the silence of these victims signifies that there isn't a problem. However, even when victims do ask for help, they may be ignored. One boy trying to escape his traffickers, and who asked his South London borough if he could be moved, was recommended to use Gumtree.

Many cases of exploitation of Chinese migrants are complex. The individuals have usually chosen to come to the UK and may expect, to a lesser or greater extent, the often horrific conditions in which they are being made to work and live in. The extreme poverty they have left behind may explain this. Gangs, nonetheless, often use the threat of violence, yet workers frequently view the gang leaders, known as 'snakeheads,' who brought them over with respect.

The impression that Chinese trafficking goes on directly under the noses of the authorities was particularly highlighted by the case of the London Special Treatments Group. This is a group of council officers who, in at least one case, had effectively allowed a brothel in

¹⁷ For example, data in an ECPAT UK Briefing on the National Referral Mechanism for children found that 32% of Nigerian children between April 2009 to 30 June 2011 received conclusive grounds accepting them as victims of trafficking. Meanwhile, British children had an 88% rate of receiving conclusive grounds and Romanian children had a 68% chance.

www.ecpat.org.uk/sites/default/files/ecpat_uk_briefing_on_the_nrm_for_children.pdf

¹⁸ In evidence from an interview with Tony Murphy, Bhatt Murphy Solicitors, 2012

¹⁹ Data provided by UKHTC. The sixth largest group of potential victims of trafficking came from China, Jan-August, 2013. Data provided to us by the UKHTC. See Appendix 2.

Chinatown, paying the Chinese women £3 an hour, to be approved as a beauty spa, and thus exempt from having a licence.

Some stakeholders said that Chinatown had high levels of crime but that this activity did not manifest itself in crime statistics and therefore, rather than leading to more proactive policing to find crime, fewer resources were being put in. Indeed, the Chinese Divisional Unit in the Metropolitan Police Service is effectively being disbanded. Chinatown was repeatedly cited as a locality where some of the gangs operate and where some of the restaurants were operated by staff working under the conditions described above. It may be in London's interests if the lauded Gangmasters Licensing Authority, set up after the death of 21 Chinese cockle pickers to monitor the agricultural sector, extends its remit so that it covers the sectors more commonly present in London, such as the restaurant industry. However, if the authorities are not victim-focused when targeting these establishments, those working in the restaurant sector will simply be pushed into working in more dangerous illegal sectors, following these raids and inspections.

The trafficking and sex grooming of children

The increase in investigations and media attention on the grooming and sex trafficking of British children has perhaps put into focus the disproportionate emphasis we have had on the trafficking of migrant sex workers in brothels. These cases of exploitation were taking place much closer to home, in local takeaways, small hotels and homes in our streets. I have found, and also been told of, similar cases that go back decades, and yet this issue has been ignored year after year. Now it is the issue of the moment, but we are still stuck on the stereotypes propagated by the cases we have heard about.

The issue of white British girls in care being exploited by Pakistani gangs is a problem. But it is what is not in the data that should grab our attention. British black and minority ethnic girls, boys, and white middle-class children can also be victims of grooming and this and their use of online media which often allows this grooming to take place, needs to also be registered and responded to.

Boys are a particular group I have chosen to highlight. We are handling the sexual abuse of boys in a similar way to how we handled the sexual abuse of girls several decades ago. I have heard concerns that boys' experiences are often treated as little more than homosexual lifestyle choices. But data I uncovered reveals that the percentage of male victims in all sexual exploitation cases in London has jumped from 3% to 13% from 2010 to 2012.²⁰ Yet no money has been set aside by the Mayor for male victims of sexual abuse and a great deal of official language referring to sexual abuse excludes the male experience of this crime.²¹

The authorities and those working with these young people are also turning a blind eye to grooming. One social worker told me that she had repeatedly begged a London council to recognise that children were being groomed and trafficked outside a number of schools in the borough, but they have refused to acknowledge that this problem exists.

²⁰ <http://mqt.london.gov.uk/mqt/public/question.do?id=44976> Mayors question, Andrew Boff, 30/01/13

²¹ <http://www.pinknews.co.uk/2013/03/12/london-mayors-office-accused-by-charity-of-failing-to-provide-funding-for-male-sexual-assault-services/>

Data I have uncovered reveals there are 9,055 children missing from care in 2012 in London.²² That is an outrageous number. Equally outrageous was the fact that the Metropolitan Police Service admitted that they could not provide me with data before this date.²³ They had only started measuring these figures following the high-profile cases in the media. Why is that, when these cases were evident in reports, NGO intelligence, and investigations for many years previously? Some stakeholders and NGOs were no doubt telling the police about this problem for decades, but what became apparent through my investigation was the disconnect and lack of trust between some NGOs and the police, and how significantly this affects our response to human trafficking.

Trafficking and exploitation of homeless and vulnerable men

The recent high-profile case involving the trafficking of British and Eastern European homeless and vulnerable men by the Connors family, a traveller network, has effectively been treated as a one-off by the authorities. Yet evidence shows that this has been going on for years²⁴ and no doubt continues to do so. Furthermore, these trafficking cases tend to be particularly brutal. Several men exploited by traveller networks have died in unclear circumstances, and this human trafficking model has led to the first known case of organ-harvesting in the UK.

I have heard consistent evidence that London is being used as a recruiting ground to find many of these vulnerable men. Yet senior police in the Metropolitan Police Service still regard this issue as largely based on “rumour,”²⁵ and borough police are still turning victims away. Yet Scandinavia has considered the UK a source country for this type of human trafficking for half a decade.

The lack of support available for male victims when they are discovered is also a substantial concern. The dearth of services in London results in there being a ludicrous cycle of trafficked people being rescued or escaping, and then subsequently being re-trafficked. With men, this is even more pronounced since the few services that do exist in London to support victims of trafficking, after the Government’s statutory 45-day recovery and reflection period provision, only assist women.

Trafficking and exploitation of Latin American victims

London has a large, expanding Latin American community which is still, in spite of campaigns, not formally recognised across London²⁶ as an ethnic group. As a result, there are limited services in London to support them. Yet the trafficking and exploitation of Latin Americans was cited as an emerging problem in London, particularly the exploitation of

²² <http://mqt.london.gov.uk/mqt/public/question.do?id=44977> Mayors question, Andrew Boff, 01/30/13. “The METROPOLITAN POLICE SERVICE has informed me that in 2012, there were 9,055 reported incidents of children missing from care

²³ “The METROPOLITAN POLICE SERVICE is unable to provide data for 2010 and 2011, as it did not become mandatory to record whether the child in question was in care until halfway through 2011” Mayors question, Andrew Boff, 01/30/13.

²⁴ For example see: “Homeless man held as a slave”. 27 May 1999. Echo-News

²⁵ Anonymous quotation from a senior police source in the Metropolitan Police

²⁶ With the exception of Southwark Council who have recognised Latin Americans as an ethnic group since 2012

Latin Americans in domestic servitude.²⁷ At the same time, those working with Latin American victims of trafficking felt that their cases, by being culturally specific, struggled to be recognised as cases of trafficking by the police and even by other anti-trafficking NGOs.

One challenge is that many Latin American trafficking cases are informal and do not involve large criminal networks. For example, the domestic exploitation of Latin Americans in Latin American embassies and in the au pair industry is not highly organised and takes place in very unregulated sectors. A blind-spot by the authorities towards human trafficking within marriage, involving victims from Latin America and elsewhere, is also a concern. Furthermore, I also discovered that two leading hotel chains were exploiting Latin Americans working in the cleaning industry. They were, perhaps unknowingly, paying them well below the minimum wage due to loopholes in their cleaning companies' contracts.

Trafficking and exploitation of Vietnamese victims

For the last decade, increasing numbers of Vietnamese illegal migrants, particularly boys, have been trafficked into the UK to work in nail bars and cannabis factories.²⁸ Evidence I have heard suggests the two trades are linked and that victims can sometimes move back and forth between the two. Indicators suggest that victims of trafficking, "rescued" from cannabis farms, often end up working for the same organised gangs in nail bars.

NGOs working with Vietnamese victims of trafficking are concerned about the British authorities' treatment of Vietnamese victims of trafficking. There have been 1,400 individuals arrested for cannabis cultivation in 2011-13 and, of these, 63% were Vietnamese and 13% were children.²⁹ Yet Anti-Slavery International's RACE in Europe Project³⁰ found that, of the cannabis cultivation court cases cited in the media between 2011-13 involving Vietnamese adults, 130 had trafficking indicators.

Raids on cannabis farms are currently often not victim-focused. Instead, they lead to many child victims of trafficking being prosecuted for drug cultivation; yet the traffickers who manage the farms emerge unscathed, with not one receiving a conviction since 2009.³¹ Between January and August 2013, ten potential cases of human trafficking were found involving cannabis cultivation in London – two fifths of whom were children³². In light of the large number of raids on cannabis farms,³³ the small number of victims found could suggest

²⁷ Worryingly, recent UKHTC data does not cite any potential cases of trafficking from Latin America in spite of an increase noted by the UK Border Force at Heathrow as well as by a number of NGOs. See data provided to us by the UKHTC. Appendix 2.

²⁸ Between January and August 2013, Vietnam was found to be the third largest source country of human trafficking to London. 33 victims were identified. Ten potential cases of human trafficking were found involving cannabis cultivation – two fifths of whom were children. Data provided to us by the UKHTC. See Appendix 2.

²⁹ Data provided by a stakeholder in the Anti-Slavery International's RACE in Europe Project

³⁰ *ibid*

³¹ Two stakeholders working with Vietnamese victims told us they knew of no convictions in 2013. See also <http://www.theyworkforyou.com/wrans/?id=2013-04-22a.386.7&s=human%20trafficking>: "To ask Her Majesty's Government what assessment they have made of the problem of trafficking of Vietnamese children, in the light of no convictions for the trafficking of Vietnamese children since 2009 despite Vietnamese children accounting for a quarter of all referrals of child trafficking." April 2013. The CPS said they did not have this type of data available.

³² See Appendix 2.

³³ Mayoral question, Andrew Boff, 22/05/13, No 1755/2013. There were 1,133 reported cannabis cultivation offences in 2011/12 and 1,008 in 2012 up to May 13.

that large numbers of children found on these raids are being overlooked and criminalised, rather than recognised as victims. A disproportionate number of Vietnamese children are missing from care in the UK and evidence suggests that, altogether, Vietnamese children are being remarkably let down by our system.

Conclusion

It took 21 Chinese cockle pickers to drown at Morecambe Bay in 2004 for action to be taken to regulate and protect those in the agricultural sector. It took half a dozen sex grooming cases involving hundreds of girl victims for the authorities to take notice in the last two years. It should not take such extreme circumstances or national scandals in the media to provoke a response to the other cases of trafficking, exploitation and abuse I have cited in this report. Some of those working with victims of exploitation have been trying to warn the authorities for years. Indeed many of those I have spoken to for this report are still trying to alert the authorities to similar cases across London, but their concerns too often fall on deaf ears. The Mayor must call on all London boroughs to recognise this problem. At present, “gangs are more organised than local authorities.”³⁴ My recommendations include the following:

- The Mayor must set up London Regional Human Trafficking Groups so that we have a genuine multi-agency approach to human trafficking. This approach can start to tackle the core reasons behind our failure to protect those being exploited. This group should act as a catalyst to improve cross-intelligence between NGOs and the police and the boroughs. At present there appears to be a disconnect between several NGOs, statutory services and the authorities, to the huge detriment of victims of abuse in London.³⁵ These groups should also help to prevent the Metropolitan Police Service from working in silos and help promote more long-term approaches, which are currently hampered in part by a target culture in the police and by the constant churn of senior Police officers.
- MOPAC should use these groups to collect new, transparent, London data on human trafficking, which includes data contributions from NGOs, not just the authorities. Only then can we begin to gather a clear picture of what is going on in London. Having a firm Mayoral policy on human trafficking without this data is misguided.
- Male victims are absent from the Mayor’s policy on trafficking and they also lack many of the support services provided to female victims in London. MOPAC must have a trafficking policy in place that includes men as more than simply perpetrators.
- Frontline staff need effective training on human trafficking. Identification is one of the key ways to protect victims of trafficking and discourage traffickers; but at present the majority of those coming into contact with victims, such as social workers, teachers, NHS staff and housing officers, know little about trafficking indicators or how to refer cases on.
- Borough police struggle to recognise victims of trafficking or circumstances where they might stumble across them. Special points of contact (SPOCs) for human

³⁴ Interview with Andy Elvin, CFAB, 2013

³⁵ Indeed the Trafficking Unit receive “approximately 45 per cent of the victims [are] referred to them by NGO’s” Mayors Question Time, Andrew Boff, 22/05/13
<http://mqt.london.gov.uk/mqt/public/question.do?id=46674>

trafficking need to be established in every borough's police force, to start to rectify this problem.

- Any proactive work to target human trafficking or exploitation must be victim-focused. At present I am reluctant to push for certain proactive work by the police because I believe vulnerable people are more likely to suffer than be rescued as a result. Traffickers nonetheless continue to evade the police and criminal justice system.
- When victims look for help, they often approach those in their own community. Yet there is limited communication with many communities in London to highlight trafficking indicators and how victims of trafficking can gain assistance. We need more effective community engagement – setting up police contacts in religious establishments is a good start.
- London effectively subsidises areas outside of London with their attempts to curb human trafficking. The Metropolitan Police Service's Human Trafficking Unit in the Human Exploitation and Organised Crime Command, are overstretched, yet support other forces. The Mayor should therefore campaign for other forces across the UK to set up anti-trafficking units themselves. The Mayor should also call for the Gangmasters Licensing Authority to extend its remit so that it targets exploitative sectors in London, as well as those outside it.
- The UK is used as a transit country into the rest of Europe by Nigerian traffickers. Exit checks and closer scrutiny of visa applications are necessary if this is to be prevented.

Introduction

Human Trafficking in London

Human trafficking³⁶ is a topic that is increasingly on the agenda. It is regularly cited as modern day slavery and is considered to be one of the most scandalous crimes taking place in the UK. While politicians are willing to produce much rhetoric about the evils of this heinous crime, victims and those who work with victims of trafficking are continually frustrated at the lack of constructive action to tackle the problem.

A large amount of human trafficking in the UK is based or goes through London. As a London Assembly Member, I became increasingly concerned that there was a significant amount of human trafficking in London, taking place under the very noses of the authorities, yet I did not feel the authorities had much awareness of these crimes or how to deal with them.

When I saw potential evidence of labour trafficking in Hackney I anonymously reported it to a passing PCSO. His response was to casually recommend I, as a resident, look into it. When I told senior police, working in human trafficking, that I had found evidence that trafficking may be relatively unorganised and informal, and taking place in residential areas in homes, I was told this was unlikely to be the case as trafficking almost always became large-scale organised crime due to greed. When I met a victim of trafficking - who had been drugged and forced to sell sex - who had managed to escape, she revealed that the authorities had not helped her to escape at all; yet now that she was a migrant working as a sex worker in Westminster, the main threat to her existence were the authorities themselves.

Trafficking myths

My research suggests that trafficking is not what many people imagine it to be. Barely any trafficked victims are padlocked or physically restrained. Most of them are in some way seen as 'complicit'³⁷ in their circumstances and are restrained by more subtle control mechanisms.³⁸ Many - indeed I believe the majority of trafficked victims in London - are not in the formal sex industry³⁹ and victims are not necessarily predominantly female and are not always from Eastern Europe or South East Asia. Yet these are the stereotypes often peddled to us. Worryingly, these are the stereotypes that authorities almost invariably

³⁶ According to the United Nations definition, human trafficking can be understood as a process by which people are recruited in their community and exploited by traffickers using deception and/or some form of coercion to lure and control them. There are three distinct elements of this crime: the act, the means and the purpose. All three elements must be present to constitute a trafficking in persons offence, although each element has a range of manifestations. UN Global Report on Trafficking in Persons, 2012
<http://www.un.org/ru/publications/pdfs/global%20report%20on%20trafficking%20in%20persons%202012.pdf>

³⁷ Nonetheless worth noting that "Due to the high levels of deception and coercion used by traffickers, many victims have no real choice in their trafficking and eventual exploitation but are often perceived to be in some way complicit in their circumstances" Elizabeth Willmott-Harrop, Consultant & Writer Specialising in Women and Child Rights Advocacy, in written evidence, 2013

³⁸ For example the threat of violence, threats made against family members in the country of origin, confiscation of passports, mind control such as Juju.

³⁹ Mai N (2009) 'Migrant Workers in the UK Sex Industry - Final Policy-Relevant Report' ESR
<http://www.londonmet.ac.uk/research-units/>

expect to find. Indeed, the Mayor's Police and Crime strategy currently refuses to see trafficking as anything other than an issue that falls under Violence against Women and Girls.⁴⁰ In doing so, victims are being let down. Frontline staff need to have that direction and basic information at their fingertips to be able to spot the signs and know how to respond.

Yet human trafficking cannot – or, at least, should not - be generalised. My hope is that this report will help us to move away from the standard views on human trafficking and from a view that the authorities' trafficking response can be a one-size-fits-all model. Each type of human trafficking is unique to a time, place and ethnicity. Each type of trafficking needs to be dealt with and understood in a different way. The current domestic exploitation of African children in homes is very different to the labour exploitation of homeless men in the construction trade or the exploitation of Chinese waiters in a restaurant. Moreover, such is the fluidity of human trafficking models,⁴¹ in a few years Chinese or African trafficking models may fit a very different paradigm. One year victims may fit one paradigm of exploitation and ethnicity; the following year this paradigm could be turned on its head. I am concerned that this fluidity is also not being registered.

Furthermore exploitation is everywhere – in the nail bars one visits, in the builders' teams knocking on our doors offering construction work, and in the ordinary homes housing cannabis factories or children exploited in domestic servitude or women trafficked by 'marriage' to be sex slaves. We all need to raise our awareness and ensure all communities have the tools to respond accordingly. Human trafficking is not some new phenomenon but one that has been occurring in various guises for centuries.⁴² Nor is it black and white. Victims may have been "willing" criminals⁴³ in parts of the process, for example in the illegal profession they carry out, or in their use of forged identity papers, which can then reinforce their vulnerability at the point of destination; or they may even become traffickers themselves after paying off their debt bondage. Likewise, traffickers comprise vast networks and come in many forms as various links in a vast chain, from close family or community members to organised criminal gangs. In some cases, traffickers may believe they are genuinely helping those they victimise by receiving payment for sending someone off "to a better life."

⁴⁰ The Mayor's The Way Forward 2010-13, <http://www.london.gov.uk/priorities/policing-crime/mission-priorities/violence-against-women-girls/local-vawg-guidance>

⁴¹ For example, a UNODC Report, Trafficking in Person to Europe for sexual exploitation wrote, "Turkey, Uzbek and Turkmen women seem to be replacing the Russians and Ukrainians. Similarly, in Spain the increase of Paraguayan and Brazilian trafficking victims appears to have compensated for the decrease in trafficking from Colombia. This suggests that human trafficking rings may react to changes in traditional origin countries, such as increased awareness among potential victims, stringent law enforcement action or improved livelihood" http://www.unodc.org/documents/publications/TiP_Europe_EN_LORES.pdf

⁴² For example, see an illustration of the sex trafficking boyfriend model in Arthur Koestler's Scum of the Earth

⁴³ "Trafficking victims almost inevitably commit crimes, from the use of illegal identity papers, to criminal acts which their traffickers coerce them into, such as cannabis farming in the UK. In a positive move, The Council of Europe Convention on Action against Trafficking in Human Beings 2005[8]... has been updated with a 2011 European Union Directive[9]. This broadens the scope of trafficking victims to include coerced criminal activities" Human trafficking and international law by Elizabeth Willmott-Harrop, 2013

<http://www.libertyandhumanity.com/themes/human-trafficking/human-trafficking-and-international-law/#sthash.624qscpl.dpuf>

This report

My last report, *Silence on Violence*, noted that a lot of money was being made available to tackle trafficking.⁴⁴ But I believe it focused in on the wrong places, leading to minimal results and to most victims continuing to fall below the radar, particularly West African victims. This report will examine how West African human trafficking currently manifests itself. It will also investigate other types of more hidden forms of human trafficking that take place in closed networks. These include the trafficking of Chinese, Latin American and Vietnamese victims, British children including boys, and homeless men. While examining these victim types I intend to highlight some of the key concerns and recommendations I have heard from experts on how to tackle trafficking more generally. While I have chosen to focus on some of those victim groups I believe are being overlooked, what is clear is that trafficking and traffickers exist in every community, religion, class, and gender. The fact that we may not know about some of these cases does not mean they are not happening.

This report will also air a variety of different views and interpretations of trafficking, some of which I believe have worryingly been stifled. There has been a lack of transparency by both the authorities and those who work to support victims of trafficking, the so-called “trafficking rescue industry”,⁴⁵ about some of the contrasting views on trafficking. Yet this may explain why there is so much disagreement about how to tackle human trafficking. The eradication of human trafficking is presented as a black and white issue that we must all support; but, in fact, the differences between views needs to be examined before any agreement can be made on the correct way forward.

The term “trafficking”

I have heard horrific cases that have shocked me to the core: One trafficking survivor told me her own parents had sold her into violent pornography where she was forced to watch other children tortured to death; I heard of men being brutally beaten to a pulp and starved for weeks on end; I heard of migrant women repeatedly trafficked with breast implants filled with cocaine, put in each time without anaesthetic. At the other end of the spectrum there are migrant sex workers or restaurant workers, working in exploitative conditions by ‘Western’, and indeed international human rights, standards, but who are content with their life choices and do not want the interference of NGOs or authorities, many of whom nonetheless believe firmly, and may have correctly identified, that these are victims of trafficking.

Meanwhile there are those who question the entire belief that trafficking exists. They feel it is peddled by the trafficking ‘rescue industry’ or by Governments who use the debate to control migratory movement. There are also valid reasons why the authorities or even the NGOs themselves may not always want to take a victim-centred approach to trafficking. A human trafficking ‘victim’ may want the opportunity to work in London even though they will experience exploitation and abuse, and so will not want the interference of NGOs or authorities, who rightly believe that there should not be two tiers of rights in the UK and wish to end their abuse. Meanwhile the Government has limited resources and needs to ensure its system is not abused by people consenting to come over here to work illegally

⁴⁴ MPA report: METROPOLITAN POLICE SERVICE Human Trafficking response, Report: 7; 28 Jan2010: “CO14 has successfully bid for £600,000 funding for 2010/12 from the GOL Migration Impact Fund to support the Olympic boroughs in relation to victims trafficked for sexual exploitation.”

⁴⁵ This is a term coined by Dr Laura Agustín, author of *Sex at the Margins: Migration, Labour Markets and the Rescue Industry*. The rescue industry refers to NGOs, Intergovernmental Organisations (IGOs) etc.

under what we deem as exploitive conditions. While I believe the Government does focus too much on the immigration side of this crime to the detriment of the human rights of these victims - for example by forcing migrant domestic workers to stay with their employer under the new Overseas Domestic Worker Visa regime – I believe there are problems with our borders and that traffickers are exploiting these too easily.

Weaknesses at borders and in consulates; weaknesses in the training of frontline staff who are confronted by victims but fail to recognise them; and weaknesses in the support offered to victims once they are identified were all consistently highlighted to me in this investigation, reinforcing my motivation to write this report. I hope this report provides a little more clarity on the varied and more hidden nature of trafficking that exists; but I also hope it highlights the grey areas and lack of clarity that surround this issue. There are bigger questions about immigration, poverty, gender, multiculturalism, life choices, supply and demand, and international cooperation that shade the decisions we make on human trafficking.

Background to the research in this report

The approach to trafficking during the Olympics

In the run up to the Olympics, there was a wave of apprehension from the media, NGOs and leading Parliamentarians⁴⁶ that a huge number of trafficked victims – specifically women – would be brought to the UK. This view mirrored attitudes prior to other international large sporting events from the last decade.⁴⁷

However, in spite of the Home Office and Ministers finally stating that there was insufficient evidence to suggest that there would be an increase in trafficking,⁴⁸ the Met secured an additional £500,000 to tackle a possible increase in trafficking in the five Olympic boroughs in the run up to the 2012 Olympics.⁴⁹

Trafficking can take a vast variety of forms - from a Nigerian girl working in domestic servitude, to a Vietnamese boy working in a cannabis farm, to a homeless man working for a traveller family as a builder. However, the view that the victims, trafficked into the UK for the Olympics, would be migrant women and girls who would then be used for sexual services was prevalent.⁵⁰

Therefore, considerable resource was used in the years running up to the Olympics in raiding and visiting brothels, with the aim of discovering sex trafficking victims⁵¹. In 2010/2011, approximately 70% of the work carried out by SCD9's trafficking and prostitution unit, TPU, was "related to trafficking for sexual exploitation linked to the brothel market in London"⁵².

I heard evidence from one source, who worked with trafficking victims, who interviewed the police prior to the Olympics, who said that a senior police officer admitted that they intended to use the hysteria before the Olympics around human trafficking to target brothels.

⁴⁶ "Human traffickers are expected to step up efforts to smuggle women into Britain and force them to become sex workers in the run-up to London 2012, the Leader of the House of Commons Harriet Harman admitted today" "A report by the Metropolitan Police Authority (MPA) published in July warned that the Games could bring an increase in prostitution and sex trafficking" <http://www.insidethegames.biz/paralympics/summer-paralympics/2012/107269-london-2012-will-lead-to-more-sex-trafficking-admits-minister>

⁴⁷ For example, during the 2010 World Cup in South Africa, it was predicted that 40,000 sex workers would be trafficked into the country: 'The Deputy Chairman of South Africa's Central Drug Authority (CDA) said last week that it is feared 40,000 women will arrive in the country to work as prostitutes while the football World Cup is taking place there in June and July.' <http://digitaljournal.com/article/288672>

⁴⁸ House of Commons, Thursday 8 September 2011, Oral Answers to Questions, Culture, Media and Sport

⁴⁹ MPA report: METROPOLITAN POLICE SERVICE Human Trafficking response, Report: 7; 28 Jan2010: "CO14 has successfully bid for £600,000 funding for 2010/12 from the GOL Migration Impact Fund to support the Olympic boroughs in relation to victims trafficked for sexual exploitation." Also, several east London Borough police I spoke to said that their Boroughs had given them extra resources to tackle prostitution partly in light of the media concern that trafficking would increase due to the Olympics.

⁵⁰ "OLYMPICS will make London a "magnet" for human trafficking unless ministers launch an urgent crackdown, shadow home secretary Yvette Cooper warned today." Evening Standard, 2011

⁵¹ Silence on Violence, Andrew Boff, 2012

⁵² Nov 2011 MQT - <http://mqt.london.gov.uk/mqt/public/question.do?id=38548>

Results of the Olympics Trafficking approach

However, the extra resources put in and additional half a million pounds did little to find additional victims. My research found that a year on year comparison of CRIS reports reveal that there were four trafficking cases recorded in 2011 and similarly only four cases recorded in 2012⁵³.

During the 2012 Olympic period, between 1st July 2012 and 30th September 2012, Nigerian victims accounted for the highest number of referrals of the 135 potential victims of trafficking in London⁵⁴. Only 20 of all 135 referrals identified in that period were identified by the police. If, as I have consistently heard is the case, Nigerian victims are largely exploited in residential environments, then this would explain why so few of these 135 trafficking cases were actually identified by police during this period, since their focus was on finding human trafficking in brothels, while many Nigerian cases were hidden elsewhere.⁵⁵

The Metropolitan Police's Human Trafficking Unit's⁵⁶ success rate is improving year on year since 2010.⁵⁷ In 2011 a total of 73 CRIS reports were recorded relating to a potential victim of trafficking,⁵⁸ but this led to a very small number of traffickers subsequently being convicted.⁵⁹ CPS London Data I acquired reveals that, of the cases flagged as human trafficking referred by the police, there were only 11 convictions in 2010-11, 17 convictions in 2011-12 and 18 convictions in 2012-13.⁶⁰ Furthermore other figures, which show the number of human trafficking offences charged and reaching a first hearing in a magistrate's court, have recently dropped significantly, from 64 cases in 2011-12 to only 14 in 2012/13.⁶¹

The Police state, however, that they often convict people for offences around trafficking because of the level of evidence required for trafficking is so high. For example, they state that traffickers may be convicted for crimes around brothel-keeping. However, even the figures⁶² around brothel-keeping are not huge and no doubt include non-trafficking related cases.

⁵³ <http://mqt.london.gov.uk/mqt/public/question.do?id=42422> Mayoral question number 2483/2012; 19/09/2012

⁵⁴ Data provided to us by the UKHTC. See Appendix 2.

⁵⁵ *ibid*

⁵⁶ The Unit sits within the Human Exploitation and Organised Crime Command. It is commonly referred to as SCD9 although this name has since changed to SC&O9 in 2012 and then to SC&O7 in 2013. For this report I will use the unofficial term 'Human Trafficking Unit' to identify this police team.

⁵⁷ MOPAC Challenge data: In 2007/08 – 32 offences found; 68 offences found in 2011/12; 2012/13 – 447 (a 557.4% rise although this relates to one specific 2 year investigation with Polish authorities.)

⁵⁸ <http://mqt.london.gov.uk/mqt/public/question.do?id=42431> MQT, Andrew Boff, 19/09/12

⁵⁹ Recent conviction data reveals, nationally in England and Wales, that the number of convictions on a principal offence basis for 2011 was 8. Human Trafficking IDMG Report 2012,. This is a reduction since previous years: In 2005, there were 12 traffickers convicted for trafficking; in 2006 there were 21; in 2007 there were 23; in 2008 there were 24; in 2009 there were 25; and in 2010 there were 16 traffickers convicted for the offence of trafficking. (Hansard 20 February 2012: Column 512W; Hansard 19 June 2012: Column 917W)

⁶⁰ See Appendix 1

⁶¹ *Ibid*

⁶² In 2011, there were 10 sentences for keeping a brothel, 4 sentences for inciting prostitution for gain, four sentences for controlling prostitution for gain and three for trafficking into the UK for sexual exploitation and one sentence for trafficking within the UK for sexual exploitation. <http://i2.cmsfiles.com/eaves/2013/06/Capital-Exploits-June-2013.pdf-da8819.pdf> MOPAC's Report, Capital Exploits: A Study of Prostitution and Trafficking in London; Julie Bindel, Ruth Breslin and Laura Brown

NGOs, working with victims, say that the trafficking victim figures available are “just the tip of the iceberg”⁶³ and both NGOs and police accept that the number of convictions remains minimal. Yet there does appear to be a continuous and remarkable disparity between the huge numbers of victims cited each year in Government and NGO reports - ranging from one million to 27 million⁶⁴ - and the small number of victims recognised as victims of trafficking.

This suggests that either trafficking is not taking place on as large a scale as suggested or, more worryingly, that the way we are tackling trafficking is ultimately inadequate.

Human Trafficking – the definition

Human trafficking is a term which is frequently used in both professional and mainstream vernacular, yet its meaning remains elusive and contentious.

A variety of conceptual interpretations of trafficking exist: from being synonymous with prostitution; or as the smuggling in of illegal migrants; to being a modern form of slavery; to having a human rights focus; or to revolving around transnational organised crime.⁶⁵

When the UN was trying to establish a definition of trafficking, the Coalition Against Trafficking in Women argued that “all children and the majority of women in the sex trade”⁶⁶ should be considered “victims of trafficking”. Yet the Netherlands submitted a definition of trafficking that made no reference to prostitution or to sexual exploitation.

One academic, Dr Lee, stated that, “These approaches⁶⁷ may coexist, overlap and change over time, or they may contradict each other... Trafficking will be approached differently depending on whether it is considered a problem of illegal migration, prostitution, or organised crime⁶⁸.”

Human Trafficking is an internationally defined term. The United Nations Palermo Protocol 2000 is both the first and most used definition and involves “the recruitment,

⁶³ Quote used by a charity working with trafficking victims as well as by Thames Reach in regard to the number of homeless and vulnerable men trafficked.

⁶⁴ There are figures of less than 1 million back in 2004, claimed by the US Government : ‘600,000 to 800,000 people are trafficked worldwide each year (U.S.

government)<http://www.state.gov/j/tip/rls/tiprpt/2004/34021.htm>. Also “There are significant discrepancies in international estimates, with regularly cited estimates of numbers ranging from 2.5 million (International Labour Office, 2008), to 12.3 million (Hansard 2010), to as high as 27 million (Bales, 2000).” Quote from Prof Anderson, in. *Us and Them? The dangerous politics of immigration control*, Oxford: Oxford University Press

⁶⁵ This is described by Dr Maggy Lee, in Chapter One, *Contested Definitions of Human Trafficking, Trafficking and Global Crime Control* http://www.sagepub.com/upm-data/38629_02_Lee%28Trafficking%29_CH_01.pdf

⁶⁶ Referenced from The New Statesman’s *The Myth of Trafficking* by Brendan O’Neill, <http://www.newstatesman.com/books/2008/03/sex-women-trafficking-agustin>

⁶⁷ “(1) as a modern form of slavery; (2) as an exemplar of the globalisation of crime; (3) as a problem of transnational organised crime;

(4) as synonymous with prostitution; (5) as a migration problem; and (6) as a human rights challenge.”

⁶⁸ Dr M. Lee, in Chapter One, *Contested Definitions of Human Trafficking, Trafficking and Global Crime Control* http://www.ungift.org/doc/knowledgehub/resource-centre/Lee_Trafficking_CH_01.pdf

transportation, transfer, harbouring or receipt of persons, by means of the [bullet points inserted]

- threat or use of force or
- other forms of coercion,
- of abduction,
- of fraud, of deception,
- of the abuse of power or
- of a position of vulnerability (‘a situation in which the person concerned has no real or acceptable alternative but to submit to the abuse involved’) or
- of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”⁶⁹

Interpretations of coercion, abuse of power or exploitation are not in themselves clearly defined.⁷⁰ This is in spite of the fact that all these terms are regularly used in a variety of different contexts. For example, exploitation has recently been used to describe the current ‘internship’ programmes in the UK.⁷¹ It is also used to describe the horrific case where homeless men worked for 19 hours a day for no money and were beaten and starved to the point of having broken ribs and scurvy.⁷²

In the Palermo description, consent becomes irrelevant if any of the above bullet points are involved. While I have been told⁷³ that modern slavery is someone controlled by someone else using the threat of violence, this threat can be replaced by something less tangible than a clear threat of violence. Indeed, stakeholders working with trafficking victims referred to the fact that victims could be controlled by simply breaking down their sense of self-esteem and independence.

Central to the tenets of human trafficking is the “position of vulnerability” caused – as the CSJ Report, *It Happens Here*, recently highlighted - by “a lack of job opportunities, age ... fostering a romantic relationship, developing personal dependence, or even forcing drug abuse to create an addiction.”⁷⁴ The range of severity potentially implied between having limited vocational options and being force-fed drugs is in itself notable.

Professor Bridget Anderson has said the risk of such an absence of concrete notions means trafficking relies on an idea of harm that is “so vague as to be platitudinous”.⁷⁵

⁶⁹ <http://www.unodc.org/unodc/treaties/CTOC/>

⁷⁰ “The definition of trafficking is clearly set out in a number of international documents. However, there are no common definitions of key component concepts, such as ‘recruitment’, ‘deception’ and ‘coercion’. Because of this, correct identification of trafficking victims necessarily relies on a careful and open-minded understanding of how such a person’s lived experience may relate to these terms, particularly where information is scarce – trafficked people may have limited information about their traffickers, the routes they took and the time they spent in different situations.” The UK’s Response to Human Trafficking – Fit for Purpose, Cherti, Pennington, Galos, IPPR

⁷¹ Unpaid Internships: Exploitation and Discrimination by Francesca Mitchell, Huffington Post, http://www.huffingtonpost.co.uk/francesca-mitchell/internships-exploitation-discrimination_b_2775482.html

⁷² Family ‘exploited homeless’ on Greenacre sites, 18 April 2012 <http://www.bbc.co.uk/news/uk-england-beds-bucks-herts-17755278>

⁷³ Evidence from Andrew Wallis, CEO of Unseen, at City Hall, 2013

⁷⁴ *It Happens Here*, Centre for Social Justice Report, 2013

⁷⁵ Interview with Dr Anderson, 2012

Anti-Slavery International and the Latin American Women's Rights Services (LAWRS) told me that because of the confusion around the meaning of trafficking and slavery, many victims of "trafficking" or exploitation – being seen as 'lesser'⁷⁶ victims - are not recognised as requiring support when found by the authorities. They are therefore often sent back to their home countries. This puts them at even greater risk due to the fact that they undoubtedly will owe their traffickers a debt that they may not be able to pay back with the even lower salaries in their own country; this therefore makes them even more vulnerable to being trafficked or re-trafficked back into the UK.

Where are the victims?

If, as was suggested in the 2012 report⁷⁷ by the Inter-Departmental Ministerial Group on human trafficking, the number of people trafficked into the UK is more than double what official figures suggest, then the question arises: Where are we failing to look?

The 'residential' victims

Criticisms of the focus on organised criminal networks

The Metropolitan Police Service failed to find a large number of human trafficking victims in the run up to the Olympics.

Between January and August 2013, the Metropolitan Police Service identified only 36 of the 389 cases identified as potential victims of human trafficking in London to the UKHTC.⁷⁸

If there are large numbers of women being exploited sexually, filling the centres run by NGOs, but they are largely not being found on raids in the open sex industry then the question is, "Where are they?"

My last report, *Silence on Violence* quoted one charity who felt that the Metropolitan Police Service's police work was 'pigeon-holed'⁷⁹ and centred too much attention on tackling organised crime and disrupting networks. A number of organisations felt that, as a result, police were missing those victims outside of this model. For example, one service provider we spoke to said that the trafficked victims in their centres suggested that some victims, such as those from Western Africa, who made up their largest group of victims, were not exploited by organised crime networks but by individuals such as boyfriends, family members or family friends.⁸⁰ However, when I suggested this to police they informed me that it always becomes organised because traffickers inevitably become greedy.⁸¹

⁷⁶ Interview with Carolina Gottardo, from the Latin American Women's Rights Service (LAWRS), City Hall, 2013

⁷⁷ First annual report of the Inter-Departmental Ministerial Group on Human Trafficking, October 2012 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118116/human-trafficking-report.pdf

⁷⁸ Data provided to us by the UKHTC. See Appendix 2.

⁷⁹ *Silence on Violence*, Boff, 2012 <http://glaconservatives.co.uk/campaigns/silence-on-violence/>

⁸⁰ *ibid*

⁸¹ *ibid*

The Metropolitan Police used to state that they only “undertake trafficking investigations where there are clear links to an Organised Criminal Network.”⁸² However, more recently I was reassured by senior officers that they do look into all types of trafficking cases in spite of the fact that (what was formerly known as) SCD9 used to state that they only “undertake trafficking investigations where there are clear links to an Organised Criminal Network.”⁸³ However, the UN definition states that an “Organized criminal group” consists only of a “group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit”⁸⁴. This is not however what the authorities or many NGOs understand by the term. However, the police’s possible reluctance to look into new areas was explained by one officer in the CSJ report, *It Happens Here*, who stated, “Generally the country doesn’t want trafficking and we’re at a stage where they’re trying to reduce the cost of policing by 25 per cent, so you don’t want to be finding new problems.”⁸⁵

One stakeholder told us that “police use the ‘organised crime’ term so they can obtain financial resources – it’s seen as a “high priority if it comes under ‘organised’ crime”.”⁸⁶

This apparent lack of transparency around the preoccupation over ‘organised’ crimes possibly threatens clear and effective action to tackle trafficking in all its forms. It also risks forming a hierarchy of victims of trafficking, dependent on the level of criminal organisation rather than abuse involved.

Following the publication of *Silence on Violence*,⁸⁷ Government data⁸⁸ recognised that Nigerian victims of trafficking were potentially the largest victim group⁸⁹ and a number of leading UK charities supporting trafficking victims confirmed that West African victims were largely exploited in residential surroundings, while Eastern Europeans victims were largely exploited in public brothels.⁹⁰

Data from the United Kingdom Human Trafficking Centre, UKHTC,⁹¹ alongside data from one organisation supporting victims of trafficking, suggested that the number of victims from some Eastern European countries was decreasing while the number of African victims was steadily rising. Therefore there is increasing evidence that victims may not always fit the large-scale organised model and that police need to change tactics to seek out less organised trafficking taking place.

⁸² Specialist Crime Directorate 9:update report. Report: 8 Date: 13 October 2011

⁸³ Specialist Crime Directorate 9: update report. Report: 8 Date: 13 October 2011

⁸⁴ United Nations Convention Against Transnational Organized Crime, G.A. Res. 25, annex I, U.N. GAOR, 55th Sess., Supp. No. 49, at 44, U.N. Doc. A/45/49 (Vol. I) (2001), entered into force Sept. 29, 2003.

⁸⁵ *It Happens Here*, Centre for Social Justice Report, 2013

⁸⁶ Anonymous source, 2013

⁸⁷ *Silence on Violence*, Boff, 2012 <http://glaconservatives.co.uk/campaigns/silence-on-violence/>

⁸⁸ First annual report of the. Inter-Departmental Ministerial Group on Human Trafficking, October 2012

⁸⁹ <http://www.parliament.uk/documents/commons-committees/home-affairs/130603%20Human%20trafficking%20written%20evidence.pdf>

⁹⁰ Number of NGOs, including the Government’s lead anti-trafficking agency, The Salvation Army

⁹¹ See Appendix 2. Data provided to us by the UKHTC for 2013. See Appendix 2.

Data provided by an NGO working with victims of trafficking ⁹²	2006	2011
Lithuanian trafficking victims	45	13
Nigeria trafficking victims	20	94

Treating trafficking as a ‘transnational organised crime’ has faced broader criticisms as well. Some academics have questioned the ‘alarmist interpretation’⁹³ of ‘transnational threats’ posed by organised crime groups, suggesting that the idea of the existence of transnational organised crime and its dominance in human trafficking is artificial.⁹⁴ Instead, they said we should break down these contrived models into legitimate and semi-legitimate groups, such as into private businesses and job recruitment agencies.⁹⁵

Women and sex worker focus

Prioritising sex trafficking

For some organisations, whose philosophy was that all sex work is exploitation, the uptake of the trafficking agenda presented the perfect opportunity to highlight their concerns. These NGOs were some of the first organisations to significantly highlight the awful trafficking-related abuses of migrant women in sex work.

But in doing so, some individuals who have worked with other types of trafficking victims feel these organisations managed to consume the initial trafficking debate. Certainly it is true that the established view of a trafficking victim is that of a sexually exploited female. Yet an ILO report in 2012 estimated that, worldwide, less than a quarter of those in coerced labour are involved in forced sexual exploitation.⁹⁶ I was advised by one stakeholder on writing this report to not “get sucked into just looking at sex work and brothels. It is a serious problem but may not be the majority of cases; what about domestic indentured servants, what about exploited labour with debt bondage working long hours at way below minimum wage?”⁹⁷

Raiding brothels

A number of stakeholders felt that there was a disproportionate amount of effort to find female sex-trafficked victims, rather than male victims and female and male victims of domestic and labour trafficking.

⁹² Kindly provided by anonymous NGO working with trafficking victims

⁹³ Dr Lee on Taylor and Jamieson 1999

⁹⁴ Hobbs, 1998; and Sheptycki, 2003. Cited by Dr M. Lee in Chapter One, Contested Definitions of Human Trafficking, Trafficking and Global Crime Control http://www.ungift.org/doc/knowledgehub/resource-centre/Lee_Trafficking_CH_01.pdf

⁹⁵ (Ruggiero, 1997; Kyle and Liang, 2001; Human Rights Watch, 2002b Cited by Dr M. Lee in Chapter One, Contested Definitions of Human Trafficking, Trafficking and Global Crime Control http://www.ungift.org/doc/knowledgehub/resource-centre/Lee_Trafficking_CH_01.pdf

⁹⁶ Summary of the ILO 2012 Global Estimate of Forced Labour” “Three out of every 1,000 people worldwide are in forced labour today. 18.7 million (90 %) are exploited in the private economy, by individuals or enterprises. Of these, 4.5 million (22 per cent) are victims of forced sexual exploitation and 14.2 million (68 per cent) are victims of forced labour exploitation in economic activities, such as agriculture, construction, domestic work or manufacturing.” http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_181961/lang--en/index.htm

⁹⁷ Evidence from Westminster City Councillor Ian Rowley, at City Hall, 2013

The former MP Denis MacShane stated that there were 25,000⁹⁸ prostitutes trafficked into the UK for sexual exploitation and the Poppy Project found that 81 per cent⁹⁹ of prostitutes working in London in 2004 were foreign nationals “a large proportion of [whom] are likely to have been trafficked into the country”.¹⁰⁰ However, both figures have received substantial criticism due to the lack of evidence supporting these statements and the lack of evidence found following the proactive policing of brothels, which resulted from these claims.¹⁰¹ Effectively migrant sex workers and victims of sex trafficking were being conflated.¹⁰² In spite of the lack of evidence about trafficking being widespread in brothels, the above percentages are used and referenced in the Mayor’s The Way Forward 2010-13¹⁰³ as a guiding evidential basis for its policy on human trafficking. And this is still a prevalent opinion. As recently as 29th March 2013 the French Women’s Rights Minister Najat Belkacem-Vallaud stated that “90 percent of [all prostitutes] are victims of human trafficking.”¹⁰⁴

There are four concerns associated with this.

First, this emphasis on human trafficking taking place within prostitution has led to a police focus on brothels.¹⁰⁵ This is problematic as interviews I have had with a number of charities who work with trafficking victims cite the fact that many female victims of sex trafficking are not in brothels. Police data I have uncovered reveals that six sevenths of Nigerian victims – the second largest victim group after Romanians – were not found through brothel raids and that, overall, one third of all victims in the Metropolitan Police Service’s data were not through the Metropolitan Police Services Human Trafficking Unit’s brothel-related work.¹⁰⁶

Second, although the media depicts victims and perpetrators of trafficking in straightforward terms, most victims of sex trafficking do not fit the rigid paradigm of a woman forced to work in prostitution against her will. The woman may be coerced into prostitution and at risk physically, however she may view her controller as her boyfriend and only comprehend her exploitative conditions several years down the line.¹⁰⁷ Hence there is a risk that police could damage the relationship with that potential victim of trafficking by raiding a brothel and, for example, threatening her with deportation. Therefore, when she realises that she is

⁹⁸ Davies, Nick (20 October 2009). "Prostitution and trafficking—the anatomy of a moral panic". The Guardian (London). Retrieved 1 May 2010.

⁹⁹ Sex in the City, 2003, report by the Poppy Project, which surveyed London prostitutes working in flats

¹⁰⁰ Written evidence from the Poppy Project to the House of Commons. Home Affairs Committee – 2009, on the Trade in Human Beings

¹⁰¹ Dr Nick Mai’s research suggests that very few women in brothels are trafficked in London: “the large majority of interviewed migrant workers in the UK sex industry are not forced nor trafficked” Migrant workers in the UK sex Industry” Dr Mai, London Metropolitan University

¹⁰² Discussed in THE DANGER OF CONFLATING TRAFFICKING AND SEX WORK, Schreter & Jewers, Columbia University, School of International and Public Affairs and Sastrawidjaja, Sex Workers Project at the Urban Justice Center and demonstrated in a recent article “Prostitution now being treated as human sex trafficking in many cases” By Martha Irvine, The Associated Press 09/03/2013

¹⁰³ The Mayor’s The Way Forward 2010-13, <http://www.london.gov.uk/priorities/policing-crime/mission-priorities/violence-against-women-girls/local-vawg-guidance>

¹⁰⁴ <http://www.thelocal.fr/20130919/sex-workers-anger-over-new-plan-to-fine-clients>

¹⁰⁵ Silence on Violence, Boff, 2012 <http://glaconservatives.co.uk/campaigns/silence-on-violence/>

¹⁰⁶ Data in addendum to Silence on Violence, Boff, 2012 <http://glaconservatives.co.uk/campaigns/silence-on-violence/scd9-data/>

¹⁰⁷ See Prof. Nick Mai (2009) ‘Migrant Workers in the UK Sex Industry – Final Policy-Relevant Report’ ESR

being exploited and is in a dangerous situation, she may be dissuaded from going to the police.

Third, migrants not involved in trafficking are also vulnerable under the current policy around policing trafficking in brothels. Because brothels are illegal in British law and managing one is considered evidence of exploitation, and because the charge of trafficking is vague, as discussed above, there do appear to be a number of cases where migrants, or sex workers themselves, who have helped arrange for willing sex workers to come over to Britain, are found guilty of trafficking.¹⁰⁸

Fourth, this focus on women and sex work could be seen to have been at the expense of other victims of trafficking. Between 2007 and 2012, there were 512 decisions to prosecute cases believed to involve trafficking for sexual exploitation. In comparison there have been 15 decisions to prosecute offences of forced labour and servitude.¹⁰⁹ Yet domestic and agricultural exploitation counts for six of every 10 trafficking referrals in the UK.¹¹⁰

Ignoring Male victims

For the last decade there has been a focus predominantly on female sex trafficking within the law and popular discourse. In 2002, the Home Office “claimed that victims were mainly prostitutes and [so]...early legislation cast trafficking as being only to do with prostitution”.¹¹¹

The Palermo Protocol “to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children”¹¹² is also clearly gendered and empathises women as more likely victims; meanwhile the parallel Protocol against Smuggling of Migrants by Land, Sea and Air, assumes that the subjects are male. Dr Jo Doezema writes, “Trafficked women are assumed to be duped victims; while smuggled men are assumed to be knowing agents in their own movement.”¹¹³ Indeed, when the UN was setting up early legislation around trafficking, the Argentinian proposal “would have made it definitionally impossible for men to be trafficked”.¹¹⁴

The previous Government gave the vast majority of its funding and chief responsibility for the care of adult victims of human trafficking to the Poppy Project. While the Poppy Project is lauded for the support it provides victims, it nonetheless only assists women.¹¹⁵ It is only recently, under the present government, that the emphasis appears to have moved away from female-specific services, giving the contract, instead, to an organisation working with both men and women – the Salvation Army.

¹⁰⁸ See case on page 9, UK sex trafficking convictions, Silence on Violence, Boff, 2012
<http://glaconservatives.co.uk/campaigns/silence-on-violence/>

¹⁰⁹ First annual report of the Inter-Departmental Ministerial Group on Human Trafficking, 2012

¹¹⁰ “I worked in the sex trade; does that make me ‘trafficked?’” Dr Magnanti Telegraph 18 October 2012

¹¹¹ Us and Them?: The Dangerous Politics of Immigration Control By Prof. Bridget Anderson

¹¹² <http://www.unodc.org/unodc/treaties/CTOC/>

¹¹³ Sex Slaves and Discourse Masters: The Construction of Trafficking by Dr Jo Doezema

¹¹⁴ Ibid

¹¹⁵ However, men were referred on to Migrant Help.

The Salvation Army's latest figures¹¹⁶ show that of 625 initial client assessment forms, 397 (64%) were female and 228 (36%) were male.¹¹⁷ Fraser Nelson wrote in the Telegraph that *"Even though 84 per cent of trafficking prosecutions are for sex offences, the Salvation Army found two male victims for every three women, suggesting that male slavery is being dangerously overlooked."*¹¹⁸ Recent evidence to the Home Affairs Committee, in July 2013 also revealed that the Salvation Army had seen more cases of labour trafficking than sex trafficking since 2011.¹¹⁹

The Mayor's Office for Policing and Crime is currently going through a restructure. However, up to this point, trafficking in the Greater London Authority is dealt with by the Violence against Women and Girls Team. Whether their future management structure will counter in men and women who are not sex workers still remains to be seen. However, as this report will examine, a large number of male victims exist. Indeed the figures for male victims may even at some point overtake the number of women being trafficked. Therefore the Mayor's Office for Policing and Crime cannot continue to ignore the plight of male victims of human trafficking.

Focusing on foreign victims

Until the 2009 Coroners and Justice Act,¹²⁰ there was no specific law to criminalise the labour trafficking of British citizens. There is an argument that by definition by being a migrant you are inevitably more vulnerable by being less familiar with your surroundings. However, a more cynical line taken by a number of leading academics is to see anti-trafficking measures as part of a "centuries old tradition of forcibly controlling the mobility of the poor and marginalized"¹²¹ which is detrimental to the interests of migrants by denying them agency.

Dr Agustín feels people need to "question the idea of trafficking itself. The way it all began was about mobility: the completely ordinary phenomenon everywhere in which people hear about a job in a place they don't live themselves and travel to get to it. Selling sex is one of the paid occupations available...But now even the word migration has – almost – disappeared. I say that because I believe policymakers have done and do this *deliberately*."¹²²

¹¹⁶ Support Needs of Male Victims of Human Trafficking: Research findings, June 2013

¹¹⁷ Meanwhile a report called *Trafficking of Men – A Trend Less Considered* looked at men and boys from Belarus and Ukraine assisted by the IOM from 2004 to 2006 and found that they comprised 28.3 percent and 17.6 percent, respectively, of all victims.

¹¹⁸ <http://www.telegraph.co.uk/news/uknews/crime/9395161/Connors-family-case-shows-that-Britain-must-fight-slave-trade.html> Connors family case shows that Britain must fight slave trade by Fraser Nelson, 12 July 2012

¹¹⁹ Data from July 2011-April 2013 <http://www.parliament.uk/documents/commons-committees/home-affairs/130603%20Human%20trafficking%20written%20evidence.pdf>

¹²⁰ <http://www.legislation.gov.uk/ukpga/2009/25/contents> This made slavery, servitude and forced or compulsory labour a specific criminal offence.

¹²¹ Professor Julia O'Connell Davidson, "New Slavery, Old Binaries: 'Trafficking', human rig Rights and the State's Monopoly over the Control of Mobility" *Human Trafficking Today, Human Security and Globalization*, Tokai University European Center, A SPIRIT Conference, February 14th, 2008 http://www.u-tokai.dk/contentpages/home/HT%20Today_v9.pdf

¹²² *Border Crossing: Looking for sex-victims and sex workers* by Dr Laura Agustín on her website, *The Naked Anthropologist*

However in spite of a previous focus on migrant victims of trafficking, Government data is increasingly recognising British victims. Between January and August 2013, there were ten cases of potential victims of trafficking identified from the UK in London. This made the UK the seventh largest source country of trafficking in London during this period.¹²³

The data on victims

The data from the Salvation Army suggests that male victims and other victims in non-organised trafficking circumstances may be being missed and that the resources spent on sex trafficking is disproportionately large. As Anthony Steen stated, “Everybody says that there are a tremendous number of trafficked women in Britain, but we have no idea of the figures... The human trafficking centre in Sheffield ... spends nearly £2 million a year, but we ain’t got the numbers. We do not know how many people are involved. It is pure guesswork and sensationalism when people talk about 4,000 to 6,000. The figure is probably in the hundreds, not the thousands.”¹²⁴ However, it is impossible to be sure either way as there is inadequate overarching data¹²⁵ to adequately get any verifiable grip of the problem.¹²⁶

One police source said they felt charities regularly overestimated numbers to increase their own resources. Meanwhile Westminster Councillor Ian Rowley said, “At one meeting one woman involved in the trafficking arena claimed that there were over 500 brothels nearby where trafficked women were working.”¹²⁷ Yet when Councillor Rowley carried out a report¹²⁸ into the brothel industry in Westminster he found that a “minority of sex workers are trafficked” and said we need to be careful of “wild claims based on no substantive research or data.”¹²⁹

The International Organisation for Migration (IOM) states that “the lack of hard data, combined with the fact that many commentators on trafficking repeat estimates derived from interviews with officials, means that many of the statistics quoted are in (often large) round numbers, are uncheckable and are frequently reiterated”.¹³⁰ Yet the IOM then makes the mistake of making up its own estimate. “In 1995, the IOM estimated the number at 500,000 annually to Western Europe alone.”¹³¹ However, Dr Doezema looked into this claim, interviewing those in the IOM, and found that this estimate came from no actual research. Nonetheless “the number 500,000 has gone on to live a life of its own in newspaper reports. For example: ‘It is estimated that around 500,000 women have been

¹²³ Data from the UKHTC. See Appendix 2

¹²⁴ “I worked in the sex trade; does that make me 'trafficked'?” Dr Magnanti Telegraph 18 October 2012

¹²⁵ The Global Alliance Against Trafficking in Women notes that: “[W]hen statistics on trafficking are available, they usually refer to the number of migrant or domestic sex workers, rather than cases of trafficking.”

¹²⁶ As Dr Laura Agustin notes *Sex at the Margins: Migration, Labour Markets and the Rescue Industry*. The rescue industry refers to NGOs, Intergovernmental Organisations (IGOs) etc., “Most of the writing and activism does not seem to be based on empirical research, even when produced by academics.”

¹²⁷ Evidence from Westminster City Councillor Ian Rowley, at City Hall, 2013

¹²⁸ Report by Westminster Sex Worker Task Group, *Violence faced by Sex Workers in Westminster*, <http://www.westminster.gov.uk/services/councilgovernmentanddemocracy/councils/decisionmaking/osc/adult-services-health-p-s/westminster-sex-worker-task-group/>

¹²⁹ Evidence from Westminster City Councillor Ian Rowley, at City Hall, 2013

¹³⁰ (IOM 2000: 31) *Sex Slaves and Discourse Masters: The Construction of Trafficking*, Dr Jo Doezema

¹³¹ (OSCE 1999: 7) *Sex Slaves and Discourse Masters: The Construction of Trafficking*, Dr Jo Doezema

beaten or drugged into submission by pimps working in Europe's biggest organised crime gang' (The Mirror, Dublin, 04-07-2000)."¹³²

Just one case of human slavery is enough to make the problem very concerning. However, overstating a problem does not actually help victims as resources put in the wrong places can potentially harm them and also removes resources from other forms of exploitation.

UK data

While more estimated data is beginning to be published in the UK, this is also flawed. ACPO's highly publicised, police trafficking data¹³³ stated that there were 2,600 female adult victims of sex trafficking. Yet the latest IDMG report's predicted total figure of *all* male and female victims of trafficking across the board was "over 2,000".¹³⁴

Frank Field MP stated, at the end of 2012 after the first major IDMG publication of data on trafficking, "The glaring failure of the Government's report is the lack of accurate and meaningful data."¹³⁵

Portugal is lauded for its human trafficking data collection model. It has established an Observatory on Trafficking in Human Beings to address the gaps in data. Furthermore it measures data in a far more comprehensive way than the UK with clear data breakdowns on ethnicities, geographical contexts and those cases currently under investigation.¹³⁶ This model should be examined and ideally replicated in London and the UK .

Frank Field MP explained why having accurate, detailed information is crucial before we can effectively tackle trafficking or even effectively work out how successfully we are currently doing so.¹³⁷

"Why do I raise these questions? The answer is pretty obvious. Our lack of data is a key barrier to a more effective response. Much effort in combating human trafficking, or slavery, has focused more on anecdote and sensationalism than on analysis of the problems. We simply do not know to what extent industry in this country, or sections of industry, are dependent on slaves to be viable or what the profit margins of using slaves are for those firms and sectors of our economy."¹³⁸

¹³² Sex Slaves and Discourse Masters: The Construction of Trafficking, Dr Jo Doezema

¹³³ Project Acumen - <http://www.homeoffice.gov.uk/media-centre/news/police-report-sex-traffic>

¹³⁴ First annual report of the Inter-Departmental Ministerial Group on Human Trafficking, 2012

¹³⁵ December 2012, Westminster Hall,
www.publications.parliament.uk/pa/cm201213/cmhansrd/cm121220/halltext/121220h0001.htm

¹³⁶ See <http://www.otsh.mai.gov.pt/?area=004&mid=004&sid=001>

¹³⁷ "We need a much better analysis of what is happening within the various sectors where victims are exploited, including explanations of rises in particular nationalities, of geographic distribution and of flows and movement of the problem across the UK over time." December 2012, Westminster Hall,
www.publications.parliament.uk/pa/cm201213/cmhansrd/cm121220/halltext/121220h0001.htm

¹³⁸ December 2012, Westminster Hall,
www.publications.parliament.uk/pa/cm201213/cmhansrd/cm121220/halltext/121220h0001.htm

Indeed, the media, and some politicians and organisations – some would say for the sake of sensationalism and vested interests¹³⁹ - have largely focused on prostitution and immigration. Possibly, partly as a result of this, the authorities have similarly concentrated their efforts in this area.

The other face of trafficking

Sex trafficking of British citizens

Recent trafficking cases that don't fit the 'foreign female sex-trafficked victim' paradigm have begun to earn media space. Indeed, despite the term "trafficking" implying movement, international law defines trafficking by a person's exploitation and not by their transit.¹⁴⁰

The Rochdale case – where several white British teenagers from deprived or dysfunctional backgrounds were targeted, bribed for sex and silenced from revealing severe abuse through the provision of drugs, food or small sums of money by Pakistani men¹⁴¹ they met at takeaways – has led to heightened interest in cases involving the grooming of British born girls. Although some of the traffickers were paid to supply underage girls, the girls were not abused in public brothels but were passed around to be raped by friends and family members of the traffickers.

Social Services, the Police and the Crown Prosecution Service (CPS) all struggled to see this case as a trafficking crime, and for several years, the victims and their parents pleas for help were ignored.

Labour trafficking of British men

Another case that caught the public's attention revolved around the story of a large number of homeless British and Eastern European men who were forced into working for an Irish traveller family called the Connors, who ran a patio and paving business in Leighton Buzzard. The victims were malnourished, coerced into work and often physically abused.

However, although this had been going on for several decades, arrests were only made recently following an investigation after the body of one of the 'workers' was discovered. Also, revealingly, the arrests were made under very recent legal provisions implemented in mid-2010¹⁴², created largely to comply with the European Convention on Human Rights, which finally criminalised the holding of someone in slavery or servitude, or requiring them to perform forced or compulsory labour, irrespective of whether they were a migrant or not.

¹³⁹ Dr Laura Agustin's views described in a book review of 'Sex at the Margins: Migration, labour markets and the rescue industryS

<http://www.palgrave-journals.com/fr/journal/v96/n1/full/fr201023a.html> TBC

¹⁴⁰ Human Trafficking and International Law by Elizabeth Willmott-Harrop, <http://www.libertyandhumanity.com/themes/human-trafficking/human-trafficking-and-international-law/>

¹⁴¹ There was also one Afghan man involved in the sex trafficking ring. I have avoided using the word 'Asian' - as they have been commonly referred to- due to concerns raised by other Asian groups.

¹⁴² Section 71 within the Coroners and Justice Act 2009,

History repeating itself

These are not isolated or new cases. All the charities who deal with victims of trafficking who I spoke to have stated they have seen numerous similar cases.

A similar case to the Rochdale case

In 2003 a similar case occurred involving Charlene Downe, a 14 year old girl from a 'loving [but] chaotic'¹⁴³ family, who went missing. A police investigation revealed that she and "a number of other girls" had been sexually abused by a group of men from "migrant communities" who often worked in takeaways, in exchange for food.¹⁴⁴ It was however "more subtle than how most people think of child prostitution".¹⁴⁵ Police believe she was murdered by someone linked to this abuse. Charlene's mother was angry that her daughter's death has barely been noted outside Blackpool. "I often wonder, if she had been from a posh family, and was having piano lessons, would they have tried harder to find her?"¹⁴⁶

A similar case similar to Connors

The Connors labour trafficking case is the first of its type to go to court. Yet these cases have been going on for decades. Twenty-two-year-old Oliver Hayre, who had worked for a traveller family, died in a caravan fire in unclear circumstances in October 2005 in Sweden, after complaining about being held against his will. His father, Mr Hayre, questioned why it took so long for this issue to be publicised. "Why didn't the story go national six years ago?" he said. "Why didn't the governments step in [then]?"¹⁴⁷

This report

So if the servitude of homeless men and sexual exploitation of vulnerable girls – all fitting under the legal term of 'trafficking' - has been going on, possibly for decades, how has this been allowed to be kept off the main trafficking agenda? Why are the same 'revelations' about these victims being described every few years? Why do we then seem to forget about them?

These types of trafficking cases do not appear to be proactively targeted by police in the UK and the issue has struggled to find its way into the criminal justice system. Yet, the seriousness of these types of crimes should be a cause for concern for all of us.

It is time for the Mayor and this Government to re-examine the entire trafficking debate. What cases of trafficking are falling below the radar? Why are we not tackling these types of trafficking cases effectively? Who, if anyone, is to blame? And what can we do to better protect possible victims from this abuse?

¹⁴³ Beyond the pleasure beach By Julie Bindel, 30 May 2008

¹⁴⁴ "Charlene was getting chips for a blow job." Charlene's mother, in interview.
<http://www.guardian.co.uk/uk/2008/may/30/ukcrime.childprotection> Beyond the pleasure beach By Julie Bindel, 30 May 2008

¹⁴⁵ Beyond the pleasure beach By Julie Bindel, 30 May 2008

¹⁴⁶ *ibid*

¹⁴⁷ "Stamford dad's call for crackdown on human traffickers" in the Rutland and Stamford Mercury , 30 September 2011 <http://www.stamfordmercury.co.uk/news/local/stamford-dad-s-call-for-crackdown-on-human-traffickers-1-3105756>

Lawyers Jackie Turner and Liz Kelly wrote ‘the key to understanding the nature of human trafficking and its organisation is an appreciation of the different contexts from which it derives, the conditions that enable it to flourish, and the cultural and traditional practices in which it remains embedded...’¹⁴⁸ In this report I want to consider the above questions while examining a variety of forms of human trafficking in these ‘cultural’ contexts.

Is there no such thing as “Trafficking”?

“Much of this information-work and scholarly research on trafficking is underpinned by the assumption that human trafficking is a phenomenon whose ‘truth’ can be uncovered – who are the traffickers and victims? How big is the problem? Exactly what type of exploitation is involved? In practice, the answers to such questions are far from straightforward.” Dr Lee¹⁴⁹

The challenge against sex trafficking

Adults

The new Chair of the House of Commons All Party Parliamentary Group (APPG) on Human Trafficking, Fiona MacTaggart MP, recently stated that trafficking takes place in almost every brothel.¹⁵⁰ However, Dr Nick Mai’s research suggests that very few women in brothels are trafficked in London.¹⁵¹ Dr. Agustín’s book, *Sex at the Margins*, states that many ‘social agents’ have vested interests in the trafficking ‘rescue industry’ and in creating a belief that there are a huge numbers of trafficking victims in the sex industry. As a result, they depict all working-class migrant women who sell sex as passive victims of trafficking. Dr Agustín felt that the fears around sex trafficking comprised little statistical evidence and equated to a patronising view of migrants.

Some academics have noted how this discourse around women mirrors one that occurred over 100 years ago when, in the late 19th century, there were fears about ‘white slavery’¹⁵² linked to concerns about European women increasingly migrating to South America to work in prostitution. This ‘concern’ has been described as being “directly linked to European disapproval of female migration”¹⁵³ and their financial independence, as women became increasingly visible as migrants – the so-called feminisation of migration. This led in 1904 to a

¹⁴⁸ Trade Secrets - Intersections between Diasporas and Crime Groups in the Constitution of the Human Trafficking Chain Jackie Turner* and Liz Kelly, London Metropolitan University, Department of Applied Social Sciences, Ladbroke House

¹⁴⁹ Dr Maggy Lee, in Chapter One, Contested Definitions of Human Trafficking, Trafficking and Global Crime Control http://www.sagepub.com/upm-data/38629_02_Lee%28Trafficking%29_CH_01.pdf

¹⁵⁰ Fiona MacTaggart at the Human Trafficking Foundation, London, September 2013

¹⁵¹ “the large majority of interviewed migrant workers in the UK sex industry are not forced nor trafficked” Migrant workers in the UK sex Industry, Dr Mai, London Metropolitan University

¹⁵² Discussed in ‘Loose Women or Lost Women? The re-emergence of the myth of ‘white slavery’ in contemporary discourses of ‘trafficking in women’ by Dr Jo Doezema, Institute of Development Studies University of Sussex, Brighton, UK, International Studies Convention Washington, DC, February 16 - 20, 1999 Gender Issues, Vol. 18, no. 1, Winter 2000, pp. 23-50.

¹⁵³ Ibid, quote from Donna Guy (1991)

ratified international agreement in Paris obliging Governments to monitor the movements of those who assisted women in leaving the country for “an immoral life.”¹⁵⁴

Therefore, while charities and organisations aim to and often succeed in assisting victims, they have also garnered criticism. Dr Agustín’s research has led to her to describe these organisations as a “rescue industry” which infantilises women with their condescending attitude whereby “victims become passive receptacles and mute sufferers who must be saved, and helpers become saviours - a colonialist operation.”¹⁵⁵ We have thus replaced the former cultural prejudice that illegal migrants are all criminals, with one where they are either criminals or helpless victims with no sense of agency.

As well as accusations that the trafficking debate has colonial sentiments, there are also claims of a “not-so-subtle undercurrent of sexism in the forced sex trafficking discussion. Time and again, women who say they willingly entered sex work have their experiences written off. This patronises women in ways that, frankly, would not happen to men.”¹⁵⁶ On the one hand this focus on female victims can be seen as a positive step – authorities appear to be prioritising the safety of women, where in the past their safety and concerns are believed by some to have often been overlooked.¹⁵⁷ On the other hand, this could appear to be simply an extension of those patriarchal norms which require society to take an active and moralistic interest in its women’s’ sexuality; hence why male sex workers manage to avoid the same victim status. As Dr Brooke Magnanti stated in the Telegraph, “The unchecked moral panic about sex trafficking infantilises women.... In virtually everything written about trafficking, the victims are by and large women, by and large used for sex.”¹⁵⁸

Some academics feel that the term trafficking is being used to depoliticise discussions about prostitution and migration. “By presenting foreign prostitutes simply as victims who need to be rescued, the government erases all of the complex reasons why people might turn to prostitution in certain situations. ... [F]or some women, prostitution might be something they turn to in the absence of the possibility of other work.”¹⁵⁹ This scenario takes us away from the super-moralised trafficking discourse and leads us to a very different and political discussion about immigration and restrictions on people’s movement and labour.”¹⁶⁰ These academics believe that trafficking is a lot more ‘prosaic’¹⁶¹ in most instances. And that unless we are honest about the fact that most people we class as ‘victims of trafficking’ have agency but few options and so are, rather, victims of poverty, immigration controls and the

¹⁵⁴ Argentina: Jewish White Slavery by Donna Guy, <http://jwa.org/encyclopedia/article/argentina-jewish-white-slavery> See also 1910 “International Agreement for the suppression of the White Slave Traffic” <http://www1.umn.edu/humanrts/instree/whiteslavetraffic1910.html>

¹⁵⁵ Sex at the Margins by Dr. Agustín

¹⁵⁶ “I worked in the sex trade; does that make me ‘trafficked?’” Dr Magnanti Telegraph 18 October 2012

¹⁵⁷ For example, “Threats to UK women linked to gangs still overlooked” by Katie Nguyen, Mon, 2 Sep 2013, <http://www.trust.org/item/20130902085610-uwj7p/>

¹⁵⁸ “I worked in the sex trade; does that make me ‘trafficked?’” Dr Magnanti Telegraph 18 October 2012

¹⁵⁹ A counter argument. is presented by Vidyamali Samarasinghe in her book *Female Sex Trafficking in Asia*: “It was difficult to draw a line separating trafficking from free choice or voluntary prostitution. ..The question is whether the systematic gender ramifications that propel women to ‘choose’ prostitution... are any different from those that push women and girls who seek employment and find themselves coerced into the commercial sex industry...”

¹⁶⁰ The new slave trade? by Tara McCormack, lecturer in international relations at Brunel University, Spiked-online, 09/02/09 <http://www.spiked-online.com/newsite/article/6189#.UjwBuD8I33U>

¹⁶¹ *ibid*

limitations these both bring, then we will not be successfully tackling trafficking or exploitation. Instead, as Operation Pentameter may have done,¹⁶² we may be harming victims by “well-intentioned”¹⁶³ policy. Dr Agustín believes that what is presented as a campaign to protect migrants, in fact does the reverse – it makes their efforts to escape their home, or find work in unforgiving circumstances, that much more difficult.

The challenge against child trafficking

Professor Nick Mai, from the Working Lives Research Institute of London Metropolitan University, has carried out research challenging black and white interpretations of human trafficking which goes one step further. He looked into child prostitution and aimed to demonstrate that, “Contrary to current hegemonic ‘one fits all’ narratives of ‘trafficking’ and victimisation, [my work] shows how experiences of exploitation must be read within the cultural and social realities of the subjects directly involved.”¹⁶⁴

Professor Mai said his work with male Roma youths had forced him to reluctantly accept the possibility for older minors and adolescents to consent to selling sex. He notes one child charity sanctimoniously telling him that “we do not talk about child prostitution, we talk about child exploitation.”¹⁶⁵ Yet he contrasted this inflexible view with an interview he had carried out just a few weeks before. The interviewee was a 16-year-old Romanian “child”, who was married with two children, and who had previously decided to migrate to Italy where he had, and continued to, sell sex to men. When asked how he felt, as a young teenager, when he first sold sex to a man he “ridiculed my implicit concern with the following reply. Fine, how else should I feel!? I fucked, I came and I earned 30 euros.”¹⁶⁶

Professor Mai found that many of these young boys he spoke to had fled the ‘protectionist’ initiatives and support offered by the Government and charitable intervention because they were seen as ‘infantilising and a waste of time.’¹⁶⁷ They felt the Government/NGO options offered did not match the opportunities sex work gave them. Professor Mai found that many of these boys felt empowered through sex work. The majority thought that selling sex provided them with wealth in a way their lack of education and social stigma as a migrant would never allow. They also thought that selling sex “provide[d them] with an area of social interaction where they are valued and desired in stark contrast with most other social settings” and that it was effectively “a better answer to their economic, social and psychological needs than that provided by ‘protectionist’ initiatives”.¹⁶⁸

Professor Mai told us that there is a “disparity between the understanding of living standards and welfare from social workers’ and charities’ point of view, versus the reality of migrant children. Far more migrant children than society realises are simply responsible for their

¹⁶² <http://www.theguardian.com/uk/2009/oct/20/government-trafficking-enquiry-fails>

¹⁶³ Red mist obscures red light statistics by Dr Belinda Brooks-Gordon, [theguardian.com](http://www.theguardian.com), Friday 3 April 2009

¹⁶⁴ Tampering with the Sex of ‘Angels’: Migrant Male Minors and Young Adults Selling Sex in the EU, Prof Nick Mai, *Journal of Ethnic and Migration Studies*, Volume 37, Issue 8, 2011

¹⁶⁵ *ibid*

¹⁶⁶ *ibid*

¹⁶⁷ Interview with Professor Nick Mai, 2012

¹⁶⁸ Tampering with the Sex of ‘Angels’: Migrant Male Minors and Young Adults Selling Sex in the EU, Prof Nick Mai, *Journal of Ethnic and Migration Studies*, Volume 37, Issue 8, 2011

families. A minority of children are actually trafficked. The majority are just trying to fit their lives with the possibilities presented to them by the immigration system.”¹⁶⁹ Professor Mai felt that we did not accept that the system of the protection of minors is actually seen as an avenue for many children to support themselves and their families abroad. “If the system is such in the UK that we protect unaccompanied children, then they will present themselves as such (even if there is a parent somewhere) if that is what the asylum system requires.”¹⁷⁰

The challenge against the trafficking of migrants

One academic told us that “I have come to conclusion there is no such thing as ‘trafficking’”.¹⁷¹ Many academics felt the word was problematic and Professor Bridget Anderson said it is used to “mystify other concerns.”¹⁷²

Horrendous abuse and exploitation does indeed take place, “particularly against foreigners” but, she said, “We need to look at the nature of the abuse and violence. By giving migration as the problem you distract from the key issue of exploitation.”¹⁷³

“Trafficking de-politicises arguments around these issues – you can’t possibly have those arguments [about the rights and wrongs of migration and sex work] anymore when you use the term ‘trafficking’, as everyone wants to agree trafficking is bad!”¹⁷⁴ This leads to a fake and precarious consensus between conflicting organisations and politicians and means arguments that are really about other issues are not argued about in a direct way. This may explain why there appear to be so many contradictions within the trafficking debate.

Hence politicians can use trafficking to cloak concerns about immigration. Labour Home Secretary John Reid stated in 2007 that three quarters of illegal immigrants are trafficked;¹⁷⁵ yet there were only 23¹⁷⁶ convictions for trafficking offences that same year. His statement could be seen to shift the blame of poverty and immigration controls away from the Government and imply that these people were victims of ‘traffickers’, not Government policy.

Conversely, charities that support less stringent immigration regulations or support enhanced migrant and labour rights can shift a debate about exploited illegal migrants into a debate about increasing support for victims of trafficking. Meanwhile charities that are abolitionist in regard to sex work are alleged to use the cloak of trafficking to push recommendations that essentially try to criminalise all sex workers.

¹⁶⁹ Interview with Professor Nick Mai, 2012

¹⁷⁰ Ibid

¹⁷¹ Anonymous

¹⁷² Interview with Prof Anderson, 2012

¹⁷³ Ibid

¹⁷⁴ Ibid

¹⁷⁵ Foreigners: victims or villains? - a political debate Bridget Anderson 20 June 2008 Dr Bridget Anderson

¹⁷⁶ http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CC8QFjAA&url=http%3A%2F%2Fwww.parliament.uk%2Fbriefing-papers%2Fsn04324.pdf&ei=M9ROUsuPCsHBhAf_hoCYAg&usg=AFQjCNFV47JB0hjNUDO7VpkNTgZI3Bb-RA&sig2=JuaDOU_K-kioHgzs69YJTw&bvm=bv.53537100,d.ZGU March 2013, Human Trafficking : UK responses

The problem with this is that it means trafficking is subject to a variety of interpretations. As a natural consequence of this variety of interpretations, victims risk getting overlooked or their stories over-simplified to fit into, sometimes political, paradigms.

There are some who believe no laws are needed to deal with trafficking as we already have legislation for rape, false imprisonment, pimping, minimum wage avoidance etc. Therefore we should seek to enforce these, rather than cloak all these multitude of different types of exploitation under the concealing singular cloak of “trafficking”.

As Dr Doezma has stated “[E]ven a recognition that disputes over the meaning of trafficking involve politics and ideology does not go far enough: it still leaves intact the idea that trafficking can be defined satisfactorily, if political will, clear thinking, and practicality prevail.”¹⁷⁷ Melissa Gira Grant wrote in the Guardian that this means “there can be no assessment of the severity of “trafficking” if we define this issue by a simple and coherent accounting of “victims”. What’s lost in the relentless defining and counting are the complex factors behind what is now almost unquestioningly called “trafficking”. Most of all, what is lost is any understanding or appreciation of the challenges faced by the millions of people working, struggling and surviving in abusive conditions, whose experiences will never fit on a billboard.”¹⁷⁸

Authorities need a greater understanding of the vast array of experiences of people who are trafficked. Some victims of trafficking and exploitation will not see themselves as such, and therefore solutions must work with such victims rather than against them, while aiming to prevent them from being exploited.

Transparency – Police and NGOs

NGOs

When I was researching the issues around trafficking for sexual exploitation, for my last report¹⁷⁹ on the policing of sex workers, one expert in the field I spoke to kindly tried to assist me by giving me a warning. They told me to be careful when writing the report so as not to ‘upset the trafficking charities’. I was advised that, no matter what, I should recommend that more needs to be done to tackle trafficking.

As it happened, my conclusions led precisely to this recommendation. However, there was an inherent fear amongst certain people working in this area that my criticisms of certain ways we were policing sex trafficking would make trafficking organisations feel that I was denying their legitimacy.

Police

While some police have been very helpful while I have produced this report, certain sections of the Metropolitan Police have appeared to be defensive in relation to my work in

¹⁷⁷ Dr Doezema, a researcher with the Paulo Longo Research Initiative and author of *Sex Slaves and Discourse Masters: The Construction of Trafficking*, quoted in *The truth about trafficking: it's not just about sexual exploitation* by Melissa Gira Grant theguardian.com, Wednesday 24 October 2012

¹⁷⁸ *The truth about trafficking: it's not just about sexual exploitation* by Melissa Gira Grant theguardian.com, Wednesday 24 October 2012

¹⁷⁹ *Silence on Violence*, Andrew Boff, 2012

this area. I was concerned when someone I interviewed for this report alleged that they had received an intimidating call from one Unit in the Metropolitan Police about the information they had provided me with. Furthermore, I have written numerous Mayor's Question Time (MQT) questions and Freedom of Information requests (FOIs), many of which have been returned unanswered, in spite of some of the requests being fairly basic. I was concerned by the fact that the Metropolitan Police could not, for example, apparently easily provide me with the list of top three countries from which trafficked children originate.¹⁸⁰ I have also found that one or two police officers, who were initially enthusiastic to speak to my office, then became reluctant, after contacting superiors. I cannot be sure this was due to a reluctance to work with me on this report, and it may well be linked instead to the police's limited resources. However, the Mayor's Office for Policing and Crime (MOPAC) must examine how transparency can be improved to ensure information is available to those working in the trafficking field as well as to public.

I appreciate now that there is a complex debate about the term 'trafficking' itself. Yet there is no doubt amongst anyone I spoke to that many people, particularly migrant workers, are being exploited. Therefore no NGOs, police or other stakeholders helping exploited people should be concerned by questioning the status quo around the terms or responses in this area.

I aim in this report to describe current human trafficking models taking place in London, as well as some of the debates around trafficking, and ensure that I am as transparent as possible about questions on this issue. Unless we have these debates in public, confusion will continue in this area, and victims will suffer as a result.

¹⁸⁰ For example, MQT 2497/2012 Question by Andrew Boff In 2011, what were the top three origin countries of child victims of trafficking; and what areas of exploitation were they involved in? Answer by Boris Johnson Wherever information is available to respond to a question, this will be provided. In this instance, extensive and disproportionate diversion of operational MPS resources would be required and thus the MPS is unable to answer these questions. <http://mqt.london.gov.uk/mqt/public/question.do?id=46644> –

Nigerian victims of trafficking

Background

My research from *Silence on Violence* ¹⁸¹ in 2011-2012 suggested that the West African experience of trafficking was far more significant than was commonly understood. The police data ¹⁸² at the time appeared to exclude African victims of trafficking. Yet these African victims were clearly visible in centres where trafficking victims were being supported. ¹⁸³ This was described as a ‘deliberate oversight if there was any oversight at all’ by Africans Unite Against Child Abuse (Afruca), a UK organisation advocating for the rights and welfare of African children. Since writing *Silence on Violence*, the first set of IDMG data has now at least confirmed that Nigerian victims of trafficking are believed to be the largest victim group in London and the UK. ¹⁸⁴

When speaking to the police at the time, there was an assumption that there was a common thread running through all trafficking cases, as they insisted all trafficking involved organised criminal networks and was rarely, if at all, a one-off informal event. A variety of evidence - the limited number of Africans found in brothels; the large proportion of Africans in trafficking centres - pointed to the fact that the police, perhaps by focusing at that time on organised trafficking in organised structures such as open ‘brothels’, were missing these West African victims.

A number of different stakeholders told us that different trafficking cases must not be “lumped” together as “different people come from different networks and they each have different problems”. ¹⁸⁵ Andy Desmond, who used to work in the former Trafficking Unit at the Metropolitan Police, said categorically that “you can’t use the same investigation techniques for different trafficking cultures.” ¹⁸⁶

While the Metropolitan Police’s Anti-Trafficking team ¹⁸⁷ has a deep understanding of a variety of types of trafficking, there was a concern, about the policing of trafficking in general in London, that there was a one-size fits all policy. There was a strong feeling from certain organisations, including Afruca, that the African experience of human trafficking was not adequately understood in the Metropolitan Police. We were told by several organisations that “they have done a great deal of work on Chinese and Eastern European cases but nothing at all on African victims.” ¹⁸⁸ Since this meeting I was reassured by police that the

¹⁸¹ *Silence on Violence*, Andrew Boff, 2012

¹⁸² Project Acumen - <http://www.homeoffice.gov.uk/media-centre/news/police-report-sex-traffic>

¹⁸³ *Silence on Violence*, Andrew Boff, 2012

¹⁸⁴ Page 15 of IDMG report –Also “By far the largest number of referrals of potential victims of trafficking received by the UKHTC since the inception of the NRM in April 2009 are Nigerian nationals” IDMG Report 2012, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118116/human-trafficking-report.pdf

¹⁸⁵ Meeting with Klara Skrivankova from Anti-Slavery International

¹⁸⁶ Meeting with Andy Desmond, Anti-Trafficking Consultant

¹⁸⁷ The Unit sits within the Human Exploitation and Organised Crime Command. It is commonly referred to as SCD9 although this name has since changed to SC&O9 in 2012 and then to SC&O7 in 2013. For this report I will use the unofficial term ‘Human Trafficking Unit’ to identify this police team.

¹⁸⁸ Quote from Afruca, same point stated by a domestic violence charity working with BME victims

Metropolitan Police Service's Human Trafficking Unit looked into all cases and they did appear to be proactively looking into this area, including travelling to Nigeria to liaise with police there.

However, Afruca had "raised these issues years ago with one of the London Mayors. We were told [that the] Mayor had no power..."¹⁸⁹ A number of stakeholders echoed Debbie Ariyo's words that we "definitely need this report as the problem is not abating."¹⁹⁰

Geography

A UKHTC 2012 report showed that Nigeria was the top source country for those trafficked into London (and therefore, the UK) for purposes of domestic exploitation.¹⁹¹ While the total number of registered potential victims from Nigeria has increased in recent years, it is important to note that this may well reflect a gradual improvement in how we identify these cases, rather than an actual rise in the volume of trafficked persons.

Sex trafficking in Nigeria tends to originate or pass through Delta and Benin City in Edo State (mid-West) with the chief destination being Italy.¹⁹² Afruca said that the majority of African victims of trafficking were under 25 years of age and were predominantly and disproportionately Nigerian, but that there were other cases involving, for example, Ghanaian, Eritrean, Ugandan and Sierra Leonean victims. Other stakeholders however highlighted that it was important to remember not to just highlight one nationality, such as just Nigerian cases, "because the evidence suggests trafficked children arrive from many countries [such as] Congo, Ghana, and Somalia."¹⁹³

Exploitation is believed to be "concentrated in London."¹⁹⁴ A recent report found that the "vast majority [of the cases they looked at] were situated in and around Greater London."¹⁹⁵ When researching different cases around the UK, what was notable was that even when victims were found outside of London their exploitation had often begun in London. A Government source also told us that the majority of cases still go through London ports, which is why more resource is placed there.

¹⁸⁹ Meeting with Debbie Ariyo, Afruca, in City Hall

¹⁹⁰ Meeting with Domestic Violence charity working with BME victims of abuse

¹⁹¹ "The most prevalent country of origin for potential victims of domestic servitude was Nigeria (23, 26%)" UKHTC: A Strategic Assessment on the Nature and Scale of Human Trafficking in 2012, published August 2013

¹⁹² Nigeria's connections with Italy originate from established trade networks between Edo and Italy. In towns such as Castel Volturno, over a third of the 25,000 official citizens are African. Nigerian criminal networks also have strong links presently with the Italian, Columbian and Chinese mafia operating in Italy.

¹⁹³ Evidence from Prof Kurt Barling, Professor of Professional Practice in Journalism & Television, Middlesex University London and Special Correspondent, BBC London News who we contacted for his expertise for this report, and who is not making observations in a political capacity.

¹⁹⁴ IPPR report, Beyond Borders, Myriam Cherti and Jenny Pennington, 2013

¹⁹⁵ Ibid

Route

All countries in Western Europe are facing a similar problem with EUROPOL identifying “Nigerian organized crime as one of the largest law enforcement challenges to European governments.”¹⁹⁶

Worryingly, a number of cases have highlighted that the UK is being used not only as a destination country but also as a transit country to other European countries. “This is a real and disturbing phenomenon.”¹⁹⁷ While victims of domestic servitude are largely sent directly to the UK, rather than multiple destinations across Europe, victims of sexual exploitation visit multiple locations and at times appear to enter Europe via the UK.

Victims tend to be brought into the country by plane – particularly those using the UK as a transit country.¹⁹⁸ However, victims can also be taken by land and sea into Europe via Algeria or Libya and, if they survive the journey, may eventually end up in London. I was told by one stakeholder that they had seen sexual exploitation cases in the north of London – in Newham, Ilford and Paddington - where they were usually moved between private flats. However, I was told they had seen more domestic human trafficking cases in Croydon, Lewisham, Newham, Barking, Ilford, Haringey, Lambeth and Southwark.¹⁹⁹

When victims enter the UK, if they are not accompanying a ‘family’ or a ‘husband,’ they are often told to claim asylum and use the resources at their disposal as this offers a cheaper option to the trafficker. Because the victim is under 18 or claims to be so, they are then taken into the care of social services and placed in children's homes or foster care. It is from here that they will then receive or make a call to the person they have been told to meet, and they will then disappear into the ether, possibly never to be seen again.

The Victims’ Background

Nigeria is the seventh²⁰⁰ largest producer of oil yet 60-70 per cent²⁰¹ of its population live below the poverty line. This is cited as the most visible cause of trafficking. An ILO report found that 72 per cent of parents gave their children to traffickers because they were unable to afford their school fees.²⁰² Trafficking or dislocation of children can often occur in Nigeria before they are taken to the UK. In an IPPR study, 71 per cent of their Nigerian trafficking

¹⁹⁶ A 2011 report by Europol identified Nigeria as one of the top four “most threatening” countries in the world in terms of criminal groups involved in trafficking, and top two in the world with China in its adept production of counterfeit or falsified documents to facilitate trafficking. “Ties that bind: African witchcraft and contemporary slavery” By Elizabeth Willmott-Harrop 17 September 2012

¹⁹⁷ IPPR report, *Beyond Borders*, Myriam Cherti and Jenny Pennington, 2013

¹⁹⁸ Victims can also “be flown directly from Nigeria to Moscow, Istanbul or other eastern European countries, and then smuggled across the border into western Europe. Another route for women, en route to Italy, is from West Africa (most commonly Ghana) to Paris, Amsterdam or London, and from there to Italy by train (Carling, 2006)”.

¹⁹⁹ Evidence from Carolina Albuérne, Refugee and Human Trafficking Specialist, at City Hall, 2013

²⁰⁰ The Nigerian Constitution and Issue in the Cost of Governance, Prof M. T. Ladan T

²⁰¹ Ibid

²⁰² A Bewitching Economy: Witchcraft and Human Trafficking Traditional beliefs in witchcraft are being used by human traffickers to silence their victims. Article | 17 September 2012 By Elizabeth Willmott-Harrop <http://thinkafricapress.com/society/african-witchcraft-contemporary-slavery-human-trafficking-nigeria>

cases, who had been brought to the UK, lived outside their nuclear family as children and 28 per cent had been internally trafficked as children.²⁰³

Poverty and a lack of opportunity in Nigeria is seen as a major catalyst to the problem of external trafficking. “Locals say that for most people, the only way to get ahead is to leave Nigeria.”²⁰⁴ Studies demonstrate that many (36%²⁰⁵) know the risks but still feel heading for Europe is worth the risk. While the desire to leave is partly fuelled by “the dream of a job — any job²⁰⁶”, this ‘better life’ sought was often not one marked by grand opportunity, but one simply free from abuse and violence.

Indeed, Edo state – the region most strongly associated with the practice of human trafficking - has less poverty than most Nigerian states.²⁰⁷ While the trafficking of Nigerians internally and externally is linked to poverty, this does not provide a full explanation. Instead, for example, many victims are escaping violence from within their home or community. They also may be pushed into a trafficking situation by a vulnerability linked to their gender. Many women are unable to access education or employment, or are widowed, forced into marriage, or made homeless. Unemployment is especially high among women, with labour markets and roles still “tightly structured around gender hierarchies”.²⁰⁸ In a recent IPPR study²⁰⁹ of UK cases from Nigeria, 15 per cent had been coerced into or threatened with forced marriage and 10 per cent underwent (alongside five per cent escaping) female genital mutilation.²¹⁰

Types of exploitation

Organised prostitution and the UK’s role as a transit destination

Between 1 January and 31 August 2013, there were 389 potential victims of human trafficking identified in London according to UKHTC data collection. 150 of these referrals were from Africa. Nigeria was the second highest source country with 76 victims. Between 21st October 2011 to 12th September 2012, there were 102 Nigerian referrals.²¹¹ Many human trafficking victims in London are now believed to be Nigerian and from other African countries. Yet, in spite of common perceptions of what trafficking constitutes, most do not fit the “wide-scale organised prostitution” paradigm in the UK. Organisations, lawyers and many other stakeholders highlighted the fact that Nigerian victims are not fitting the typical victim profile. We were repeatedly told that, “*There is a stereotype of big organised*

²⁰³ IPPR report, *Beyond Borders*, Myriam Cherti and Jenny Pennington, 2013

²⁰⁴ Sex slaves are unceremoniously dumped back in Nigeria by Heather Murdock, February 12, 2013, Global Post

²⁰⁵ IPPR report, *Beyond Borders*, Myriam Cherti and Jenny Pennington, 2013

²⁰⁶ Ibid

<http://www.globalpost.com/dispatch/news/regions/africa/130205/juju-women-sex-slaves-abandoned-no-assistance>

²⁰⁷ IPPR report, *Beyond Borders*, Myriam Cherti and Jenny Pennington, 2013

²⁰⁸ (Truong 2006) PPR report, *Beyond Borders*, Myriam Cherti and Jenny Pennington, 2013

²⁰⁹ IPPR report, *Beyond Borders*, Myriam Cherti and Jenny Pennington, 2013

²¹⁰ The recent case involving trafficker Osezua Osolase demonstrates the potential vulnerabilities of being a girl in Nigeria. One victim had been married off at 12 to a violent man and had run away; and another had been made homeless following a pregnancy and had subsequently been gang-raped on the street.

²¹¹ Data provided to us by the UKHTC. See Appendix 2.

crime”²¹² yet Nigerian trafficking often “wasn’t organised or formal [but] very disorganised”.²¹³ The majority of cases involved the victim being trafficked via informal arrangements²¹⁴ involving people known or even related to the victim such as a parent, aunt or husband.²¹⁵

However, trafficking from Nigeria to other European countries such as Italy, the Czech Republic or the Netherlands usually involved more organised networks. I was also told that the sex trafficking of Nigerians is more common in the rest of Europe, whereas in the UK this is not the dominant form of exploitation type²¹⁶. Rather I was told that²¹⁷ most Nigerian victims of trafficking are brought here for domestic servitude.²¹⁸

Nonetheless, the UK can be used as a transit destination before these Nigerian women are taken to mainland Europe to be sex trafficked. England may not be the final destination for a number of reasons including the fact that the “vast majority of West African women and girls are exploited in street Prostitution”²¹⁹ which is less common in the UK. But it should however be noted that street prostitution is on the rise in London²²⁰ and this may affect how Nigerian trafficking manifests itself in the next few years. Furthermore, in contrast to this disparity between the UK and the rest of Europe, a UNODC report noted that sex trafficking from East Africa (Uganda and Kenya) is found mainly in the United Kingdom rather than in the rest of the Europe.²²¹

This difference between the UK and Europe further highlights why trafficking cases should not be seen as a one size fits all model either in terms of prevention or action. Just as each trafficking case is specific to the ethnic community it takes place in, so too is it affected by where and when it takes place.

²¹² Evidence from Tim Starkey, a barrister working as an advocate and police station representative for Hollingsworth Edwards, at City Hall 2013

²¹³ Interview with Myriam Cherti and Jenny Pennington, IPPR, 2012

²¹⁴ “Nigerian victims report that acquaintances, close friends or family members play a major role in the recruitment of victims. Recruitment frequently occurs in the victim’s own home... And is characterized by a debt bondage scheme..” TIP to Europe for Sexual Exploitation Report http://www.unodc.org/documents/publications/TiP_Europe_EN_LORES.pdf

²¹⁵ “However, family members and organised crime are not mutually exclusive, as the family member may be simply the first link in a chain. This initial contact may not be an anonymous criminal force, but a friend or relative. In many cases these are the first link, especially for women who are trafficked into the sex industry, with the role of this familiar person being to broker contact with a trafficker” Ties that bind: African witchcraft and contemporary slavery by Elizabeth Willmott-Harrop, <http://www.libertyandhumanity.com/themes/human-trafficking/ties-that-bind-african-witchcraft-and-contemporary-slavery/>

²¹⁶ “Unlike trafficking from Nigeria to other European countries such as Italy or the Netherlands, sexual exploitation does not appear to be the dominant form of exploitation in the UK; instead, domestic servitude was more common” Addressing the gaps in Child Trafficking in the country, by Amina Alhassa, 1 March 2013, Daily Trust

²¹⁷ Afruca and Andy Desmond and Cherifa Atoussi all confirmed this as did the IPPR report, Beyond Borders

²¹⁸ Even though recent Government data does not always show this to be the case. Data from the Report, UKHTC: A Strategic Assessment on the Nature and Scale of Human Trafficking in 2012 August 2013, suggests most Nigerian cases involve sexual exploitation. However, a great deal of the cases they identify in this report relating to Nigerian victims are described as ‘unknown’ exploitation.

²¹⁹ UNODC Report - Trafficking in persons for sexual exploitation in Europe , 2009

²²⁰ MOPAC’s Report, Capital Exploits: A Study of Prostitution and Trafficking in London; Julie Bindel, Ruth Breslin and Laura Brown

²²¹ UNODC Report - Trafficking in persons for sexual exploitation in Europe , 2009

Most organisations felt Nigerian victims were largely exploited in residential environments.²²² We were told that “you won’t find most victims in brothels. They are brought to service our people.”²²³

An NGO working with trafficked victims however highlighted the fact that they had seen cases of sex trafficking of West Africans in brothels in London.²²⁴ They said that data implied police didn’t find them in brothel raids simply because they may not identify themselves as victims. However, in some cases I was told African women may have chosen to come to Europe to be prostitutes “in preference to a life of poverty that offers them no dignity at all”²²⁵ and may not view themselves as trafficked.

The NGO provided us with the number of cases they had seen between 2003 and 2012: Nigerian victims made up both the largest number of cases for sexual trafficking and domestic servitude. They had seen 190 Nigerian ‘client’ referrals indicating exploitation in prostitution; 58 in domestic servitude; and 156 had indicators of being exploited in ‘other’ types of trafficking. Afruca told us the large number of sex cases was not indicative of how Nigerian trafficking manifested itself in London, but rather was because proactive work around trafficking had focused on prostitution rather than domestic servitude.

The above NGO alone emphasised that there were “certainly indicators of organised crime, with several individuals involved at different stages of the trafficking process”. However, other stakeholders said that due to the harm²²⁶ this idea caused, they were “reticent to play up the organised aspect in UK.”²²⁷

In October 2012, European police raided brothels across the continent in search of West African victims. Notably, the UK was left out of this joint project, highlighting perhaps an awareness of the unique nature of the types of trafficking which occur in the UK, predominantly in London.²²⁸

Private fostering and domestic servitude

Trafficking occurs in all communities and in each type of trafficking case the traffickers are likely to exploit the cultural norms associated with the victims’ own background. In West Africa there is a tradition of private fostering where children may be looked after by relatives or friends of the parents if the parents, for example, are struggling to afford the costs of the child.²²⁹ Debbie Ariyo from Afruca stated, “A parent back home wouldn’t bat an

²²² Elizabeth Willmott-Harrop told us, “This is in keeping with international trends as sex trafficking in India for example is moving from brothels and red light areas to residential homes. I recently visited Nepal where I was told this about Nepalese trafficking victims into India.” September 2013

²²³ Interview with Afruca, in City Hall, 2012

²²⁴ A stakeholder told us of one case where a girl was brought by a Nigerian trafficker and then sold to a part-Irish part white South African man and was then used in Scottish and Irish brothels.. The Irish man was jailed but the Nigerian was never prosecuted.

In evidence from an interview with an NGO working with trafficked victims 2012

²²⁵ Evidence from Prof. Nick Mai, 2012

²²⁶ As discussed in Silence on Violence, Boff, 2012 – a focus on large organised crime by police misses many Nigerian victims who are based in informal residential setting.

²²⁷ Interview with Myriam Cherti and Jenny Pennington, IPPR, 2012

²²⁸ European police raid brothel for Nigerian traffickers - October 27, 2012 Nigeria Sun

²²⁹ This also applies to many other cultures; for example Kafalah in Muslim countries. “Kafalah is usually defined as “the commitment to voluntarily take care of the maintenance, of the education and of the protection of a

eyelid if somebody from here came to them and said 'I live in London I can look after your child for you'." However, while one can defend this practice by saying "fostering is a way for the child to get out of poverty"²³⁰ I was told that informal fostering takes place regularly in London and that in the majority of cases, exploitation occurs.

When I contacted Professor Kurt Barling, of Middlesex University London and a Special Correspondent for BBC London News, about the trafficking of West Africans he said it was a reasonable widespread practice in West Africa because there is no social security net to protect impoverished families. However, "troubles start"²³¹ when you move the practice to another jurisdiction. Indeed, in contrast to a number of academics' discomfort about the focus on movement in the term trafficking, Professor Barling explained to me clearly why it is the very "movement" of the victim across a border which transforms a reasonable practice in one country, into an exploitative one in another. First, this type of informal adoption is 'regulated' in West Africa by social structures and norms,²³² while "those brought to the UK are far more vulnerable. There is no regulation of any sort."²³³ Furthermore, many families don't think about how that child's future will pan out once they become an adult. Significant numbers of children brought over to the UK "are completely invisible to the British system with no legitimate paperwork and this makes them very vulnerable to deportation and to an absence of effective protection by the state"²³⁴ once they are no longer useful to the family. If they are deported it will be to a country they now barely know and therefore they easily fall prey to possible re-trafficking. If they try and continue their lives here in the UK, they can often not do so legitimately, as they have rarely stayed in the UK legally, and without proper documentation these young people are driven into underground and often illegal dangerous activities.

Professor Kurt Barling said, "Some of the solutions to the trafficking problem lie in communities accepting this practice is not in the best interests of the child if it is swept underground... There is no point in using a defence of it being a cultural practice if the children end up the victims and traffickers end up benefiting from the exploitation but "immune" from ... prosecution."

Typical domestic trafficking cases involve 14 to 16 year olds being brought to London, often on visitor visas which then expire,²³⁵ to be used as domestic servants under the false premise of receiving a better education. Even if the intention was to give the child some

minor, in the same way as a father would do it for his son" (art. 116 Family Code of Algeria). Kafalah is a form of permanency for children in the Islamic world. It is similar, but not necessarily equivalent to, adoption." <http://www.crin.org/bcn/details.asp?id=15852&themeID=1002&topicID=1014>

²³⁰ In evidence from an interview with Tony Murphy, Bhatt Murphy Solicitors, 2012

²³¹ Evidence from Professor Barling, City Hall, 2013

²³² However, Elizabeth Willmott-Harrop has found that private fostering in Nigeria is increasingly linked to abuses in trafficking for intercountry adoption. <http://www.libertyandhumanity.com/themes/human-trafficking/adoption-trade-sets-up-shop-in-africa/>

²³³ Evidence from Professor Barling, City Hall, 2013

²³⁴ *ibid*

²³⁵ "Children and Families Across Borders has stated that in around 75 per cent of the cases of private fostering they have seen, the child has an expired visitor visa." *It Happens Here*, Centre for Social Justice Report, 2013

education, it will quickly become clear to the family, who are using the child, that what they are doing is illegal in the UK and therefore, to avoid authorities asking questions, they may feel obliged to take the child out of school. Evidence shows that the child is often forced to work inhumane hours as a domestic servant and possibly as a nanny to children. They will often be physically abused, sometimes sexually, and have no rights because to appear above the radar would risk deportation or being taken into care. Sometimes the traffickers disguise the child's origins by giving them the same family name. The child may then assume they are part of that family, as will the outside world.

A number of stakeholders highlighted how easy it was to have a private fostering arrangement in the UK without the knowledge of the authorities. There are currently no exit checks or any special safeguarding arrangements for children entering the country and the Home Office keeps no record of the number of children who are residing in the UK on expired visitor visas. A family bringing a child into the UK is not obliged to declare the fostering arrangement for at least 28 days. Furthermore, if they fail to notify the authorities it is highly unlikely that they will be contacted since the onus is on the family rather than the local authority to declare the situation.²³⁶ The CSJ Report, *It Happens Here*, found that between 2011 and 2012 there were 2,840 new foster arrangements declared in England equating to 8.71 known private fostering arrangements per local authority area.²³⁷ However, charities working in this area informed me that they believe many thousands are not registered and that many of these children are at risk of exploitation.

One African domestic violence organisation thought that this form of domestic servitude, while now coming more to the fore, was actually “possibly going down” since it was a “real problem” in the 1980s. However, Professor Barling assessed that all forms of trafficking of African victims were on the rise as “there is no reason to believe the problem of African trafficking has gone down. For all we know it might have gone up given that many African communities from conflict zones have settled in London over the last decade.”²³⁸ Certainly more children are being referred into the National Referral Mechanism (NRM)²³⁹ system as potential victims of trafficking.

²⁴⁰	2009	2010	2011	2012	Total
The number of Nigerian children referred into the NRM	12	29	25	67	133

The latest UKHTC data ²⁴¹ appears to contradict an IPPR report on Nigerian trafficking, as well as statements I have heard from those stakeholders working with Nigerian victims, who

²³⁶ *It Happens Here*, Centre for Social Justice Report, 2013: “Although local authorities do have a statutory responsibility to identify and check private fostering arrangements, if a local authority does not know about a private fostering arrangement, they cannot check it: ‘The CSJ recommends that local authority responses to private fostering arrangements in their area be included in the criteria for Ofsted inspections.

²³⁷ *It Happens Here*, Centre for Social Justice Report, 2013

²³⁸ Evidence from Professor Barling, City Hall, 2013

²³⁹ The NRM is a Government framework for identifying victims of human trafficking and ensuring they receive the appropriate protection and support. The NRM is also the mechanism through which the UKHTC collects data about victims. This information contributes to building a clearer picture about the scope of human trafficking in the UK

²⁴⁰ Parliamentary question, Baroness Doocey Citation: HL Deb, 22 April 2013, c384W
<http://www.theyworkforyou.com/wrans/?id=2013-04-22a.384.4&s=human%20trafficking>

state that domestic trafficking is more dominant than sex trafficking, as it suggests that most Nigerian victims were used for sexual exploitation. However, approximately an equal number in the UKHTC data were “unknown.”²⁴² The UKHTC accepts that their data is far from conclusive, and yet the Government relies on these figures for policy decisions.

A source from the LSGB said, “The big thing lacking is prevalent data collection- it’s difficult when there are reduced resources for safeguarding boards. They need support but without solid evidence of the problem in an area it’s hard to get additional funds and resource.”²⁴³ If the Mayor wants to have a true grasp on the human trafficking situation, then the Greater London Authority will need to start collecting data from all the relevant stakeholders and the police and create its own data source. Without this information we risk a situation where “the blind are leading the blind.”²⁴⁴

Sexual abuse

Stakeholders such as Afruca told us that most sexual exploitation does not occur in ‘organised’ environments such as brothels “because it is too risky” but rather takes place in closed communities more informally. Many domestic cases of exploitation, described above, can turn into sexual exploitation. A domestic worker may be casually but regularly exploited by a man and his friends, or be deliberately sold for sex at night within the trafficker’s own home or in other residential flats. We were also told that in such cases they may also be used in pornography.²⁴⁵ One NGO, working with trafficked boys who were victims of sexual abuse, said they had also come across African male victims of domestic servitude who have disclosed experiences of sexual exploitation.

I was also told that a victim of trafficking may enter the country as a “wife” even though the man may already be married. Her passport may be removed or she may enter on a false passport. In this case again she will be beaten, exploited as a domestic ‘slave’, may be forced to abort any children and may be sold for sex to his friends. An African domestic violence charity provided a number of examples whereby the victim felt unable to prosecute her “husband” after seeking help with them, because of family pressure. The family pressurise her to return and believe she “should just be grateful for him bringing [her] here.”²⁴⁶

Multiple exploitation

There is a clear “blurring of exploitation types”²⁴⁷ as victims may be used for multiple types of exploitation, as demonstrated by the interspersing of domestic (as a helper or “wife”) and sexual (prostitution and pornography) exploitation described above.²⁴⁸ Andy Desmond,

²⁴¹ UKHTC: A Strategic Assessment on the Nature and Scale of Human Trafficking in 2012 August 2013

²⁴² <http://www.soca.gov.uk/about-soca/about-the-ukhtc/national-referral-mechanism/statistics>

²⁴³ Interview with source from the LSGB

²⁴⁴ Evidence from a stakeholder working in an Anti-Trafficking NGO, in City Hall, 2013

²⁴⁵ In evidence from an interview with an NGO working with trafficked victims 2012

²⁴⁶ In evidence from an interview with an NGO working with domestic violence victims from the BME community

²⁴⁷ Interview with Myriam Cherti and Jenny Pennington, IPPR, 2012

²⁴⁸ See also case study from the IPPR Report, Beyond borders: “In one case, one victim was forced into domestic servitude, forced to undergo fertility treatment in order to donate eggs (organ harvesting), sexually

Director at Anti-Trafficking Consultant Ltd, highlighted how entrepreneurial Nigerian forms of trafficking were and that ‘maximising profit’²⁴⁹ was key - this led to victims being used financially for multiple purposes. He gave the example of one victim who was made to carry over cocaine in breast implants before being trafficked for sexual exploitation. A recent Mayoral report on sex work in London stated that there is also apparently an increasing number of pregnant Sierra Leonean women in ‘alternate’ sex work who may be victims of dual trafficking for benefits and sex work.²⁵⁰

Children are also being brought into London to gain families extra benefits. One project working with trafficked children and young people had seen a large number of Somali children brought over for benefit fraud and who were then thrown out at 16. This creates a number of challenges. Once children are too old to gain any further benefits or are too strong to be controlled they are often then ejected from the home. This may be contributing to a situation reported by BBC Inside Out London whereby “hundreds of children [are] living rough in London”²⁵¹ with no nationality and are often forced to turn to crime. Once discovered they are then treated like criminals²⁵² and are often returned ‘home’ to a country they have barely any knowledge of.²⁵³

I was also told that African girls, some as young as 12, are being brought in unaccompanied so that they can be put into local authority care. They are then deliberately impregnated to enable them to become eligible for council flats. We were told that this has “been in the system for years.”²⁵⁴ Debbie Ariyo, from Africans Unite Against Child Abuse (Afruca), told the BBC “some of the girls ended up in prostitution while the flats were rented out in a “money making scam”.²⁵⁵

Tim Starkey, a barrister specialising in criminal law at Castle Chambers, who has handled cases involving West African victims of trafficking, said a lot of children being trafficked are used for benefits but that “there is a tendency to ignore the benefits side of this crime rather than saying, “What’s going on here?”²⁵⁶ He felt we needed to look far more deeply into this type of crime. A local authority source said that increased centralisation, and greater oversight on a pan-London level, of the benefits system might at the very least help find those organised networks defrauding the system through possession of multiple houses and so forth.

abused and pimped into forced prostitution (sexual exploitation) and forced to work in a factory job for no pay (labour exploitation)”

²⁴⁹Meeting with Andy Desmond, Anti-Trafficking Consultant

²⁵⁰ <http://i2.cmsfiles.com/eaves/2013/06/Capital-Exploits-June-2013.pdf-da8819.pdf> MOPAC’s Report, Capital Exploits: A Study of

Prostitution and Trafficking in London; Julie Bindel, Ruth Breslin and Laura Brown

²⁵¹ Children ‘with no state’ in UK, 5 November 2012 By Zack Adesina, BBC London

²⁵² In evidence from an interview with Tony Murphy, Bhatt Murphy Solicitors, 2012

²⁵³ In evidence from an interview with Debbie Ariyo and Lola Gani-Yusuf, Afruca, 2012 and from Cherifa Atoussi, Anti-trafficking Consultant, 2012, City Hall

²⁵⁴ In evidence from an interview with an NGO supporting BME victims of domestic violence.

²⁵⁵ Girls smuggled to UK for flats,

Ben Davies, BBC London 9 May 2006

²⁵⁶ Evidence from Tim Starkey, a barrister working as an advocate and police station representative for Hollingsworth Edwards, at City Hall 2013

Emerging trends

While the trafficking of Nigerian victims is now emerging as the main 'caseload' in the UK, in five years' time this may well have all changed. It is crucial that we do not fixate on any form of trafficking as the prototype. What has been mistakenly done before is for a general presumption about what trafficking is to envelop the mind-set of authorities and the public; this then blinds them to the constantly changing landscape of trafficking. While domestic and sex trafficking are the main forms of exploitation of Nigerian victims, several trafficking charities highlighted to me that several other new trends involving African, particularly Nigerian, victims were occurring in London.

Baby trafficking

The first of these trends involves Nigerian babies being trafficked for adoption. This highlights the fluid nature of trafficking as this was a criminal activity previously associated with Romanian child victims, particularly in the 1990s.

In May 2013, Nigerian President Goodluck Jonathan "expressed concern over the increase in sale of babies in the country and warned that those found guilty of the act would be made to face the wrath of the law."²⁵⁷ However, while a recent EU report highlighted this problem, this has actually been occurring for many years. In May 2011, police freed 32 pregnant girls in Nigeria and, back in 2008, NAPTIP found a "dozen so-called baby factories."²⁵⁸ The UK is also no stranger to such cases. A Pastor was extradited to Kenya for providing infertile women who attended his church in Peckham, South London, with "miracle" babies between 1999 and 2004. The women travelled to Kenya to give birth, while the biological mothers were told their baby had died at birth.²⁵⁹

However, the UK and specifically London has recently come across a deluge of cases. In the last year the Metropolitan Police Service's Paladin Unit has come across around up to a dozen cases of so-called miracle babies in London - whereby couples illegally buy new born babies in Nigeria and bring them back, under false documentation, as their own.²⁶⁰

The traffickers in these cases are often highly respectable members of the public. In one case in April 2013, Dr Simon Heap - a Research Fellow from Oxford who also held a post at Plan International, an NGO working to improve the lives of children around the world - and his wife, a nurse, were convicted of breaching immigration law for trying to dupe Nigerian officials into believing a baby girl they wanted to bring back to the UK was theirs, using a false birth certificate.

While Dr and Mrs Heap were sentenced, in another recent case, in October 2012, a Nigerian couple, living in London, who were unable to have children, were given custody of a Nigerian baby the wife believed she had miraculously given birth to, even though tests showed they were not the child's biological parents. The couple claimed that, after failing to

²⁵⁷ Nigeria raises alarm over increase in baby trafficking, May 28, 2013, StarAfrica.com This statement followed two raids in Nigeria in early May which uncovered 'baby factories'. In one case Nigerian police found 17 pregnant girls between the ages of 14 and 17, all impregnated by the same man, in a building masquerading as an orphanage, where they said they were fed once a day and not allowed to leave.

²⁵⁸ Nigeria police free 17 girls in 'baby-factory' raid, 10 May 2013, AlArabiya

²⁵⁹ 'Miracle babies' pastor to be extradited to Kenya. By Jon Douglas, 21 September 2011

²⁶⁰ Evidence provided by ECPAT UK, 2013

conceive, they travelled to Nigeria to have fertility treatment at a clinic. While there she was sedated and, when she regained consciousness, she was told she had given birth. It was only on their return to London that a GP alerted the local authorities. The High Court Judge described the couple as being victim to the “*most appalling scam*” and being “*people of the highest calibre and of complete integrity*”²⁶¹ However, this is of course irrelevant as many traffickers are seemingly respectable citizens who may not even view their actions as in any way immoral.

The London Council involved in the case said they were “disappointed”²⁶² with the judgement. The decision to grant them custody of the child “created an uproar among charities, child and human rights groups” who saw their story as a “charade” and feared that this case would lead to an increase in applications for visas for babies from Nigeria. Andy Elvin, CEO of Children and Families Across Borders (CFAB)²⁶³ told the BBC,²⁶⁴ “*These unscrupulous people will exploit people for vast amounts of money. Behind every one of these children lies an actual birth mother. She has been coerced, she may have been kidnapped or raped. These children are not given up willingly.*”

The UN TIP Trafficking protocol²⁶⁵ does not explicitly mention adoption and as a result some countries do not count intercountry adoption in their trafficking statistics. I have also been told that there are no sentencing guidelines on miracle babies²⁶⁶ in the UK and that there are no controls around surrogacy²⁶⁷ and that we needed a review of all these cases. This is something that the Mayor’s Office for Policing and Crime (MOPAC) and their new Sentencing Unit should encourage the Crown Prosecution Service (CPS) to examine. Otherwise these cases will continue until a particularly shocking case comes to the media’s attention, or victims, such as the child or the original parents, take the authorities to court.

Clearly these, as with almost all trafficking cases, are not black and white. The judge’s attitude echoes an earlier case in February 2013 where Lord Justice Toulson said desperate parents who can’t have children and smuggle babies into the UK should not be treated as traffickers and should be treated with sympathy.²⁶⁸

There is a world of difference between a childless couples who illegally adopt a child from a willing mother and those extreme cases reported where women are raped, and forced to give birth to children. However, the Romanian government’s response was firm. They

²⁶¹ BBC News - Couple can keep Nigerian baby after 'scam' ruling, 18 Oct 2012

²⁶² Ibid

²⁶³ A unique UK-based charity which identifies and protects children who have been separated from family members as a consequence of trafficking, abduction, migration, divorce, conflict and asylum, as well as other vulnerable individuals in often desperate circumstances.

²⁶⁴ BBC News - Couple can keep Nigerian baby after 'scam' ruling, 18 Oct 2012

²⁶⁵ Protocol to Prevent, Suppress and Punish Trafficking in Persons

²⁶⁶ Evidence from Carolina Albuerne, Refugee and Human Trafficking Specialist, at City Hall, 2013

²⁶⁷ Interview with Andy Elvin, Children and Families across Borders (CFAB), 2013

²⁶⁸ This statement was made while the Judge presided over “the case of Carmen Thomas, who was so desperate to become a mother that she pretended a girl born in the Philippines to a couple ‘who could not afford to keep her’ was her own”. Baby smugglers should be shown mercy not treated as people traffickers, Daily Mail, 21 Feb 2013

decided that in too many cases adoption in Romania was little more than an exercise in child trafficking and put a moratorium²⁶⁹ on all international adoption.²⁷⁰

Trafficking of Nigerian boys

I have heard several anecdotal pieces of evidence around the sex trafficking of young African boys. While it is no doubt less widespread than female sex trafficking, the lack of knowledge in this area should not allow one to presume it is not a problem.

One stakeholder told me of residential houses used as brothels in one very specific area of South East London where they offer young African boys. However, I was warned that it is a very “taboo area and you won’t hear about it in these communities.”²⁷¹ When I questioned the Metropolitan Police about this issue they had not heard of these cases. It is concerning that the communication between NGOs and the police is such that this information does not appear to be filtering through.

African boys are also being forced into domestic servitude, where the risks of sexual exploitation are high. One organisation which worked with trafficked children said they had also seen a number of cases of trafficked Nigerian boys being sexually exploited.²⁷² One case involved a boy who was trafficked to north London and then taken outside of London for labour exploitation. However, he and many other boys were raped on the journey to the UK.

A recent report by the Salvation Army mentioned one case where “One African lad was so broken, he wouldn’t leave this room. We put him in touch with the rape crisis team but they wouldn’t touch him because he’s a man. So, the Home Office put us in touch with this guy, he’s amazing and he’s transformed this guy but he’s expensive.”²⁷³ The lack of easily accessible support for male victims highlighted here is clearly a concern.

Trafficker profiles

Traffickers of Nigerian victims are hard to profile. They are often not organised²⁷⁴ criminals but ‘ordinary citizens’ and ‘well-placed and respected community members.’²⁷⁵ One trafficker, Lucy Adeniji, had several domestic slaves tending to her family and household, who she beat and tortured. Yet she was a respected member of the community, working with Newham Council and had written two books on childcare called ‘Parenting God’s

²⁶⁹ This was strongly pushed at an EU level, particularly by Baroness Emma Nicholson who said, “I unveiled a huge network of global corruption and global trafficking... I’ll give you the example of a poor Romanian boy, who was trafficked to London, on a false passport. ...Uncovering that (trafficking) ring, uncovered one of the biggest paedophile rings in the globe” Romania rethinks adoption ban despite child-trafficking concerns, DW,26.04.11

²⁷⁰ However, many stakeholders, including the Romanian campaign group Catharsis – felt that “an outright moratorium was an overreaction. The group is a leading a campaign to resume international adoptions and cites numerous cases where children have missed out on loving homes as a result of the ban.” Romania rethinks adoption ban despite child-trafficking concerns, DW,26.04.11

²⁷¹ Meeting with an NGO campaigning against human trafficking, 2012

²⁷² Charity project working with trafficked children and young people

²⁷³ Salvation Army report Support Needs of Male Victims of Human Trafficking, June 2013

²⁷⁴ Elizabeth Willmot-Harrop noted however that “there is often not just one trafficker – [it] is often a chain where many people are “traffickers” but have a different part of the process”

²⁷⁵ IPPR Report, Beyond Borders, Myriam Cherti and Jenny Pennington, IPPR, 2013

Way' and 'Carry a Seed'. Meanwhile the 'miracle babies' case above involved an Anglo-Saxon British Oxbridge academic who worked to improve children's lives.

We heard cases of traffickers being social workers, single mothers requiring child care, pastors and lawyers; and the facilitation of trafficking often took place in open environments such as in churches and at community events. Some traffickers with domestic child helpers saw themselves as rescuing the child from a place of poverty and often did not view themselves as doing anything wrong.²⁷⁶

Exploiters involved in cases of domestic servitude were all Nigerian in the cases I examined and this is the typical model for this type of exploitation. However, there were cases of sexual exploitation being facilitated by those outside the Nigerian community. Sexual exploitation cases also were more likely to involve a stranger than the domestic servitude cases.

Furthermore, in West African sex trafficking cases in Europe, many trafficking 'victims' become Madams themselves.²⁷⁷ The criminal networks are made up of cells composed of replaceable individuals. Hence arresting only part of the cell, as stakeholders say is usually the case, does not destroy the trafficking network.

Similarly there is a "misconstrued idea of victims".²⁷⁸ A stakeholder told us that from their experience, "These people are often feisty women – yet people have the view that they are weak and wouldn't say boo to a goose."²⁷⁹ One example in 2011 involved two Nigerian women who had been trafficked and were refused entry into Spain because they had false passports. The two women had to be handcuffed because they were "biting and spitting"²⁸⁰ at the border staff.

Nigerian community

Cultural expectations

*"I got a sense, anecdotally, that some people in the community are turning a blind eye"*²⁸¹

Not only may the 'exploiter' of a child in domestic servitude be unaware that they are doing anything wrong, but some members of the West African community in the UK may similarly accept such arrangements. Many of the respondents exploited in closed domestic settings, who the IPPR engaged with, had had some form of wider engagement with the

²⁷⁶ "Traffickers might square it with themselves that they are 'rescuing' someone from extreme poverty, giving them a roof over their head etc. – however the victim may not be there willingly and their treatment is horrendous" Interview with Myriam Cherti and Jenny Pennington, IPPR, 2012

²⁷⁷ For example in the case of "LM, DG & MB - These three women defendants have been convicted of offences of controlling prostitution, for the gain of themselves or another, contrary to s 53 Sexual Offences Act 2003" and yet they were also described as potential victims of trafficking.

²⁷⁸ Evidence from a source at the UK Border Force, 2013

²⁷⁹ Anonymous stakeholder

²⁸⁰ *ibid*

²⁸¹ Evidence from Tim Starkey, a barrister working as an advocate and police station representative for Hollingsworth Edwards, at City Hall 2013

community, for example “carrying out chores at parties, caring for other families’ children or attending church.”²⁸² Some people in the community may then be aware of this house help, but will be unaware of the level of abuse and deception involved and so may even look on it favourably or at least not see it as exploitation.

Some members of the community who know these children do not belong to the family may instead be simply aware of the terribly limited options available to these children in parts of West Africa. This was recently highlighted in an article about two teenagers from Benin who had moved to Nigeria, and had to dredge sand to sell for cement. They had to dive into oil-polluted waters with weights attached to them and then kick their way back to the surface with bucket after bucket weighed with sand. They earned \$1 for each 15-seat canoe they loaded with sand. In spite of this hardship, “Segun says he considers himself lucky to be working... returning to Benin has never been an option. “If I go back, I can only be a thief.” The local punishment for thieves was being burnt alive, he says.”²⁸³

Cherifa Atoussi said, “Nigerians are concerned when they learn about these [trafficking] cases but there is [already] a sense often that it is out there. Some Nigerians ...mistakenly believe that it is ... a “better life”... [than being on the streets]. But once they are aware of the extent of the violence, they will denounce and refer cases on.”²⁸⁴

However, another challenge is the “culture of silence in the African community.”²⁸⁵ One charity working with the African community told me that some communities are more open about their issues, but we are a “closed culture... which makes it unbearable for people...One of our biggest problems – we don’t call the police.”²⁸⁶ This was partly linked to the fact that, in light of being a minority who has suffered discrimination and due to a perception that society tends to blacklist minorities, they were wary of “blowing a whistle on the community” due to a fear that “someone else’s problem will then also become your problem. [You] feel defensive of the community.”²⁸⁷

Community relations

However, when victims do escape, they tend to look for someone speaking their dialect or who looks West African, or they go to a church or a community location.²⁸⁸ Therefore the community and agencies linked with them have a crucial role to play as mediators between trafficked people and UK statutory services. However, there is currently a lack of awareness-raising in these communities about the indicators and there is also a lack of information about how individuals or groups should respond and who to go to if a victim does come forward.

²⁸² IPPR report, *Beyond Borders*, Myriam Cherti and Jenny Pennington, 2013

²⁸³ Benin's poverty pushes youngsters into the employ of child traffickers by Monica Mark, *theguardian.com*, 27 November 2012

²⁸⁴ Interview with Andy Desmond and Cherifa Atoussi, Anti-trafficking Consultant Ltd, 2012

²⁸⁵ Evidence from stakeholder working with the African community in London

²⁸⁶ In evidence from an interview with an NGO supporting BME victims of domestic violence

²⁸⁷ Evidence from stakeholder working with the African community in London

²⁸⁸ Interview with Myriam Cherti and Jenny Pennington, IPPR, 2012

Andy Desmond and Cherifa Atoussi highlighted that their community work meant that they received more referrals than the police. Without engaging properly “you will fail.”²⁸⁹

A number of stakeholders also said that the police and other authorities needed to work more with cultural NGOs and community organisations. Education was seen as key to getting more intelligence and ensuring more victims coming forward. John Torres, US Special Agent on Immigration, within Homeland Security Investigations, stated that you had to “work with communities and NGOs... Victims aren't going to trust us.. [the community organisations and NGOs] will give us tips we can then investigate.”²⁹⁰

However Marai Larasi, Executive Director of Imkaan,²⁹¹ said, “We are really bad at community mobilisation in the UK. To address any issue within marginalised communities we need to listen to them first before we ask any questions: ask what are your concerns, not ours,...and how can we help.”²⁹²

At the moment I was told, “These communities have zero incentive to report.”²⁹³ By doing so they risk stigmatising their community and have no reason to believe the authorities will act adequately. We need to create a cultural change but to do so you need trust. “It isn't there now, but it can be done!”²⁹⁴

While such community work is a slow, arduous and money driven exercise, several stakeholders felt that, “Loads of money has been thrown at [ineffective] community engagement. But it hasn't made a blind bit of difference.”²⁹⁵

It has been suggested that as a starting point, local authorities should appoint community liaison officers for particular nationalities, including from the Nigerian community. They could then run training sessions and act as a mediator between the community and authorities and as a contact point for anyone wishing to disclose knowledge of trafficking. Imkaan however warned against using the “archetype community spokesperson”²⁹⁶ who is “often male, sometimes self-appointed and can never truly be representative of the community they speak for - as no one individual can ever be the sole representative of any ‘community’.”²⁹⁷ The Mayor of Enfield stated at a recent Afruca event that action “must be led by us”²⁹⁸ and certainly community leaders should encourage engagement with the authorities.

²⁸⁹ Interview with Andy Desmond and Cherifa Atoussi, Anti-trafficking Consultant Ltd, 2012

²⁹⁰ Conference: Tackling Human Trafficking in Europe: Prevention, Protection, Prosecution, 30th January 2013, Silken Berlaymont Hotel

²⁹¹ UK-based, black feminist organisation dedicated to addressing violence against women and girls.

²⁹² Evidence from Marai Larasi and Sumanta Roy, Imkaan, Meeting, City Hall 2012

²⁹³ Ibid

²⁹⁴ Ibid

²⁹⁵ Ibid

²⁹⁶ Ibid

²⁹⁷ Ibid

²⁹⁸ A Seminar on Child Protection and African Parents in the UK, House of Commons Grand Committee Room, November 2012

Churches

However, one of the key focal points of the community, highlighted to us repeatedly, were Churches and Church leaders. Afruca said, “the Church is so powerful – it has a lot of control over the community.”

There are already signs that the Metropolitan Police Service is increasing their engagement with communities. At an April 2013 discussion at the ‘Faiths Forum for London’ Conference, which was attended by the Commissioner, the Metropolitan Police said they “could be setting up help points in faith buildings such as churches and mosques, in an attempt to better engage with diverse faith communities... Other ideas included encouraging faith communities to “adopt a cop”.²⁹⁹ The East London Mosque in Tower Hamlets already has police information points and something similar should be established within Nigerian churches in London.

While many stakeholders emphasized the need to work more closely with the Church, they also echoed an air of caution about that fact that there were ‘false pastors’³⁰⁰ as you didn’t need a certificate to become one. Furthermore, we were told that “it is normal in Nigeria to have a house girl who is given board/education in exchange for servitude – there is a lot of silence around it [and it is] not seen as child abuse by the church.”³⁰¹

Cases involving Pastors

Pastors have even been involved in trafficking. One domestic violence charity working with the African community mentioned a case they had dealt with last year where a married pastor brought a girl over as a domestic slave. He took away her passport, beat her, got her pregnant and then said he would report her if she didn’t terminate the child.

A famous recent case involved ‘pastor’ Lucy Adeniji, an illegal immigrant who entered the country on a tourist visa and then used false passports to remain here, and then brought children between the ages of 11 and 21 from Nigeria to work as slaves for her family. They had to work up to 21 hours a day, were regularly beaten, once until loss of consciousness, with one victim claiming they were attacked with pepper sprayed in her eyes and genitals. Yet Adeniji, was known at her evangelical church, TLCC Ministries, as the Reverend Lucy Williams, and she also worked part-time for Newham Council as a youth worker and was outwardly a ‘pillar of the community’.

One organisation told us that a number of other traffickers in this case were not taken to court. One was a pastor, who was also an immigrant official, at a Church in one London Borough. The victims all met each other and learnt of each other’s similar predicament when they were taking care of their respective family’s children at the Church’s crèche. I was informed that “the head pastor at the time still works there.”³⁰² I heard about a number of other cases involving pastors or communities centred around another church and I was told that “the Church is part and parcel of the abuse - not of trafficking per se always but it is the

²⁹⁹ The Metropolitan Police Service to increase presence in faith communities , EastLondonLines, April 25, 2013 Sean Mullervy

³⁰⁰ In evidence from an interview with Debbie Ariyo and Lola Gani-Yusuf, Afruca , 2012

³⁰¹ In evidence from an NGO working with trafficked victims 2012

³⁰² In evidence from an interview with Debbie Ariyo and Lola Gani-Yusuf, Afruca , 2012

locus³⁰³” and indirectly acts as a facilitator and also as a rescue point for trafficking victims. Therefore there is a huge opportunity for the authorities to work with Church communities to examine the indicators around trafficking.

If the Government and Mayor wish to tackle trafficking and accept that many victims are Nigerian and that their exploitation is often not organised, then it is imperative that the Mayor starts to engage with Churches and listens to their concerns. This is a challenge due to the lack of knowledge about this community. Most local authorities are unable to give a comprehensive list of the churches in their borough. Indeed some religious ceremonies take place “in people’s sheds [or have] 10-50 members in a basement... [and one trafficking case involved a community who met in a] pub.”³⁰⁴ However, there are also large church ministries such as the *Redeemed Christian Church of God in Brent Cross* which has approximately 500 branches.

One stakeholder told us, “We have tried to work with pastors and asked them what are you doing about this problem. But it’s a huge challenge. We aren’t getting churches on board. Even if they are against it, they are not speaking out against trafficking in public. At best, they say “we can raise this once or twice” but if they press too hard they are fearful that people will stop attending church.”³⁰⁵ However, conversely, from other stakeholders, we have heard about a lot of positive work from, for example, the Congolese church who recently highlighted to their congregation that Juju was not socially acceptable.³⁰⁶ I have also been told there are many pastors, such as Pastor Nims Obunge, who are vocal about issues such as abuse and who would no doubt welcome more engagement and support from the Mayor.

Schools

Many children who are victims of domestic servitude may attend a school for an initial period on moving to the UK, if not until they are adults. Professor Barling spoke of one boy who had been registered in a number of Haringey Schools, even though he was illegally here. However, when he wanted to apply to university he was unable to as he was an illegal alien. Professor Barling said that “even the most obdurate trafficker wants to get a child into education because this disguises what they are doing.”³⁰⁷ Therefore schools are a key part of the process of tackling human trafficking. Nonetheless, I was told that “schools aren’t familiar with this kind of practice. So it always falls under the radar; until there [is] a point of conflict.”³⁰⁸ Professor Barling highlighted that schools may be accused of racism if they raise their concerns about a Nigerian child’s welfare, therefore often feel that they can’t delve too deeply into the families they may be concerned about.

In our survey of London teachers 46.7% of social workers and 33% of teachers could not recognise a Nigerian child, brought over to the UK to live with a family and carrying out chores in their house while not going to school, as a human trafficking victim.

³⁰³ *ibid*

³⁰⁴ *Ibid*

³⁰⁵ Anonymous source who works with BME victims of abuse.

³⁰⁶ Evidence from Professor Barling, City Hall, 2013

³⁰⁷ Evidence from Professor Barling, City Hall, 2013

³⁰⁸ Evidence from Professor Barling, City Hall, 2013

Stakeholders felt that schools needed to be more vigilant to the indicators of trafficking and be aware of who they needed to consult if they had concerns. There should also be a process to ask more questions when a new child arrives in a school. A source from the Metropolitan Police said that in Scotland, schools “physically hold the [migrant] child’s passport to check if they are registered and safe.”³⁰⁹ There are apparently plans to follow the same course of action here. However, the police admitted that this will simply “pick up on a huge number of illegal children in school who aren’t trafficked and a small number of trafficked cases.”³¹⁰ This method supports Dr Agustín’s concerns that tools to tackle trafficking are largely used to monitor and control immigration.

Challenges to prosecution

Prosecutions – organised focus

The current prosecution framework has been criticised as being “heavily focused ...on... addressing ‘organised criminal networks’”³¹¹ which thus fails to capture many West African cases involving ordinary citizens who are also traffickers and exploiters.”³¹² The CSJ report, *It Happens Here*, describes this as an unhelpful misnomer and as “a legacy of the initial police response to this crime a decade ago.”³¹³ The IPPR report on Nigerian trafficking suggests that greater outreach and engagement by the UKHTC with communities is a key way to strengthen prosecutions in this area.

A 2013 EU report³¹⁴ highlighted that Nigerian cases were the largest non-EU case load in Europe. Yet when it examined prosecutions, the vast majority of the prosecuted traffickers came from the EU Member States; and, of the non-EU states, “Albania, Morocco, Russia and Turkey are the most common countries of citizenship of the prosecuted non-EU traffickers. Only 20 Nigerian traffickers were prosecuted in the whole of Europe in 2010.”³¹⁵ Elizabeth Willmott-Harrop, a Consultant and Writer Specialising in Women and Child Rights Advocacy, has said this challenge is “compounded by the difficulty of Nigerian law enforcement in securing prosecutions, making the intervention of law enforcement officers in receiving countries all the more important. .. UNESCO further notes that ‘a combination of corrupt officials, complicit authorities, and weak laws combine to guarantee impunity for traffickers while increasing the plight of trafficked persons.’”³¹⁶

Types of control

The authorities face a number of obstacles when trying to prosecute West African cases. One of these is the forms of control used against the victims. As Irina Todorva, from the

³⁰⁹ Evidence from s source in SC&07, 2013

³¹⁰ Ibid

³¹¹ IPPR report, *Beyond Borders*, Myriam Cherti and Jenny Pennington,

³¹² Ibid

³¹³ *It Happens Here*, Centre for Social Justice Report, 2013

³¹⁴ *Trafficking in Human Beings*, Eurostat, European Commission, 2013, page 78

³¹⁵ Ibid

³¹⁶ *Ties that bind: African witchcraft and contemporary slavery* by Elizabeth Willmott-Harrop,

IOM, pointed out: “We no longer see classical types of trafficking now.”³¹⁷ The classical perception of a victim is a chained person who is physically brutalised. However, Anti-Slavery International told us that these types of victims were seen ten years ago but that now traffickers were more adept at avoiding criminalisation. Now victims may have a certain level of ‘freedom’³¹⁸ so that they can contact families, have small wage packets, and while the threat of violence may be there no violence may even take place. This gives the illusion that they are not trafficked. I was told that exploiters have changed from violent tactics to being the “good guys”³¹⁹ who are “here to help you.”

Prof Laura Agustin sees serious, violent trafficking cases as a minority and most other 'trafficking' cases as simply part of migration and aspiration. Therefore one could assume by this theory that many non-violent, so-called 'traffickers' are indeed so-called "good guys"³²⁰ and to assume otherwise if the "victim" does not see it is as thus is to deny the "victim" agency. While this is important to keep in mind, it is clear that many West African cases that do not have 'chains' and violence involved, still involve shocking levels of coercion and exploitation that under British law, cannot be allowed to continue.

Juju

Nigerian Traffickers pervert a traditionally benign spirit-based belief system, known as Juju, to psychologically control their victim. The traffickers make the victims go to a shrine where they participate in ritual oath taking.³²¹ Victims may consensually agree to undergo the ceremony believing that the ritual will protect them. While agreeing to pay the debt under oath, they often have no understanding of the foreign currency discussed or are tricked in other ways.³²² Traffickers control victims by using Juju because it is such a powerful weapon of coercion. Afruca told us, “Victims are made to believe that if they go against their traffickers in any way or form, there will be severe repercussions [from the spirit world] such as death for them or their loved ones.” Andy Desmond, a former Detective in the Metropolitan Police Service and an expert in Nigerian human trafficking explained, “She will feel she swore an oath and [so there is] nothing she can do. She can’t escape because the traffickers have bits of her from the ritual (nail clippings, hair etc.) so [they tell her that] ‘wherever you go we can find you using these’.”³²³

While this form of control is alien to British authorities, witchcraft is very powerful in parts of Africa and has been integrated into both the Christian culture in the south and Islamic

³¹⁷ Conference: Tackling Human Trafficking in Europe: Prevention, Protection, Prosecution, 30th January 2013, Silken Berlaymont Hotel

³¹⁸ *ibid*

³¹⁹ *ibid*

³²⁰ *ibid*

³²¹ The ritual may involve being cut with razor blades, stripped, having body hair removed, and raw animal organs ingested. Traditional priests are often used for this ceremony and will have willingly taken part for financial gain.

³²² (“You are an 18 year old told you will pay 670,000.. you only later finds out this is in Euros not local currency and then you don’t receive most of the money you earns. It costs 60Euros per client and she earns 1 Euro of it after paying for clothes, her square of ground; food...” Evidence from Andy Desmond, Anti-trafficking Consultant Ltd, 2012

³²³ Evidence from Andy Desmond, Anti-trafficking Consultant Ltd, 2012

culture in the north of the country. Juju does not even need the threat of violence as victims will “do things freely.”³²⁴

When African child victims escape the children’s home they have been put in, to join their trafficker, Andy Desmond explained that while “People see this as outrageous and blame the children’s home....the problem is the victim feels they have to escape as they believe they will die otherwise due to the ritual. Even [if they were put] in a prison they would find a way out. They have to.”³²⁵

Not only does this form of control manipulate the victim and potentially extricate the trafficker from being charged, it also conceals itself as a form of coercion. Most victims are unwilling to discuss being coerced in this way. The consensual element of this type of control makes the victim feel in league with the trafficker who has ‘rescued’ them from Nigeria and used no overt violence. Critically also, once someone has been recruited, the sort of violence they faced was rarely overtly physical.

In the 2008 Regina v O case³²⁶ the courts noted that, “She makes no mention of the Witch Doctor in Nigeria or any of the information provided by the Poppy Project. As such, we are to deal with her on her instructions and her instructions alone.”³²⁷

However, Andy Desmond explained, “Juju is like fight club – you don’t talk about Juju” and “Nigerian Christians may not admit they believe in this because there is a risk of death in talking about it. We are not Nigerian – this is part of reason we are so successful as we aren’t scared of Juju. I have had a Nigerian interpreter run out of the room because she was scared to even talk about Juju.”³²⁸

Andy Desmond helped convict Anthony Harrison in 2010, who was charged with trafficking two Nigerian girls who had been controlled by Juju magic. Dr Harris, who appeared as an expert witness at the trial, said: “The rituals they underwent, which were particularly terrifying, were to instil a maximum amount of terror and imprint on these two very vulnerable young women that they mustn’t step out of line or give any information about their experiences.”³²⁹

This was the first successful case of its kind in Europe. But it took two years for the police to induce the victims to relay their experiences and this was in part due to fear created by the Juju ritual. However, a number of stakeholders including a source from the police, a source based at Heathrow, and Andy Desmond who used to be in the Trafficking Unit, told us that police like a “turnaround of six weeks”.³³⁰ Yet closure in such cases often takes years.

³²⁴ Ibid

³²⁵ Ibid

³²⁶ 2008] EWCA Crim 2835

³²⁷ Ibid

³²⁸ Evidence from Andy Desmond, Anti-trafficking Consultant Ltd, 2012

³²⁹ BBC News - Trafficked girls controlled by Juju magic rituals, 7 Jul 2011. For example, Girl A endured a ritual in which she was stripped and cut with a razorblade so her blood could be collected. Her body hair was shaved off and she was forced to lie naked in a closed coffin for hours. She then had to eat a raw chicken heart.

³³⁰ Evidence from Andy Desmond, Anti-trafficking Consultant Ltd, 2012

Carolina Albuerne, who has extensive experience of working with victims of trafficking, told us that she worked on a case over two years, through two failed asylum attempts, where the young woman had been coerced with Juju, “but she wouldn’t reveal anything because she believed bad things would happen to everyone associated with her if she does. She would say, if I didn’t look well, that this was due to my work with her.”³³¹

Another challenge of the use of Juju is that victims risk being misunderstood in a Western environment where this form of coercion and control is not fully comprehended.³³² As Philip Ishola from the Counter Human Trafficking Bureau (CHTB) explained, “Juju doesn’t translate well to us in the West [with our] supposedly sophisticated understanding of techniques by which people are controlled, and it certainly doesn’t connect with parochial boroughs [in London]. Why would they?”³³³

Trust in authorities

Another challenge however is the fact that many Nigerian victims have low estimations of the authorities due to negative experiences in their homeland. Andy Desmond, who had worked in the Metropolitan Police Service Trafficking Unit said, “When I first met one victim, she thought I would sell her. It took six months to just get her to talk to me. One year later she still felt I could be bought by her traffickers. Poverty [means that] life is cheap.”³³⁴ I was told that many simply “can’t give evidence in some cases in Africa because traffickers are friends with the police.”³³⁵ Another complexity of these cases is that often many victims are “not... entirely innocent - so already they don’t like or trust police.”³³⁶ I was also told that victims are told by their exploiters that they risk imprisonment if they go to the police³³⁷ and stakeholders told me that, because of the difficulty to be recognised as a trafficking victim, traffickers may be correct in warning victims that they will be deported if they go to the authorities.

I heard of one case where someone from the victim’s extended family brought her over as domestic worker, where she was then also sold for sex to the man’s acquaintances and recorded for pornography. When she fled, the exploiter had the confidence to report her as an illegal immigrant to the Home Office. She went to court and won the case and so she wasn’t sent back. However, the exploiter’s confidence was not misplaced as she refused to prosecute for trafficking and rape “because she was scared.”³³⁸

³³¹ Evidence from Carolina Albuerne, Refugee and Human Trafficking Specialist, at City Hall, 2013

³³² Andy Desmond: “When I first explained the difficulties of getting victims to give evidence against their traffickers because of their fears of being cursed and punished by the spirit world, my colleagues at Scotland Yard were pretty bemused.” A Bewitching Economy: Witchcraft and Human Trafficking Traditional beliefs in witchcraft are being used by human traffickers to silence their victims. Article | 17 September 2012 | By Elizabeth Willmott-Harrop

³³³ Interview with Philip Ishola and Peter Dolby, Counter Human Trafficking Bureau, 2013

³³⁴ Evidence from Andy Desmond, Anti-trafficking Consultant Ltd, City Hall, 2102

³³⁵ Evidence from Cherifa Atoussi, Anti-trafficking Consultant Ltd, City Hall, 2102

³³⁶ Evidence from Andy Desmond, Anti-trafficking Consultant Ltd, City Hall, 2102

³³⁷ Evidence from Tim Starkey, a barrister working as an advocate and police station representative for Hollingsworth Edwards, at City Hall 2013

³³⁸ In evidence from an interview with an NGO supporting BME victims of domestic violence

Support

The IPPR report, *Beyond Borders*, highlighted that the victim's lack of knowledge in the British system acted as a control mechanism – sometimes in place of any substantive control by the trafficker. The “lack of awareness of (alternative) support on the part of victims and a fear that they would not be supported if they left their trafficking situation: a belief on the part of victims that their choice is either to stay with their trafficker or to be removed back to their previous life of abuse (and face possible retribution from their trafficker) in Nigeria” holds them in check.³³⁹

Furthermore, when they do eventually escape, this lack of awareness keeps them in a vulnerable situation where they are then at risk of being re-trafficked. A number of stakeholders highlighted that there was no overarching organisation to ensure that victims were properly referred between different agencies offering for support. This led to gaps in the service provided and in accountability.

Family pressure

Focusing only on Juju as a form of control has apparently led to some victims, who had been warned about trafficking, to assume they would not be trafficked due to the lack of Juju involved in their initial recruitment.³⁴⁰ While sex trafficking often involves Juju as a form of control, I was told that domestic trafficking more often involved family pressure, with relatives unable to ‘fathom that life could be bad here’.³⁴¹ Sometimes it is they who force the victim to stay. I was given a number of examples, including a case from one stakeholder where a girl was being raped, living with an abusive man. When she called her family, they said, “We paid money so do what he says.”³⁴² As well as pressure from the family,³⁴³ many victims fear that their families, learning of their abuse and seeming humiliation, will judge them for failing to succeed abroad and for being exploited.

The cultural sensitivities around the use of Juju, attitudes towards authority and family pressures highlight the need for authorities to possess knowledge on whichever community they are dealing with when tackling a specific trafficking case. Afruca and anti-trafficking Consultant Cherifa Atoussi felt that this emphasized the need for cultural mediators and people who spoke the languages of the victims. Philip Ishola, from the CHTB, felt that the inevitable lack of understanding by many Government officers and authorities demonstrated “why assistance is a necessary part of the new model we would like to have in place. Someone who comes to that borough and says: How can we help you address your statutory responsibilities [in this particular trafficking case].”³⁴⁴

³³⁹ IPPR report, *Beyond Borders*, Myriam Cherti and Jenny Pennington

³⁴⁰ Ibid: “They associated it with prostitution in Italy and with related dimensions such as Juju rites. Consequently, those travelling to the UK without experiencing any Juju prior to the journey did not realise that they too might be in danger”

³⁴¹ Anonymous source working with victims of trafficking

³⁴² Ibid

³⁴³ Relevant case recorded by the IPPR report *Beyond Borders*: “one respondent was abused constantly by her host, yet when the victim asked to be taken back to Nigeria, the exploiter did so, yet after discussions with her family, the victim was made to beg forgiveness and was then sent back to the UK.”

³⁴⁴ Interview with Philip Ishola and Peter Dolby, Counter Human Trafficking Bureau, 2013

The NRM

In April 2009, the Government introduced new procedures to examine the cases of individuals believed to be trafficked and this was called the 'National Referral Mechanism' (NRM).³⁴⁵ The NRM "is a framework for identifying victims of human trafficking and ensuring they receive the appropriate protection and support".³⁴⁶ However, I have also been told by some stakeholders that it is not so much an identification tool but a "gateway to services" for victims.³⁴⁷

There has been an increase in the number of referrals into the NRM of potential victims of trafficking from Nigeria over the last few years. But a number of charities and lawyers have told me that West African victims are not being recognised as victims of trafficking by the NRM and are one of the most likely groups to be rejected by the NRM.

Bias against Nigerian victims

A Government source told us that, "Year on year since 2009 we have seen an increase in referrals to the NRM. We are also improving the number of those who get referred on."³⁴⁸ But we have been told by some stakeholders that they have seen the number of their referrals of non-EU citizens accepted as trafficked victims reducing, while other stakeholders have simply seen referrals rise, while non-EU acceptances remain stagnant.³⁴⁹

Government Minister Mark Harper said, "We do not accept the interpretation of the data presented, by the Council of Europe's Group of Experts on Trafficking (GRETA), of a 21% positive outcome rate for non-EEA cases... A realistic picture of the position, between 01 January 2012 and 31 December 2012 there were 755 non-EEA cases with a Reasonable Grounds conclusion. Of these 502 (66%) were positive and the individual was granted access to a recovery and reflection period. During the same period 328 non-EEA cases were decided at the Conclusive Grounds stage and 183 (56%) of these were positive."³⁵⁰

There is nonetheless evidence to suggest that nationals from outside of the EU have consistently received a disproportionate number of negative decisions. A large number of stakeholders working in the legal and NGO sectors felt that there is a hierarchy of victims and that the system puts more emphasis on the immigration status of the presumed trafficked persons, rather than the alleged trafficking crime committed against them.

In one study, UK citizens referred into the NRM were found to be quickly identified as trafficked with 76 per cent of cases positively identified.³⁵¹ Meanwhile, nationals from other

³⁴⁵ However, the NRM has received a lot of criticism for 'the quality of the decisions, the poor impression given to victims, the lack of an appeals process and the failure to gather comprehensive data on the scale of the problem' - Frank Field, Westminster Hall, Debate on Human Trafficking, 18 May 2011

³⁴⁶ In evidence from meeting with ECPAT UK, 2013

³⁴⁷ Evidence from a stakeholder working in an Anti-Trafficking NGO, in City Hall, 2013)

³⁴⁸ Meeting with A Government source, 2013

³⁴⁹ Evidence from a stakeholder working in an Anti-Trafficking NGO, in City Hall, 2013 and from Kate Roberts from Kalayaan, Meeting in Kalayaan headquarters, 2013

³⁵⁰ Home Affairs Committee, Written Evidence, July, 2013, <http://www.parliament.uk/documents/commons-committees/home-affairs/130603%20Human%20trafficking%20written%20evidence.pdf>

³⁵¹ Wrong kind of victim, Anti-Trafficking Monitoring Group, 2010

EU states had a success rate of 29.2 per cent, while those from outside the EU had only a 11.9 per cent success rate.³⁵²

In NRM statistics January to March 2013³⁵³ only 6 of 43 Nigerian adults and minors received a positive conclusive decision. Meanwhile 34 of 41 Polish victims received a positive conclusive decision.

The ATMG described the “difference in success [as] startling”³⁵⁴ I was told that this may be linked to the fact that the “UKBA has immigration quotas while the UKHTC [doesn’t] have them. This makes a difference as non EU victims go through the UKBA not UKHTC.”³⁵⁵

Standard of evidence

One problem I have repeatedly been told was that the standard of evidence required is set too high in the NRM. One NGO said that the “NRM’s problem is they work from the angle of assuming they are illegally trying to immigrate here.”³⁵⁶ One charity working with the African community said, “Most of the time a victim is treated as an illegal immigrant rather than victim of rape, abuse and trafficking”.³⁵⁷ I also heard criticism of the NRM staff’s training and that they “base their decision on credibility, but credibility is not a stipulated criterion prescribed by the UK’s international obligations to identify victims of trafficking ... [it should not be] treated like an asylum case.”³⁵⁸

ECPAT UK said, “Experience shows the UKBA finds it difficult to put to one side its immigration control role when exercising its function as a Competent Authority. Despite asserting that the two processes are distinct and separate, in reality they have become conflated. The reasoning used to dismiss the credibility of a victim of trafficking, such as late disclosure and inconsistencies in a child’s account, often reflects that used in asylum determinations, particularly if the same case-owner is tasked with making a decision for both the NRM and the individual’s asylum claim.” Some stakeholders even feel that it is easier to be recognised as trafficked through the asylum system than the NRM. Indeed solicitors may advise their clients who have been trafficked against going through the NRM because they believe a lack of training of UK Border Force staff in the NRM system means victims are too likely to get rejected and that this NRM decision would then impact on their asylum or housing claim³⁵⁹. A legal practitioner has said that they have seen many asylum refusals where significant portions of a negative NRM decision have been “replicated word for word in the reasons for refusal.”³⁶⁰ They said the NMR decision can “feed disproportionately into a substantive asylum decision”³⁶¹ and can make it very difficult to see the apparent independence of the competent authority.

³⁵² Ibid

³⁵³ NRM Statistics, January to March 2013, SOCA website, July 2013

³⁵⁴ Wrong kind of victim, Anti-Trafficking Monitoring Group, 201

³⁵⁵ In evidence from an NGO working with trafficked victims, 2012

³⁵⁶ In evidence from an NGO working with trafficked victims, 2012

³⁵⁷ Ibid

³⁵⁸ Evidence from A stakeholder working in an Anti-Trafficking NGO, in City Hall, 2013

³⁵⁹ In evidence from an NGO working with trafficked victims, 2012

³⁶⁰ Evidence from a legal practitioner, 2013

³⁶¹ Ibid

A common suggestion I have heard is that the NRM needs to be independent of the UK Border Force and entire immigration system. This would help ensure their decisions are made from a more victim-focused perspective, without the influence of Government related expectations on immigration numbers and credibility.

Not believed

As well as the standard of credibility being set too high, African victims “are just not believed” and are “almost always treated as criminals.”³⁶² This “persistent culture of disbelief” reminded Tony Murphy, a partner at London law firm, *Bhatt Murphy*, of the problems he used to face with victims of domestic violence. He said he can’t “believe I have to go through all the same arguments now with police on trafficking issue as we used to have to do with gender violence!”³⁶³

As a result of this, stakeholders told us that African victims will often not go through the NRM. “Why would you put yourself through that? It’s better to just get another job if you manage to escape.”³⁶⁴ Anti-trafficking Consultant Andy Desmond explained that the “NRM doesn’t work for victims who believe in Juju because they will always give a script [or]...The same story as 10 other African girls that day... [and] lie to start with, which affects the process. All the women will give the same script which makes the NRM not trust them.” But they will have been forced to give this script by their traffickers under the threat of breaking their Juju oath. Rejected cases, such as the one involving Tijina,³⁶⁵ also have the effect of putting other victims off turning to the authorities because they fear they will also not be believed. As a result, some NGOs thought the NRM needed specialist groups to work with them to help identify victims.

The age challenge

The challenges around proving that a child victim is indeed a child is also a repeated concern with African victims. Traffickers may use a child’s young age to abuse the care home system and use it as a “holding pen”³⁶⁶ until they are ready to pick them up. On the other hand, they may “want children to seem older so that they evade attention of authorities.”³⁶⁷ However, when child victims meet the authorities their false documents and the lack of universal birth registration in Nigeria results in the authorities often not believing that they are children. Several NGOs and one council source even noted that adult victims of trafficking are funded nationally while child victims must be supported by boroughs – this risks incentivising authorities to miscalculate a child’s age.

³⁶² Interview with Myriam Cherti and Jenny Pennington, IPPR, 2012

³⁶³ In evidence from an interview with Tony Murphy, Bhatt Murphy Solicitors, 2012

³⁶⁴ Interview with Cherifa Atoussi and Andy Desmond, Anti-trafficking consultants, <http://www.antitraffickingconsultants.co.uk/>

³⁶⁵ Tijina pleaded guilty to using a false identity document and fraud by producing a false National Insurance card. She had lived in London for two years after escaping from domestic abuse. She then was imprisoned and forced to prostitute herself. The court concluded that, whatever the truth, the defendant had been entirely free of any form of exploitation in the months before the offences were committed. <http://www.bailii.org/cgi-bin/markup.cgi?doc=/ew/cases/EWHC/Admin/2011/1477.html&query=trafficking+nigeria&method=all>

³⁶⁶ Term used in Children and Young People Now, Child traffickers may be using care homes as ‘holding pens’, By Ben Willis, Friday 15 May 2009

³⁶⁷ Evidence from Tim Starkey, a barrister working as an advocate and police station representative for Hollingsworth Edwards, at City Hall 2013

One NGO gave an example where a trafficked girl “had documents saying she was 26 but was actually 14... And authorities accepted [her] passport age even though they accepted that the document [itself was] fake.”³⁶⁸ In 2011, an African teenage girl - who had been trafficked into the UK at the age of 5 to be a domestic slave for a couple in Wembley and then Hillingdon - won a legal battle against Hillingdon Council who, after she escaped from slavery, removed her from foster care after the council disputed her age and said she was not eligible for support.

Afruca noted that a recent report by Coram Children's Legal Centre, revealed that social workers were wrongly classifying hundreds of asylum-seeking children, including child victims of trafficking, as adults.³⁶⁹

Abusing the system?

I am concerned by a number of cases described to me where the victims are struggling to be recognised by the authorities. However, many living outside the EU, including in Africa, do wish to live in the UK and are willing to abuse the system in order to do so. While a large number of negative responses to NRM referrals involve Nigerian victims, I was told that many “trafficking referrals result from failed asylum cases”.³⁷⁰ A person may come to the notice of authorities and be discovered to have no right to remain here. Following failed appeals for asylum, they will then claim they were trafficked a number of years ago. While I have no doubt that such a situation can arise, I am concerned that there is a definite view by some officials that if a person had been a victim of trafficking then they would have immediately gone to authorities after they had escaped. For, as the above descriptions of family pressures, Juju, lack of trust in the authorities and so forth reveal, Nigerian victims appear to be much less likely to do this.

I have also been told that the NRM classification is limited to those who are in a trafficking situation at the time of reporting or who are in a situation as a direct result of trafficking. This leads to NRM officials apparently accepting that someone who is vulnerable may have been trafficked, but still not allowing the victim to formally take this status, to ensure they cannot access trafficking related support.³⁷¹

Police and NRM data

The NRM is also not adequately joined up with police intelligence. Other ‘first responders’ (organisations allowed to refer victims into the NRM) can refer a victim to the NRM without the police themselves ever being made aware of the case. “In the months between June and September 2012, for example, just 24 per cent of adult NRM referrals came from the police. This means that in 76 per cent of cases in this period the police may have no knowledge of the potential situations of modern slavery that have taken place in their region.”³⁷²

³⁶⁸ Evidence from ECPAT UK, 2013

³⁶⁹ Home Affairs Committee, Written Evidence, July, 2013 <http://www.parliament.uk/documents/commons-committees/home-affairs/130603%20Human%20trafficking%20written%20evidence.pdf>

³⁷⁰ Evidence from Pam Bowen, CPS London, 2013

³⁷¹ In evidence from an interview with an NGO working with trafficked victims, 2012

³⁷² CSJ Report, It Happens Here, 2013

The result of these problems within the NRM system is that the NRM fails to be effective as an intelligence tool to collect data - yet this is all the Government has. Many victims do not want to engage with this system or may be advised not to do so by lawyers or other advisers. This is a real barrier to gathering effective intelligence. Indeed even though the government uses the NRM, the UKHTC admits that the NRM does not collect data about all potential victims.

Police

Borough police attitudes to Nigerian victims

London is often seen as best placed to deal with human trafficking in the UK.³⁷³ We have a Trafficking Unit (SC&O7) within the Metropolitan Police Service and also have a human trafficking policy and Standard Operating Procedure (SOP) for the force.

However, I have heard repeated complaints about the policing of trafficking in boroughs, with one lawyer, Tony Murphy, from London law firm Bhatt Murphy, who worked on a number of Nigerian cases against the police, telling me that if he came across a victim of trafficking “I would definitely not recommend a girl go to local police.”³⁷⁴

The majority of organisations I spoke to said there was “a real problem with identification of this crime”³⁷⁵. Tim Starkey gave me an example where one victim of trafficking went to the police and reported the theft of her passport. The police simply went to the trafficker, who denied possessing the passport, and the police didn’t investigate further. There was a general view amongst stakeholders that local police saw migrant trafficking victims, such as those from Nigeria, as “scroungers” and “as people on the make.”³⁷⁶ Alternatively, one NGO working with trafficked victims told us that Police would often treat a Nigerian victim’s claims of not being paid or having their passport removed as “an employment or civil matter.”³⁷⁷

There was also an attitude of acceptance around the treatment of domestic workers due to it being “normal” within that cultural practice – police telling victims that £5 a day was “a lot of money for someone from your country.”³⁷⁸

Huw Watkins, the Head of the Intelligence Hub at the UK Intellectual Property Office, who used to be the Head of the Force Intelligence Bureau and Human Trafficking lead in Gwent Police Force explained that it is easier for over-stretched police to “say there is nothing going on here”³⁷⁹ when faced with a potential victim of trafficking as it means they have to do no further work; furthermore frontline officers often have no idea what to do with a victim of trafficking. This is a source of great frustration for many of the stakeholders we

³⁷³ Evidence from Huw Watkins, City Hall 2013

³⁷⁴ In evidence from an interview with Tony Murphy, Bhatt Murphy Solicitors, 2012

³⁷⁵ Evidence from Tim Starkey, a barrister working as an advocate and police station representative for Hollingsworth Edwards, at City Hall 2013

³⁷⁶ In evidence from an interview with Tony Murphy, Bhatt Murphy Solicitors, 2012

³⁷⁷ In evidence from an NGO working with trafficked victims, 2012

³⁷⁸ *ibid*

³⁷⁹ Evidence from Huw Watkins, City Hall 2013

spoke to. Huw Watkins, a former police detective, said, *“It’s a hidden crime and we could do without the help of police trying to hide it.”*³⁸⁰

One stakeholder told us that back in 2012 there were officers working in the police who were “asking us to sue [the police]” to bring police failings to the authorities’ attention. Tony Murphy told us he had expected Judgement OOO – where Nigerian victims of domestic trafficking, ignored by the police, won a case against the Metropolitan Police Service - to ‘trigger serious reflection at a local level’³⁸¹ but that he had not seen evidence of this in the cases he continued to see.

However, more and more rejected cases are now being taken to court. For example, Bhatt Murphy Solicitors are currently suing the Metropolitan Police, Home Office and the London Borough of Newham after a Nigerian child victim of sex trafficking was discovered by police in a brothel raid, and then locked in a cell before being released onto the streets by police. There may soon be a tipping point where the authorities are paying out enough in compensation to arouse their interest in tackling this issue head on.

The central problem cited to us was a lack of will within the management of the police. Unlike Anti-Social Behaviour (ASB) or burglary, trafficking is not a typical residents’ association issue and therefore “it just isn’t seen as a priority”³⁸² even though there is a European, legal obligation to deal with trafficking. As Chief Superintendent John Sutherland, from the Metropolitan Police, told the CSJ, *‘If you don’t execute a drugs warrant in your town, then you may perceive there is no problem, because nobody’s counting it. I’m pretty sure every town and city has a drugs problem. This is how it is with trafficking; we’re not looking.’*³⁸³

Moreover there is no incentive to look. As one Metropolitan Police Service Officer said - the “problem is policing is a figure driven exercise and you just don’t get those figures with trafficking.”³⁸⁴

The only way to tackle this is if police receive direction from the top. The Counter Human Trafficking Bureau told us that “historically Croydon police was detached around [trafficking].”³⁸⁵ It was only when the Human Trafficking Unit got involved with the Borough that they actively took the issue on, with the Borough Commander making it a second priority.³⁸⁶

To change attitudes on the frontline, Sergeants and Inspectors need to be aware of the issue as they are the ones who can “change that culture”³⁸⁷. It is not good enough to rely on the

³⁸⁰ Evidence from Huw Watkins, City Hall 2013

³⁸¹ In evidence from an interview with Tony Murphy, Bhatt Murphy Solicitors, 2012

³⁸² Interview with Philip Ishola and Peter Dolby, Counter Human Trafficking Bureau, 2013

³⁸³ It Happens Here, Centre for Social Justice Report, 2013

³⁸⁴ Anonymous police source

³⁸⁵ Interview with Philip Ishola and Peter Dolby, Counter Human Trafficking Bureau, 2013

³⁸⁶ Interview with Philip Ishola and Peter Dolby, Counter Human Trafficking Bureau, 2013

³⁸⁷ - Evidence from Huw Watkins, City Hall, 2013. Huw Watkins also mentioned the following: In Gwent a girl went missing in the middle of the night. The Inspector told the officers to not return until they found her; as a result they found her in a hotel with an older man. Their work was commended publicly in the local force and attitudes around tackling grooming and trafficking started to change.

Human Trafficking Unit in London, as borough police and Safer Neighbourhood teams are also “key to tackling trafficking”.³⁸⁸

As Prof. Fitzgerald told the London Assembly, “Officers on the ground ... have their finger on the pulse and ...are ... an invaluable source.. If you just debrief them regularly... you would be ahead of the game. That source of day-to-day feedback from the streets is largely overlooked...”³⁸⁹

At present we are not capitalising on that intelligence. Moreover when Nigerian victims go to the borough police, Afruca said that the likelihood of being overlooked or even treated as a criminal is still far too high; and yet Borough police still receive many of the cases before they can reach the Metropolitan Police Service’s Human Trafficking Unit. An NGO working with trafficked victims said, “If a [trafficking victim] has already reported through the boroughs, then SCD9 can’t always take on the case or are reluctant to do so.”

Philip Ishola suggested that we should have a SPOC (Special point of contact), in an operational rather than senior role, in every borough, who could encourage good practice, be the go-to person for all SNTs on cases where trafficking is suspected, and who could then refer the case onto the Human Trafficking Unit or NGOs if necessary.

The Metropolitan Police Service’s Human Trafficking Unit (SC&O7)

The Metropolitan Police Service has a dedicated Human Trafficking Unit within SC&O7. They have a total of 37 staff who are focused on investigating all forms of human trafficking. Approximately 45 per cent of the victims dealt with by the unit are referred to them by NGO's using their direct victim referral scheme.³⁹⁰

A number of stakeholders were concerned that the Metropolitan Police Service’s Human Trafficking Unit is expanding rather than specialising. From having a separate Trafficking Unit back in 2008; the unit has been absorbed into the Vice unit which has then been increasingly absorbed with other units - including fraud, extradition and prison corruption – apparently to save money.³⁹¹ A leading anti-trafficking NGO felt the Human Trafficking Unit needed to be going in the opposite direction and required specialised units within it. They felt that trafficking “is a very complex crime with so many different complex types so it needs specialism... otherwise you are just scratching the surface.”³⁹²

The vast majority of stakeholders we spoke to were very impressed with the Metropolitan Police Service’s Human Trafficking Unit’s work and wished their good practice and expertise could be spread across the rest of the country. Even those with occasional criticisms mostly said they had a real willingness to learn from mistakes. Philip Ishola said that although they “are small and have a very limited ability to respond... [they] punch way above their weight.”³⁹³

³⁸⁸ Leading NGO working with trafficking victims

³⁸⁹ Police and Crime Committee, January 2013

³⁹⁰ Mayor’s Question 784/2013 from Steve O’Connell, 22.05.13

³⁹¹ A source from the police

³⁹² Evidence from an anonymous anti-trafficking NGO

³⁹³ Interview with Philip Ishola and Peter Dolby, Counter Human Trafficking Bureau, 2013

However, one charity working specifically with African victims was not convinced they were getting better. They said, “If they are getting better then they are doing things that we are not seeing.”³⁹⁴ They also felt that the Metropolitan Police Service was “institutionally racist”³⁹⁵ and failed to get enough evidence when victims were African due to a culture of distrust.

While this is hard to prove it is worth noting that recent evidence to the Home Affairs Committee showed that the Salvation Army’s largest victim group came from Nigeria (14% from July 2011- April 2013) yet of the flagged cases prosecuted in England and Wales in January to December 2012, only 4 defendants were African.³⁹⁶

Police scepticism

A number of other people told us that “police scepticism is skewed too much against victims” and that the current starting point is [victims from Africa] are liars.”³⁹⁷ They also said that too much evidence and credibility of the victim was required and yet when cases did get through to court, traffickers could “still [be] convicted even without fully reliable consistent evidence... The Jury have to decide if the essence is credible; that is the key; not the whole story.”³⁹⁸ For Tony Murphy, from Bhatt Murphy Solicitors, getting the Nigerian cases he was seeing to court was about the “will” of the police and not whether there was enough evidence in the initial stages. “SCD9 are always trying to jump hoops with investigations as they apply too high a threshold for applicants or say we will never find the culprit so there is no point in continuing the investigation.”³⁹⁹ He highlighted that the police didn’t want cases that were “too tricky,”⁴⁰⁰ such as Nigerian cases, because they were already overstretched and that they gained from quick wins.

For example, the police refused to investigate a case involving a Nigerian victim of trafficking as they said there was no evidence available to find the trafficker. However, the Specialist, working with the victim, then took the initiative and Googled the offender and found him immediately online on Facebook.

In response, a source from the Anti-Trafficking unit (SC&O7) assured me, “We don’t reject trafficking victims. It’s a fact based decision. NGOs tell us someone has been trafficked and the evidence may simply not be there. If evidence is not there then we can’t simply say they are a victim of trafficking.”⁴⁰¹ Moreover they said that they were “not concerned with targets and figure driven exercises. We act on risk and investigate if there is a case to investigate.”⁴⁰²

³⁹⁴ An NGO working with children in the BME community

³⁹⁵ Ibid

³⁹⁶ Home Affairs Committee evidence on human trafficking, July 2013, <http://www.parliament.uk/documents/commons-committees/home-affairs/130603%20Human%20trafficking%20written%20evidence.pdf>

³⁹⁷ In evidence from an interview with Tony Murphy, Bhatt Murphy Solicitors, 2012

³⁹⁸ In evidence from an interview with Tony Murphy, Bhatt Murphy Solicitors, 2012

³⁹⁹ Ibid

⁴⁰⁰ Ibid

⁴⁰¹ Evidence from a source in SC&O7, 2013

⁴⁰² Ibid

Raids

There was also a concern that SC&O7 raids were more “criminal gang centred ... [than] victim focused.”⁴⁰³ Carolina Albuerne mentioned a case in 2012 in North West London where a Nigerian woman, being sexually exploited in a brothel, was found in a raid on a flat. It took Carolina almost half an hour on the phone to explain why a female translator was required rather than a male one for the interview. In another case⁴⁰⁴ a young Nigerian girl, who went missing from care, was discovered on an SC&O7 brothel raid in 2010. The police “showed a complete lack of support for her. No questions [were asked] about her history or trafficking history or why a very young African woman was there. [she was] only questioned ... on her immigration history [with] no interpreter provided. Although she provided her name, which should have revealed that she was a child missing from care, these links were not made.”⁴⁰⁵ Carolina Albuerne says the police had “a duty to do a contact meeting”.⁴⁰⁶ Instead the girl was handed over to borough police and put on bail, but she absconded. It was only later, when she was again found, that she reported that she was a victim of trafficking. Tony Murphy felt that if SC&O7 had established trust early on, this whole case now could have been avoided as she still had, for example, the traffickers phone numbers at the time of the initial raid; but later lost them.

However, raids have decreased since this time and SC&O7 are believed to have improved since this point.⁴⁰⁷ Indeed, evidence suggests that the borough police, rather than SC&O7, are the ones who are continuing to carry out ineffective or harmful raids.

One NGO working with trafficked victims suggested that police should follow up on where the women were, after a raid, to check if they are safe, and also to ensure good relationships are built up immediately during the raid as you then “have a far better chance to catch criminals... Enforcement sweeps won’t get intelligence.”⁴⁰⁸

Proactive work

Furthermore, there were concerns about the proactivity of the police and whether intelligence was adequately acted on and investigated. I was repeatedly told that we expect far too much from victims and that there was a lack of proactive investigations.

In one report about trafficking they state that “agencies perceive that they are most likely to learn of cases of human trafficking from external sources (calls for service or general tips from community members). This contrasts to a more pro-active approach of seeking out cases that would be normal practice when dealing with other crimes such as drug trafficking or organized crime. The perception that pro-active efforts are less necessary may help

⁴⁰³ In evidence from an NGO working with trafficked victims, 2012

⁴⁰⁴ (In evidence from an interview with Tony Murphy, Bhatt Murphy Solicitors, 2012 and Evidence from Carolina Albuerne, Refugee and Human Trafficking Specialist, at City Hall, 2013

⁴⁰⁵ In evidence from an interview with Tony Murphy, Bhatt Murphy Solicitors, 2012

⁴⁰⁶ Evidence from Carolina Albuerne, Refugee and Human Trafficking Specialist, at City Hall, 2013

⁴⁰⁷ In evidence from an interview with an NGO working with trafficked victims 2012

⁴⁰⁸ In evidence from an NGO working with trafficked victims, 2012

explain the low numbers of agencies that have specialized personnel or protocols designed to guide trafficking investigations.”⁴⁰⁹

A number of stakeholders⁴¹⁰ felt that the police were not investigating how trafficking victims had obtained their visas and this information was not being adequately used to track criminals in Nigeria. One anti-trafficking charity said that the police “never do any debriefs after cases to work out what routes were used etc. The problem is that everything is treated in isolation. ” Anti-Slavery International felt there should also be more questions before raids are carried out. The police “just need to look at [the traffickers’] card numbers straight off. Ask who rents the building off whom; who phones who; *before* [the] police kick the door in they need to do that investigation.”⁴¹²

While the Metropolitan Police Service told us that the Human Trafficking Unit were one of the most engaged units involved in proactive community work, Afruca said that the former Trafficking Unit “used to support us to run community exercises. Now SCD9 is far removed from the [West African] community.” A source from the Human Trafficking Unit said they were not aware of any community work but were very open to learning more about any such previous work. Furthermore, the Metropolitan Police has said it was interested in “setting up help points in faith buildings such as churches and mosques, in an attempt to better engage with diverse faith communities”⁴¹³ and this would appear to be particularly useful in West African churches.

John Torres, a US Special Agent, said NGOs were “key to gaining intelligence since victims don’t trust the police.”⁴¹⁴ But I was told by a police source that the Human Trafficking Unit was seeing less intelligence from NGOs but more from the international community. Whether this is because of less proactive engagement, different priorities, or simply a change in where trafficking is taking place is not clear. However, it is clear that there is a disconnect between many NGOs and the police. The distrust goes both ways and intelligence appears to not be adequately shared between the two. Indeed, if an NRM referral is made from another First Responder besides the police, this can take place without any communication with the police, who therefore never gain key intelligence.⁴¹⁵ I discovered that certain intelligence that charities had given us - such as that there were male African brothels in South East London – had not been relayed to the Metropolitan Police Human Trafficking Unit. Trafficking Partnerships set up in some parts of the UK⁴¹⁶ have helped break down these barriers and a similar model, discussed later in this report, would be welcome in London boroughs.

⁴⁰⁹ UNDERSTANDING AND IMPROVING LAW ENFORCEMENT RESPONSES TO HUMAN TRAFFICKING
Amy Farrell, Jack McDevit Northeastern University, 2008

⁴¹⁰ For example, in evidence from an interview with one NGO working with trafficked victims, 2012

⁴¹² An NGO working with victims of human trafficking

⁴¹³ The Metropolitan Police Service to increase presence in faith communities, EastLondonLines, April 25, 2013
Sean Mullervy

⁴¹⁴ Conference: Tackling Human Trafficking in Europe: Prevention, Protection, Prosecution, 30th January
2013, Silken Berlaymont Hotel

⁴¹⁵ “in the months between June and September 2012, for example, just 24 per cent of adult NRM referrals came from the police. This means that in 76 per cent of cases in this period the police may have no knowledge of the potential situations of modern slavery that have taken place in their region.” CSJ, It Happens Here, 2013

⁴¹⁶ Huw Watkins gave evidence to us about the success of the Anti-trafficking multiagency group he helped to set up in Gwent, which broke down the disconnect between the police and the third sector

One suggestion for working with African communities was to work with community media organisations such as BenTV. Afruca told us that, after doing a cheap video on Ben TV and OBE TV, warning about the dangers of trafficking and explaining how to obtain help, a number of victims came forward. They felt that the TV and media were powerful tools since domestic slaves will often be able to watch TV and access information most easily this way.

Money

I was told that funding could be pulled from SC&O7 in the next year⁴¹⁷. This would be a mistake as the Trafficking Unit's expertise is crucial in tackling trafficking. If tackling trafficking is a genuine priority, as the Government has stated, then this unit may well actually need to be expanded. The police I spoke to noted that the number of cases of trafficking being identified is rapidly increasing, yet the funding for police and other stakeholders has remained the same.

However, Anti-Slavery International and Unseen felt that police do not “follow the money”⁴¹⁸ enough and that if the police did more criminal investigations into the money driving traffickers then “it may pay for itself.”⁴¹⁹ It was even suggested that this could become part of the funding model.⁴²⁰ But there is a risk that if this did become the funding model, the police would target those criminals whose money is most easily available, rather than those criminals doing the most harm.

While some stakeholders told us that trafficking has a “multimillion-pound response”⁴²¹ others felt SC&O7, specifically, lacked sufficient resources.⁴²² However, Solicitor Tony Murphy said, “SCD9 would blame a lack of resources/time and targets. But I think will is key.”⁴²³ Nevertheless, the cost of not carrying out effective investigations should act as a warning to the Metropolitan Police, who were successfully taken to court by a number of Nigerian child victims of domestic trafficking who were ignored by the police.⁴²⁴

Borders

Transit

The problem of Britain being used as a transit country was highlighted as early as the late 1990s and early 2000. A BBC article in 2001 said they had “learnt that many of the hundreds of girls from Nigeria sold into sexual slavery in Europe each year have been trafficked through England... Young girls were arriving from West Africa and claiming asylum at major

⁴¹⁷ Evidence from Andrew Wallis, CEO of Unseen, at City Hall, 2013

⁴¹⁸ Evidence from Andrew Wallis, CEO of Unseen, at City Hall, 2013

⁴¹⁹ Meeting with Klara Skrivankova from Anti-Slavery International

⁴²⁰ “aggressive in the use of poka” Evidence from Andrew Wallis, CEO of Unseen, at City Hall, 2013

⁴²¹ “This was not for lack of resources: in 2006 £28.5 million was set aside to fight human trafficking (Markon, 2007).” Quoted in Prof B Anderson's ‘Us and Them? The dangerous politics of immigration control’, Oxford University Press

⁴²² Worth noting that South Yorkshire Police CC David Crompton claimed that a lack of resources was one of the reasons why some child sex exploitation cases did not result in prosecutions

⁴²³ In evidence from an interview with Tony Murphy, Bhatt Murphy Solicitors, 2012

⁴²⁴ O.O.O. and others v Commissioner of Police for the Metropolis

British airports. Because they were under 18, they were then taken into the care of social services and placed in children's homes or foster care."⁴²⁵ When this article was written, England was cited as being used "because the Italian authorities have become increasingly alert to direct flights from West Africa, the traffickers now use other European countries like Britain and France as staging posts."⁴²⁶

However, the Home Office assured us that UK border staff were abreast of the issue and have been working to disrupt the criminal networks involved. I was also informed that UK Border Force officers were world leaders in identity fraud. Nonetheless, cases where London is used as a transit destination into Europe continue to re-emerge (see case examples below). ECPAT UK, a leading children's rights charity campaigning against child trafficking, told us that "the fact they keep moving victims suggests that traffickers are not scared of getting caught [at borders]."⁴²⁷

Case 1: In 2009, Kennedy Johnson, from Dagenham, was found guilty of trafficking 40 girls aged 13-18 into London Gatwick from Lagos with false passports. While promising the girls they would be hairdressers they were then sent, via Council homes, to work as prostitutes in Italy.⁴²⁸

Case 2: Afruca said that after each event "there is always rhetoric but we never learn anything."⁴²⁹ And indeed, a few years on in 2011 Anthony Harrison, who worked as a caretaker for Newham Homes - a company used by Newham Council - and who used seven different identities and was linked to eight different addresses, was convicted for the same type of trafficking of two girls. It appears that Harrison was related to Kennedy Johnson and may have even taken over his post when Johnson was sent to prison. One girl was trafficked to the UK in May 2009, and was told to go to Harrison who gave her false ID and a plane ticket to Spain. She was stopped at the Spanish border and sent back to the UK where she delivered a 'script' saying she had fled her village and sought sanctuary in a church after being accused of being a lesbian.⁴³⁰

Case 3: Meanwhile in October 2012, recycling worker Osezua Osolase was found guilty of rape and trafficking for sexual exploitation. He had 'recruited' 28 girls into street prostitution in Italy via the UK over a 15-month period from 2010.⁴³¹ One victim had been given a marriage visa with a fake age to enter the UK. On leaving the UK to be taken to Italy she was given a false passport and was told to go into London Gatwick airport's toilet "and make myself up exactly like the girl in the passport picture...I was praying the girl at check-in would notice but she did not".⁴³² In Italy she begged passport control to help her and so she was flown back to England. Another victim was given a stolen passport - which had

⁴²⁵ BBC World 10 January, 2001, Trafficking nightmare for Nigerian children

⁴²⁶ Ibid

⁴²⁷ Meeting with ECPAT UK, 2013

⁴²⁸ Example of an article on this case here:

http://www.barkinganddagenhampost.co.uk/news/child_sex_ring_cut_1_573657

⁴²⁹ In evidence from an interview with Debbie Ariyo and Lola Gani-Yusuf, Afruca, 2012

⁴³⁰ Example of an article on this case here: <http://www.bbc.co.uk/news/uk-14044205>

⁴³¹ Example of an article on this case here: <http://www.independent.co.uk/news/uk/crime/man-accused-of-raping-young-nigerians-before-trafficking-them-to-work-as-prostitutes-claims-he-escorted-woman-on-flight-because-she-was-a-nervous-flyer-8205887.html>

⁴³² <http://www.thisislocalondon.co.uk/news/9935132.print/>

been lost by its genuine owner some years earlier - and was flown to the UK before being taken to Italy.

Case 4: In March 2013, Odosa Usiobaifo, from Enfield, north London, was jailed for 14 years for trafficking two Nigerian teenagers for the purposes of sexual exploitation via the UK into mainland Europe. The girls, who were aged 14 and 15 at the time, were stopped at Heathrow Airport separately on 17 September and 23 November 2011 using false passports showing they were adults. They had arrived on flights from Lagos and were attempting to transit to Paris. During interviews it became clear that the pair were being trafficked and were placed in local authority care outside London. However, they were reporting missing by their respective foster carers and with the help of Usiobaifo were able to leave the country with false passports to go to Spain. One of the girls was refused entry to Spain and returned to the UK where she remains in the care of the UK authorities. The other passed through Spanish border controls and is still missing. Usiobaifo was finally arrested at his flat in Enfield on 3 September 2012.⁴³³

This last case reveals a number of concerns about our borders. First, the ease with which false documents may be used to potentially enter or leave the UK. Second, the fact that once they were identified as trafficking victims they were put in a situation where they were easily accessible to the trafficker. Third, the fact that the UK is seen by some traffickers as a route into the rest of Europe.

Earlier this year a joint UK Border Agency and Border Force investigation, codenamed Operation Hudson, was set up and involved law enforcement agencies in Britain and abroad. It was targeting a number of organised crime groups suspected of trafficking young women, via London, for the purposes of sexual exploitation.⁴³⁴ However, when asked if it was too easy to get through British borders, a Government source claimed that “our system is one of the tightest”⁴³⁵ in Europe. In most cases, they said, Europe is used as a transit point into the UK and that some Schengen countries are a particular problem.

Government sources said that the recent cases illustrated above are ‘unique one offs’.⁴³⁶ Nevertheless, the consistent way in which these cases mirror each other, and the number of victims in each case who never managed to escape and make it to court, suggests to several stakeholders we spoke to that this is a known route which is used frequently. Clearly something about British borders is amiss. It is also notable that many of the victims above were only rescued once in other European countries.

Documents

Traffickers are also abetted by the availability of false or falsely procured documentation. I was informed by those working with victims that it was “easy to come over with false documents and that not a huge number of checks were made.”⁴³⁷ Victims relayed stories

⁴³³ Example of an article on this case here:

<http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2013/march/16-usiobaifo>

⁴³⁴ <http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2013/march/16-usiobaifo>

⁴³⁵ Evidence from a Meeting with A Government source, 2013

⁴³⁶ Ibid

⁴³⁷ Evidence from Tim Starkey, a barrister working as an advocate and police station representative for Hollingsworth Edwards, at City Hall 2013

about being registered under a different name, age, or even gender, or pretending to be the trafficker's child. Corruption was apparently rife within the Nigerian immigration and airport system but another problem was the lack of in-depth questioning by UK officials due to trade-offs with the queuing times.

I was told that the British consulate staff have 10 minutes to assess each application. Some stakeholders felt that this was not enough time to thoroughly check forged documents. Barrister Tim Starkey said he had “seen very obvious contradictions in the [trafficked victim's] documents [and] was surprised it got through in one case.”⁴³⁸ However, a Government source told me that some migrants will use genuine documents to cross the border but will then present false documents once in the UK. Tony Murphy said that careful analysis of the documents the traffickers use, such as asking for adoption papers, “would catch most of them, as often they are very badly forged”.⁴³⁹ One suggestion was that border officials could ask the family for all relevant documentation on entry. It was also suggested that police in the UK should immediately look at a person's papers when dealing with any potential criminal issue.

A Government source explained that visa applications have to be realistic and they felt that, “We can't check through all documents for hours as we get millions applying to come here.”⁴⁴⁰ They explained that all tactics have to be based on risk and intelligence so resource can be focused. While some forged documents were noticed by UK authorities, Andy Desmond said that in some cases the trafficker wanted the victim's forged passport to be intercepted by border agency staff so that the victim could claim asylum and use the free resources provided by the UK until the victim was required.

The visa system

Stakeholders told us that victims of trafficking could be brought through the system with no comprehension of how the process worked, demonstrating how easily the official immigration system can be navigated without the victim's active involvement. It also however demonstrates how difficult it is for Border Force staff to spot signs that a person is being trafficked. In some countries they require a personal interview when children are brought into the country – for example the USA and France require you to appear at the Embassy. Afruca believed that, “Here we just need false birth papers; you just need [to fill out] paperwork for fake children to be brought over.”⁴⁴¹ Indeed I was told that only a handful of all those entering the country from Nigeria are interviewed at the visa stage. Yet an interview would, in many circumstances, indicate to officials that the person may not be who they say are. A child would look different to the rest of the children in the family or would not speak the same language. I was told that we used to have an interview process but that this is no longer conducted in all cases as it was resource intensive as numbers entering the UK increased.

⁴³⁸ Evidence from Tim Starkey, a barrister working as an advocate and police station representative for Hollingsworth Edwards, at City Hall 2013

⁴³⁹ In evidence from an interview with Tony Murphy, Bhatt Murphy Solicitors, 2012

⁴⁴⁰ Evidence from a Meeting with A Government source, 2013

⁴⁴¹ In evidence from an interview with Debbie Ariyo and Lola Gani-Yusuf, Afruca, 2012

A number of Government sources said the problem was not wholly related to a weak visa regime as the system is “robust.”⁴⁴² Paul Hewitt, the Head of Safeguarding Children and Quality Assurance in Hillingdon Council said traffickers are always one step ahead of the authorities in terms of finding ways to bring victims into the country. I was told that the victim or trafficker may come over with a British passport and seem entirely credible – for example, two traffickers in the example above were employed by Newham council.

However, the Home Office conceded that the effectiveness of embassy checks on visas was dependent on security arrangements in each country. They noted however that only a small number get into the UK via the visa system anyway as most victims enters illegally.

A Government source said, “The data we have from the NRM is that approximately 15 to 20 per cent are on fake visas. The majority of cases involve other types of false documents.”⁴⁴³ Indeed of the 98 potential child-trafficking cases referred into the National Referral Mechanism by the UK Border Agency and Border Force in 2012, 29 can be matched to a UK visa.⁴⁴⁴

One stakeholder working with BME communities believed we needed to re-visit the protocols behind how a visa is issued, taking notes of which areas victims regularly originate from, such as Edo, and then strengthening the area by interviewing and providing information to travellers who were deemed at risk. Information could also be in hidden places to reach the victim such as in public toilets at the airport. Manchester airport is already doing this, as are some London ports, and certainly all London airports, as key ports, should be doing the same. Nevertheless, a challenge would still remain as often the perpetrator purchases the visa for the victim. There is also the even greater challenge that the victim may not be aware of the exploitation they face and so may not actually identify themselves as such.

Such challenges were highlighted by one stakeholder who mentioned one case where an Indian girl had a birth certificate that said she was 18 years old and 3 days and thus was an adult. She was on a student visa but had 30 condoms in her bag which she couldn’t explain. She refused to sign the NRM trafficking form. Her family were contacted and were “happy and fine. She had a stable background. But it didn’t seem right somehow. Her sponsors kept hanging up”.⁴⁴⁵ She refused to consent to an onward referral. All that the stakeholder, working on her case, could do was provide her with numbers to call if she needed help and explain that accommodation was there if she needed to run away. The Indian girl didn’t enrol in the college and no one knows what happened to her.

Exit checks

The majority of people I spoke with, who worked with West African victims, claimed that England was “often a transit country.”⁴⁴⁶ One stakeholder told us, “Getting out of the UK is easier than [leaving] Germany as we don’t check passports on the way out [whereas

⁴⁴² In evidence from Paul Hewitt, the head of safeguarding children and quality assurance in Hillingdon Council, City Hall, 2013

⁴⁴³ Evidence from a Meeting with a Government source, 2013

⁴⁴⁴ Question from Baroness Doocey, Citation: HL Deb, 22 April 2013, c383W

⁴⁴⁵ Evidence from an anonymous source, 2013

⁴⁴⁶ Evidence from a stakeholder working in an Anti-Trafficking NGO, in City Hall, 2013; corroborated by evidence from Afruca and Andy Desmond, 2012

Germany has] proper passport checks”.⁴⁴⁷ The IPPR report stated, “A number of respondents articulated the feeling that the UK immigration system had failed them by letting them in. It is known that the UK is used as a country of transit for victims of trafficking being moved from Nigeria to other parts of Europe... The lack of fully operational exit checks were felt to facilitate this. As one stakeholder stated: ‘It’s impossible to track people.’”⁴⁴⁸

Andy Elvin from CFAB said all “Immigration figures are fiction. They have no idea. Once people are here they get lost... If we only count people on the way in we are only doing half the job.”⁴⁴⁹

The sense that England was an easy target to return to is highlighted by numerous cases including the case of Gbenga Sunday “where the claimant has not been removed once but twice. This is the third time.”⁴⁵⁰ After a failed application for leave to remain in 2005, Mr. Sunday was sent back to Nigeria. Within months, he re-entered illegally and applied for asylum. He was apprehended and returned to Nigeria again, costing taxpayers more than £100,000 for both removals.⁴⁵¹ Mr. Sunday then re-entered the UK a third time in November 2006 and was arrested when he tried to open a bank account. He was granted bail, became a fugitive and was only re-arrested in a raid in 2012.

Exit checks began to be dismantled at ports and airports in the 1990s. However, this Government had planned to reinstate them in some form. But, in July 2013, the Deputy Prime Minister admitted that they would not meet a pledge to put exit checks in by 2015.⁴⁵² This has been partly caused by a delay in setting up a £750 million e-borders programme that collates and stores information on any person entering and leaving Britain at any port.

Training

A number of stakeholders said they had been impressed by the UK Border Force team and certainly all those who I spoke to were very knowledgeable and sensitive to the issues around trafficking. However, a number of stakeholders also had concerns about some staff in the UK Border Force. This partly revolved around their training.

Many experts cited the fact that there was a high turnover of UK Border Force staff, which was a concern as “this type of role needs time and expertise”⁴⁵³. A Government source rejected this view and said that the Border Force were unlikely to lose the expertise, even

⁴⁴⁷ Evidence from a stakeholder working in an Anti-Trafficking NGO, in City Hall, 2013

⁴⁴⁸ IPPR report, *Beyond Borders*, 2012, Cherti and Pennington

⁴⁴⁹ In evidence from Andy Elvin, CFAB, City Hall, 2013

⁴⁵⁰ 'Breath-taking', judge's view after illegal immigrant demands judicial review, 17 October 2012, *Evening Standard*

⁴⁵¹ http://www.sunday.tribune.com.ng/index.php?option=com_content&view=article&id=8864:world-of-nigerians-who-evade-deportation-gbenga-sunday-was-deported-from-the-uk-thrice-and-thrice-he-re-entered-illegally&catid=50:sunday-zest&Itemid=118

⁴⁵² Home Office go-slow means exit checks at borders will NOT be re-introduced by 2015 amid legal challenge to 'go home' ad vans By Matt Chorley, *Mailonline*., 31 July 2013 |

⁴⁵³ Evidence from a stakeholder working in an Anti-Trafficking NGO, in City Hall, 2013

with a staff churn, because all border and immigration staff are required to take mandatory training. However, shortly after this meeting, a UK Border Force source informed me that “the problem with turnover is you do lose expertise. We are not confident on new staff knowing trafficking issues well [as you] will not see that expertise.”

The problem is not that training does not take place, but rather the concern was with the type of training that takes place. One leading organisation looking after victims of trafficking said that they knew of some staff in the UK Border Force who had never heard of the NRM. They said they “recently met one person who was a senior officer at Gatwick airport who had never heard of the NRM.” One stakeholder told us that she had “seen the training of UKBA staff on this area. It is very basic.”⁴⁵⁴ There has however been recent training for UK Border Force which is more comprehensive than the e-learning package.⁴⁵⁵

Part of the problem is that UK Border Force training is statutorily done via e-training. One UK Border Force source admitted that this means it “is basically speed-reading training [but it really] has to be face to face training [to be effective].” The UK Border Force staff at Heathrow informs staff that they have personal liability for under 18s. Meanwhile all staff going abroad have half a day of face-to-face training. However, there are no national UK measures around this. Some stakeholders felt that trafficking training for border staff needed to be along the same lines as the Children and Young People’s training, so that face-to-face training was regularised and not ad hoc.

But both a Government source and a leading anti-trafficking NGO conceded that it would always be very difficult to detect human trafficking at the borders. The victim usually is unaware that they are about to be trafficked and so the real challenge is that victims rarely self-identify - so rescuing people at the borders was severely limited.

One stakeholder, working with African victims of trafficking, said the problem was seen as too difficult to tackle and so was ignored. Another source who worked with victims and was based at Heathrow said, “There is a problematic perception that we are not being able to deal with this because these cases are so long winded.” However, they said these cases can be dealt with. We simply needed “to change the expectation that solving these cases needs to be quick. People [at the top] expect quick results.”⁴⁵⁶

The Hillingdon Council Head of Safeguarding Children and Quality Assurance, Paul Hewitt, told us there was simply not enough resource given to trafficking at the borders or ports of entry across the country. I was told that there is an “Expectation ... that asylum is a key issue at the borders; but we see many other children who need to be safeguarded, some of whom are trafficked. More than half the unaccompanied kids we see are not seeking asylum but are potential trafficking victims”⁴⁵⁷ and the new main place of origin of these children was West Africa.

⁴⁵⁴ Evidence from a stakeholder working in an Anti-Trafficking NGO, in City Hall, 2013

⁴⁵⁵ <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/modernised/cross-cut/protecting-vulnerable/04-victimstrafficking?view=Binary>

⁴⁵⁶ A source based at Heathrow, 2013

⁴⁵⁷ In evidence from Paul Hewitt, the head of safeguarding children and quality assurance in Hillingdon Council, City Hall, 2013

Repatriating victims

Cherifa Atoussi, a Trafficking Consultant at Anti Trafficking Consultant Ltd, said one of the concerns she had about the way the UK Border Force (formerly the UKBA) operated was that the “UKBA don’t get the problem of sending [a victim] back to Nigeria.”⁴⁵⁸ She highlighted that often the UK Border Force will be unaware of the script the girl is being forced to use and simply “sense that she must be lying because she gave same story as 10 other African girls that same day. So she is sent back.”⁴⁵⁹

Cherifa Atoussi explained that the UK Border Force presume that the victim can simply move to another part of Nigeria, but that in doing so it is “not like moving to Birmingham. [it is more] like returning a Briton to Finland”.⁴⁶⁰ In the North they have different religions, customs and dialects. If they return to their own home town they risk “being exploited again... Traffickers working with Nigerian airport staff catch her; then she is sent back to Europe by road, crossing the Sahara desert and going by boat into Europe.”⁴⁶¹

Andy Desmond said that every return should be assessed and that this is recommended by the UN. What was quite clear to many of our stakeholders was the fact that, “It is not in the UK’s interests to return people to a situation where they are likely to be re-trafficked. There is no integrated referral system between the UK and Nigeria.”⁴⁶²

Actions at the border

One stakeholder working in Government said there is currently “a lot of work going on in Nigeria – we have several Home Office staff posted out there. But there is only so much you can do.”⁴⁶³ While the Government felt that only a limited amount can realistically be done at the borders, Afruca felt that very little was being done “because the government doesn’t want to [but] it would be the most cost effective thing to do.”⁴⁶⁴

Afruca had a number of suggestions around giving out information when giving out visas to unaccompanied children and those on domestic visas. They also felt we could have a significant impact by advertising on planes. They pointed out that one British plane company play a video about their charitable work and suggested that they could also include a section about trafficking and people’s rights in UK.

One way they felt we could tackle the issue of victims not self-identifying was to have a video that compelled the victim to ask those questions by showing a short film about a

⁴⁵⁸ Interview with Andy Desmond and Cherifa Atoussi, Anti-trafficking Consultant Ltd, 2012

⁴⁵⁹ Ibid

⁴⁶⁰ Ibid

⁴⁶¹ Ibid

⁴⁶² IPPR report, Beyond Borders, 2012, Cherti and Pennington.

Examples of individuals being sent back include the following case: Application no. 13950/12 O.G.O. against the United Kingdom lodged on 8 March 2012: “The United Kingdom Border Agency refused her asylum application. Although mindful of the concerns expressed by UNICEF about child trafficking in Nigeria, it was concluded that, even if the applicant had been trafficked, that would not engage the United Kingdom’s obligations under the Refugee Convention. Furthermore, it was considered that there would be a sufficiency of protection available to her in Nigeria from the authorities there... <http://www.bailii.org/cgi-bin/markup.cgi?doc=/eu/cases/ECHR/2012/955.html&query=trafficking+nigeria&method=al>

⁴⁶³ Meeting with a Government source, 2013

⁴⁶⁴ In evidence from an interview with Debbie Ariyo and Lola Gani-Yusuf, Afruca, 2012

girl, goaded by her father to travel with a stranger, and show the risks she faces and that she can be rescued and supported in the UK. The UK Border Force has in fact distributed Anti-Slavery postcards with information about the rights of migrant workers at airports and other UK ports. Furthermore, in November 2012 a film produced by FPWP Hibiscus and Animage Films and supported by the UK Border Force was shown in plane. The UK Border Force will regularly monitor the scheme and evaluate how successful it is in educating and deterring vulnerable people from being exploited. If it is successful we hope it will be used in planes travelling to and from Heathrow and Gatwick.

One way in which UK Border Force staff at Heathrow felt their work could be assisted was if they were given the capability to forensically analyse mobile phones. We were told that they had no technical equipment to look at Sim cards. The UK Border Force staff were once given this power, during a trial, but that nothing had been taken forward after the pilot finished. Yet it is through phones that they worked out who was forging documents in a recent case. The UK Border Force therefore have the power to ask passengers anything, yet do not have this one capability. There are “15 Met units who routinely forensically check mobiles.”⁴⁶⁵ I was told that the UK Border Force need that capability as well.

Paladin

Heathrow has a highly praised police team, the SCD5 Paladin Team, which is a joint working team with the UK Border Force responsible for the safeguarding of children traveling through London ports. The team is based at Heathrow, with officers at the Asylum Screening Unit at Croydon and it also provides a response for other London ports including London City Airport. Its focus is concentrated on safeguarding children moving through the ports and they advise agencies on child protection matters and investigates issues surrounding children coming to notice for significant harm issues.⁴⁶⁶

However, recent evidence suggests that there have been “changes at the Paladin multi-agency child safeguarding team.”⁴⁶⁷ In spite of the fact that the Government has promoted this as a best practice model for identifying trafficking at ports of entry, ECPAT UK said, “There has been a reduction in the number of staff and hours of Paladin, whilst taking away its presence at the Asylum Screening Unit in Croydon. While we have been given reassurances by the Met that its service will not be affected, we want to ensure that the Paladin team still works in partnership with the local authority in Hillingdon, continues to share soft intelligence and work to educate and prevent trafficking.”⁴⁶⁸

Paladin was regularly cited as an example of good practice and many stakeholders wondered why it couldn’t be expanded to other ports. Government sources explained that Paladin was created “when no multiagency work took place. But social workers and police have stepped up and do [multiagency work and border scrutiny] more now. Information (at these ports is) shared as a matter of business now... [according] to local protocols.”⁴⁶⁹

⁴⁶⁵ Anonymous source based at Heathrow

⁴⁶⁶ Evidence from MPA Committee meeting, Specialist Crime Directorate 9: update report, October 2011 (<http://policeauthority.org/metropolitan/committees/sop/2011/1110/08/index.html>)

⁴⁶⁷ Evidence from ECPAT UK, 2013

⁴⁶⁸ Written evidence from ECPAT UK

⁴⁶⁹ Evidence from a source at Heathrow, 2013

A source at Heathrow said one of their chief concerns was that “no organisation takes responsibility to follow up suspicions. No one is collating statistics of unknown cases where we fear the worst. No one is collating the nationality, or what happens when they enter. This is a loophole I think.”⁴⁷⁰ Debbie Ariyo said the High Commission should have data regarding how many visas have gone out, and who has and hasn’t returned. She felt we needed to tie up data with local authorities for young people.

After an African boy’s torso was discovered in the River Thames, the Metropolitan Police Service investigated the case of missing boys and “found that between July and September 2001, 300 black boys had disappeared from schools—299 of whom came from Africa and one from the Caribbean—and police fear thousands may go missing annually.”⁴⁷¹ Debbie Ariyo said, “No-one could identify that child found in the river – it is just unbelievable. No one has any idea about, or responsibility for, where these children are and who they are. The system just hasn’t addressed this at all.”⁴⁷²

Route from France

One organisation working with vulnerable migrants thought that major airports were increasingly being avoided by traffickers as awareness at these ports grew and that, instead, regional airports and other ferry and train ports were being used. This highlights the challenge around tackling human trafficking – which is that often we simply shift, rather than eradicate, this historic problem of exploitation. One source told us that there was a real problem with children being able to come over from France by ferry or train with no questions asked.

London Assembly Member, Dee Doocey, highlighted the need for more checks at train stations by asking the Mayor in 2011, “Were you aware, for example, that a child as young as 12 can turn up in France or Belgium at the border control and all they need is a letter from a guardian; that there are no checks into the authenticity of that letter? They are then allowed onto the Eurostar unaccompanied where there are no checks at all on the journey and when they get to Kings Cross St Pancras they can just disappear. Do you not think as Mayor of London knowing that there is this huge hole in the security that you ought to be doing something...?”⁴⁷³

I was told that part of the problem was that British Transport Police (BTP) and the Metropolitan Police do not always easily work well together. Indeed BTP would not even let Paladin use their offices. But Andy Elvin from CFAB said we cannot realistically police all borders. Instead “Where we can make an impact is on identification and support. If we did this then we would begin to erode the traffickers’ power because if it’s too difficult they will find somewhere else or something else to do to make money. That’s all they care about.”⁴⁷⁴

⁴⁷⁰ Evidence from a source at Heathrow, 2013

⁴⁷¹ Prostitution and Trafficking in the UK by Stephanie Weiland, for Rahab International., 2005.
http://www.wouk.org/2005/09/sex_trafficking_info.php

⁴⁷² In evidence from an interview with Debbie Ariyo and Lola Gani-Yusuf, Afruca, 2012

⁴⁷³ Mayors Question Time, 5/06/2011

⁴⁷⁴ Interview with Andy Elvin, Children and Families across Borders (CFAB), 2013

Nigeria

Nigeria has received a lot of criticism for its perceived failure to tackle trafficking. The United States government's most recent Report on Human Trafficking⁴⁷⁵ cited it as a major contributor in the trafficking of humans but stated that it was failing to comply with the very minimum standards for curbing trafficking. Although they have an Agency to tackle trafficking, 'The National Agency for the Prohibition of Trafficking in Persons and Other Related Matters' (NAPTIP), it has been accused of corruption,⁴⁷⁶ and was found to not receive sufficient funding, 'particularly for prosecuting trafficking offenders and providing adequate care for victims.'⁴⁷⁷ It stated that the Nigerian Government needed to more "vigorously pursue trafficking investigations and prosecutions of trafficking offenses, and impose adequate sentences on convicted trafficking offenders, including imprisonment whenever appropriate; take proactive measures to investigate and prosecute government officials suspected of trafficking-related corruption and complicity in trafficking offenses; develop a formal system to track the number of victims repatriated from abroad, and upon repatriation ensure they are aware of available protective services."⁴⁷⁸

Nigeria has in fact started to ostensibly respond to some of the criticisms from the TIP report. The proposed Trafficking in Persons Law Enforcement and Administration Bill 2013 will introduce a punishment regime requiring a minimum of 10 years imprisonment for persons convicted of human trafficking alongside improved witness protection measures. Nigeria's Inspector-General of Police Mohammed Abubakar has also directed its 35 Police Commissioners across the country to set up anti-human trafficking units.

However, many stakeholders I spoke to felt the task in Nigeria was too immense and the problems within the country almost too great to effectively tackle the problem in the above ways. The IPPR told us that a significant problem was internal trafficking which had "strong links with external trafficking but that Nigeria very much wants to focus on external problems and was being funded to do this".⁴⁷⁹

The IPPR felt that "without work into the internal problem of trafficking within Nigeria we can never really tackle external trafficking."⁴⁸⁰ The internal problems they refer to include a culture of domestic servitude, informal fostering and gender related discrimination and violence. DASAC, a charity working with women in the African community highlighted the lack of support for victims of rape and domestic violence: "When I was talking in schools in Nigeria a girl told me she was raped by her uncle. Her aunt wouldn't help her and I couldn't do anything for her as there are no support initiatives or refuges there for women or children. I felt helpless and angry."⁴⁸¹

Elizabeth Willmott-Harrop, Consultant and Writer Specialising in Women and Child Rights Advocacy, wrote that "Godwin E Morka of the Nigerian National Agency for Prohibition of

⁴⁷⁵ UNODC TIP Report 2013

⁴⁷⁶ Naptip has been accused of corruption by the Danish Immigration Service – See 'Allegations against the National Agency for the Prohibition of Traffic in Persons (NAPTIP) and warnings against return to Nigeria Report' from Danish Immigration Service's fact-finding mission to Abuja, Nigeria 9 to 17 June 2010

⁴⁷⁷ UNODC TIP Report 2013

⁴⁷⁸ Ibid

⁴⁷⁹ Interview with Myriam Cherti and Jenny Pennington, IPPR, 2012

⁴⁸⁰ Ibid

⁴⁸¹ In evidence from an interview with DASAC, 2012

Traffic in Persons (NAPTIP) has said that, “Human trafficking has unfortunately become culturally accepted as a way of life with Nigeria as a source, transit and destination country for traffickers.”⁴⁸²

The other challenge is the culture of corruption that exists in Nigeria with “border guards regularly cited as being involved by victims”⁴⁸³ and passports and travel documents being too easy to obtain. Several organisations also were not impressed by NAPTIP, describing the body as “very inefficient to put it mildly.”⁴⁸⁴

The IPPR told us that there was a “Lack of awareness in the UK [about this, with the UK] relying on organisations in Nigeria that they didn’t trust.” A Home Affairs Committee report noted that the Metropolitan Police was the only stakeholder who spoke positively about working with Nigeria while all the NGOs they spoke to “made a number of specific allegations that went beyond simple reluctance to take the problem seriously or to co-operate with others.”⁴⁸⁵

The IPPR pointed out to us that a lot of money is poured into Nigeria to tackle trafficking but “with little results.”⁴⁸⁶ Only recently the European Union spent 4.8 million Euros under the 10th Development Fund to combat human trafficking in Nigeria.

Another problem is that a lot of tactics to combat trafficking are in themselves unproven or controversial. The Government of Nigeria “sustained modest efforts to prevent human trafficking through campaigns to raise awareness and educate the public about the dangers of trafficking.”⁴⁸⁷ However, Andrew Wallis from Unseen said this strategy didn’t work and I have also heard that the “problem is not lack of information; the people I speak to know the risks exactly; they still leave the country for the possibilities aboard.”⁴⁸⁸ There are also concerns that Nigeria’s treatment of victims is ‘paternalistic’. Victims of trafficking who are placed in NAPTIP shelters are not permitted to leave unless accompanied by a chaperone.⁴⁸⁹ In a Brown Human Rights Report article, Stacey Vanderhurst, an anthropology PhD candidate at Brown University, is quoted as saying that ‘Government-run shelters in Nigeria aim to prevent human trafficking by detaining any woman trying to travel abroad that they suspect will be trafficked in other countries.’⁴⁹⁰ While the policy is to detain any of those deemed at risk, border agents apparently “stop almost every woman ... - Many travelling abroad safely or [willing] to take the risk of working with a travel agent as it was their only means of leaving Nigeria - and request bribes, and when a woman refuses, she is brought to a government-run shelter”⁴⁹¹ where there is no electricity or water and they

⁴⁸² Ties that bind: African witchcraft and contemporary slavery by Elizabeth Willmott-Harrop 17 September 2012 www.libertyandhumanity.com

⁴⁸³ Interview with Myriam Cherti and Jenny Pennington, IPPR, 2012

⁴⁸⁴ Interview with Myriam Cherti and Jenny Pennington, IPPR, 2012

⁴⁸⁵ The Trade in Human Beings: Human Trafficking in the UK - Home Affairs Committee House of Commons, 15 May 2009

⁴⁸⁶ Interview with Myriam Cherti and Jenny Pennington, IPPR, 2012

⁴⁸⁷ UNODC TIP Report 2013

⁴⁸⁸ A stakeholder working in an NGO supporting victims in Romania, Conference: Tackling Human Trafficking in Europe: Prevention, Protection, Prosecution, 30th January 2013, Brussels

⁴⁸⁹ UNODC TIP Report 2013

⁴⁹⁰ Apr 7th, 2013 Are Nigeria’s Human Trafficking Efforts Paternalistic? An Interview with Stacey Vanderhurst by Julia Stoller

⁴⁹¹ *ibid*

can't go outside. Vanderhurst said, "There's a sort of paternalism in saying 'You don't know any better. We're going to stop you from migrating.'"⁴⁹²

Stacey Vanderhurst also highlighted the incentives for the Nigerian authorities in doing this as they need people to be in the shelters, in order to receive more international aid. Indeed, the Nigerian Government wants to improve its rating in the US Trafficking in Persons (TIP) Report to improve its international standing "in the human trafficking prevention sphere and divert attention away from Nigerian government's negative reputation".⁴⁹³ Furthermore, by preventing Nigerian sex workers from migrating it is seen as helping to reduce the negative stereotypes abroad regarding their activities in countries such as Italy.

If Nigeria wants to tackle human trafficking it needs to focus on more domestic issues, while still offering support to victims of trafficking when required. For example, the Government should look into providing more educational and vocational training to increase the opportunities for Nigerian women as well as addressing deeply entrenched gender inequality within parts of the society. In 2012, UKAid and the British Council published a 'Gender in Nigeria' report on the need to improve women's and girls' life chances in Nigeria. Yet there is limited joined up work with the UK's anti-trafficking efforts to date. The UK could also start seeing trafficking as not merely a domestic 'Home Office' remit but also accept that if it does want to effectively tackle trafficking it has to start upstream and, for example, "focus on supporting Nigerian institutions to build child protection protocols in order to address the vulnerability and internal trafficking that leads to international trafficking."⁴⁹⁴

⁴⁹² Ibid

⁴⁹³ Ibid

⁴⁹⁴ IPPR report, *Beyond Borders*, 2012, Cherti and Pennington

Chinese victims of trafficking

Chinese victims of human trafficking –a lack of awareness

One of London's largest human trafficking victim groups,⁴⁹⁵ who were repeatedly cited as "impenetrable"⁴⁹⁶ and who struggle to work with the authorities, are from the Chinese community. I was told by stakeholders who work with the Chinese community that the Government and police "need to take Chinese victims more seriously."⁴⁹⁷ It is with this concern in mind that I decided to look into this area as part of my study into human trafficking in closed networks.

Imkaan said it was imperative we stop using the term "hard to reach communities as... [an] excuse for agencies not to sort it out."⁴⁹⁸ While there is a general awareness of Chinese victims of trafficking being exploited in the sex industry, I was told there was a more hidden but possibly larger amount of exploitation of Chinese migrants occurring in the beauty, catering and hospitality industry.⁴⁹⁹ But, as the Gangmasters Licensing Authority noted at a Human Trafficking APPG, "labour trafficking is not seen as [being as] serious as sex trafficking and often leads merely to community service."⁵⁰⁰

Jaime Law, a Project Coordinator at the Chinese Information and Advice Centre (CIAC) felt the public needed a greater awareness of the exploitation and trafficking of Chinese workers in London. The public can easily come across potential victims of trafficking whenever they enter a Chinese restaurant or pass a DVD seller; and CIAC felt greater awareness would put pressure on Chinese community leaders to act and make London's Chinese population aware of the vulnerabilities in their own community and of the rights to which they are entitled.

Routes into London

While the trafficking of West Africans often takes place in informal networks, Chinese trafficking is highly organised. Often the gangs operating in the UK are organised centrally in Hong Kong with some of the gangs based in Chinatown. Those involved are often Fujianese or from the north east of China.⁵⁰¹ The networks are not simply familial but more often people are recruited into gangs to take on formal roles. Migrants will often be taken through Russia, via the Baltic states, into countries such as Italy and Spain. Chinatown was cited by a number of stakeholders as being a hotbed of crime, and in some instances the victims they work with have had to be removed from the area as quickly as possible because gangs patrol

⁴⁹⁵ The sixth largest in 2013 in London according to data provided by the UKHTC. See Appendix 2

⁴⁹⁶ Evidence from Carolina Albuerne, Refugee and Human Trafficking Specialist, at City Hall, 2013

⁴⁹⁷ Evidence from Jaime Law, a Project Coordinator at the Chinese Information and Advice Centre (CIAC), 2012

⁴⁹⁸ Evidence from Marai Larasi and Sumanta Roy, Imkaan, Meeting, City Hall 2012

⁴⁹⁹ Evidence from Westminster City Councillor Ian Rowley, at City Hall, 2013

⁵⁰⁰ Paul Broadbent, Chief Executive Gangmasters Licensing Authority, Human Trafficking APPG, 25th March, Committee Room 5

⁵⁰¹ Evidence from Dr Lam, fieldworker for Compas: 'Snakeheads' involved in illegal migration are particularly active in the Fujian Province, the Northeast Region of China and Tianjin City (also in the north)"

the area⁵⁰². However, Dr Lam, a fieldworker for Compas working with Chinese migrants, felt that the area was actually a lot safer than it had been and that so-called 'snakeheads' - Chinese smuggler gangs - were unlikely to be based in Chinatown even if they sometimes operated there.⁵⁰³

Many Chinese workers migrate voluntarily, sometimes on false or misleading promises. CIAC estimated that 50 per cent of trafficked Chinese workers in London may be smuggled into the UK with no documentation, while the other half enter legally, sometimes using visitor visas to enter as part of a 'tour group' run by organised criminals, but then overstay in order to work here illegally. IDMG data also suggests that some "Chinese nationals attempting to enter the UK illegally continue to target the UK on forged documents."⁵⁰⁴ 75 members of a major trafficking gang bringing in Chinese citizens were recently arrested in a joint initiative by French and Spanish police. They allegedly charged up to £43,000 to transport the Chinese workers, and Barcelona airport was their "main hub"⁵⁰⁵ to use while false documents were prepared in the city. We were also told that the Chinese traffickers are sometimes finding it easier to travel to Northern Ireland and then enter England via this route, rather than entering England directly.⁵⁰⁶ I was also told that the UK Border Force had "closed off Heathrow"⁵⁰⁷ to Chinese traffickers but that many were as a result, instead, using northern ports such as those in Birmingham.

One route to bring in young trafficked people, particularly from China, into the UK involved the potential victim arriving alone on flights to Heathrow and other ports of entry, and saying they were a child, so that they were picked up by border officials and taken into local authority care. From there they would leave their accommodation, sometimes within 24 hours, when they were contacted by the trafficker in the UK. They would sometimes leave during fire drills or out of windows or leave from the front door into a car waiting for them. A famous case which resulted in Hillingdon Council being criticised – but which led to them creating a lauded multi-agency approach to tackling trafficking - involved 77 Chinese 'children' going missing from a supported accommodation home close to Heathrow, between 2006 and 2009, to be possibly exploited in "prostitution, the drugs trade or exploited labour."⁵⁰⁸

Most of these 77 "were likely to be adults"⁵⁰⁹ according to Paul Hewitt, the Head of Safeguarding Children and Quality Assurance at Hillingdon. Many claimed to be children so they could access service, accommodation and support. While many trafficking charities we spoke said they only saw children being mistaken as adults by authorities – at times possibly

⁵⁰² One stakeholder told us, of "One story involved a girl - who claimed she was 17 and trafficked; she was abandoned on the road but ended up being 'found' and stayed with a family for several months. But who are this family 'helping' her? She claims she is Tibetan and can't safely return to China. We contacted Barnardo's and they felt she was at risk staying here in Chinatown near the gangs involved. "

⁵⁰³ In evidence from Dr Lam, 2013: "I'd tend to think Chinatown these days have become a lot more friendly and crime-free than before"

⁵⁰⁴ First annual report of the Inter-Departmental Ministerial Group on Human Trafficking, 2012

⁵⁰⁵ Gang trafficking Chinese people into UK is busted in Spain 10 August 2013, Evening Standard

⁵⁰⁶ Evidence from Jaime Law, a Project Coordinator at the Chinese Information and Advice Centre (CIAC), 2012

⁵⁰⁷ Evidence from a source based at Heathrow, 2013

⁵⁰⁸ Revealed: 77 trafficked Chinese children lost by home Robert Booth The Guardian, Tuesday 5 May 2009

⁵⁰⁹ In evidence from Paul Hewitt, the head of safeguarding children and quality assurance in Hillingdon Council, City Hall, 2013

intentionally due to the added cost attached to supporting a child victim - those working with Chinese migrant communities supported Hillingdon's analysis for Chinese cases. They said they often saw Chinese adults claiming to be children to access services.

Hillingdon now has a system in place to deal with child traffickers. The Council offers a range of safe accommodation, often outside the borough, and they say children going missing is much less common – with only “two or three missing this year.”⁵¹⁰ This dramatic change is partly because as soon as the child arrives they speak to them in their native language with “hard hitting”⁵¹¹ advice on why they may be at risk and what their alternative options are. They also make them memorise a number if they ever need help. Paul Hewitt said, “We are seeing positive results and have had some children return to local authority care through using these helpline numbers.”⁵¹²

The effectiveness of this work is highlighted in Hillingdon's absconding figures:

In 2006/7 - there were 251 arrivals of which 70 went missing (all of whom came to notice as adults; except in nine cases)

In 2008/09 - there were 217 arrivals of which 20 went missing (all of whom came to notice as adults; except in seven cases)

In 2010/11 - there were 237 arrivals of which 9 went missing

In 2011/12 - there were 241 arrivals of which 7 went missing.⁵¹³

Work and life experiences of victims

Trafficked Chinese victims will usually have a debt to pay off of up to around £10,000⁵¹⁴ and will plan to pay this back and earn additional money before eventually returning to China. Most trafficked Chinese workers work in restaurants;⁵¹⁵ this is apparently often the case in the vast majority of cheap restaurants, for example, in Chinatown; but others will work in brothels, being paid as little as £3 an hour,⁵¹⁶ or selling DVDs, for example in areas such as Stratford.⁵¹⁷ Some people will be exploited in a number of different sectors at the same time.

For example, I was told of a woman who had been in a brothel who was found on the street selling DVDs. I also heard about a Chinese boy brought over for forced manual labour. He escaped but started taking drugs and fell into debt. As a result he is now working in Chinese

⁵¹⁰ *ibid*

⁵¹¹ *ibid*

⁵¹² *ibid*

⁵¹³ Information provided by Hillingdon Council

⁵¹⁴ Evidence from Jaime Law, a Project Coordinator at the Chinese Information and Advice Centre (CIAC), 2012

⁵¹⁵ Evidence from Jaime Law, a Project Coordinator at the Chinese Information and Advice Centre (CIAC), 2012. Worth noting that UKHTC data from 2013 said this only made up 2% of all recognised human trafficking cases they had seen. The reason for the lack of cases identified is discussed in this chapter.

⁵¹⁶ Evidence from Westminster City Councillor Ian Rowley, at City Hall, 2013

⁵¹⁷ Case example from one stakeholder interviewed

restaurants “all day and night”⁵¹⁸ but an NGO, which is supporting him, suspects he has also been sexually exploited.⁵¹⁹

The Government’s 2012 IDMG report cited China as the most prevalent country of origin (35%) for forcible working in restaurants, although the majority of these ‘recognised’ victims were children, which suggests that adult cases are not being identified or recognised as trafficking victims.⁵²⁰ But these workers will earn well below the minimum wage, work very long hours, have no holidays and live in terrible conditions. Dr Lam, a fieldworker for Compas who has contributed to a number of research projects on Chinese new arrivals in London, said there were often 20 people in a small house with five in each room. Often two couples may be sharing one bed.

Grey areas- Consent and exploitation

The Government’s 2012 IDMG report admitted that the UKHTC baseline data indicated “that labour exploitation and criminal exploitation could be more prevalent than NRM data alone suggests.”⁵²¹ A key challenge is that Chinese victims of trafficking will rarely identify themselves as such. This is not helped by China’s limited legal definition of human trafficking which “does not directly recognize male victims of trafficking or adult victims of labour trafficking”⁵²² nor does it include the use of non-physical forms of coercion. Furthermore, Chinese trafficked persons may feel they have colluded in their situation by entering the country illegally.

A key challenge as with most cases of trafficking is that “very few do not consent to come here”⁵²³ and they will often view the heads of the criminal gang they are indebted to – known as snakeheads - in a “positive” light, in spite of the fear and respect they generate, and “not see the trafficker as a criminal at all but more as a hero or someone to whom they owe a great deal.”⁵²⁴

While those who are exploited may at times find the experience so challenging and unpleasant that they state to Chinese community workers that they would “have had it better in China,”⁵²⁵ Dr Lam said that this is “actually not the case. Most trafficked workers are from the countryside and so had very very poor backgrounds. While here they are making some money. It is better here for them.”⁵²⁶

Even those from Chinese cities may have escaped from a life of great hardship. A Hong Kong-based organisation called Society for Community Organisation (SoCO) recently

⁵¹⁸ AN NGO working with trafficked children

⁵¹⁹ The NGO working with trafficked children told us, “He has indicators such as multiple phones and always dressed in trendy way etc. and he will drop hints. We met him when we ran an advice surgery for young migrants at a college.”

⁵²⁰ First annual report of the Inter-Departmental Ministerial Group on Human Trafficking, 2012

⁵²¹ Ibid

⁵²² http://en.wikipedia.org/wiki/Human_trafficking_in_the_People%27s_Republic_of_China

⁵²³ Evidence from Dr Lam, fieldworker for Compas, 2013

⁵²⁴ Human Trafficking - Seventh Report from the Dutch National Reporter, 2009

⁵²⁵ Evidence from Dr Lam, fieldworker for Compas, 2013

⁵²⁶ Ibid

highlighted the plight of Hong Kong's poorest using pictures showing, for example, people living in rooms measuring just 4ft by 7ft.

The UK Government cannot be seen to encourage illegal immigration; so while these workers may be seen as trafficking victims by NGOs, the Government cannot allow migrants to see the trafficking process as a loophole. However, even if they are better off in the UK, if violence or the threat of violence is used then this can never be tolerated. One of the leading charities in the UK supporting victims of trafficking said that the Chinese trafficked persons they had seen in the UK were potentially some of the most vulnerable as it is often a "more ruthless type of trafficking."⁵²⁷ A report on Chinese victims of human trafficking in the UK found that most female trafficking victims working as sex workers in the UK had already been sexually abused as children⁵²⁸ and therefore had terribly low expectations of what life could offer them and, as a result, acute vulnerabilities to exploitation. Therefore, even if the authorities would have recognised them as trafficked, the victims may not see themselves as such, and would not approach the authorities.

The law in Europe has often seen Chinese labour exploitation cases as "extortionate work discrimination"⁵²⁹ rather than as being a case of trafficking. There were shock waves following the horrifying death by suffocation of 56 Chinese workers in the back of a truck in 2000 and it was widely broadcast as a case of trafficking.⁵³⁰ Yet Professor Anderson pointed out that "given that they had entered voluntarily into the contract and were entering the UK illegally it is doubtful that they would have been designated 'trafficked' had they been found alive."⁵³¹

This again exposes the complexity behind the term "trafficking" and the complications and disagreement that can ensue as a result of differing interpretations between the law and the trafficking NGOs. Professor Anderson highlighted that *"Liberalism has long attempted to draw a 'bright line' between free and forced labour, turning them into binaries, polar opposites, ... [yet] servants could be physically beaten, forbidden from marriage, ... but they would still be 'free' .. This has changed, [and is] no longer legally compatible with what we would now call free labour. .. Free labour is socially embedded and historically particular, and attempts to distinguish between free and forced labour in practice reveal 'a moral/political judgment about the kinds of pressures to enter and remain at work that are considered legitimate and those that are not"*⁵³².

⁵²⁷ Evidence from a leading NGO working with victims of trafficking

⁵²⁸ Human Trafficking between China and the UK, J Sheehan, 2009, University of Nottingham, China Policy Institute

⁵²⁹ Trafficking for Forced Labour and Labour Exploitation – Setting the Scene, Natalia Ollus & Anniina Jokinen

⁵³⁰ <http://news.bbc.co.uk/1/hi/uk/796791.stm>

⁵³¹ Us and Them?: The Dangerous Politics of Immigration Control By Bridget Anderson

⁵³² Professor Anderson also highlights: "Secondly, while the right to leave an employer and to work for whom one wishes is regarded as a defining element of what constitutes 'free' labour (Steinfeld, 1991, Steinfeld, 2001), this is not a right that non-citizens necessarily have. Those who are on particular visas can find that they are very constrained" Professor Anderson also highlights: "Secondly, while the right to leave an employer and to work for whom one wishes is regarded as a defining element of what constitutes 'free' labour (Steinfeld, 1991, Steinfeld, 2001), this is not a right that non-citizens necessarily have. Those who are on particular visas can find that they are very constrained" Us and Them?: The Dangerous Politics of Immigration Control By Bridget Anderson

Chinese labour cases are particularly vulnerable to this subtlety and have, as a result, struggled to be identified as victims of trafficking.⁵³³ One Netherlands report cited that these subtleties were not simply an obstacle to recognising potential victims of labour trafficking but also affected attitudes to those exploited for sex trafficking as well. “Interviews with police officers [about the exploitation of Chinese prostitutes] indicated that ... these investigations are not a priority, the reports of human trafficking are not always credible and forced prostitution is not the primary activity of the suspects and the reports are therefore treated as tangential information.”⁵³⁴

CIAC thought that approximately a third of Chinese illegal migrants successfully pay back their debts, become wealthy, and return home. Dr Lam felt that possibly even most are able to pay back their debt, and that this takes “roughly five to ten years,”⁵³⁵ and that some of these workers will be able to make significant enough earnings to send additional sums back to their families. However, for many this path is fraught with difficulties. Unprotected by the law and fearful of their snakehead, most will experience significant levels of exploitation. I was told that some trafficked persons from China may be forced to stay in another country along the way and become the property of someone else. Or they can become ill and then can no longer pay the debt. This can then fall on their penniless families back home.

I was told of the case of one elderly man in his 50s who fell ill and “couldn’t carry out the necessary work he was intended to do... He was worried [and could not get medical help] in case he got caught by police as he was not legally here [and therefore if he had been caught, would not have been able to stay in the UK to pay the debt back]. He was also scared because the traffickers threatened him saying they would punish his family back in China. I referred him to a charity – but he said they were of no use and disappeared.”⁵³⁶

Changes- new trends

Dr Lam said less people were being smuggled into the country to work or be exploited in London. In fact, he was seeing increasingly more Chinese workers returning to China. This was because they were struggling to find work and that, even when they did, the currency conversion was such that that earning in pounds was now less profitable. However, he also felt that migrants were now beginning to choose more often to work outside of London, in other parts of the UK.

But CIAC, based in Westminster, said they are seeing more people attending their office seeking help than previously. However, they accepted that this may not be an actual increase, but just an increase in number of people choosing to get help. Jaime Law from CIAC felt that, ironically, the UK Border Force’s decision to crack down on illegal migrants in recent years may have helped push exploited, vulnerable victims of trafficking finally to seek help.⁵³⁷ This perhaps supports the view that immigration control, when carried out correctly, rather than impeding attempts to help victims of trafficking, could be seen as a valid function to prevent traffickers and support victims.

⁵³³ Evidence from Jaime Law, a Project Coordinator at the Chinese Information and Advice Centre (CIAC), 2012

⁵³⁴ Human Trafficking - Seventh Report from the Dutch National Reporter, 2009

⁵³⁵ Evidence from Dr Lam, fieldworker for Compas, 2013

⁵³⁶ Evidence from Dr Lam, fieldworker for Compas, 2013

⁵³⁷ “So the nasty side of UKBA is helping to get them to report to us” Evidence from Jaime Law, CIAC, 2012

A police source in the Metropolitan Police highlighted various changes taking place in the Chinese community. They said that Mandarin was now the main language whereas it had previously been Cantonese and that people from the Fujian province were entering the UK “to fill the shoes of former gangs”.⁵³⁸ These gangs no longer use such overt violence but rather use intimidation, expecting free food in restaurants in London and control trafficked workers by generating fear for their families back home. This makes it much harder for the authorities to challenge these gangs or recognise victims of coercion. CIAC had also noticed more informal triads now springing up alongside the established large-scale networks. This may well affect how the trafficking paradigm in this community changes over the next few years.

Certainly some much less formal examples of trafficking in the Chinese community have arisen in the last few years. I was informed of one case where a Chinese man had married a Chinese girl simply with the intention of using her for forced labour.⁵³⁹ He had a live-in partner and the Chinese girl meanwhile lived in a shed in his garden and was fed one meal a day. Her role was to peel potatoes and clean fish all day long for her husband’s business. Due to the high level of malnutrition, mistreatment and abuse she experienced, she died. More serious charges were therefore brought. But clearly this type of trafficking falls well below the authorities’ radar and may well be more widespread than the limited examples available suggest. There is a question of why neighbours failed to notice the trafficking indicators in this case, and if they did why did they not report it. A number of charities felt that there should be posters around the city, highlighting the risks around labour trafficking, with a memorable phone number to call if one has concerns.

An impenetrable community

“The evasive nature of the ethnic Chinese population towards government assistance and strong sense of ethnic solidarity also makes them an “invisible community””⁵⁴⁰

A worrying number of stakeholders working directly with trafficking victims said they found the Chinese community “impenetrable.”⁵⁴¹ Hera, which helps female victim of trafficking find work, said they saw barely any Chinese and South East Asian victims which they found concerning as they wondered where they all were. One of the leading charities supporting victims of trafficking said that there was a far higher number of victims from China reflected in UKHTC figures than in their own, “indicating that victims are not agreeing to receive support following their rescue”.

A Metropolitan Police Service source admitted that “This country doesn’t really have any engagement with the Chinese community.”⁵⁴²

CIAC highlighted that many people who live and work in Chinatown may know which people are being trafficked and where exploitation takes place. British Chinese stakeholders

⁵³⁸ From evidence from a police source, January 2013

⁵³⁹ Evidence from Pam Bowen, CPS London, 2013

⁵⁴⁰ The Study of CHINATOWN AS AN URBAN ARTIFICE And Its Impact on the Chinese Community in London By Simone Shu-Yeng Chung The Bartlett School of Graduate Studies, UCL, 2008

⁵⁴¹ Evidence from Carolina Albuerne, Refugee and Human Trafficking Specialist, at City Hall, 2013

⁵⁴² From evidence from a police source, January 2013

who worked with migrant Chinese workers all felt that victims, and those who witness them, do not always have much incentive to report their concerns to the authorities, possibly because of concerns about their immigration status.

A source in the Metropolitan Police said that a key part of police work needed to be relaying the message that the police were not interested if someone was illegally here, if trafficking had taken place, saying “This is the way forward.”⁵⁴³ CIAC - which is a third party reporting centre recognised by the City of Westminster - said it was vital that the community, who were often too scared to go the police, had “someone [on the] inside” to provide the authorities with evidence.

Alongside third party reporting systems needing to be in place, good local police work can make a difference. One police source said that there was a PCSO in Lewisham, where there is a large Chinese community, who “did amazing work with the community on how to report crime”⁵⁴⁴ but such cases were too rare in London and took place entirely on an ad hoc basis.

Westminster City Councillor Ian Rowley said that he was concerned by the “lack of outreach groups such as those who operate in the area of sex work and sexual health, such as the Terrence Higgins Trust, Praed Street, Clash, etc. They provide excellent intelligence on what is going on in Westminster in the area of sex work.”⁵⁴⁵ While there are organisations who work with the Chinese community who also work with the police and boroughs, more formalised multi-agency work in this area could dramatically improve the intelligence the police have on this ‘silent’⁵⁴⁶ community.

Local Authorities

I was told that most Local Authorities are totally unaware of the problem of trafficking in their Chinese communities. Even boroughs that are aware of the issues, and are trying to tackle the problem, do not always handle cases well.

One stakeholder told us about problems they had had with one borough, who had nonetheless formally recognised the problem of trafficking and had a multi-agency approach to handling cases.

“We are concerned by [this borough regarding the issue of] safeguarding of children, particularly trafficked children.”⁵⁴⁷ I was told of one example where a Chinese boy, who was believed to have been trafficked for sex, asked for assistance to move out of the borough because he was believed to be at risk. He was however apparently advised simply to look at Gurntree. The NGO supporting him wrote to the Council and tried to work with them but stated that they never heard back from them.

Another case, with the same borough, related to the “disparity of services offered to young people who have no recourse to public funds”. I was told that one girl who was awaiting a

⁵⁴³ *ibid*

⁵⁴⁴ *ibid*

⁵⁴⁵ Evidence from Westminster City Councillor Ian Rowley, at City Hall, 2013

⁵⁴⁶ From evidence from a police source, January 2013

⁵⁴⁷ An NGO working with child victims of trafficking

final decision on her trafficking claim was placed in a No Recourse to Public Funds Team and only received £40 per week despite the fact she was a single mother of two children under 3.

Both cases support other evidence I have heard that London boroughs, who are rightly choosing to recognise trafficking in their portfolios, are nonetheless struggling to find the resource to support all the cases they are seeing. However, in both of the above cases the Council, unlike the NGOs, may not have been convinced by the trafficking status of the individual involved. The lack of consistency around what a trafficking victim is between the NGOs and authorities can often be the real issue at play when disagreements occur.

Chinese Divisional Unit

The “swallowing up” of the Chinese Divisional Unit

Thirty years ago the Metropolitan Police set up a special Chinese Divisional Unit to deal with the special types of crime linked to Chinatown, due to the lack of engagement and understanding of the community. The Chinese Divisional Unit engaged in a number of ways, such as having surgeries in Chinese community centres where they attend without uniform and also give out leaflets in brothels. However, this year the Chinese Divisional Unit is being “being swallowed up into the [local] SNT”⁵⁴⁸ as part of the new Local Policing Model.

Although the Chinese Divisional Unit does not appear to actually deal with many trafficking cases, and work with the Human Trafficking Unit (SC&O7) more around brothels, Philip Ishola from the Counter Human Trafficking Bureau (CHTB) described this as a “worry” and “all part of a worrying pattern”⁵⁴⁹ where expertise is being lost. “Having someone who knows about the subject is crucial. A generic response will lead to confusion and delay.”⁵⁵⁰ A number of stakeholders felt that SC&O7 should have more specialism within it. However, the Chinese Unit has not been absorbed into SC&O7 but rather into the local SNT and I was told by a police source that within two years that expertise will disappear because local resident SNT priorities will take precedence. The Counter Human Trafficking Bureau (CHTB) said SNTs are the eyes and ears of a community. While this should mean that crime in the Chinese community and in China town, for example, will still be a key focus for the local SN Team who has absorbed the Chinese Unit, the challenge is that “SNT priorities are often not linked to tackling trafficking”.⁵⁵¹

As a source in the Metropolitan Police told me, “The problem [with dissolving the Chinese Unit] is you lose [that] concentration of specialist knowledge and work. Less specialism means less expertise. [It gets] harder to get that bigger picture. The community will lose out [as they will have] no one to call on in future.”⁵⁵²

⁵⁴⁸ From evidence from a police source, January 2013

⁵⁴⁹ Ibid

⁵⁵⁰ Interview with Philip Ishola and Peter Dolby, Counter Human Trafficking Bureau, 2013

⁵⁵¹ Interview with Philip Ishola and Peter Dolby, Counter Human Trafficking Bureau, 2013

⁵⁵² From evidence from a police source, January 2013

Engagement and Understanding

The police find it hard to engage with potential victims of trafficking from China.⁵⁵³ This is not helped by the fact that a victim's experiences in China with the authorities may not be entirely positive. The Chinese Public Security Bureau are believed often to have taken the side of traffickers and in the 1990s the People Liberation Army themselves ran a number of businesses where sex trafficking is believed to have taken place⁵⁵⁴. China is one of the few countries, alongside Russia, North Korea, Syria, Zimbabwe, Uzbekistan and Iran, that was rated in the annual US TIP report⁵⁵⁵ as being Tier 3, below Nigeria, in its efforts to tackle human trafficking. Nonetheless, the Russian and Chinese authorities dismissed this report as mere politics: "Instead of a deep and objective review, [it is] based on the political antipathies of the US State Department."

I was informed that while some members of the Metropolitan Police Service are "very good; some are not so kind; they can have a distorted view of Chinese people - so they are not helpful if Chinese people come to them for help and their cases may end earlier than they should or are not followed up."⁵⁵⁶

Jaime Law said, "Victims would have more confidence if they have someone in police and local services who can speak the same language." In the Met there are 108 Chinese and South East Asian officers and approximately half speak Chinese.⁵⁵⁷ The need for officers to speak languages is not something the Metropolitan Police Service has taken seriously. Indeed only now does the Chinese Divisional Unit have its first Chinese-speaking Officer.

The ATMG 'IntheDock' report spoke of the misperception of trafficking by authorities which hampers trafficking investigations and affects the manner in which those authorities interact with the trafficked person. "One law enforcement officer stated: *"We had a surveillance team following Chinese girls that we thought had been trafficked around ... the team reported back saying 'well, this is a waste of time because I've just seen the girl travelling on her own with a little suitcase and she was smiling. So, this can't be trafficking!'"* A retired law enforcement officer encountered similar episodes of seemingly happy women who were exploited whose reactions caused confusion for investigating police where they requested to remain with their trafficker and refused offers of assistance. To understand these reactions, the officer had to research the psychological aspects of trafficking to comprehend their position."⁵⁵⁸

Borough policing and cross-working

The Metropolitan Police's Human Trafficking Unit said that the new Local Policing Model would help tackle the silos in the Met Police and would lead to "more cross-working"⁵⁵⁹ between boroughs and specialist teams like themselves. This would be a very positive step as I found evidence that this was a key problem around policing brothels and sex trafficking

⁵⁵³ Ibid

⁵⁵⁴ Human Trafficking between China and the UK, J Sheehan, 2009, University of Nottingham, China Policy Institute

⁵⁵⁵ <http://www.state.gov/j/tip/rls/tiprpt/2013/>

⁵⁵⁶ Evidence from Dr Lam, fieldworker for Compas, 2013

⁵⁵⁷ From evidence from the Chinese Divisional Unit, 2013

⁵⁵⁸ In the Dock – Examining the UK's Criminal Justice Response to trafficking, ATMG, June 2013

⁵⁵⁹ Evidence from a police source, 2013

in the organised sex industry.⁵⁶⁰ However, there is still clearly a problem with communication across boroughs and units in the Metropolitan Police Service as I discovered that the Human Trafficking Unit had not even been informed that the Chinese Divisional Unit was being dissolved.⁵⁶¹

Furthermore one police source said we still needed a “more joined up approach” and that the work that they and the boroughs did “needed to be more aligned with SCD9. We need to start singing from the same hymn sheet.”⁵⁶²

I was told that the Human Trafficking Unit were aware of this problem. One source said that their name had changed so many times that boroughs didn’t know who to refer to and that if a borough team did visit an establishment with trafficking “the challenge is that 9 times out of 10 the victim won’t use the term trafficked; so officers won’t necessarily know [to contact SC&O7].”⁵⁶³

Westminster Councillor Ian Rowley said it was “not clear”⁵⁶⁴ how the Human Trafficking Unit and the borough police worked together. He felt that the Anti-Trafficking did “a lot of good work” but “focus more on more organised serious crime aspects of trafficking.”⁵⁶⁵ He was not convinced anyone was looking into other trafficking cases in the domestic and restaurant sector. Councillor Rowley explained that there needed to be greater understanding about what intelligence the MPS Human Trafficking Unit has, what areas of trafficking it covers and what types of exploitation that falls under trafficking they are unable, due to resources or intelligence, to cover.

It was recommended that relationships between the Human Trafficking Unit (SC&O7) and borough police became more “formalised”⁵⁶⁶ so that boroughs could form their own trafficking strategies focusing on those areas they would have been informed SC&O7 was not covering. Councillor Rowley said that trafficking was often very distinctive to its own borough. Therefore London boroughs should not merely rely on SC&O7’s pan-London work and limited resources but rather “do their own work in their areas according to their population’s cultural differences.”⁵⁶⁷

SC&O7 did tell Westminster that that they “would find it helpful to have support from Westminster City Council (WCC) in using civil enforcement powers, such as planning, to take out infrastructure used by traffickers”⁵⁶⁸. However, I was told that this policy was never followed through. This appears to be a missed opportunity.

⁵⁶⁰ Silence on Violence, Andrew Boff, 2012

⁵⁶¹ Evidence from a police source, 2013

⁵⁶² From evidence from a police source, January 2013

⁵⁶³ Evidence from a police source, 2013

⁵⁶⁴ Evidence from Westminster City Councillor Ian Rowley, at City Hall, 2013

⁵⁶⁵ *ibid*

⁵⁶⁶ *Ibid*

⁵⁶⁷ *Ibid*

⁵⁶⁸ *ibid*

Each borough should appreciate the localist aspect of trafficking and conduct mapping exercises to define where and what trafficking looks like in their borough.⁵⁶⁹ Councillor Rowley said trafficking protocols in the Metropolitan Police Service need to have a clear policy in regard to what boroughs should be doing and how they work with the Human Trafficking Unit. Local authorities alongside borough police have a key role to play. As Antony Botting, the Human Trafficking NRM Lead from Croydon Council, told us, “Getting local authorities on board and practitioners trained is key. Victims have been identified when they are looking for a service [such as] housing... The local authority is a main avenue and is how [some trafficked victims] interact with authorities.”⁵⁷⁰ Antony Botting highlighted the importance of “having trained licensing officers who visit restaurants [and] nail salons and may be in a good position to identify indicators of human trafficking.”⁵⁷¹ Westminster City Council and the Royal Borough of Kensington and Chelsea are also starting a training programme to help council officers understand and recognise trafficking. However, all boroughs in London need to be doing this. Such training would have an impact on improving recognition of Chinese victims of trafficking, who are a particularly challenging group to identify.

Figure driven policing

One stakeholder felt that the Chinese Divisional Unit were being dissolved partly because Chinatown’s criminal activity now involved limited “overt violence ...but covert violence is still there. The gangs are not visible [and] people are no longer having limbs chopped off; it’s more subtle than that; people are still threatened.”⁵⁷²

As a result, these cases are hard to investigate, take a large amount of resource and police often struggle to charge the culprits. One police source said, “We need to get our priorities right. [There are] no charges so this type of crime doesn’t get measured. [But this covert crime] is happening but we need to be given time to get in there and find out what is happening.”⁵⁷³

The police source said one of the main problems with policing now was that it is a “figure driven exercise and you just don’t get those figures with trafficking. Performance management is how we are run and number crunching is the key aim. Figures for the sake of figures.”⁵⁷⁴

I was told that “Senior Management [in the Metropolitan Police Service] see Chinatown as safe.”⁵⁷⁵ A concern, however, is that both police sources working in the region and some of those working with the community in Chinatown said it was not. A police source said, “Crime statistics in Chinatown are low [as] statistics are all on theft not GBH, but we are getting calls from people all the time about other issues. The figures don’t represent the

⁵⁶⁹ “SCD9 cannot cover everything. [it’s] important to recognise differences in boroughs - it needs proper scoping. Trafficking and abuse may vary by borough and will be dependent on activity and ethnicity.” Evidence from Westminster City Councillor Ian Rowley, at City Hall, 2013

⁵⁷⁰ Evidence from Antony Botting, Human trafficking and NRM lead in Croydon Borough at City Hall, 2013

⁵⁷¹ Ibid

⁵⁷² Stakeholder working in Chinatown

⁵⁷³ From evidence from a police source, January 2013

⁵⁷⁴ Ibid

⁵⁷⁵ Ibid

area.”⁵⁷⁶ One of the key problems around this is that the “Chinese don’t report crime”.⁵⁷⁷ As was earlier highlighted in the drugs trade, if police work is not proactive around drugs then you can claim you don’t have a drug problem. The concern is that, similarly, the trafficking and exploitation of Chinese migrants, by not being actively identified, simply remains underground.

Reactive policing

I have repeatedly been told that the police and authorities “definitely need to be more proactive”⁵⁷⁸ around trafficking in closed networks. Klara Skrivankova from Anti-Slavery International said, “We expect far too much from victims. There is a lack of proactive investigations.”⁵⁷⁹

Philip Ishola said that this is “the big question we need to address ... the system we have in place is completely reactive. All reports point to this. We only respond. We don’t consistently come up with the goods to holistically address the problem with a multiagency approach.”⁵⁸⁰

However, he cited Westminster, where Chinatown is based, as being better than many boroughs in London around the problem of trafficking.

One police source felt that the Chinese Divisional Unit “need[ed] more resources”⁵⁸¹ and did not have the funds to be proactive around trafficking. The Unit had two PCs but I was told that they needed twice this amount to effectively tackle the criminal activity they were seeing. When they visited premises with cases of potential trafficking the officers had said they wanted to have the space to “look at where victims are coming from; who picked them up” and that the Metropolitan Police Service “needs to proactively put resources into [obtaining] this intelligence.”⁵⁸²

Many stakeholders cited how easy it was to find trafficking if one was prepared to look for it. Klara Skrivankova said “Look and you will find! Intelligence could focus more on finding out where it is happening. Go into a Chinese take away. Find out where they are living. Can they speak to you?”⁵⁸³

One place police should be gathering intelligence from is Chinese newspapers. Several human trafficking cases I examined revealed that the victim had seen the ‘work’ they were expected to carry out advertised in London-based Chinese papers.⁵⁸⁴ Another source working in Westminster said they believed the majority of restaurants in Chinatown alone had some form of indentured labour taking place, but that when they had tried to get the police involved they were not interested in tackling it.

⁵⁷⁶ *ibid*

⁵⁷⁷ *ibid*

⁵⁷⁸ Meeting with an NGO campaigning against human trafficking, 2012

⁵⁷⁹ *ibid*

⁵⁸⁰ Interview with Philip Ishola and Peter Dolby, Counter Human Trafficking Bureau, 2013

⁵⁸¹ From evidence from a police source, January 2013

⁵⁸² *ibid*

⁵⁸³ Meeting with an NGO campaigning against human trafficking, 2012

⁵⁸⁴ For example in the case convicting traffickers Rong Chen and Simon DeMetropolitan Police Service ey

Proactive policing involves considerable work and inevitably, where successful, creates more work. While proactive work signals additional resource and expense, in the long term it could significantly reduce the amount of exploitation that takes place and this could have long term economic benefits.⁵⁸⁵ However, several stakeholders told us there was a real problem with the “churn”⁵⁸⁶ in staff in the Metropolitan Police Service, and this affects the short-termism of the police. As Councillor Rowley stated, “[it] makes long term strategy [and] consistency ... difficult when people are moved so often. This churn of Borough Commanders and strategic unit commanders is a key problem... We have had several Borough Commanders in our own borough.”⁵⁸⁷

Borough Commanders and those running Metropolitan Police Service specialist units need to be in their post for a significant enough period of time to make it worth their while to make long-term substantial impacts in their sphere of responsibility. Otherwise complex areas such as trafficking will struggle to be effectively tackled.

Loopholes in the system - London Special Treatment Working Group

An example of trafficking happening under the very auspices of the authorities was revealed to me by the City Of Westminster’s Councillor Ian Rowley. Councillor Rowley went on a raid of a massage parlour, with the MPS Human Trafficking Unit, in China Town where police had received intelligence that human trafficking may be taking place in the premises.

In a brothel off Gerrard Street there were five or six booths with four women working as “masseuses”. The women could not speak English and did not want to provide any evidence but the police did ascertain that they were paid £3 per hour while the owner of the establishment charged in excess of £120 per hour for a “massage”.

When the police warned the owner about paying below the legal minimum wage, they said the Council had enforcement duty over their premises and that they did not need to be licensed due to special exemptions. Therefore even if they violated the minimum wage rule they had no licence to lose. They were exempt from needing a license because they had a certificate issued by the Independent Professional Therapists International and the massage parlour’s owner had bought indemnity insurance from this body.

Councillor Rowley discovered that the Independent Professional Therapists International are based in a small former mining village in Nottinghamshire and are a “small family business”⁵⁸⁸ that sold insurance and had a “professional network”. They had been approved by local Government officers, in a group called the London Special Treatments Group, to be able to offer an organisation, such as a beauty parlour, the option that if they joined their network and bought their insurance, then they did not require a Council license. Councillor Rowley was told “that the owner [of Independent Professional Therapists International] had been to see “Wendy in London”⁵⁸⁹ to get their organisation exempt status.”⁵⁹⁰

⁵⁸⁵ See the Chapter: Return on Investment

⁵⁸⁶ Evidence from Westminster City Councillor Ian Rowley, at City Hall, 2013

⁵⁸⁷ Evidence from Westminster City Councillor Ian Rowley, at City Hall, 2013

⁵⁸⁸ Evidence from Westminster City Councillor Ian Rowley, at City Hall, 2013

⁵⁸⁹ Ibid

⁵⁹⁰ Councillor Rowley said that “We actually went back with a list of known brothels from and cross checked this against businesses with exempt status, WCC found two. This is just in Westminster but was small

Wendy Shepherd is the chair of the London Special Treatments Group. It is not run by the GLA or London Councils but is “purely an advisory group which was started in 1992 after the London Local Authorities Act 1991 came into force. It has no legal standing, it is made up of representatives from the 32 London Boroughs who meet quarterly ... to consider applications ... by professional organisations and bodies ... who feel that they fulfil the criteria ... for exemption from licensing. The group examine their documentation, if it is then considered that they fulfil the criteria then they are added to the list of recommended exemptions which is circulated to members of the group. As the list is for recommendation only the individual London Boroughs may decide that they want to licence individual members of the organisation and they will do so.”⁵⁹¹

Councillor Rowley felt that the fact that the Independent Professional Therapists International, and other organisations approved by the London Special Treatments Group, sold indemnity insurance, and could allow a “very seedy and sleazy “health spa” in Soho”⁵⁹² to become a member, raised “very serious questions about the quality and standing of exempt professional bodies on the list produced by the London Special Treatments Group”.⁵⁹³ When I asked a Mayoral question on this issue, I was told that this was not in the Mayor’s remit. However, in light of its link to crime, this is clearly an area that the Mayor’s Office for Policing and Crime (MOPAC) should take an interest in.

Visiting establishments

Proactive work can take a variety of forms. One of the more visible of these is a raid or visit on an establishment such as a restaurant or brothel. However, there are challenges around any form of visit when it comes to attempting to rescue Chinese victims of exploitation in the sex and labour markets. A police source admitted that the “problem is these people never open up. If we do a raid, they all stay silent. The Chinese population generally don’t want to speak to police.”⁵⁹⁴ Anthony Wallis from Unseen said, “On a raid, we can see all the indicators that show these people are trafficked, but when you ask a Chinese worker to come to safe-house, they say ‘we can’t unless you can find £40,000 to pay off my debt, otherwise my family are at risk’.”⁵⁹⁵

Some stakeholders felt removing the requirement for adult consent to go through the NRM may assist the police and victims in this matter. However, even when Chinese migrants may have nothing to hide I was told that they often fear the police. “A woman ran away when she saw a uniformed police leave our centre even though I was only helping her with her housing issue. There was nothing to hide.”⁵⁹⁶

number where a place has exemption and sell sex. But the issue is opaque. We do not know what is going on in other boroughs.”

⁵⁹¹ Information provided by the Licensing Team, Royal Borough of Kensington and Chelsea

⁵⁹² Evidence from Westminster City Councillor Ian Rowley, at City Hall, 2013

⁵⁹³ *ibid*

⁵⁹⁴ From evidence from a police source, January 2013

⁵⁹⁵ Evidence from Andrew Wallis, CEO of Unseen, at City Hall, 2013

⁵⁹⁶ Evidence from Jaime Law, a Project Coordinator at the Chinese Information and Advice Centre (CIAC), 2012

CIAC felt that more enforcement against restaurants was not needed as there were already regular raids. As a result of these, CIAC felt all that was achieved was that “undocumented people got arrested and detained.”⁵⁹⁷ If they are sent back home this can be a problem because they will still be required to pay back the debt-bondage they owe, and indeed may need to be re-trafficked out, increasing their debt, to pay this back. However, CIAC said it was hard to send them back because they were often undocumented and the “Chinese authorities claim they have no asylum or refugee issues.”⁵⁹⁸

The other result of such raids was that irregular Chinese migrants were simply pushed into more illegal and dangerous activities. This was recently highlighted in a Channel 4 documentary where a woman working in exploitative and dangerous conditions in a Finchley-based brothel was described as having “a 17-year-old son at home and borrowed £20,000 to pay to come to the UK. She originally worked as a DVD seller and in a restaurant but said that it was impossible to continue after the police cracked down.”⁵⁹⁹ It is however important to note that other sex workers cited in this film had themselves chosen to leave these sectors to work in sex work to pay off their debts more quickly.

Another criticism of such raids and visits was the lack of follow up afterwards. CIAC felt there needed to be a more formalised procedure “to verify whether these undocumented people were smuggled in, and how they end up in the restaurant, where did they employ people etc.”⁶⁰⁰ She said, “Extensive matching and mapping [could] localise the active gangs.”

Other actions to tackle trafficking and their repercussions

Rather than police raids, Andrew Wallis from Unseen said there were other ways we should be trying to tackle establishments fostering trafficking. He thought that Government departments and the NHS could carry out health and tax-check related visits to restaurants and nail bars and break the organised criminal networks in this way.

For while there is a lack of clarity about whether all victims of trafficking are ‘legally accurate’ victims and should receive support, there is no doubt that their employees, by hiring illegal workers and paying below minimum wage, are criminals. However, Councillor Rowley told us that they had offered to assist the police by providing civil enforcement around health and safety to target premises where it was hard to prove that trafficking was taking place. But I was told that this offer was never taken up.

However, Andrew Wallis also noted that whenever you tackle trafficking it simply appears elsewhere. Indeed in the Netherlands they found that a crackdown on the Chinese hospitality industry simply led to a rise in the number of illegal Chinese migrants in the

⁵⁹⁷ Ibid

⁵⁹⁸ Ibid

⁵⁹⁹ Channel 4 Documentary Sex: My British Job is the work of Nick Broomfield and Hsiao-Hung Pa. Mentioned in an article in the Daily Mail: Shocking Channel 4 documentary reveals what life is like inside Britain's immigrant brothels By Ruth Styles 20 September 2013

⁶⁰⁰ Evidence from Jaime Law, a Project Coordinator at the Chinese Information and Advice Centre (CIAC), 2012

beauty sector.⁶⁰¹ Similarly effective work at Heathrow from Paladin and the UK Border Force has apparently led to Chinese traffickers avoiding using Heathrow. A source from the UK Border Force stated that, “We shut down Heathrow for Chinese trafficking victims. So now those victims are taken elsewhere.”⁶⁰²

A number of those who worked with Chinese migrants said that a crackdown on minimum wages may be one way to deal with trafficking, but that they were concerned that minimum wage enforcement could “actually mean the Chinese workers would have less chance to make a living in the restaurant industry. Minimum wage enforcement can only be monitored with people who have [legal] status [in the UK, while] illegal restaurant workers get paid in cash with no formal records.”⁶⁰³ Therefore, by effectively enforcing the minimum wage everywhere, they were concerned that it would simply force illegal migrants into more hidden areas of work such as cannabis farming and sex work.

One anti-trafficking NGO we spoke to noted that they often saw “people within our own agencies from specific communities, where there is cultural context to the trafficking, [who] collude with it.”⁶⁰⁴ This may be how some may interpret the above concerns regarding raids and minimum wage checks. However, those airing these concerns may feel they are being more accurately “victim focused”. For many of the those workers, for example, working in highly exploitative conditions in a restaurant, even those who have been tricked and feel the threat of violence hanging over them, may not believe they want the authorities’ interference. First, they may feel it puts their families’ lives at risk and, second, they may genuinely want the opportunity, exploitative as it is, being offered to them as they see this as the best option to improve their lives. However, as Councillor Rowley stated, an “absolute inviolable standard in the UK is that there is equality before the law for all and there are absolute standards in the UK as to how people are treated”.⁶⁰⁵ We cannot have two tiers of justice and laws.

Andrew Wallis felt the only real way to tackle trafficking was to deal with demand as “[Trafficking] wouldn’t exist without [it]... To tackle this we have to deal with our insatiable appetite in the west for cheap food and goods. If people want cheap products then that leads to weak parts in the global supply chains.”⁶⁰⁶ Chinatown is regularly cited as a “cheap” way to eat in London. There are questions that society may be avoiding to ask about why an establishment may be able to offer such cheap products. Andrew Wallis said, “We need to move away from just discussing the issue as only about human rights and realise it’s primarily an economic issue.”⁶⁰⁷ The ILO has identified that \$43 billion is eked out of the economy due to trafficking each year.⁶⁰⁸ The CSJ report *It Happens Here*⁶⁰⁹ recommends a

⁶⁰¹ Human Trafficking - Seventh Report from the Dutch National Reporter, 2009: “The researchers found that a possible reason for the growing number of illegal Chinese in the beauty salon sector was the tightening up of checks in the hospitality industry. Many restaurant owners no longer dare hire illegal Chinese immigrants.”

⁶⁰² Evidence from a source from the UK Border Force, 2013

⁶⁰³ Evidence from Jaime Law, a Project Coordinator at the Chinese Information and Advice Centre (CIAC), 2012

⁶⁰⁴ Anonymous

⁶⁰⁵ Evidence from Westminster City Councillor Ian Rowley, at City Hall, 2013

⁶⁰⁶ Evidence from Andrew Wallis, CEO of Unseen, at City Hall, 2013

⁶⁰⁷ Evidence from Andrew Wallis, CEO of Unseen, at City Hall, 2013

⁶⁰⁸ Page 17

http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_081971.pdf

⁶⁰⁹ *It Happens Here*, Centre for Social Justice Report, 2013

Transparency in Supply Chains Act, which already exists in California, to make it easier to hold businesses to account.

Gangmasters Licensing Authority

I have heard repeated accusations that the authorities only respond after a disaster. This was certainly what led to the Gangmasters Licensing Authority's (GLA) formation, after at least 21 illegal Chinese cockle pickers drowned at Morecambe Bay in February 2004. The GLA has 68 staff⁶¹⁰ and was set up as a non-departmental public body in April 2005. It proactively aims to prevent the exploitation of workers in the agricultural, shellfish, and food processing and packaging sectors. It does this by licensing and checking compliance of companies. The GLA works with the HMRC, police and other law enforcement agencies to investigate criminality associated with forced labour, including potential human trafficking.

The Gangmasters Licensing Authority, in March 2013, was running 87 crime inquiries. They said this amount had doubled in the last two years.⁶¹¹ Paul Broadbent said it was approaching similar levels to that of sex trafficking and he thought it was only a matter of time before it overtook sex trafficking as the main registered form of human trafficking.

The Gangmasters Licensing Authority was repeatedly cited as best practice in terms of carrying out proactive investigations. In spite of this, the GLA's remit has never been extended beyond the sectors it was set up to monitor - the agriculture, horticulture, and shellfish industry. A number of stakeholders said that the GLA needed a broader scope in sectors such as the hospitality industry and construction sector. By doing effective work in limited areas such as agriculture, stakeholders told me that "it means gangs move to more unregulated areas like construction, where there is no licensing."⁶¹²

The Gangmasters Licensing Authority estimates that, of the business it monitors, up to 55 per cent operate in sectors outside of its remit, without similar levels of accountability or regulation.⁶¹³ A means of addressing this would be to consider multi-agency teams for joint investigations between the Gangmasters Licensing Authority, and Government Departments such as the Department for Work and Pensions. Pam Bowen from the Crown Prosecution Service (CPS) said that "We need a more coordinated response as victims are often exploited in a multitude of types of labour, not just those the GLA deals with ... [as] often illegal migrant labour will be dependent on seasonal work, when agricultural work is out of season they are moved into other industries."⁶¹⁴ In Belgium they have a labour inspectorate, which is similar to the GLA, which investigates all industries. Pam Bowen said, "This widespread work is more effective than our fragmented approach."⁶¹⁵

⁶¹⁰ Paul Broadbent, Chief Executive Gangmasters Licensing Authority, Human Trafficking APPG, 25th March, Committee Room 5

⁶¹¹ Ibid

⁶¹² Meeting with Klara Skrivankova from Anti-Slavery International

⁶¹³ Paul Broadbent, Chief Executive Gangmasters Licensing Authority, Human Trafficking APPG, 25th March, Committee Room 5

⁶¹⁴ Evidence from Pam Bowen, CPS London, 2013

⁶¹⁵ Ibid

The Mayor should call for an extended remit of the Gangmasters Licensing Authority so that it effectively tackles labour trafficking in London. However, those working with trafficked persons felt many of those exploited would not welcome closer scrutiny. As explained above, monitoring of the minimum wage jeopardizes the chances of being employed as an illegal migrant - and the Gangmasters Licensing Authority admitted that many of those they discover being exploited and trafficked “don't see themselves as exploited [and] feel better off here.”⁶¹⁶

This tension between tackling trafficking, illegal migration and a victim-centred approach will continue to pose a challenge to the authorities and NGOs working in this area. While NGOs may be outraged when anyone working here illegally, who has been exploited, is sent home, the reality is that this is currently an inevitable consequence of proactive work seeking out trafficked persons.

Specialism

The new local policing model, by attempting to break down silos in the Metropolitan Police Service, should improve the intelligence system in the police. There are potential benefits of absorbing the Chinese Unit into the Safer Neighbourhood Team (SNT), so long as that expertise does not disappear as is currently understood to be the case. However, while borough work may be improved by centralising resources locally, specialist units must not be compromised. A number of stakeholders had heard that funding for the Human Trafficking Unit may be reduced or entirely cut. At the end of 2012 the Guardian reported that “financial shortfalls meant two jobs from the [trafficking] unit were lost last month with the rest of the officers in the trafficking unit undecided.”⁶¹⁷

One NGO felt that the Human Trafficking Unit needed more investment and more specialised units within the Trafficking Unit. “[Tackling trafficking] needs finance for specialist teams ... The problem is SCD9 is becoming broader [and going] in the other direction.”⁶¹⁸ A senior source from the police said that the Human Trafficking Unit was “hampered by constant change” as they were increasingly absorbed into a larger and larger police Unit, currently called SC&O7. A change which the Met admitted was “about saving money.”⁶¹⁹

The Human Trafficking Unit is over-stretched and this may be partly linked to the fact that they are “often called upon by police [outside London] as well as NGOs in cases where the local police force is unwilling to investigate or take a statement from a potential trafficked person.”⁶²⁰ Though data and anecdotal evidence currently suggests London has the greatest amount of human trafficking in England, the MPS Human Trafficking Unit is “disproportionately responsible for more prosecutions than other built up regions.”⁶²¹ The ATMG highlights how this proactive approach of having a resourced team to tackle trafficking leads to results. But many stakeholders believe that it is imperative that other forces around the UK adopt a similar model in their forces. The Mayor may do well to

⁶¹⁶ Paul Broadbent, Chief Executive Gangmasters Licensing Authority, Human Trafficking APPG, 25th March, Committee Room 5

⁶¹⁷ Cuts Threaten Scotland Yard's Human Trafficking Unit, Guardian, October 2012

⁶¹⁸ Meeting with an NGO campaigning against human trafficking, 2012

⁶¹⁹ An METROPOLITAN POLICE SERVICE police source, 2013

⁶²⁰ In the Dock – Examining the UK's Criminal Justice Response to trafficking, ATMG, June 2013

⁶²¹ *ibid*

encourage this to ensure that the Metropolitan Police Service's Unit is allowed to focus on trafficking in London and not be obliged to regularly support forces outside of London.

The sex grooming and the trafficking of British children

In my last report, *Silence on Violence*, on the policing of sex workers, I noted that government policy, by focusing on trafficking in ‘formal’ brothels, risked missing more residential sex trafficking cases involving British victims. In the report I cited a case that had just been discovered in Rochdale, where British girls had been sex trafficked by a gang of mostly Pakistani men in homes and hotel rooms.⁶²² However, since early 2012, the Rochdale case and similar stories involving child sexual exploitation rings have dominated the media headlines, indeed even overtaking the interest in brothels.

In all the cases, grooming took place in residential areas. A CEOP report ‘*Out of mind, out of sight*’ found that: 398 victims were groomed or exploited in a flat or a house; 141 victims were groomed or exploited in a public place, including town centres, shopping centres, car parks and bus stations; 70 victims were groomed or exploited in a vehicle (of which 3 were taxis; 67 victims were groomed or exploited in a park; 49 victims were groomed or exploited in a hotel or a bed and breakfast; 24 victims were groomed or exploited in a location linked to a business; 7 victims were groomed or exploited in a pub or nightclub. Indeed, only 2 cases were in a brothel.⁶²³

These types of child sex trafficking cases are not only taking place in the North of England. There are many cases that involve the abuse of children in London’s care homes and hostels, as well as children being sex trafficked into London. In February 2013, three Pakistani men were convicted of sex trafficking a 13-year-old girl who they found on the streets of East London after she had run away. They made her believe they would look after her, earned her trust, then plied her with drugs and alcohol and took her to Ipswich, forcing her to become a sex slave. One of the most violent, large scale cases so far uncovered was based in Oxford. The gang – who were of South Asian and north African descent – targeted vulnerable girls as young as 11. They sent the girls to a number of places, including London, where they were sold to friends, family members and acquaintances to be raped, tortured and violently abused.

The Government and authorities have responded with a whole raft of new measures and possible proposals to tackle this seemingly new problem. However, these cases are not new at all. In 1996, an investigation uncovered that 70 children in care were being groomed into “child prostitution” by a small group of men.⁶²⁴ In 2003, 14-year-old Charlene Downes went missing and was never seen again in a case that mirrored the recent cases above. Police believe she was murdered by someone linked to this abuse. The abuse of vulnerable children has also been written about extensively. Nick Davies – one of the first journalists to question the UK’s sex trafficking figures – had, as early as the early 1990s, written about

⁶²² Page 23, *Silence on Violence*, Boff, 2012

⁶²³ CEOP, June 2011, *Out of mind out of sight*, Page 47

⁶²⁴ “As long ago as 1996, a social services investigation uncovered concerns that girls were being coerced into “child prostitution” by a small group of men who regularly collected them from residential care homes. Two years later, 70 girls from the town were said to be involved.” *The Times Investigation*, 2012

extensive child prostitution taking place in care homes,⁶²⁵ which Andy Elvin, from Children and Families Across Borders (CFAB), told me had been going on since the 1970s.

It is concerning that these cases appear to be far from “one-offs”, but have instead simply been ignored for many decades. A question arises as to what else is being ignored. In this section I intend to highlight the grooming of boys as these cases are clearly still being missed. More generally, I want to examine some of the weaknesses in the system, which has led to this horrific abuse of girls and boys to go unchallenged for so long. While the grooming and sex trafficking of girls is now on the agenda, several key stakeholders told me they were not particularly confident that the new proposals to tackle this form of sex trafficking showed genuine understanding of the problem or would effectively tackle it.

Half-hearted policy

Andy Elvin, from Children and Families Across Borders (CFAB) said, “Whatever shouts the loudest gets the resource.”⁶²⁶ The majority of stakeholders felt that anti-trafficking work is under-resourced. Andy Elvin said that “grooming” was the media and Government’s favourite new “hot topic”⁶²⁷ and had replaced “gangs” as the an area to ply resource into. However, because of the erratic nature of Government interest, Andy Elvin said that resource gets “concentrated, but in a half-hearted manner.”⁶²⁸

A number of stakeholders pointed out that the National Crime Agency (NCA) was “diluting expertise”.⁶²⁹ Meanwhile CEOP, which was “becoming that organisation with a specialist role in child trafficking [has] has become just an enforcement organisation and has been cut.”⁶³⁰ I was also told that CEOP had lost a huge amount of expertise due to fears over cuts. Former CEOP Chief executive, Jim Gamble, said in an interview with Radio 4, “this government has stood still for two years with regards to CEOP - CEOP’s budget has, in real terms, decreased... There are 50,000 predators, we’re told by CEOP, downloading images on peer-to-peer... Yet from CEOP intelligence, only 192 were arrested last year.”

The Government has also changed its policy on Missing Persons so that officers will not be called out to around a third of missing people cases. The aim is to free up officer time so they can focus on those who repeatedly go missing. The plans also mean every force will have missing person co-ordinators who will check whether a child is going missing frequently to detect any patterns of behaviour. However, charities such as the NSPCC were concerned some vulnerable children could be missed by this new policy. Andy Elvin said that we “need police to react immediately if a vulnerable person is missing.”⁶³¹

Grooming vs. trafficking

Andrew Wallis from Unseen also felt there were risks attached to using the term grooming. “Treating it as grooming leads to victims being shoehorned into services - but this

⁶²⁵ Dark Heart – the Shocking Truth about Hidden Britain, by Nick Davies

⁶²⁶ Interview with Andy Elvin, CFAB 2013

⁶²⁷ *ibid*

⁶²⁸ *ibid*

⁶²⁹ *Ibid*

⁶³⁰ Interview with Andy Elvin, CFAB 2013. However, there are disputes around this view.

⁶³¹ Interview with Andy Elvin, CFAB 2013

experience is dehumanising and needs far more support.”⁶³² “The BLAST Project,”⁶³³ who support boys who are sexually abused, were also concerned about ‘shoe-horning’ vulnerable boys into services. Phil Mitchell, a Project Coordinator from The BLAST Project, felt support was often focused “on prosecutions rather than victim support. But we need to build a service round the people who access it.”⁶³⁴

Andrew Wallis said, “The authorities want to call internal trafficking as anything but trafficking. Yet if they were Polish children and experiencing the same thing they would be deemed as trafficked.”⁶³⁵

During Operation Retriever, victims were taken to 64 places in and around Derby and further afield and yet the term trafficking was not used in this case. Andrew Wallis felt these children, exploited and sex trafficked around the UK, would have benefitted hugely from being recognised as trafficking victims. “If the Rochdale children had gone into the NRM [and been recognised as trafficked] it would have had a positive impact on their situation. Also it would mean the CPS can say we have a recognised crime here.”⁶³⁶

The data

While the Government has started to set up systems to better manage child sex exploitation, there is no agreed view of the scale or model for trafficking involving the grooming of minors. Following the knee-jerk reaction to fears of a rise in trafficked prostitutes prior to the Olympics, Government and policy makers must be wary of jumping to conclusions based on inaccurate data and misleading models.

Barnardo’s said that the number of cases they are seeing of grooming of vulnerable children is rising. They have seen a 37% increase in the number of children they are dealing with who have been sexually exploited.⁶³⁷ More generally, confidential data I collected from the UK Missing Persons Bureau suggests that the number of missing people being recognised as trafficked is also rising significantly.⁶³⁸

The Office of Children's Commissioner carried out a study⁶³⁹ in November 2012 which claimed there were 16,500 children who were at high risk of sexual exploitation and that over a 14 month period at least 2,409 children had been sexually exploited.⁶⁴⁰

However, the report was criticised on a number of levels and was described as “hysterical and half-baked”⁶⁴¹ and there were accusations that the statistics were “sensationalised and

⁶³² Evidence from Andrew Wallis, CEO of Unseen, at City Hall, 2013

⁶³³ “The UK’s Leading Male Only Sexual Exploitation Project” an “Part of Yorkshire MESMAC Group of services.”

⁶³⁴ Evidence by phone interview from Phil Mitchell from Blast, 2013

⁶³⁵ Evidence from Andrew Wallis, CEO of Unseen, at City Hall, 2013

⁶³⁶ Evidence from Andrew Wallis, CEO of Unseen, at City Hall, 2013

⁶³⁷ Evidence from Alison Worsley, Barnardo’s, City Hall, 2012

⁶³⁸ Email 06/06/13 - UK Missing Persons Bureau

⁶³⁹ I thought I was the only one. The only one in the world, The Office of the Children's- Interim Report, Commissioner's Inquiry into Child Sexual Exploitation In Gangs and Groups, 2012

⁶⁴⁰ Ibid

⁶⁴¹ ITV news , Wed 21 Nov 2012 Deputy Children's Commissioner denies report is hysterical

not robust”⁶⁴² by an unnamed Government source. Critics felt the report played to tabloid headlines and began a debate, similar to the one that exists around the definition of trafficking, about the very meaning of the term child sexual exploitation and whether its indicators were too broad. Brendan O’Neill wrote in the Telegraph: “*Who benefits from this conflation of so many different experiences and the inaccurate depiction [of child sexual exploitation] ...? No one, I would argue [besides] the Office of the Children’s Commissioner itself, which gets to launch a grand-sounding, self-serving moral mission to rescue the downtrodden ...*”⁶⁴³

What’s not in the data?

Ethnic profiling

Kids Company told us that the data in the public domain was “not always relevant. Often it’s what is *not* in the data that is interesting.”⁶⁴⁴

Data available currently suggests that mostly girls, rather than boys, are being groomed and trafficked for sexual exploitation and that a disproportionate 17 per cent⁶⁴⁵ of the abusers are of Asian, largely Pakistani, background despite only making up six percent of the population.⁶⁴⁶

Dr Taj Hargey, Imam of the Oxford Islamic Congregation, believed there was a link between the race and religion of the gangs and the type of crime taking place, because he believed some Imams did preach misogynistic attitudes towards women, particularly non-Muslim women.⁶⁴⁷ Suniya Qureshi, of the British Pakistan Foundation has been reported as saying that while British Indians tend to marry other British Indians, British Pakistanis and Bangladeshis will marry someone from their parents’ homeland leading to less compatible relationships and that this also affects how well the spouse and her children integrate into British society.

However, Sue Berelowitz said that abuse of white girls by Pakistani gangs was “only one pattern...” She warned, “When people focus on that one model they are not identifying all victims because they think all victims are white girls.”⁶⁴⁸ Many stakeholders including Imkaan and Anti-Slavery International said they saw grooming cases in all communities and that the ‘white girl trafficked by Pakistani gang’⁶⁴⁹ paradigm was simply the model that has received most press attention; therefore we were now looking for these indicators, potentially at the expense of other cases. With so few investigations it is quite possible that as we see more and more cases these offender profiles could shift in an entirely new direction. One stakeholder warned, “White children are being trafficked by white gangs and it is being

⁶⁴² John Humphrys, Radio 4 Today Programme, 21st November 2012

⁶⁴³ Is it really true that children are being sexually exploited in every ‘town, village and hamlet’ in England? By Brendan O’Neill Politics November 21st, 2012, The Telegraph,

⁶⁴⁴ Evidence from a meeting with Kids Company, 2013

⁶⁴⁵ Out of Mind, Out of Sight – 2011, CEOP, 2011, page 42

⁶⁴⁶ Office for National Statistics, Resident Population Estimates by Ethnic Group (Percentages) 2011

⁶⁴⁷ Imams promote grooming rings, Muslim leader claims – Telegraph, 16 May 2013

⁶⁴⁸ Quoted in Cabinet row over child abuse report as Nick Clegg condemns ‘idiotic’ critics, Telegraph, 21 November 2012

⁶⁴⁹ Evidence from a stakeholder working with children, City Hall 2012

missed because it doesn't fit this paradigm of Pakistanis looking for white flesh."⁶⁵⁰ I was told that police training must not fixate on this model as this would lead to other cases continuing to be missed.⁶⁵¹

Furthermore, in September 2013, the Muslim Women's Network UK published a report which managed to find 35 Asian Muslim girls being similarly sexually exploited by mostly Asian gangs.⁶⁵² They rejected the idea that Asian men target white girls and are fuelled by racism. Instead, they felt that people are generally targeted by those from their own community and that these gangs' attitudes were the same towards all women, not just white girls.

The report found that Pakistani girls were the largest victim group amongst Asian girls and most of the victims came from London, the West Midlands, Yorkshire and Lancashire. Because many of these girls did not always go out at night, they were largely targeted outside schools or using social media. Those interviewed said that front line professionals were failing to identify many cases involving BME victims and that the police were often reluctant to intervene in suspected cases due to cultural sensitivities.

One model they cited specifically involved the girls' cultural backgrounds being exploited by the gangs, who would encourage the girls to run away from their homes and contact women's groups to report that they were at risk of forced marriage or honour-based violence. They would then be provided with new accommodation, where they were even more accessible to the perpetrators. The report also said, "A key driver for targeting Asian and Muslim girls could be that they were considered as a "less risky" option because they were unlikely to seek help or report their abuse due to "shame"".⁶⁵³ The report also found that some girls feared being placed in an arranged marriage and had little experience with men; as a result they sometimes over-readily got into risky relationships.

The report also noted that boys may be at risk as well. "One interviewee provided an example of an offender who was in his 20s, who had been gang raped by older men when he was about 14 years old. As he grew older, he became involved in grooming girls and in introducing them to older men to be abused. He also participated in the abuse."⁶⁵⁴ The report found that school boys were being paid by gangs to identify vulnerable girls in their schools, who they would then introduce to the men.

Alongside this report, in September 2013, six men, including two of Indian origin, were convicted of facilitating the child prostitution of a Sikh girl. This was a landmark case as it is the first high-profile sexual abuse case involving a Sikh girl. However, the Sikh Awareness Society UK (SAS), states that it has seen more than 200 reports of child sexual grooming since 2008, although few if any of these were reported to the authorities. BBC Reporter Chris Rogers carried out an investigation which found that the perpetrators often exploited the fact that there was underreporting in the Sikh community.⁶⁵⁵ The Inside Out report described one girl who had been told by her family not to go the police about the sexual

⁶⁵⁰ *ibid*

⁶⁵¹ *Ibid*

⁶⁵² Unheard Voices, The Sexual Exploitation of Asian Girls and Young Women, September 2013

⁶⁵³ *Ibid*

⁶⁵⁴ *Ibid*

⁶⁵⁵ <http://www.bbc.co.uk/news/uk-england-23632247>

abuse she had experience by a gang. With this in mind, one should note that those ethnicities or religions not featured in victim data, may well be the very ones being targeted due to a culture of silence in that community.

One leading anti-trafficking NGO told me you could find girls who had run away from home being exploited in areas of London, and gave an example of a specific park in Lambeth where this took place. These girls are often being exploited by British men. However, I was told that often a tougher migrant gang “may move into that area and take over because they are more ruthless. So, for example, an Albanian gang takes over the exploitation of these girls in parks.”⁶⁵⁶ This horrifying situation has apparently been happening for many years. A 2004 Report found that girls in Lewisham aged between 13 and 15 were in sexual relationships with Eastern European adult men who they regarded as their ‘boyfriends.’”⁶⁵⁷

When I asked why nothing had been done to help these girls in London I was told that, “No one misses a missing person. It just isn’t therefore a priority.”⁶⁵⁸

Some of the cases recently described in the media,⁶⁵⁹ also involved white perpetrators. Furthermore, it was not only vulnerable girls being targeted. I was told that middle-class girls were often targeted online, or were also at risk if they were living in gang-affected areas, but that they were being missed at present. The CSJ report, *It Happens Here*, pointed out that “There is a danger that unhelpful stereotypes implying that only children in care can be trafficked into modern slavery will mean that child safeguarding practitioners miss the signs of this abuse taking place against children who live at home.”⁶⁶⁰

Boys

Underreporting

A Barnardos report, *Boys Are Not Sexually Exploited? A Challenge to Practitioners*,⁶⁶¹ highlights that contemporary research accounts of sexual exploitation focus overwhelmingly on the experience of women and girls. While women and girls underreport, men are believed to report even less, with one study stating that female victims were twice as likely to report their sexual abuse experiences as boys.⁶⁶² One male victim of abuse wrote, “In many respects, male victims are where female victims were 25 years ago.”⁶⁶³

⁶⁵⁶ Meeting with an NGO campaigning against human trafficking, 2012

⁶⁵⁷ Nash and Cusick –page 15 Out of Mind, Out of Sight – 2011 Executive Summary - Thematic assessment

⁶⁵⁸ Meeting with Klara Skrivanekova from Anti-Slavery International

⁶⁵⁹ Chilling footage shows man leading two young girls - one clutching a teddy - into a hotel for sex as eight paedophiles are jailed for 42 years. Cigarettes, drugs, £5, mobiles and treats such as toys given as payment; One victim thought taking money for sex ‘must be part of growing up’ ; Five girls involved but up to 15 victims may have been targeted in 2009/10;

⁶⁶⁰ It Happens Here, Centre for Social Justice Report, 2013

⁶⁶¹ Boys are not sexually exploited, A Challenge to Practitioners by Ralph Lillywhite, Children’s Services Department, Barnardo’s, London, UK and Paula Skidmore Barnardo’s Policy & Research Unit and London Metropolitan University, London,

⁶⁶² A View From Inside the box III’ Invisible boys, The Invisible Boy, Prepared by Frederik Mathews, Ph.D

⁶⁶³ Ibid

Instead, work in this area suggests that male victims may instead be hiding in the high male statistics on suicide, addictions and motor vehicle fatalities. Interestingly, there is data⁶⁶⁴ to suggest boys are more likely than girls to be abused by multiple perpetrators. This could suggest they are more vulnerable to the gang-grooming model that our society is beginning to pick up on in the UK.

The lack of reporting by boys is linked to social stigmas attached to being a victim and stereotypes around the notion of being a man.⁶⁶⁵ The positive and flattering terms⁶⁶⁶ attached to men gaining sexual experience potentially “increase a boy’s susceptibility to sexual abuse by promoting or encouraging participation in sexual activities. It promotes secrecy because boys are afraid to report sexual experiences that go wrong for fear they are responsible and blameworthy.”⁶⁶⁷ As a result it affects how professionals respond to boys – indeed, they may even be more likely to ‘victim-blame’ with a male victim or minimize the harm presumed to have occurred.

Rise in cases

Data I requested revealed that in 2010 and 2011 the sexual exploitation of boys made up only 3% of cases of sexual exploitation seen by the Metropolitan Police Service. Yet in 2013 this figure jumped to 13%.⁶⁶⁸ I have been told that the cases reported may be just the tip of the iceberg as boys are believed to be even less willing to report abuse.

Mankind, a counselling service for male victims of sexual assault, was reported as stating that the number of men it was supporting had more than trebled in the last five years.⁶⁶⁹ Yet there is little funding to support male victims of sexual abuse. Martyn Sullivan, the Chief Executive of Mankind Counselling in Brighton, said: “It saddens us that yet again little thought has been given to adult male survivors of sexual crimes. The Government’s own figures estimate that 1 in 9 males have suffered childhood sexual abuse. Male specific agencies were excluded from the Rape Support Fund last year and it looks like the same thing has happened again.”⁶⁷⁰

Survivors UK is the only specialist male sexual violence support charity in London. They have said that services for the 8000 men in the capital who are victims of sexual assaults are not receiving any financial support from the authorities in London.⁶⁷¹ They criticised the Mayor who, “in the coming financial year, has committed more than £800,000 to continue

⁶⁶⁴ (Faller, 1989; Finkelhor and Hotaling, 1984; Rogers and Terry, 1984) From a A View From Inside the box III’ Invisible boys, The Invisible Boy, Prepared by Frederik Mathews, Ph.D

⁶⁶⁵ (Holmes & Slap, 1998). From a A View From Inside the box III’ Invisible boys, The Invisible Boy, Prepared by Frederik Mathews, Ph.D

⁶⁶⁶ “A double standard of morality has been applied to males and female for centuries. The fact that there are no “positive” or flattering terms such as “sowing his wild oats,” “boys will be boys” or “ladies man” for females gives vivid illustration to this point. It is generally assumed that having “licence” to be a sexual person is an advantage. Males are seen to get power from obtaining or taking sex, women from withholding sex.” From a A View From Inside the box III’ Invisible boys, The Invisible Boy, Prepared by Frederik Mathews, Ph.D

⁶⁶⁷ A View From Inside the box III’ Invisible boys, The Invisible Boy, Prepared by Frederik Mathews, Ph.D

⁶⁶⁸ <http://mqt.london.gov.uk/mqt/public/question.do?id=44976> Mayors Question, Andrew Boff, 2012

⁶⁶⁹ Quoted in Cash fears as male sex abuse cases rise, 16th March 2013, The Argus

⁶⁷⁰ Ibid

⁶⁷¹ London: Mayor’s office accused by charity of failing to provide funding for male sexual assault services by Scott Roberts 12 March 2013

funding existing, female only service provision. Once again, the sum dedicated to supporting men is £0.”⁶⁷²

Michael May from Survivors UK said that funding was not the only issue and that his chief concern was the issue of language. “Language is a huge thing. As an already marginalised group, incredibly distanced from the prospect of asking for help, only putting sexual abuse under the “Violence against Women and Girls” strategy acts as a real disincentive.”⁶⁷³ Michael highlighted that rape centres are for victims of rape but their language “is exclusively for women”⁶⁷⁴ and that this failed to abide by the Equalities Act. He pointed out that London Council’s funding last year for sexual violence did not mention men in their press or guidance. “This acts as a huge disincentive to come forward for male victims. It says we don’t really believe you exist.”⁶⁷⁵

A stakeholder from the National Working Group Network for Sexually Exploited Children spoke at an Anti-trafficking event⁶⁷⁶ in January 2012 and cited that, “Boys and young men are victims – we often forget that... they are not being identified; maybe they are therefore even *more* vulnerable to abuse”.⁶⁷⁷ They also highlighted, along with a number of other stakeholders that “support services don’t cater well enough for boys and young men.”⁶⁷⁸

Worryingly when we spoke to a leading gay rights charity about this issue, they were completely unaware of the grooming and sex trafficking of boys. However, more encouragingly, the Metropolitan Police Service’s Anti-trafficking Unit had heard reports of boys being groomed in Soho and were seeing more referrals of this kind.⁶⁷⁹

This is encouraging, although I am concerned by data I uncovered which shows that, since 2009, boys were choosing to report less rape to the police - with 227 (under 13) male victims of sexual offences being counted in 2009/10; and this figure reducing further to 192 in 2012/13.⁶⁸⁰

I was told that the “boyfriend model is a bit dated”⁶⁸¹ and that actually the abuse of boys could take any multitude of forms. However, there were patterns, similar to those with girls who were groomed, whereby a boy would begin a relationship with an older man and then problems would escalate from there. The BLAST Project⁶⁸² also saw cases where heterosexual boys were exchanging sex to men for drugs or other favours, and ended up in exploitative and abusive situations. The BLAST Project also saw cases involving boys from

⁶⁷² Ibid

⁶⁷³ Evidence from Michael May, Survivors UK, 2013

⁶⁷⁴ Ibid

⁶⁷⁵ Ibid

⁶⁷⁶ Conference: Tackling Human Trafficking in Europe: Prevention, Protection, Prosecution, 30th January 2013, Silken Berlaymont Hotel

⁶⁷⁷ Spokesperson for The National Working Group Network for Sexually Exploited Children, Conference: Tackling Human Trafficking in Europe: Prevention, Protection, Prosecution, 30th January 2013, Silken Berlaymont Hotel

⁶⁷⁸ Ibid

⁶⁷⁹ Police source, 2013

⁶⁸⁰ <http://mqt.london.gov.uk/mqt/public/question.do?id=46884> MQT Qs 1934/2013 Andrew Boff

⁶⁸¹ Phone interview, evidence from Phil Mitchell, Project Coordinator from “The BLAST Project” 2012

⁶⁸² Part of Yorkshire MESMAC Group of Services working with boys who are sexually exploited,

'stable' backgrounds. For example I heard of one case where an "all A* boy from a middle class family"⁶⁸³ was targeted by 15 men individually online. I was told that although society now expects victims to be in care homes, in fact the reality may be that most children may come from other backgrounds; it is simply that we are missing those cases because we do not expect to see them.

Indeed Phil Mitchell from The BLAST Project highlighted that "a child in care may be at less risk as they are, at least, surrounded by professionals."⁶⁸⁴

Phil Mitchell also said, "Professionals tend to look out for girls. When we go to these meetings most of the professionals only talk about girls."⁶⁸⁵ He said that when a girl goes missing professionals are more likely to react and take note of the risks she faces. However, when a boy goes missing he said, "There is a totally different reaction; there is much less urgency and less concern."⁶⁸⁶ Phil Mitchell felt that decisions regarding boys are based on gender not risk indicators. Some professionals also apparently focus on sexuality when it comes to boys, even though they rarely do the same for girls, and even though their sexuality shouldn't be an important factor in cases involving child abuse.

Phil Mitchell said professionals must stop focusing on a boy's sexuality and focus instead on the risks involved. I heard of a case where one 17 year old boy with severe learning disabilities begun getting into high risk situations with men. Nonetheless, the social workers decided to close the case. However, due to the dangerous circumstances the boy kept putting himself in, I was told that he "nearly died! Yet the social workers had decided to close the case! They just don't get it"⁶⁸⁷

In the last year the Metropolitan Police also began Operation Fernbridge, which is investigating claims of child abuse by a "paedophile ring"⁶⁸⁸ at Richmond's Elm Guest House in 1982. Many boys are believed to have been abused by "powerful individuals"⁶⁸⁹ in senior political, civil service and legal roles. Many of the boys, who were abused, were living in Grafton Close children's care-home run by Richmond Council. Two children disappeared and a number of the men who visited the guest house during the 1980s were later convicted of multiple sex offences against children.⁶⁹⁰ Childcare professionals linked to the police investigation believe that former inquiries in 1982 and 2003 were stymied by an establishment cover-up.

Online abuse

Following a question to the Mayor, I found out that data from CEOP shows that nationwide they received 1,145 reports of online grooming from across the country in 2012 and 1,573

⁶⁸³ Ibid

⁶⁸⁴ Ibid

⁶⁸⁵ Ibid

⁶⁸⁶ Ibid

⁶⁸⁷ Ibid

⁶⁸⁸ Police failings put dozens of children at risk from notorious paedophile ring Martin Hickman The Independent, 3 March 2013

⁶⁸⁹ Ibid

⁶⁹⁰ "At least three men listed in documents as visitors to Elm Guest House in Rocks Lane, Barnes, were later convicted of multiple sex offences against children" Police failings put dozens of children at risk from notorious paedophile ring by Martin Hickman The Independent, 3 March 2013

in 2011.⁶⁹¹ That is a 27% per cent decrease in instances reported in the last two years. This is concerning since I have heard repeatedly that online grooming is on the rise from those who work with child victims. Furthermore, I have heard that this is a key channel used by those who groom and sexually exploit gay boys and 'middle class' children.

Alison Worsley, Deputy Director at Barnardo's said, "We are seeing boys being groomed; particularly through the internet."⁶⁹² They mentioned an example where a gay boy didn't have any gay friends in his community and so went online and was targeted in this way. Like in the Rochdale case, the man pretended to be his boyfriend but then sexually exploited him to other men. Another similar feature was the guilt, 'consent' and emotional attachment of the victim towards the perpetrator.⁶⁹³

A number of stakeholders said they were seeing new trends in the abuse of boys, involving Apps being increasingly used alongside Facebook. In particular, Facebook was being increasingly used to arrange big meet-ups between people from across the country. While this was not a problem in itself, I was told that there were "lots of risky"⁶⁹⁴ activities taking place and that children were vulnerable.

In Finland, they have police officers whose sole work is to patrol Facebook. Someone in the police should be doing this as at least part of their role in the UK. Data showing that online grooming is reducing suggests that we are missing the evidence, which child charities are seeing, of increased grooming on the web.

Attitudes

Marai Larasi from Imkaan said, "Young gay boys are also at risk"⁶⁹⁵ and that this needed immediate attention. Barnardos also told us that, "We have identified we need to do more to tackle boys being groomed."⁶⁹⁶

One pattern stakeholders were seeing involved gay children meeting older men on web chat forums. There they would arrange to meet in clubs, and then could disappear for extended periods. I was told that gay boys were vulnerable because of naïve, stereotypical views on homosexuality and the related 'lifestyle'. Police were apparently not picking up on these cases and social workers were also not seen to be handling them particularly well. One stakeholder working with children explained that the boys "are being set up. This is not a gay lifestyle issue. These are children."⁶⁹⁷ Yet practitioners are often not aware of the indicators and dismiss these missing boys by seeing it as "a gay boy coming-of-age ritual."⁶⁹⁸ Yet I was told that many of these boys are just 13 years of age.

⁶⁹¹ <http://mqt.london.gov.uk/mqt/public/question.do?id=45823>

⁶⁹² Evidence from Alison Worsley, Barnardo's, City Hall, 2012

⁶⁹³ "Boys think: yes he sold me or gave me to several dozen men but he is my boyfriend". Evidence from Marai Larasi and Sumanta Roy, Meeting, City Hall 2012

⁶⁹⁴ Phone interview, evidence from Phil Mitchell, Project Coordinator from "The BLAST Project", 2012

⁶⁹⁵ Evidence from a stakeholder working with children, Meeting, City Hall 2012

⁶⁹⁶ Evidence from Alison Worsley, Barnardo's, City Hall, 2012

⁶⁹⁷ Anonymous source working with children, 2013

⁶⁹⁸ Ibid

One stakeholder working with children said no one was mentioning this issue in the new debates about grooming and internal child trafficking “because of political correctness and fear of brushing the gay community with a paedophile brush. So we don’t address it because it is too awkward.”⁶⁹⁹

However, it is clear that this issue, involving sometimes brutal child abuse, has to be addressed. There are, no doubt, reasons why certain Pakistani men may be involved in grooming, just as there are clearly reasons why some vulnerable girls are specifically being picked to be exploited. These concerns and the causes of them must be addressed. But in doing so, we cannot ignore all the other victims and perpetrators who do not fit this paradigm as I fear we may be doing now.

Support from professionals

A Barnardo’s report⁷⁰⁰ states, “‘Is this young man being sexually exploited?’ is what all professionals working with vulnerable men need to be asking themselves. Until this happens sexually exploited young men are going to remain hidden and unsupported.’ The report cites several clear indicators which professional should be looking out for. For example, they noted that one boy they worked with possessed ten mobile phones. I also understand that boys at greater risk of sexual abuse may be “those who live with only one parent; those whose parents are separated, divorced, and/or remarried; those whose parents abuse alcohol or are involved in criminal behaviour; and those who are disabled.”⁷⁰¹

Those looking into the abuse of boys believe there needs to be greater equity in terms of allocation of resources spent on research and public education in the area of child abuse. There are repeated requests also for authorities to fund services specifically for boys and young men and which are not targeted just towards the “gay issue”.⁷⁰² There is also a concern that “male victims frequently find that therapists [and] counsellors, trained with female-centred models of victimization, are unable to help them. Consequently, they are likely to simply abandon therapy.”⁷⁰³ Therapists working with male victims need to understand how they respond differently to abuse and this type of training needs to be mainstreamed.

Police

A number of changes are taking place in the Metropolitan Police to tackle the new prioritised focus on grooming. This includes the Sapphire Rape Unit being merged with the child abuse unit and additional resource being put into the Command.⁷⁰⁴

⁶⁹⁹ Ibid

⁷⁰⁰ Boys are not sexually exploited, A Challenge to Practitioners by Ralph Lillywhite, Children’s Services Department, Barnardo’s, London, UK and Paula Skidmore Barnardo’s Policy & Research Unit and London Metropolitan University, London,

⁷⁰¹ Holmes & Slap, 1998, cited in A View From Inside the box III’ Invisible boys, Running to Stand Still, R. Harvey Lemelin

⁷⁰² NGO working with male victims of sexual abuse

⁷⁰³ A View From Inside the box III’ Invisible boys, The Invisible Boy, Prepared by Frederik Mathews, Ph.D

⁷⁰⁴ <http://www.theguardian.com/uk/2013/apr/26/met-police-rape-child-abuse-units-merge>

CAIT teams

However, there were concerns about the Child Abuse Investigation Teams, who deal with these cases on the frontline. Andy Elvin said, “CAITs need more training in boroughs as they are under-skilled”. He particularly felt this was the case in terms of dealing with the “facilitation” aspect of the crime. A senior police source assured us that the Metropolitan Police Service is making trafficking “a core part of business in child exploitation teams.”⁷⁰⁵ They also told me that the CAIT teams were working with all boroughs on this and that they would be “gobsmacked if they were missing cases, as local authorities are so carefully scrutinised around child abuse cases now”.⁷⁰⁶

The disconnect between NGOs and Police

There appeared to be a disconnect between some of the charities working with trafficked children and the police. Several leading trafficking charities said it was an “on-going frustration for us all that the police won’t tell us how they follow up these cases,”⁷⁰⁷ while an ECPAT UK spokesperson said there could be improvements in the way police shared information with NGOs, particularly those working directly with victims who may be involved in criminal investigations.

However, the police told us, “Child exploitation has a huge level of resource. The problem is we have asked for these cases [that the charities] are concerned about [but they] don’t disclose them to us.”⁷⁰⁸ Barnardo’s, however, said, “As third sector agencies, we don’t have what police would term ‘intelligence’ but we do have information that they can use, alongside other information, to build intelligence to tackle trafficking. So we do give information to the police where we have those relationships.”⁷⁰⁹ But where this relationship is not fostered, NGOs are not always giving that information to police, or the police are not interested. As a result, the police are unable to develop a clear picture of cases over time, based on multiple small, but valuable, evidence samples.

Barnardo’s said they had “special protocols in Hampshire and Manchester to manage child exploitation referrals with the police. But in London we need to [improve how we] talk to each other.”⁷¹⁰ However, DS Terry Sharpe is creating protocols around the issue of trafficking and grooming for the Metropolitan Police to guide them in future investigations.

There did appear to be a lack of trust between the police and certain organisations with one police source citing money as a reason for certain child charities’ possible “overestimations”⁷¹¹ of the number of children being groomed.⁷¹²

⁷⁰⁵ Quotation from a police source, 2013

⁷⁰⁶ Ibid

⁷⁰⁷ A stakeholder from an anti-trafficking NGO

⁷⁰⁸ Quotation from a police source, 2013

⁷⁰⁹ Evidence from Alison Worsley, Barnardo’s, City Hall, 2012

⁷¹⁰ Ibid

⁷¹¹ Quotation from a police source, 2013

⁷¹² Worth noting that the latest UKHTC report acknowledged that “it is possible that the number of victims of human trafficking may be higher...some people who are trafficked may not consider themselves to have been exploited...elements of coercion and the degree of control measures in place may render them unwilling or unable to disclose their experiences.”

While it is important to note that there are clear reasons why NGOs may not forward some cases to the authorities, I share the police's concerns. Dr Laura Agustín has written extensively about her concerns that the numbers, related to sex trafficking, are distorted by certain charities in the trafficking "recue industry" due to vested, though well-meaning, interests. This needs to be tackled. Those working in the anti-trafficking sector need to make the sector look into itself and work out where messages are becoming distorted. At present the police may feel they have good reason not to trust certain charities even though I believe it is in their interest to do so. As Barnardo's told us, "We do not support the claim that the number of victims of trafficking is being overestimated and believe that more needs to be done to improve their identification."⁷¹³

Huw Watkins, a former Gwent Detective and Human Trafficking consultant, said, "Engagement between the police and third sector is crucial. At first my own police force didn't want to work with Barnardo's when I suggested it. A short while later I showed the Director of Intelligence some startlingly graphic intelligence about child exploitation and they said, "You see, thank goodness Barnardo's don't have this information!" I then explained that this intelligence was from Barnardo's which we, the police, didn't have."⁷¹⁴

Charities felt that the police were not always victim-focused or refuse to investigate by claiming that there is a lack of evidence. One leading NGO said, "Unless they get a statement, they will say there isn't enough evidence. Only when they die do the police then have to run to catch up with what happened."⁷¹⁵

Yet obtaining statements from traumatised child victims is a huge challenge. Barnardo's said convictions were low because of an "unwillingness of victims [because they do] not feel supported."⁷¹⁶ The court system was criticised more than the police for being adversarial. Barnardo's felt the police were improving and beginning to "get fully engaged with all available evidence and providing real victim support."⁷¹⁷

Hope for Justice, a UK based anti-slavery charity working with victims who have suffered sexual exploitation, forced labour and domestic servitude, recommended Lancashire as a best practice model. In Lancashire, for example, they have a Street Safe Project which, in partnership with the police, interviews those who went missing and offers on-going support to young people who go missing from care. The police therefore receive intelligence which contributes to the development of an intervention plan and allows them to develop a criminal case. A CEOP report recommends another 'Talk Don't Walk' project in Cheshire which "interviewed children and young adults who had run away from home to identify the underlying causes and inform the development of effective solutions".⁷¹⁸ This led to a reduction in the numbers going missing between 2004 and 2007 in the Warrington area by 72% and saved approximately £3.2m.

Boys and the Justice system

I was also told that "the Police are quick to criminalise boys rather than offer support.

⁷¹³ Evidence from Alison Worsley, Barnardo's, City Hall, 2012

⁷¹⁴ Evidence from Huw Watkins, City Hall 2013

⁷¹⁵ Evidence from an anti-trafficking NGO, City Hall 2013

⁷¹⁶ Evidence from Alison Worsley, Barnardos, City Hall, 2012

⁷¹⁷ Evidence from Alison Worsley, Barnardos, City Hall, 2012

⁷¹⁸ CEOP, June 2011, Out of mind out of sight

Boys tend to be criminalised when actually they are displaying sexual behaviour because they have suffered abuse.”⁷¹⁹ In one study in Derby they found that 55 % of boys and young men who had been sexually exploited as children had an offending history.⁷²⁰

Youth offending behaviour often mirrors grooming behaviour and professionals need to be aware of the vulnerability of boys as well as girls who display such behaviour. Professionals also need to be aware that such children, particularly those who have already experienced the youth justice system, may not want to engage with police, but should be encouraged to seek other forms of support. The BLAST Project felt it was very important that any multiagency work was not led by police and certainly should not be based in a police station.

The association of criminality with boy victims was highlighted by a case The BLAST Project had dealt with, where a boy was trafficked from the north to the south of England to be sexually abused. When police reunited him with his parents, they told his parents in front of the child that they would lock him up if he disappeared again since he was wasting a huge amount of police resource. The family are now scared of the police and too scared to report any abuse to them.

This mimics the behaviour of South Yorkshire police who, it has been only recently revealed, arrested a father and his daughter – the victim of sex trafficking – for racial harassment and assault, after the father went to a house full of British Pakistani adults to demand the release of his daughter. The police meanwhile left two more girls in the house with the gang.⁷²¹

Training

One report found that, “Approximately 20 percent of agencies with human trafficking training identified a case of human trafficking compared to only 4.4 percent of those agencies with no training.”⁷²² The Human Trafficking Unit (SC&O7) has been carrying out training packages in the boroughs although, worryingly, “this funding has almost ended.”⁷²³ One senior police source in the Metropolitan Police Service cited the increase in NRM referrals as being linked to the fact that they have carried out training, both locally and for senior officers in a number of Governmental departments.

While I heard repeated concerns about online e-training, realistically some training must be done in this way. A police source pointed out that, “Trafficking is just too complex to push effectively at a frontline level. The only practical solution [is for trafficking to] be mainstreamed into training. As we are not going to get face to face training.”⁷²⁴ However, even the police themselves admitted that “with e-training you don't absorb anything.”⁷²⁵ Unseen said, “In all policing you need general sensitisation but you also need

⁷¹⁹ Phone interview, evidence from Phil Mitchell, Project Coordinator from “The BLAST Project”, 2012

⁷²⁰ Brayley and Cockbain, 2011 – Cited in CEOP's thematic assessment June 2011, Out of mind out of sight

⁷²¹ The Times (Sep 24, 2012) Child sex abuse: the investigations and reports

⁷²² UNDERSTANDING AND IMPROVING LAW ENFORCEMENT RESPONSES TO HUMAN TRAFFICKING Amy Farrell, Jack McDevit Northeastern University, 2008

⁷²³ Evidence from a police source, 2013

⁷²⁴ Evidence from a police source, 2013

⁷²⁵ Evidence from a police source, 2013

specialism at those points of contact.”⁷²⁶ In Bristol all duty sergeants in borough teams have had training, as have the Detective Inspectors and PCSOs. Clearly London cannot simply rely on SC&O7, who are a relatively small team. The borough forces in London, who will inevitably often be the first point of contact, need low level awareness. The creation of a borough SPOC would help to ensure that borough police are adequately aware of the key issues by identifying relevant training for its Command.

Due to the recent high-profile cases around child grooming and trafficking, the Metropolitan Police are “creating three layers around training for child protection.”⁷²⁷ The first layer of training is relatively “superficial.”⁷²⁸ The second layer involves some face-to-face training, while the final tier has in-depth training.

One police source said the main challenge is that human trafficking training needs to be regularly repeated to mimic the staff churn. The training cannot be ad hoc, depending on ad hoc funding, but “needs to become normalised; [and become a] cycle of training.”⁷²⁹

Unseen also told us there should be consistency around trafficking training across the UK. One way to ensure this occurs would be to have a national training programme for officers. This would mean it would be in officers’ core syllabus, the online package training would be updated on a three year rotating cycle and there would be Detective training around the offence.

Local Authorities

Local Authorities are responsible for vulnerable and trafficked children in their boroughs. However, while trafficked adults are paid for by the government, Authorities must cover the costs of trafficked children themselves. Many stakeholders I spoke to said that this acted as a disincentive to recognise or seek out trafficked children. I was told that many Local Authorities in London still repeatedly say they do not have trafficking. But if you are not looking for hidden crimes you will inevitably not see it.

One London local authority told ECPAT UK that they knew there were trafficking problems but didn’t want to open a “can of worms”⁷³⁰ as they needed to focus on gang crime. ECPAT UK said that, as a result, “If there is a trafficked child in that borough they have little chance of being recognised and safeguarded.”⁷³¹ This will be the case until it “all goes wrong”⁷³², as it did in Rochdale. Yet the human and financial costs of not doing anything now are very high.⁷³³

The CSJ found that in 2012⁷³⁴ only 37 out of a total of 433 local authorities across the UK made any referrals of children to the NRM.⁷³⁵ In another survey from 2012, it was revealed

⁷²⁶ Evidence from Andrew Wallis, CEO of Unseen, at City Hall, 2013

⁷²⁷ Evidence from a police source, 2013

⁷²⁸ Evidence from a police source, 2013

⁷²⁹ Evidence from a police source, 2013

⁷³⁰ In evidence from meeting with ECPAT UK, 2013

⁷³¹ In evidence from meeting with ECPAT UK, 2013

⁷³² Interview with Andy Elvin, Children and Families across Borders (CFAB), 2013

⁷³³ Evidence from Alison Worsley, Baranardos, City Hall, 2012

⁷³⁴ CSJ report - for January–September 2012 Local Better Regulation Office, Mapping the Local Authority Regulatory Services Landscape, November 2009, p2 [accessed via: <http://www.lbrog.org.uk/resources/docs/mapping-p3-info.pdf> (17/01/13]

that only two of the 64 local authorities collected centralised data on children who had been trafficked.⁷³⁶

Of the 43 per cent of London Safeguarding Children Boards that responded to the CSJ survey, only 57 per cent had implemented the London Safeguarding Trafficked Children Toolkit and Guidance and 36 per cent had developed a child trafficking subgroup. 57 per cent had appointed a 'local trafficked children lead'. A concerning 'snapshot survey' of a number of London LSCBs revealed that only one LSCB, which did not have a child trafficking subgroup, had managed to identify any cases of child trafficking.⁷³⁷

Local Safeguarding Children Boards (LSCBs) are well placed to tackle child trafficking at a local level and have a statutory obligation to coordinate the work of children's services, police, health services and others to manage the welfare of children in the region. LSCBs in London need to consistently be aware of trafficking and the indicators around it. They should all implement the London Safeguarding Children Board Child Trafficking Toolkit – which was repeatedly recommended to me as a valuable guide on tackling trafficking. Furthermore, sub-groups on trafficking in each board should be encouraged, since without them the evidence above suggests trafficking cases will almost never be identified. ECPAT UK noted that, "If authorities knew they had to use [the toolkit] for fear of being sued, they would."⁷³⁸ ECPAT UK felt a lot of action around trafficking should be made statutory or authorities will not act.

Children in care

Protecting children in care is not about resources but about putting resource and thought in the right places. Councils spend one billion pounds every year on 5,000 children in care homes.⁷³⁹ Some care homes charge up to £280,000 per place per year.⁷⁴⁰ Local authorities will often place children outside the boroughs, sometimes hundreds of miles away from their own homes. As a result, it is claimed that when the children disappear "the local councils and police aren't even aware these children exist."⁷⁴¹

Data I collected reveals that in 2012, there were 9,055 reported incidents of children missing from care in London.⁷⁴² Research suggests that one in twelve children who go missing after running away are harmed whilst they are away from home⁷⁴³ and children in

⁷³⁵ It Happens Here, Centre for Social Justice Report, 2013

⁷³⁶ The All Party Parliamentary Group for Runaway and Missing Children and Adults and the All Party Parliamentary Group for Looked

After Children and Care Leavers, Report from the Joint Inquiry into Children who go missing from care, June 2012, p11 [accessed via: [http://](http://www.guardian.co.uk/law/2011/oct/18/children-lost-human-trafficking)

www.guardian.co.uk/law/2011/oct/18/children-lost-human-trafficking (06/07/12)

⁷³⁷ *ibid*

⁷³⁸ In evidence from meeting with ECPAT UK, 2013

⁷³⁹ "Instead, billions are pumped into the country's 1,800 care homes. Councils spend £1 billion a year on 5,000 places in children's homes – £200,000 per place." Quote from 'Britain facing a rape gang epidemic with gangs targeting children's homes for their victims' The Daily Mirror, 7 Apr 2013

⁷⁴⁰ <http://www.dailymail.co.uk/news/article-2423612/Child-grooming-suspect-Gary-Cleary-hanged-outed-vigilante-paedophile-hunters.html>

⁷⁴¹ *ibid*

⁷⁴² Mayors Question 0169/2013 by Andrew Boff, 30/01/13

⁷⁴³ Rees and Lee, 2005. Mentioned in Ceop Report Out of Mind, Out of Sight - Thematic assessment, 2011

care are believed to be three times more likely to go missing than children living in a family.⁷⁴⁴ Yet the Metropolitan Police Service was unable to provide information on missing children in care before 2012 as “it did not become mandatory to record whether the child in question was in care until halfway through 2011.”⁷⁴⁵

This is in spite of studies showing that sexual exploitation figures reveal that girls from care (and so who are at greater risk of going missing) are disproportionately over-represented⁷⁴⁶ and there is evidence from an array of sources that men have, for years, been deliberately targeting girls in supported accommodation.⁷⁴⁷

Alison Worsley from Barnardo's said, “We need to make sure care homes have greater knowledge of the risks [around trafficking]; monitoring children when they go missing for days or just two hours. Abusers are sophisticated and may take them out for only a few hours after school. [We] need to collect data on trafficked children.”⁷⁴⁸ They also said that when a child is placed in care there needs to be a safeguarding plan around them. Stakeholders also cited the problem of “putting exploited children in care with untrained people and constantly moving staff.”⁷⁴⁹

Having one consistent, stable, dedicated figure in these children's lives is important. Dr Lois Lee, the founder & president of a US organization, Children of the Night, which has rescued over 10,000 children from prostitution, wrote in the Huffington Post that “A successful residential program for America's child sex trafficking victims requires an appropriate adult role model, a critical figure to whom the child may attach. Throughout the last 35 years, the most successful residential programs for sex trafficked children were led and operated by women who these children referred to as “Mom” ... It did not seem to matter whether the residential program offered three beds or 24 beds, was faith based, government funded, privately funded, well-funded or financially struggling - what stood out was the single critical figure who these children learned to trust, on whom they could depend, and in whom they could confide.”⁷⁵⁰ However, Dr Lee noted that “Most social service programs and residential care for children is staff-centered and characterized by the primary goal of retaining staff.”⁷⁵¹

There are horrifying stories around the lack of care in some of these children's care homes. A victim of the Oxford gang revealed in court that one night she was taken back to her care home in a cab; but when she arrived the care home staff refused to pay for her fare. The cab driver therefore decided to drive her back to the Oxford grooming gang where she was raped.

⁷⁴⁴ Ibid

⁷⁴⁵ Mayors Question 0169/2013 by Andrew Boff, 30/01/13

⁷⁴⁶ Mentioned in Ceop Report Out of Mind, Out of Sight - - Thematic assessment: of 55 sexually exploited young women, 39 had experience of being in local authority care (Pearce et al, 2002),

⁷⁴⁷ Nick Davies ‘Dark Heart’; See also Creegan et al, 2005.

⁷⁴⁸ Evidence from Alison Worsley, Barnardos, City Hall, 2012

⁷⁴⁹ Quote from Interview with Andy Elvin, Children and Families across Borders (CFAB), 2013; also cited by ECPAT UK in an interview at City Hall, 2013

⁷⁵⁰ The Model Residential Program for America's Sex Trafficked Children - The First Step - The ‘Critical Figure’ Dr Lee, Huffington Post,

Posted: 09/10/2013 9:25 am

⁷⁵¹ Ibid

I was told that these recent sexual exploitation cases in Rochdale and Oxford would not have happened if agencies had believed the children and if the care homes were regulated and had trained staff. It is clearly imperative we review how care homes are managed and how their staff are trained to ensure history does not continue to repeat itself. In June 2013, Assembly Member Roger Evans asked the Mayor if there should be “closer mentoring for girls in care in London?”⁷⁵² The Mayor of London responded that they were “looking at the suggestion of closer mentoring for girls in care and it is one of the things that we are considering in the [VAWG] consultation.”⁷⁵³

Social workers

“A key underlying difficulty in assessing the scale of ‘localised grooming’ is the inconsistent recognition of child sexual exploitation by frontline practitioners and the failure to record relevant information at a local level.” CEOP Out of Sight Out of Mind

All the stakeholders I spoke to had concerns about social workers. ECPAT UK said, “Most social workers don’t know about the NRM or the London Safeguarding Children’s Board Child Trafficking Toolkit.”⁷⁵⁴ While some social workers were very good at dealing with victims of trafficking, there were too many that let victims repeatedly slip through the net. During the court case, where an Oxford-based gang were charged with the grooming and sex trafficking of girls, a school support worker stated that “nine out of ten social workers”⁷⁵⁵ in Oxford knew that young girls were being groomed with drugs and were being sexually exploited by Asian men. A report following the Rochdale case also found that social workers were too willing to see the abuse as consensual and had not passed on intelligence to police which could have led to earlier arrests.⁷⁵⁶ Another case involved Rotherham social services – they were aware a young girl had been sexually abused by a Pakistani gang since the age of 12, and had responded by offering her language lessons in Urdu and Punjabi “to engage” her in education.⁷⁵⁷

Research by the Children’s Society found that there is a lack of specialist services for all children over the age of 14 “which may negatively affect the number of children and young people referred to social services.”⁷⁵⁸ It also found that 11-17 year olds were often regarded as old enough to be able to deal with abusive situations.

The BLAST Project felt there needed to be more mandatory training⁷⁵⁹ around the issue of child sexual abuse. Andy Elvin from CFAB said social workers needed Continuous

⁷⁵² <http://mqt.london.gov.uk/mqt/public/question.do?id=46890> Mayors Question 1940/2013 Roger Evans, June 2013

⁷⁵³ Ibid

⁷⁵⁴ In evidence from a meeting with ECPAT UK, 2013

⁷⁵⁵ Police and social workers apologise to victims abused by Oxford sex ring but chief constable and council chief exec resist calls to resign despite their missed opportunities to save them Extracted from: dailymail.co.uk/news May 14, 2013

⁷⁵⁶ Child sex abuse ‘widespread in UK’ – not just in Asian areas, Jonathan Brown The Independent, 28 September 2013

⁷⁵⁷ The Times (Sep 24, 2012) Child sex abuse: the investigations and reports

⁷⁵⁸ 2011 CEOP Report, Out of Mind, Out of Sight

⁷⁵⁹ BLAST wrote a training programme called “Think Again” which is resource that can be used nationally. Evidence from Phil Mitchell, Project Coordinator from “The BLAST Project” 2012

Professional Development (CPD) training. Social workers gain a qualification and then can remain in post without ever having to update their knowledge or learn anything new regarding social work again. However, Andy Elvin felt that they need similar cyclical accredited training such as lawyers have in their profession. It also needed more centralised oversight as, unlike legal training, social work course syllabuses depend on the University at which they are studied, and the funding around this training is provided by the Department of Health, who have no remit for children.

Carolina Albuerne found that training had a huge impact. She managed a team for the Refugee Council in the largest Initial Accommodation Centre for newly arrived asylum seekers needing accommodation in Wakefield. They trained staff on how to identify victims of trafficking and as a result the rate of identification increased substantially. “We did one piece of training with one team of advisors and this resulted in the team identifying 46 victims, when they had only identified 6 the year before. And this was just very simple training on what trafficking is.”⁷⁶⁰

Regular effective training is crucial for spotting children who are being exploited. One stakeholder noted that the money spent prior to the Olympics to find trafficking in brothels would have been better spent on mandatory training.

Clearly there is still a limited understanding of trafficking and grooming by many social workers. The survey I carried out revealed that almost three fifths (56.7%) of social workers surveyed thought you had to cross an international border to be a victim of human trafficking.⁷⁶¹

Schools and Health services

Andy Elvin from CFAB said, “Health and house professionals have no knowledge at all. In a room of 40, one or two have heard of the NRM. This number is going up but it is less than five per cent.”⁷⁶² Kids Company also said that teachers need training so that they can recognise the basic indicators. They felt this should be part of child protection training in schools, along with child marriage and honour violence. However, a repeated concern was the fact that Government departments don’t work with one another.

A Home Office source told me, “We would like trafficking training in standard mandatory training, but at the same time [the Department for Education is] trying to include less prescription in schools; so we only can suggest to schools that they include this but we can’t make it mandatory.”

Raven Kalia from Outspiral told me that had her school, in the 1980s, been trained on signs to watch for, they could have spotted that she was a victim of trafficking... She was often “absent, though she earned high marks; worked hard but fell asleep in class; had frequent, visible injuries; and would often flinch at loud sounds or sudden motion.”⁷⁶³ In the recent Oxford grooming case, the health services were also criticised - one victim was cited

⁷⁶⁰ Evidence from Carolina Albuerne, Refugee and Human Trafficking Specialist, at City Hall, 2013

⁷⁶¹ See the Survey results presented in Appendix I

⁷⁶² Evidence from Andy Elvin, CFAB, 2013

⁷⁶³ Evidence from Raven Kalia, Founder of Outspiral, City Hall 2013

as regularly catching chlamydia and was “often covered in bruises and burns where the men had stubbed her with cigarettes.” She was even examined by a doctor who found that she had injuries consistent with “forceful oral sex.”⁷⁶⁴

CFAB has produced a free online trafficking training programme for health staff and teachers. E-training has serious limitations but Andy Elvin felt e-training was good enough for teachers, as all that was required of them was to spot the possible indicators and then go to social services who would be expected to take the case from there. It was also recommended that housing officers, NHS staff and benefit agency staff received training as they were also likely to see children exploited. However, local authorities need to ensure this training takes place. Unfortunately this does not appear to be possible in many local authorities in London.

One social worker in London told us that they had seen grooming and trafficking taking place repeatedly in one North-East London borough, and that she had witnessed predator gangs waiting outside the borough’s school gates. However, the Council was refusing to accept this was the case. The social worker said the sooner the council accepted what was happening and forwarded this vital intelligence to schools the sooner we could prevent abuse.

Mayor’s role and Multiagency work

The only way to ensure all local authorities in London take trafficking seriously is if there is clear direction to do so. The Mayor has the opportunity to lead this from a pan-London perspective to ensure local authorities are carrying out their statutory responsibilities to protect child victims of trafficking.

Following the Rochdale case, Rochdale’s authorities have sprung into action. Rochdale social services have a single point of contact for all referrals that may involve child sexual exploitation and there is a monthly forum where a number of relevant groups including police, youth services, youth offending teams, and social workers exchange information. A scheme to help police share data across all 10 Manchester boroughs is also being investigated.

Philip Ishola said, “The big question we need to address is that the system we have in place is completely reactive. All reports point to this. We only respond but don’t consistently come up with the goods to holistically address the problem with a multiagency approach. The authorities lack the ability or will to address it in a holistic way. We need to go in there and adjust provisions and working practices of the relevant organizations. Instead we just take the ‘sticking plaster’ approach.”⁷⁶⁵ He said there was repeated evidence of this and that even 15 years ago there were cases of boys being groomed and trafficked as far as Holland; but that the authorities had refused to take any fundamental shifts in working practices to tackle the problem.

Philip Ishola said multiagency work was the key way to tackle the “disconnect between NGOs and the statutory sector.”⁷⁶⁶ One third sector organisation working with children

⁷⁶⁴ BBC Oxford, Oxford ‘child sex ring committed depraved abuse’, 15 January 2013

⁷⁶⁵ Interview with Philip Ishola and Peter Dolby, Counter Human Trafficking Bureau, 2013

⁷⁶⁶ Interview with Philip Ishola and Peter Dolby, Counter Human Trafficking Bureau, 2013

said that information sharing took place with some local authorities (Camden, Lewisham, Croydon, Haringey) but that in London they didn't have an effective relationship with the authorities. One challenge is that London has 32 different boroughs. However, the Mayor and Greater London Authority have a pan-London remit and could assist in creating effective multiagency models across the region.

Gwent model

A very successful Consultation Group was developed by Gwent Police. It met quarterly and was initially chaired by the Head of Safeguarding rather than the police to ensure agencies “had as large a voice as the police”⁷⁶⁷ in the Group's agenda. This was a critical factor, I was told, as the group was therefore never seen as a “police group”.

The main aim was to establish engagement between the various authorities, including police, health professionals, school staff, housing providers and anti-trafficking agencies, to share intelligence and trends and work together on problem-solving cases. Huw Watkins, who helped to set up the Group and was the former Anti-trafficking lead in Gwent Police, highlighted that “you need the right level at the table”.⁷⁶⁸ He recommended not always having someone at a strategic level as they are so far removed from operational experiences, but also not having someone too junior as they “need to have enough authority to act.”⁷⁶⁹

The group also helped agencies and their frontline staff by offering guidance and helping them to identify who to go to for assistance. The group was also used to gather agreements on Awareness Raising and Training and provided everyone with an ‘Intelligence Bulletin’ so that no one was kept in the dark about new data, cases and best practice. The group were responsible for over 1,200 professionals receiving human trafficking awareness training.

The CSJ Report, *It happens here*, found that “The group has had considerable success in fostering links between professionals who are able to share experience and generate a better understanding of how the problem manifests in their area...It is our recommendation that every region establishes an equivalent group, creating a forum whereby information and intelligence can be shared across agencies. This multi-agency approach is essential for police in disrupting traffickers and identifying victims.”⁷⁷⁰

A Government source told me that they wanted to “make local authorities see [trafficking] as part of their framework”.⁷⁷¹ But I was told there were real weaknesses in the current local authority model, both in terms of having the training to identify trafficking, and also due to the structure of local Government itself. Andy Elvin said “Gangs”⁷⁷² are more organised

⁷⁶⁷ Evidence from Huw Watkins, City Hall 2013

⁷⁶⁸ *ibid*

⁷⁶⁹ *Ibid*

⁷⁷⁰ *It Happens Here*, Centre for Social Justice Report, 2013

http://www.centreforsocialjustice.org.uk/UserStorage/pdf/Pdf%20reports/CSJ_Slavery_Full_Report_WEB%285%29.pdf

⁷⁷¹ Evidence from a meeting with a Government source, 2013

⁷⁷² Elizabeth Willmott-Harrop, Consultant and Writer Specialising in Women and Child Rights Advocacy, has pointed out that “According to UNODC these gangs fit the criteria for being called an organised criminal network –why are these termed “gangs” and not “OCNs”?”

than local authorities”⁷⁷³. One of the challenges that anti-trafficking organisations cited was trying to get local authorities to work with other local authorities. Local authorities are not measured on the work they carry out jointly and therefore London needs regional multiagency teams - with social workers, the police and other relevant bodies - to coordinate work around trafficking.

It was suggested that these regional London teams could “advise; guide; act as lead investigator; deal with cross border issues; and would have the responsibility to train others.”⁷⁷⁴ It was also suggested that initially London could have a small short-term central unit overlooking this from a pan-London perspective. Barnardo’s felt the Mayor could coordinate this pan-London work. To build support with the boroughs the Mayor would need to do a mapping exercise with the authorities and NGOs. Anti-Slavery International said, “We need to do a breakdown of where cases are by region. This would give police information and it would also prove that it is a problem in your borough. At the moment, boroughs claim they don’t have problems when they do.”⁷⁷⁵

Philip Ishola said NGOs, police and local authorities were beginning to work together. Indeed, he claimed that “Getting the local authorities’ and children’s teams and social care backing is fine in principle. We could get that agreement. The problem was resource.”⁷⁷⁶ Resource is needed to create a mechanism to support the multiagency work so that when an individual reported a trafficking case to the local authorities, the right expertise, either in the local authority or provided to the local authority, was there to manage the case.

The Mayor’s Office for Policing and Crime should also consider whether they should take responsibility for ensuring all LSCBs, Councils and Police collect relevant data on human trafficking. As well as this, MOPAC could act as a centralised collecting system to gather all data from boroughs and NGOs to obtain more reliable human trafficking figures.

Good practice

In London, Hillingdon has a multiagency model and is cited as an example of a best practice. The Hillingdon LSCB has a subgroup which combines three key areas that overlap - missing children, child sexual exploitation and child trafficking. Similarly Croydon has received praise for the on-going work of its multi-agency Prevention of Human Trafficking in Croydon subgroup, which reports to its LSCB and SVA Board and is chaired by the Deputy Chief Executive as well as the streamlined processes it had in place (see below).⁷⁷⁷ However, even these two boroughs have been subject to some criticisms from some stakeholders we spoke to, highlighting how challenging it is to effectively tackle human trafficking.

⁷⁷³ Evidence from Andy Elvin, CFAB, 2013

⁷⁷⁴ Ibid

⁷⁷⁵ Meeting with an NGO campaigning against human trafficking, 2012

⁷⁷⁶ Interview with Philip Ishola and Peter Dolby, Counter Human Trafficking Bureau, 2013

⁷⁷⁷ Both Hillingdon and Croydon boroughs are particularly vulnerable to human trafficking because of Heathrow Airport and Lunar House, the UK Border Force headquarters, respectively.

Croydon's multiagency approach

Croydon has set up a multi-agency streamlined response to human trafficking. The aim was to simplify referral processes so that frontline agencies were provided with a clear path of action when faced with a potential victim of trafficking. A helpful set of protocols on human trafficking is available which provide agencies with all the names and numbers of those they can contact when handling a case in Croydon.

There are certain teams where all referrals are channelled, and these act as first responders into the NRM. The costs to this approach are small. The borough has spent limited additional resource, since there is not a specific team for human trafficking, but rather the role is absorbed into "business as usual".⁷⁷⁸ Furthermore, much of the training they have initiated for frontline staff has been provided for free by the International Organisation for Migration (IOM).

Antony Botting, the human trafficking lead in Croydon borough, told us that Croydon has also set up an operational NRM group to look at cases being referred into the NRM by Croydon Council to identify trends and focus future practitioner training. This self-reflection, mirrored in Anti-Trafficking Consultation groups set up in certain parts of the country, is key to improving best practice.

Attitudes to children

The defence barrister, for the Oxford gang perpetrators of child sexual abuse, suggested to the jury that the girls were simply pretending to have been raped and trafficked for sex, but were actually just "naughty girls" regretting doing "grown up things".⁷⁷⁹ The Judge also told the jury that they must decide whether the alleged grooming victims had the "freedom and capacity"⁷⁸⁰ to agree to sex, even though they were clearly children at the time. Baroness Butler-Sloss warned that police and social workers often blame the victim and view the victims of sexual abuse as 'bad girls.' She noted the Jimmy Savile scandal, involving the abuse of girls and boys, as a case in point stating, "What worries me about Jimmy Savile and the appalling story is everybody will be terribly upset for a while and then it will die down."⁷⁸¹ However, possibly the tide is turning as, in August 2013, the Crown Prosecution Service (CPS) suspended a prosecution barrister who labelled a 13 year old victim of sexual abuse by a 41 year old man as "predatory in all her actions."⁷⁸²

This took place following a small uproar by a number of charities. But it was criticised by a number of key figures including Barbara Hewson, a prominent human rights barrister, who stated that society has a "simplistic view of sex abuse" and that it "takes two to tango... People have a real difficulty in thinking about these cases. What they don't like is the fact that it is consensual. But whenever there is any issue about children generally you tend

⁷⁷⁸ Evidence from Antony Botting, Human trafficking and NRM lead in Croydon Borough at City Hall, 2013

⁷⁷⁹ 'They're naughty girls who now regret sex' defence tells Bullfinch jury, Oxford Mail, 10:00am Friday 19th April 2013

⁷⁸⁰ Jury must decide if girls had 'freedom' to say yes ... - From Oxford Mail.oxfordmail, 1 May 2013

⁷⁸¹ Quoted in the Telegraph, Sexualisation of children 'risks softening attitudes towards abuse', 2 January 2013

⁷⁸² <http://www.theguardian.com/law/2013/aug/07/barrister-victim-predatory-criticised-dpp>

to get this hysterical response.”⁷⁸³ Society is uncomfortable with the idea that children have agency and can be sexually active. There are also further grey areas as the age of consent is effectively subjective as demonstrated by the fact that, even in Europe, it varies greatly from 16 years of age in England to 13 years of age in Spain. However, the law in England and the EU⁷⁸⁴ is well known, hence even if the child did initiate the act, an adult will know they are disobeying the law and should therefore rightfully be treated as a criminal. Furthermore, when the perpetrator is significantly older⁷⁸⁵ than the child, the abuse involved is more clear-cut.

Marai Larasi from Imkaan said, “There is deeper prejudice behind all these cases about how professionals deal with teenagers.”⁷⁸⁶ Stakeholders saw many cases where a difficult teenager was being abused and had all the trafficking indicators. However, they said that when a social worker queried, for example, where the teenager had obtained their new phone, the teenager might be rude in their response. As a result, the social worker viewed them as if they were an adult or delinquent, with an “attitude problem” and an attraction to a sexualised, dangerous lifestyle; even though they may only be 14. Marai Larasi said that “It’s a worrying attitude [from professionals] and it prevents identification. We need to go: this is a safeguarding issue. This is a child.”⁷⁸⁷

Instead, the indicators of trafficking, revealed by abuse victims, can be used against them. I was told about one child victim who had been arrested for stealing a pregnancy test kit from a shop. The Howard League for Penal Reform wrote a report *Out of place: The policing and criminalisation of sexually exploited girls and young women*⁷⁸⁸ which showed that many sexually exploited girls enter into sexual relationships with men “in order to obtain money, cigarettes and phone credit and can find themselves out of their depth in exploitative and abusive relationships.”⁷⁸⁹ They will therefore “commit crime to try and escape the men who exploit them or as a cry for help.”⁷⁹⁰ These girls therefore often have extensive contact with the police and youth justice agencies, and yet their sexual exploitation remains unknown. The report recommended that links between sexual exploitation agencies and youth justice be improved to tackle this. Meanwhile the authorities’ unwillingness to tackle this problem was highlighted in the Rochdale case where one 15 year old was herself arrested on suspicion of aiding and abetting sexual abuse.⁷⁹¹

⁷⁸³ Barrister attacks ‘simplistic’ views over child sex abuse, Evening Standard, 9 August 2013,

⁷⁸⁴ ‘When a child is concerned, no possible consent should ever be considered valid’. Preamble to the EU Directive on preventing and combating trafficking in human beings and protecting its victims

⁷⁸⁵ “Sexual abuse and exploitation of a child or young person involves an imbalance of power. The assessment should seek to identify possible power imbalances within a relationship. These can result from differences in size, age, material wealth and/or psychological, social and physical development.”
http://www.londonscb.gov.uk/files/procedures/sexually_active_children_procedure.doc

⁷⁸⁶ Evidence from Marai Larasi and Sumanta Roy, Imkaan, Meeting, City Hall 2012

⁷⁸⁶ Ibid

⁷⁸⁷ Ibid

⁷⁸⁸

http://d19ylpo4aovc7m.cloudfront.net/fileadmin/howard_league/user/online_publications/Out_of_place_summary.pdf

⁷⁸⁹ Out of Place, Howard League for Penal reform Report, 2012

⁷⁹⁰ Ibid

⁷⁹¹ “It was as if they were saying she was some kind of madame,” Former Det. Con. Margaret Oliver.

Quotation from ‘Police ‘abandoned’ child sex victims- A detective who quit in disgust claims hundreds of abuse cases involving gangs were botched’ David James Smith The Times, 14 April 2013

This unwillingness to see children as victims may even be magnified when boys are abused due to expectations around male attitudes towards sex. For example I was told of one case where a 14 year old received drugs in exchange for giving a man oral sex. However, the police wouldn't class it as sexual exploitation or grooming.⁷⁹² In another case a boy met a girl online but when he met up with her, she turned out to be a middle-aged man. The man then blackmailed the boy because he had photos of him. The boy and his family went to the police but the police mistakenly did not recognise this as sexual abuse and said there was nothing they could do. The support provider said, "We had to go to the police and explain what sexual exploitation was!"⁷⁹³

Culture of abuse

Imkaan said it was crucial for authorities to appreciate the "conductive context"⁷⁹⁴ which leads to children being sexually exploited and trafficked and accept that "trafficking is not happening in a vacuum."⁷⁹⁵ They felt there were wider cultural reasons⁷⁹⁶ why children were being sexualised and why adults were viewing them as commodities which needed to be tackled. The Children's Commissioner wrote that "It was troubling to find that so many young people do not understand the concept of consent in relation to sex: we heard from young people who did not consider oral sex to be sex and teenage boys who felt they had an entitlement to sex whenever and with whomever they wished. This sense of entitlement was equally true of the adult perpetrators. The evidence we uncovered revealed a deeply worrying societal problem: that many males harbour violent and misogynistic attitudes towards girls, exerting power and control by acting out their impulses in abusive and often sadistic acts."⁷⁹⁷

There is also clearly a problem with how some young teenagers view themselves and their worth. As far back as 2004, the police can be found to have investigated allegations of 26 girls in the northwest of England being abused by Pakistani men.⁷⁹⁸

One 15 year old girl died following a possibly deliberate drugs overdose. In a letter she had written when she was 13 about her drug abuse she revealed how she tragically blamed

⁷⁹² Phone interview, evidence from Phil Mitchell, Project Coordinator from "The BLAST Project", 2012

⁷⁹³ *ibid*

⁷⁹⁴ Evidence from Marai Larasi and Sumanta Roy, Imkaan, Meeting, City Hall 2012

⁷⁹⁵ *Ibid*

⁷⁹⁶ "the line blurs between young girls being sexually appealing, sexually available and appropriate sexual objects because sex is widely represented in our culture as pleasing to adults, girls adopt sexy clothing and behaviour to gain societal and adult approval and are effectively being groomed for pedophiles ... The direct physical abuse of children lies at the hard edge of child sexualisation, which contributes to a climate in which child sex trafficking, child pornography, child sex tourism, child prostitution and child rape thrive." "Stepping up the fight against childhood sexualisation by Elizabeth Willmott-Harrop, February 2010 www.libertyandhumanity.com/themes/sexualisation/stepping-up-the-fight-against-childhood-sexualisation/

⁷⁹⁷ PublicService.co.uk 'Numbers alone do not reveal the true impact of sexual exploitation' Sue Berelowitz England's deputy children's commissioner, 22 April 2013

⁷⁹⁸ Police 'abandoned' child sex victims- A detective who quit in disgust claims hundreds of abuse cases involving gangs were botched' David James Smith The Times, 14 April 2013

herself for her abuse: “I have slept with people older than me, half of them I don’t even know there [sic] names. I am a slag and that is nothing to be proud of.”⁷⁹⁹

One 11-year-old girl abused by the Oxford-based gang said, “[He said] if he wanted me to eat shit, I would eat shit.”⁸⁰⁰ She put up with horrific abuse, including being branded, repeatedly gang-raped, having a backstreet abortion and experiencing severe physical and sexual torture - for example, when she was only 12 years old she was knocked unconscious with a baseball bat and then raped with it while unconscious.

Tackling grooming

Andy Elvin from CFAB said the best way to tackle grooming was to educate children and help them build self-esteem and confidence.

One stakeholder said that teenage boys were growing up viewing girls as sex objects and that, from a young age, all children needed to be taught to respect members of the opposite sex. Dr Lois Lee, an American trafficking expert and founder of Children of the Night, has written about the exact ways in which exploiters groom and break down their victims – gaining their trust; showing them small elements of affection; breaking down their confidence; isolating them from friends, and desensitising them to abusive acts and making them believe they deserve what they experience.⁸⁰¹ Greater awareness in schools amongst children, both female and male, of these tactics would also clearly help. We need to move on from simply telling children not to take sweets from strangers.

⁷⁹⁹ Ibid

⁸⁰⁰ Oxford gang skillfully groomed young victims then sold them for £600 a time Sandra Laville and Alexandra Topping The Guardian, 14 May 2013

⁸⁰¹ In some cases however a child’s background plays a key role. Dr. Lee wrote in the Huffington Post that, “Life with a pimp can be better than life at home or life in residential care because at least with a pimp someone is paying attention to her and the victim knows what is going to happen next.”

The labour trafficking of homeless and vulnerable men

‘Competing’ with sex and migrants

While media coverage and Mayoral policy equates trafficking with sex, women and/or migrants,⁸⁰² there is trafficking taking place in London that involves none of these. Yet the National Crime Agency (NCA⁸⁰³) only makes “direct mention of human trafficking ... under the Border Policing Command”⁸⁰⁴ and the Mayoral policy on trafficking only exists within the Violence against Women and Girls (VAWG) Strategy.⁸⁰⁵ Their focus on migrants and women respectively worryingly ignores the internal trafficking of British men taking place within the UK. Intentionally or otherwise, the Government is symbolically ahead of London Mayoral policy on this, having redirected the chief human trafficking victim support contract to the Salvation Army, whereas previously the prime contractor was with a women’s service. The Salvation Army works with men as well and we heard that they were seeing an “almost 50:50 split”⁸⁰⁶ between male and female trafficking survivors using their services.

The number of cases of labour trafficking identified is already beginning to appear to overtake the number of sex trafficking cases, with recent Salvation Army data from July 2011 to April 2013 showing that labour exploitation (43%) accounted for more cases than sexual exploitation (40%).⁸⁰⁷

Even when the media does criticise society’s focus on sex trafficking to the detriment of labour trafficking - stating that, “If you asked a member of the public they would probably understand sexual exploitation and child trafficking, but when it comes to labour trafficking it’s a hidden crime... where victims go unnoticed” - the editors ironically sometimes still sensationalise the article using pictures of prostitutes.⁸⁰⁸

The Connors case

However, in 2011/12 a shocking and brutal case appeared on the front pages of newspapers across the country. After the bones of a homeless man called Christopher Nicholls were recovered near a caravan site in Gloucestershire, police raided a number of traveller sites across the UK and uncovered a slavery ring run by just one family – the Connors. The

⁸⁰² “I worked in the sex trade; does that make me ‘trafficked?’” Dr Magnanti Telegraph 18 October 2012

⁸⁰³ Which replaces the Serious Organised Crime Agency (SOCA) as the UK’s chief operational crime fighting agency to tackle and coordinate work around organised crime.

⁸⁰⁴ CSJ report, It Happens Here, 2013

⁸⁰⁵ Yet in a recent European Commission report from 2013 stated that “The percentage of male EU citizens trafficked within the EU is 74% and the percentage of female EU citizens trafficked in the EU is 66 %.”http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf

⁸⁰⁶ Evidence from an interview with one stakeholder working with trafficking victims and the Salvation Army. However, a recent Salvation Army report, Support Needs of Male Victims of Human Trafficking, said that “from a review of 625 initial client assessment forms: 397 (64%) [were] females and 228 (36%) [were] males.”

⁸⁰⁷ <http://www.parliament.uk/documents/commons-committees/home-affairs/130603%20Human%20trafficking%20written%20evidence.pdf>

⁸⁰⁸ See example in Appendix 3

Connors targeted up to 100 homeless and vulnerable men, who were kept in appallingly filthy⁸⁰⁹ conditions and made to carry out very “hard labour,”⁸¹⁰ for up to 19 hours a day.

Many of these men were recruited in London outside soup kitchens and Jobcentres. They were told they would be paid for block paving work and receive accommodation. Instead, they would have their money, ID and clothes taken from them and their benefits would be controlled by the family – who they had to call “mum” and “dad”. The men were then sent around the country, even as far as Scandinavia. Some of the men were being kept in dog kennels, some had been violently beaten, with untreated broken bones, and many had been starved to a point where they were unable to eat for several days when they were rescued and had scurvy. The youngest victim was 17, while some of the men had been there for over several decades. “One witness had been there for over 20 years. They didn’t realise what was normal. [There were] no turrets, no barbed wire, but if you are a vulnerable person anyway, after a while you think it’s normal.”⁸¹¹

Tip of the iceberg

In 2012 the UK Human Trafficking Centre (UKHTC) said 39 men were used for tarmacking and paving stones by the “UK Traveller” community.⁸¹² Megan Stewart from Thames Reach, a London-based homeless charity, told us that this figure is just “the tip of the iceberg.”⁸¹³ There could be vast numbers of people we don’t even know are missing being exploited.”⁸¹⁴ The UKHTC said 1,000⁸¹⁵ victims of trafficking for forced labour had been referred to the centre since 2009, but also stated that this number barely scratched the surface as it was a “hidden crime...[and] probably one of the least understood areas of human trafficking.”⁸¹⁶ They also questioned whether numbers had really gone up to sex trafficking case levels or if labour figures had always been high, but hidden from view. The UN TIP report admitted, “Trafficking for forced labour is likely to be underestimated because it is less frequently detected and reported than trafficking for sexual exploitation.”⁸¹⁷

AC Olivia Pinkney, Trafficking Spokesperson for ACPO, said: “Members of the public may not realise that they will see victims of labour exploitation, and those controlling them, in a number of different environments while going about their daily business.”⁸¹⁸

⁸⁰⁹ “I wasn’t allowed to use their toilet services, strictly for them, I had to go into a bush and wipe myself with leaves..” Graham Clark speaking to Channel 4 News, 12 September 2013

⁸¹⁰ “[It was] hard labour, picking up massive rocks, big heavy tiles every day. It’s not an easy job, making my back ache every day.” Times Interview <http://www.thetimes.co.uk/tto/news/uk/crime/article3392587.ece>

⁸¹¹ Police source to the Times in ‘Inquiry widens as more alleged victims emerge’ 17 September 2011

⁸¹² The UKHTC baseline assessment on the nature and scale of human trafficking in 2011, SOCA, August 2012

⁸¹³ Worth noting however that Anti-Slavery International felt that since British victims did not have to deal with the UKBA the figures may be less distorted.

⁸¹⁴ As discussed earlier, there are risks attached to assuming the numbers of cases of trafficking are vast, without statistical evidence and with only a reliance on anecdotal evidence from those working in the anti-trafficking field

⁸¹⁵ <http://metro.co.uk/2013/01/21/forced-labour-trafficking-victims-tip-of-the-iceberg-3358959/>

⁸¹⁶ James Behan, head of operations for UKHTC, in the Metro, <http://metro.co.uk/2013/01/21/forced-labour-trafficking-victims-tip-of-the-iceberg-3358959/>

⁸¹⁷ <https://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html>

⁸¹⁸ Crimestoppers highlighted some of the signs of trafficking to watch out for if people are passing by factories or have people knocking on their doors offering construction work. The signs included the following:

Why is it ignored?

Immigration focus

A desire by the media and certain stakeholders to focus on sex and migrants may be one reason why so few of us are aware of this truly horrific type of trafficking often involving British men, and which is happening, sometimes literally, on our doorsteps. However, legislation has also ignored these victims as well. As Professor Anderson noted, until Section 71 of the 2009 Coroners and Justice Act,⁸¹⁹ which only came into effect in 2010⁸²⁰, the UK “while presenting itself as the archetypal site of free labour, ... had no offence criminalising forced labour, other than that incorporated in the 2004 Immigration Act. Effectively, this meant that forced labour for non-citizens could be prosecuted, but not for citizens. [In] 2009 ‘trafficking’ finally came home, and forced labour was illegalised for British as well as foreign nationals.”⁸²¹ Professor Anderson felt this reflected the fact that the trafficking agenda was heavily tied up with concerns around immigration.

The Connors’ case however also revealed that not only were both the victims and traffickers from the British Isles, but it “blows out of the water the contention that the UK is not a source country for victims of trafficking. Of the 213 victims trafficked into, out of and within the UK by tarmac & paving gangs between 2007 and 2010 over half were British. The male victims have been trafficked to Scandinavia, predominantly Sweden and Norway.”⁸²² Some stakeholders felt that this was perhaps not something that the British were as keen to highlight as the trafficking of migrants coming into the UK. It is also worth noting that Norway, rather than the UK, was the first country to obtain a conviction for a British victim in this type of trafficking case.

Attitudes to labour trafficking and the homeless

This crime has also remained hidden because of attitudes in society about what we should be prioritising. I was repeatedly told that labour trafficking was seen as less serious than sex trafficking. Furthermore, many of the victims were addicts, street drinkers and homeless men – a vulnerable group without a strong voice or influence. Yet a number of stakeholders told me these men were subject to some of the greatest violence they had seen amongst trafficked victims.

“- They are collected very early and/or returned late at night on a regular basis.

- May have inappropriate clothing for the work they are performing, and/or a lack of safety equipment.

- Victims’ physical appearance may show signs of injury, malnourishment, and their general appearance may be unkempt.”

⁸¹⁹ This made slavery, servitude and forced or compulsory labour a specific criminal offence

⁸²⁰ “Although slavery was banned in Britain 200 years ago it was only in April 2010 that a specific criminal offence was brought in making it illegal to hold another person in servitude. Until then, police were forced to use existing legislation such as false imprisonment and human trafficking to seek convictions. Ministers insisted that the current legislation was adequate but human rights groups and unions lobbied for change. An amendment to the Coroners and Justice Bill brought in two new offences – holding someone in servitude within their home (punishable by up to 14 years in prison) and forcing someone to work against their will (seven years in prison).” Men rescued from squalid forced labour camp refuse to help police, by Jerome Taylor, The Independent, 2011

⁸²¹ Us and Them?: The Dangerous Politics of Immigration Control, Prof. B Anderson

⁸²² <http://combattrafficking.eu/content/uk-source-country-victims-trafficking> ‘UK is a source country for victims of trafficking’ Submitted by CSWP on Mon, 2011-09-26 12:38

Megan Stewart from Thames Reach told me, “Missing people are probably the most vulnerable of all adult citizens – no one is looking for them. These are the ones not reported missing. They are not being missed. They are not sleeping rough because they have loving supportive families. [No one] is reporting them. That is what makes this issue so scary. Something has to be done.”⁸²³

Our society’s concerning attitude towards homeless people was highlighted by the Connors case above, which only came to light following the death of Christopher Nicholls. A Times’ interview with his parents revealed that the police refused to treat the death as suspicious or important. “A *policewoman sat in our living room and made despicable assumptions about someone she had never met, whose background she could not know. She said to our faces he was a drop-out and a drunk, who had probably been sleeping rough. She wrote him off.*”⁸²⁴ Later the Coroner’s office called the parents to tell them, ‘We still have part of him. Would you like us to dispose of it?’⁸²⁵

His parents decided to investigate, refusing to believe the police’s version of events and because they were shocked to see that his body “looked like something from Belsen.”⁸²⁶ In doing so they discovered that the Connors had been claiming Christopher’s benefits even after he died. They also found that he had been run over, they believe while trying to run away, which had led to brain damage and incontinence. The Connors family then tried and failed to claim compensation for the accident; shortly afterwards Christopher died. The family believed his death was caused by the Connors - who could no longer exploit Christopher due to his disabilities⁸²⁷.

The parents also questioned residents’ indifference. “All these people who got their drives and patios done, they should ask their own consciences. Didn’t it seem strange these petrified men were working in the cold, with no warm clothes? Why did no one say, hang on, something’s not right here? Because they got it cheaper, that’s why. For a nice few bob.”⁸²⁸ However, even many social workers cannot recognise these men as victims, therefore there is even less chance perhaps that other people will.

In our survey of London social workers, 63% were unable to recognise a homeless man, working for free for someone and being taken around the UK, as a potential victim of trafficking.⁸²⁹

As well as society failing or even not wanting to identify this problem, victims themselves are not being encouraged to identify themselves. The UKHTC poster on human trafficking has a picture of a woman as does almost all other advertising material regarding human trafficking.

⁸²³ From evidence from Megan Stewart, Thames Reach, City Hall, 2013

⁸²⁴ <http://www.thetimes.co.uk/tto/news/uk/crime/article3632304.ece> Man died ‘because of association with traveller gang’ 15 December 2012

⁸²⁵ Ibid

⁸²⁶ Ibid

⁸²⁷ Ibid. “We are under no illusions what caused Christopher’s death. He was of no use to them. Christopher’s demise is due, without doubt, to his association with the Connors.”

⁸²⁸ Ibid

⁸²⁹ See Survey breakdown later on in this report

Megan Stewart from Thames Reach criticised the UKHTC for using a female victim in their poster for trafficking and said, “Men don’t recognise themselves as victims of trafficking or feel shame being reduced to this term.”⁸³⁰ I was told by a number of stakeholders that we need to start showing, in posters and in the media, that men can be victims of trafficking, in order to remove the shame attached to this role and allow male victims to self-identify, as well for the public and other vulnerable men to become aware of the indicators. Megan Stewart also said the UK Border Force has too generalised a view of trafficking and isn’t aware of the indicators around Eastern European or British men being trafficked in and out of the UK.

Case types

Victims

Men who are presently targeted in this model of trafficking tend to come from Britain, Slovakia, Poland, Latvia, Romania and Lithuania. However, there are rare instances of homeless women being trafficked in similar circumstances as well. Megan Stewart from Thames Reach said that of the 42 Eastern European homeless trafficking cases they had seen, two were women. Thames Reach said that British homeless men often have substance abuse and mental health issues, whereas other Europeans may be homeless due to unemployment. Hope for Justice has encountered some victims who had been asked whether they had outstanding arrest warrants. Traffickers may target those individuals who do have outstanding arrest warrants, often for misdemeanours, as they are less likely to seek help from law enforcement.⁸³¹ Alternatively a victim may be a person from a stable, criminal free background, but whose work and personal life may have simply fallen apart due to death, divorce or redundancy. As many homeless charities cite, we are all just “two steps from homelessness.”⁸³² A number of stakeholders said that homeless victims often get trapped in a cycle, where they may eventually be thrown out of or leave an exploitative environment, but then become homeless again and may be “caught again by different traffickers”.⁸³³

Labour types

These vulnerable men are trafficked for work such as tarmacking, agricultural labour, and working in bread and chicken factories. In October 2012, Kent police, the Gangmasters Licensing Authority and the Serious Organised Crime Agency (SOCA) liberated more than 30 Lithuanian workers who had been living and working in appalling conditions⁸³⁴ in a climate of fear involving debt bondage, threats and violence.⁸³⁵ They were ironically working to

⁸³⁰ From evidence from Megan Stewart, Thames Reach, City Hall, 2013

⁸³¹ Evidence from Hope for Justice, 2012

⁸³² <http://www.2steps2.com/>

⁸³³ Meeting with Klara Skrivanekova from Anti-Slavery International

⁸³⁴ “They are said to have then been kept in debt bondage, forced to work up to 17 hours a shift, bussed to farms the length of the country to catch hens through the night, sleeping for days at a time only in vans, in some weeks not paid at all, and, according to workers’ testimony, kept under control by Lithuanian enforcers with threats of violence and on occasions actual physical assault.” Workers who collected Freedom Food chickens ‘were trafficked and beaten’ Felicity Lawrence, The Guardian, Monday 29 October 2012

⁸³⁵ They claim they were refused toilet stops on journeys and that in between jobs they were kept for hours in the vans at roadside parking places.... they reported living 15 men to a small house in damp, squalid

provide Noble Foods with 'Freedom Food'⁸³⁶ eggs – lauded and approved by the RSPCA for its ethical treatment of and high welfare provided to chickens - to retailers such as Sainsbury's and Marks and Spencer.

Other tasks they are made to carry out include child-minding. I was told of one case where a man was forced to take care of a child from 6am to 2am every day. However, many cases were very much in the public eye. One case in Croydon involved vulnerable victims working in a public carwash for £3 a day.⁸³⁷

One victim who Thames Reach came across was specifically targeted for harvesting organs although the victim was rescued before the operation took place. The actual final act of organ removal has still not been witnessed by UK authorities, but this was the first year where organ harvesting was registered by the Government and the UKHTC.⁸³⁸ Megan Stewart from Thames Reach felt that homeless people were so unlikely to have anyone looking for them, that this one case of organ harvesting for organ trafficking that they had seen was unlikely to be a one-off.⁸³⁹

Hope for Justice said they found that traffickers diversify their tactics to maximise profit. Traffickers exploit victims in a variety of different ways which may include using a victim's identity for financial fraud, including benefit fraud to maximise profits. I was told that this form of exploitation was being increasingly used by Czech, Lithuanian and Polish traveller traffickers. Anti-Slavery International said that one of the new areas of trafficking they were seeing was men being made to "beg, pick pocket, [carry out] distraction theft, shoplift, steal clothes from charity shop boxes and metal theft". Indeed stakeholders said they had seen victims with severe burns from metal theft attempts.

Prior to the Olympics in 2012, metal theft was described as one of the UK's fastest growing crimes. This crime was linked to the soaring price of commodities, especially copper and aluminium, and had a 'Ripple Effect' where the value of problems caused by the crime can far outweigh the profits to the criminal. One cable theft in Bexley with a value below £1,000 cost EDF Energy £29m with 94,000 people affected.⁸⁴⁰ This crime however illustrates particularly well how trafficking mimics the fluid economy around it and also how it feeds

conditions. Mattresses on the floor were infested with bed bugs and fleas.Those workers who wanted to open bank accounts or apply for national insurance numbers say they were told they couldn't and were threatened with the sack if they complained....They have reported workers being beaten, punched, given black eyes and broken ribs, and then beaten again if they complained.

<http://www.theguardian.com/law/2012/oct/29/workers-chickens-allegedly-trafficked-beaten>

⁸³⁶ The gangmaster company was a member of Freedom Food, a welfare scheme licensed by the RSPCA

⁸³⁷ From evidence from Megan Stewart, Thames Reach, City Hall, 2013

⁸³⁸ "Although aware of the potential of human trafficking for the removal of organs the UK has only recently encountered its first organ harvesting trafficking cases. These were related to trafficking into the UK with the intention of harvesting the victim's kidneys, on one occasion to sell as a commodity and on another to provide the organ to a relative. Fortunately, on both occasions, the victims were recovered and supported before the organs had been removed."

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118116/human-trafficking-report.pdf

⁸³⁹ However, organ trafficking is an increasing problem: "Figures from WHO showed more than 100,000 organs had been legally and illegally transplanted in 95 member states in 2010. Mr Noell, a doctor, believed one in 10 was harvested illegally." Illegal organ trade on the rise, say world health experts, 28 May 2012, Telegraph

⁸⁴⁰ Information provided by the former MPA

into an illegal economy that creates huge long term costs to the UK. Indeed, a number of stakeholders highlighted that many victims they had seen, had been made to open up bank accounts and make benefit claims,⁸⁴¹ and that as result huge sums were being stolen from banks and the Treasury.⁸⁴²

Control

The men exploited in these professions may be sold on, often in car parks, to gangmasters or remain with the family who recruited them. They will receive a roof over their heads and some may even receive payment, while others may be paid in alcohol, while some receive nothing at all. I was told that a family may exploit a number of people, some who choose to be there, while others are forced. The men are controlled by a complex web of control mechanisms, from indirect threats and breaking down their confidence to severe physical brutality. Thames Reach had seen victims with marks left from handcuffs, wounds caused by being burnt with pipes and other forms of torture.

However, Klara Skrivankova from Anti-Slavery International said that she used to see far more cases of physical violence with victims receiving no exchange of money. But over time she noticed that traffickers had become more sophisticated, using “psychological violence and pressure or stalking the victims or their family; the victim may even get the odd bit of money here and there.”⁸⁴³ I was also told of cases involving non-violent torture which left no marks on the victims, such as one man who was made to eat his own faeces.

A Salvation Army report in 2013 noted that “Freedom of movement was restricted in a lower proportion of male over female victims.”⁸⁴⁴ However, their vulnerabilities were highlighted in other ways, such as by the fact that “a significantly higher proportion of men report having restricted access to food whilst in the trafficking situation than women.[And] those vulnerabilities more prevalent in males than females were rough sleeping, and existing mental health conditions and/or learning disabilities.”⁸⁴⁵

Case Study – the story of Jonas

In 2012 Jonas was picked up outside a Homeless Day Centre in Prague. A man approached him and asked if he wanted to work in the UK in a bakery. The man wore a suit and Jonas felt that the man seemed trustworthy. The suited man took Jonas and five other men to a flat in Kolin where he gave the men to a family living there and received money in return. The men were taken to a coach station and went from Prague to Bradford on a Eurolines Coach. Once in the UK, Jonas was made to work in a chicken factory and was not allowed

⁸⁴¹ Salvation Army report Support Needs of Male Victims of Human Trafficking, June 2013: “Bank accounts: 24% (54 cases) of males were forced to open a bank account, compared with 2% (8 cases) of females. The victim then had no control over said bank account; this

will have a subsequent impact on support needs as victims deal with the repercussions. Type of exploitation 2 -

- Loans: 5% (11 cases) of males were forced to take out a loan compared with 0.3% (1 case) of females. Credit cards: 1% (3 cases) of males were forced to take out a credit card compared with 0 females. Those nationalities forced to open bank accounts included: Polish, Slovakian, Czech, Romanian, Lithuanian, Hungarian, Portuguese, Cameroon, Nigerian. This applied mainly to those trafficked into labour exploitation or criminal activity.”

⁸⁴² From evidence from Megan Stewart, Thames Reach, City Hall, 2013

⁸⁴³ Meeting with Klara Skrivankova from Anti-Slavery International

⁸⁴⁴ Salvation Army report Support Needs of Male Victims of Human Trafficking, June 2013

⁸⁴⁵ Ibid

to eat all day, while carrying 23kg boxes of chickens nonstop. He was also made to carry out domestic work in the family's home.⁸⁴⁶ On their pay day they received a sealed envelop which they had to give to the family they were living with to pay back the debt they were told they owed for travelling to the UK. Jonas and several of the other men decided on a plan of escape. On the day of the escape, they flattened the tyres of the van carrying them from work. However the other men became afraid, and only Jonas and one other man felt strong enough to run away. The two men told a bus driver what had happened and that they needed to go to London to the Czech Embassy. The driver took them to London, free of charge, and the Embassy issued them with temporary passports and were told to go to Broadway Centre in West London to obtain help with accommodation. However the Centre had no vacancies in their hostel so an Embassy Consul gave them money to stay in a Hostel in Kensal Green. Two days later they had to leave the hostel after their money ran out. In September 2012, the men contacted Broadway Centre who contacted support services to see if they could obtain further help.

London

There are many reports that the number of homeless people on the streets of London is going up. Megan Stewart from Thames Reach said that “especially in Westminster there’s a problem; but in Tower Hamlets and Hammersmith and Fulham over 90% don’t spend more than one night on the street.”⁸⁴⁷ They also said that the numbers of Eastern Europeans they saw on the streets had risen sharply, “now making up 50% of our work; [while] 12-18 months ago it was only 20%.”⁸⁴⁸

Homeless victims tend to be targeted in specific areas.

While many victims are sent outside of London, due to the high number of vulnerable homeless men in London the capital appears to be specifically targeted as a recruitment and selling ground. Megan Stewart from Thames Reach said they saw vans arrive three times a week from Lithuania in one area in Westminster alone to sell men to different gangmasters. Another NGO noted that a van regularly visits the Polish Centre, POSK, in Hammersmith to pick young men up and that this had indicators of trafficking.

The family of one man, ‘Jack Chapman,’ - who drifted into substance abuse after quitting university following the end of a relationship - was trafficked twice by traveller gangs and had, on both occasions, been approached in London. He was first targeted with 15 other men in 2009 at a London drop-in centre. His family also came across other traffickers trying to recruit homeless men “near Temple on the Embankment. There’s a funny, square building. If you go up on the roof, homeless people live there when it’s not raining”.⁸⁴⁹

There must be many cases similar to this across the capital but, as stated above, it is very hard to discover and even harder to prove. BBC London reported in October 2012 that, in Ilford, East London, the police raided a terraced house where numerous Lithuanians had

⁸⁴⁶ Case study provided by Thames Reach 2013

⁸⁴⁷ From evidence from Megan Stewart, Thames Reach, City Hall, 2013

⁸⁴⁸ Ibid

⁸⁴⁹ Our son, the middle-class boy ‘enslaved’ by traveller gangs Lucy Bannerman The Times, 17 September 201

been staying in one room.⁸⁵⁰ Those at the residence said they were being paid below the minimum wage to work in a recycling depot and building firm and there was CCTV overlooking the front door. However, it was not clear if the Lithuanians were trafficked, and, if so, if it could be proven.

I was also told by Megan Stewart from Thames Reach that London is also used by Eastern European victims as a place to run away to due to the fact that the Embassies are based here.⁸⁵¹ In light of the central role London plays in the trafficking of homeless and vulnerable men, it is concerning that this issue is not mentioned anywhere in the Mayoral policy on trafficking.

Mobile Soup Kitchens

There are sixty static kitchens or mobile soup runs operating across London. Thirty are in Westminster, where half of London's rough sleepers gather.⁸⁵² Westminster City Council has repeatedly tried to reduce the number and even ban soup kitchens in Westminster. The former Mayor of London and several councillors opposed the attempts stating, "Nothing illustrates the cold-hearted and callous approach of the Conservatives more."⁸⁵³ However, a large number of homeless charities, including St Mungo's and Thames Reach, have supported Westminster Council. Jeremy Swain, Chief Executive of Thames Reach said: 'Street hand-outs do little to help people make the step away from rough sleeping. Instead they frequently prevent people from facing up to the reality of the harmful life-style they have adopted.'⁸⁵⁴ Megan Stewart from Thames Reach told me of an example where a mentally ill woman was being fed by Soup Kitchens on the street. Thames Reach found her and she "has now been sectioned and is in a comfortable accommodation watching TV, with food etc... [The fact is that there are] one hundred ways to help homeless people without giving them food on the street".⁸⁵⁵

Westminster City Council also noted that soup kitchens attracted crime and anti-social behaviour. When I met with Megan Stewart from Thames Reach to discuss the trafficking of homeless men Megan said, "Traffickers don't need to travel abroad now as they can just go to soup kitchens and day centres. [Soup kitchens are] open to traffickers and encourage them to stay in dangerous situations. Soup kitchens should be inside. They put people at risk."⁸⁵⁶

There is consistent evidence that a large proportion of homeless men are targeted at homeless support services such as soup kitchens.⁸⁵⁷ I was told that Lincoln's Inn Fields is one of the traffickers' target bases and that Passage, a homeless drop-in support centre near

⁸⁵⁰ <http://www.bbc.co.uk/news/uk-19984615> Human trafficking to UK rising, Tom Symonds Home Affairs correspondent, 18 October 2012

⁸⁵¹ From evidence from Megan Stewart, Thames Reach, City Hall, 2013

⁸⁵² <http://mqt.london.gov.uk/mqt/public/question.do?id=45821> 0957/2013 MQT Police monitoring of soup kitchens

⁸⁵³ Leader of WCC Labour Group, Councillor Paul Dimoldenberg, www.dailymail.co.uk Callous-council-wants-ban-soup-kitchens-homeless, 27th February 2011

⁸⁵⁴ www.dailymail.co.uk Callous-council-wants-ban-soup-kitchens-homeless, 27th February 2011

⁸⁵⁵ From evidence from Megan Stewart, Thames Reach, City Hall, 2013

⁸⁵⁶ From evidence from Megan Stewart, Thames Reach, City Hall, 2013

⁸⁵⁷ Reported by Anti-Slavery International, Thames Reach, and Hope for Justice.

Victoria, is also targeted.⁸⁵⁸ One soup run in central Westminster was “regularly targeted two to three times a night!”⁸⁵⁹ The Times wrote that “Workers at soup runs around Central London said that they were popular recruitment areas for Irish travellers. Some have witnessed homeless men getting into the back of suspected recruiters’ cars. One worker said: “We saw a man and a woman pull up in a Range Rover. They left with a few guys in the back. We’ve tried to chase them off a few times.”⁸⁶⁰

A couple, interviewed as part of a Times investigation⁸⁶¹, discussed their own son’s descent from a “Home Counties” graduate who was considering doing a PhD, to a malnourished captive of gangmasters. Their son was picked up at a soup kitchen and, while trying to find him, the parents would regularly come across travellers trying to recruit men in the soup kitchens in Westminster. The father stated, “These soup kitchens are being used as recruitment grounds. They are an open sore. Why is no one doing anything about it?”⁸⁶² Anti-Slavery International felt the solution was not so much to close soup kitchens and that it would be “easier to disrupt them if they were not all so near to each other – we need to change the logistics.” Thames Reach felt that Soup Kitchens need to be feeding in intelligence and looking out for this problem more consistently across London.

It was felt that we could not encourage CCTV to be installed around soup kitchens as I was told by one stakeholder that soup kitchens “are a law unto themselves”⁸⁶³ and are also not always based in London, with up to 50 soup kitchens entering Westminster from elsewhere.⁸⁶⁴ When I asked the Mayor and police what they were doing to tackle this problem the Mayor’s office wrote that “All providers are strongly encouraged by Police to bring their services indoors off the street. Locations are actively patrolled by Safer Neighbourhood teams when community concern or information demands.”⁸⁶⁵ The information above however suggests they should be actively patrolled more regularly.

We would never allow children to be fed on the streets, at risk of exploitation. I believe we need to ask why we are allowing vulnerable adults, many with mental health or substance abuse issues, to be supported in such environments.

Grey areas

The agency of potential victims

It can be challenging to picture grown men as victims of trafficking. There are also questions around whether homeless and poverty stricken, unemployed men are not better off working in an exploitative environment, if they at least have a roof over their heads. The Salvation Army highlighted in a recent report that forced labour victims “think it’s still better than in their home country, for those individuals it is very difficult to say there is a

⁸⁵⁸ From evidence from Megan Stewart, Thames Reach, City Hall, 2013

⁸⁵⁹ Ibid

⁸⁶⁰ Our son, the middle-class boy ‘enslaved’ by traveller gangs Lucy Bannerman The Times, 17 September 201

⁸⁶¹ Ibid

⁸⁶² Ibid

⁸⁶³ From evidence from Megan Stewart, Thames Reach, City Hall, 2013

⁸⁶⁴ December 2001, Do soup kitchens help the homeless? By Lissa Cook, Radio 5 Live Report.

⁸⁶⁵ Mayors question Andrew Boff, 0957/2013, 20/03/13

level they should expect, because of their vulnerability they are still at risk of being exploited. They just don't expect to be able to do a decent day's work for a decent day's pay."⁸⁶⁶ The Connors site near Leighton Buzzard had no barbed wire, and the lawyer representing the Connors in court said that the supposed victims were all paid and were free to leave at any time. "There is no need to force people to work. How many people would you get if you stood outside this court and shouted, 'Any work in the morning?'"⁸⁶⁷ But several victims said they were scared to run away or were re-found when they attempted to escape.

However, one man 'rescued' by police told the Guardian that he was grateful to the Traveller family who had provided him with work, pay and accommodation when he had nowhere else to go: "The police told me I couldn't come back, but I told them it was my home and if I wanted to go back I would go back."⁸⁶⁸ One man living in a caravan on a Traveller plot worked as a paver, for which he was being paid £50 a day. "I think it's all a load of rubbish and they just hate Travellers... Plenty of men who were here wanted to be here and they were getting paid. The police coming in heavy-handed like this is just wrong."⁸⁶⁹ Nine of those rescued by police following the raids in 2011 on the Connors' sites refused to cooperate with the police.⁸⁷⁰ In response, Anti-Slavery International told the reporter that "institutionalisation... creates a situation where captives psychologically identify with their captors."⁸⁷¹

Accusations of racism and the challenge of multiculturalism

In 2012 the Irish Traveller Movement lodged a complaint against the BBC who had broadcast a TV report alleging that Irish Travellers were running a slavery ring, involving British men, in Norway and Sweden. Father Joe Browne, chairman of the Irish Traveller Movement in Britain, accused the BBC in the Irish Times of "racialisation criminality... There is an undercurrent to all of this that is trying to associate Travellers with slavery"⁸⁷². In response, Anti-Slavery International told the Irish Times that "this shows that they are like the rest of us, not different"⁸⁷³.

Lewis Power, QC, the lawyer representing the Connors family said they should be "treated differently because Irish traveller culture operates outside the parameters of normal society".⁸⁷⁴ The Connors' own children had left school early to work, and violence was "ingrained in the culture", with Mr Connors taking part in bare-knuckle fights. Lewis Power QC questioned, "Did the Connors maybe save their lives? Did they exploit them? Was

⁸⁶⁶ Salvation Army report Support Needs of Male Victims of Human Trafficking, June 2013

⁸⁶⁷ <http://www.thetimes.co.uk/tto/news/uk/crime/article3440147.ece> Traveller culture operates outside normal rules, slavery trial hears, Fay Schlesinger, The Times

⁸⁶⁸ Rescued 'slave' criticises police raid at Bedfordshire caravan site www.theguardian.com by Alexandra Topping - 12 Sep 2011

⁸⁶⁹ Ibid

⁸⁷⁰ Guardian article, Jerome Taylor, Tuesday 13 September 2011, Men rescued from squalid forced labour camp refuse to help police

⁸⁷¹ Ibid

⁸⁷², Traveller group complains to BBC about report on slavery claim, Irish Times, 3 February 2013

⁸⁷³ Ibid

⁸⁷⁴ <http://www.thetimes.co.uk/tto/news/uk/crime/article3440147.ece> Traveller culture operates outside normal rules, slavery trial hears, Fay Schlesinger, The Times

there a symbiotic relationship? At the end of the day, the travelling community have been doing this for hundreds of years. These offences came into being two years ago.”

In an article on 16 April 2008, Dr Donald Kenrick stated that "Dossers are people gypsies pick up to work for them. They are sometimes called slaves or servants. ... It is common among Irish travellers, but the English do it as well."⁸⁷⁵ It was reported that Dr Donald Kenrick “disputed that they were really slaves, saying that the practice meant that otherwise vulnerable people were being cared for. He said the travellers favoured single men, who were strong workers, but of poor mental health.”⁸⁷⁶

An article on the Trafficking Research Project website highlighted that “highly mobile minorities” have been found to be involved in trafficking elsewhere – citing the case in Israel of Bedouins trafficking Eritreans and Sudanese into Israel, and often using extreme brutality, with victims citing rape, torture and even organ extraction. The report notes that “Roma, Gypsies and Irish Travellers and the Bedouin share a number of common characteristics: familial and social links over a number of international borders, a history and contemporary experience of semi-nomadic or at least a transient and fluid sense of settlement, and marginalisation and discrimination, both at the hands of society and the state. These factors, significantly, leave these groups both at risk of being trafficked and well placed as trafficking facilitators. It points to the need for states to move beyond the idea of trafficking being perpetrated by international connected yet static syndicates, in a style akin to the mafia, and consider the fluid nature of the traffickers themselves.”⁸⁷⁷

The article notes the prejudice against travellers by police, media and the state, and that this limits the likelihood of those in the traveller community reporting trafficking or exploitation that they witness in their communities. This also limits “successful advocacy being carried out by the police and other agencies within these communities to both inhibit the perpetration of trafficking and protect community members from falling victim to this crime.”⁸⁷⁸

It notes that we must not isolate the community when responding to trafficking; rather it is crucial to work with them to prevent trafficking by using their specific knowledge. This was highlighted by a BBC investigation into trafficking in the Sinai where two of the victims were rescued by a local Bedouin leader.⁸⁷⁹ As a number of stakeholders have also told us, the article stated, “There is also a need perhaps for more effective and strategic engagement between NGOs; for example, between organisations working on minority rights issues and those working on anti-trafficking.”⁸⁸⁰

⁸⁷⁵ http://en.wikipedia.org/wiki/Operation_Netwing See also http://www.echo-news.co.uk/archive/2008/04/16/SLAVE+LABOUR+%28SLAVELABOUR%29/2202528.Slaves_are_still_common/

⁸⁷⁶ Ibid

⁸⁷⁷ The trafficking research project 2013/03/22/ When-travellers-traffick-the-debate-on-race-criminality-and-policing

⁸⁷⁸ Ibid

⁸⁷⁹ <http://www.bbc.co.uk/news/world-africa-21670929> 6 March 2013 Sinai torture for Eritreans kidnapped by traffickers By Mike Thomson, BBC News Africa

⁸⁸⁰ <http://thetraffickingresearchproject.wordpress.com/2013/03/22/when-travellers-traffick-the-debate-on-race-criminality-and-policing/>

While working with communities is important, we must not get fixated with any one community or ethnicity. As Europol highlighted, "A new breed of organised crime groups is emerging in Europe. These groups are no longer defined by their nationality or specialisation in one area of crime but by an ability to operate on an international basis, with a business-like focus on maximising profit and minimising risk"⁸⁸¹ While the victims we have seen in this model of trafficking are largely British or Eastern European, and those exploiting them are largely in Irish and Eastern European traveller networks, Europol's intelligence highlights how this is not set in stone. Indeed, in September 2011, as part of the investigation into the exploitation carried out by the Connors family, the Police raided a travellers' camp at Pulmer Water in Hertfordshire and found four Chinese nationals (3 men and a woman) who were suspected of being held as slaves.⁸⁸² It was suspected that the Chinese workers had been illegally trafficked into the UK.⁸⁸³ In another case, used as evidence by the APPG on Trafficking several years ago, Polish and Afghan workers were exploited for food packaging by those from Eastern Europe, Britain and the Middle East and Asia.⁸⁸⁴

Project Troy

The Connors case is the first case of its kind to go to court in Britain. Yet a number of Scandinavian countries were already well aware of such cases. In 2009, Sweden's National Criminal Investigation Department produced a secret report, Project Troy, which was later leaked. The report found that there were approximately seven traveller family networks, made up of up to 40 people, operating in Sweden. It said there had been at least 72 reports of alleged labour trafficking of British, Irish, Romanian and Polish men, trafficked to Sweden on ferries, cargo ships and by road via Denmark, Germany, Holland and Norway, by the traveller community since 2007.⁸⁸⁵ Swedish residents reported that men would knock on their door offering to re-surface driveways; but would then fail to complete the work properly.⁸⁸⁶

It is reported that as early as 2007, Norwegian police had also looked into the issue and estimated that the traveller gangs operating there were making at least £11m each year.⁸⁸⁷ A BBC investigation found that there were accounts of similar exploitation along similar models taking place in Germany, Holland and Denmark.⁸⁸⁸ Belgium is also known to be investigating a similar case where British nationals were being labour trafficked by traveller gangs.

⁸⁸¹ The 2013 Serious and Organised Crime Threat Assessment (SOCTA)
<https://www.europol.europa.eu/content/europol-identifies-3600-organised-crime-groups-active-eu-europol-report-warns-new-breed-crim>

⁸⁸² <http://www.hertfordshiremercury.co.uk/Hertfordshire/Suspected-slaves-freed-in-raid-on-Codicote-travellers-site-16092011.htm>

⁸⁸³ http://en.wikipedia.org/wiki/Operation_Netwing

⁸⁸⁴ <http://allpartygrouphumantrafficking.org/downloads/the-food-packager.pdf>

⁸⁸⁵ Forced to work as 'tarmac cowboys': The British men trafficked abroad by Irish slave gangs who make millions from scam projects Daily Mail, 24 September 2011

⁸⁸⁶ Ibid

⁸⁸⁷ British men forced into 'modern slavery' abroad By Alison Holt, BBC News UK, 1 February 2012

⁸⁸⁸ Ibid

Possible homicide

Scandinavian authorities were alert to this due to a number of suspicious cases in previous years. In 2007 it is alleged that two Irish travellers were found trying to pour petrol on a caravan in Sweden where two British workers were sleeping. The report states that the workers had “refused to obey orders or otherwise proved unwilling to submit to the control exercised over them”.⁸⁸⁹

In 2005, 22 year old British trainee chef, Oliver Hayre, died in a caravan fire in Sweden. He had previously complained that he had been held against his will and his father believes he remained at the traveller site, fearing that otherwise his family, who had been visited by one of the travellers, would be attacked. However, Swedish police decided at the time that the death was an accident. Project Troy however admitted that the case implicated arson and said that those living on the campsite were “impeding rescue efforts.”⁸⁹⁰ A police report given to the coroner quoted several of Oliver’s friends who said that his savings and passport had been removed, and that he was regularly beaten.

Oliver’s father told the Daily Mail, “My perception of the authorities is that they turn a blind eye to it ... It was so apparent from the moment we were told it was all just sweeping it under the table. It was a low priority because of who Oliver was working for. He was tarred with the same brush as the travellers. A young man had lost his life but because of who he was with it didn’t warrant investigation.”⁸⁹¹ At Oliver’s inquest in June 2006, the coroner, Gordon Ryhall, supported this conclusion, stating that the Swedish police did not properly investigate the case because Oliver was working for travellers.

“Low ambition to prosecute”

There have been no convictions for trafficking in Scandinavia and only one conviction⁸⁹² for forced labour by Irish travellers in Norway⁸⁹³ in 2008.⁸⁹⁴ Project Troy stated that thus far

⁸⁸⁹ Fay Schlesinger, Workers find violent end to a road paved with travellers’ promises, 24 September 2011

⁸⁹⁰ Daily Mail. Forced-work-tarmac-cowboys-The-British-men-trafficked-abroad-Irish-slave-gangs. 24 September 2011

⁸⁹¹ Stamford dad’s call for crackdown on human traffickers” in the Rutland and Stamford Mercury , 30 September 2011

⁸⁹² There was just one conviction for forced labour by Irish travellers in Scandinavia, and none for trafficking: In 2008, Daniel Dundon was sentenced to 18 months in prison for the offence. Damages of £1,100 each were awarded to two homeless and mentally ill British men aged 19 and 25.

⁸⁹³ A Dutch report noted that “Belgian and Norwegian judges seem to assume more readily than the Dutch courts that victims have no realistic alternative than to submit to the human traffickers.”

⁸⁹⁴ In 2008, Daniel Dundon, then 25 and a father of three, was sentenced to 18 months in prison for the offence. Damages of £1,100 each were awarded to two homeless or mentally ill British men aged 19 and 25.

The court ruled that in this case the consent of the victims was annulled by the abuse of their vulnerable position. The court then stated that “[...] merely the conditions of work that the accused has admitted mean that there exists an ‘exploitation’, and key topics in any evaluation of whether this occurred in abuse of a vulnerable situation or not will be what their life situation was prior to the exploitation, and the situation in which they were exploited”. to the judges to be ‘young people who were hardly able to look after themselves’.. The court interpreted ‘forced labour’ as work that a person does not start voluntarily and/or cannot withdraw from. The court found this latter aspect had been proved in this case, partly because of the victims’ multiple dependency on the suspects,²⁵³ the threat of violence if they were to run away and their lack of money. Given the situation in which the victims found themselves during the exploitation, they could not stop voluntarily. Under those conditions, they were therefore subject to forced labour.

the authorities had a 'low ambition to prosecute the travellers'⁸⁹⁵ which had led to the collapse of three trafficking investigations into the abuse of British nationals in Sweden. Problems cited include the fact that suspects would often leave the country, or that the crimes could simply not easily be proven.

A Swedish TIP Report in 2013 mentioned that in 2010 the Swedish National Bureau of Investigation collaborated with police in the UK over an investigation concerning suspected human trafficking for forced labour, in which the victims were exploited for purposes such as carrying out tarmac and paving work for private individuals in different parts of Sweden. The traveller family were resident in the UK. However, the court dismissed the prosecution.

The BBC interviewed victims from one failed case, where three British men — including an alcoholic, and a soldier — were taken to Sweden, threatened with violence and paid approximately £9.40 for 12-hour work days. Police eventually rescued them. Their captors were charged with human trafficking, but were later acquitted. One victim told the BBC he was not surprised by this outcome: "I always think of human trafficking as people changing hands or being sold. I wouldn't call it human trafficking. I would certainly say I was a forced labourer — I didn't want to be there, I just had nothing else."

History repeating itself

Past cases

Why has the enslavement and, possibly, murder of British nationals in Scandinavia only come to light in the past few years, when Scandinavian authorities were aware of this issue as far back as 2005? It is not because these cases were not happening closer to home.

Megan Stewart from Thames Reach told us, "When the Connors case broke, "I was so so glad" – this has been going on a long time; this is a problem going on under people's noses. But even when [the exploitation of homeless men is] known, there is a passive acceptance of this behaviour."⁸⁹⁶ Indeed, the father of Oliver Hayre, questioned why it took so long for the issue to be publicised. "Why didn't the story go national six years ago?" he said. "Why didn't the governments step in [then]?"⁸⁹⁷

Europol's David Ellero admitted that "traveller gangs have been doing this for a long time."⁸⁹⁸ Similar cases can be found as far back as the 20th century. One case cited involves a court case in 1999 where John Williams claimed he had been taken from London to Basildon by travellers, and had been forced to work all day, was locked in a stable and threatened. However, he managed to escape within 24 hours.⁸⁹⁹ There have also been cases in France – for example, in 2005, a traveller family were arrested after six "modern-

⁸⁹⁵ Daily Mail. Forced-work-tarmac-cowboys-The-British-men-trafficked-abroad-Irish-slave-gangs. 24 September 2011

⁸⁹⁶ From evidence from Megan Stewart, Thames Reach, City Hall, 2013

⁸⁹⁷ Stamford dad's call for crackdown on human traffickers" in the Rutland and Stamford Mercury , 30 September 2011 <http://www.stamfordmercury.co.uk/news/local/stamford-dad-s-call-for-crackdown-on-human-traffickers-1-3105756>

⁸⁹⁸ <http://www.bbc.co.uk/news/uk-16836065>

⁸⁹⁹ .echo-news. 1999/05/27/ Basildon Homeless man held as slave

day slaves"⁹⁰⁰ were found in filthy conditions, barely able to stand, with bruises, cuts and suffering from severe malnourishment. They had been forced to help with harvesting, and selling flowers and calendars and had had their social security benefits confiscated. In a more recent case in 2010, a girl was traded by her parents as a domestic slave to a traveller family in France, who subjected her to physical and sexual torture. She was found severely ill, malnourished and in need of reconstructive surgery on her ears and nose.⁹⁰¹

The Gangmasters Licensing Authority's Neil Court, told the Guardian, following the Freedom Food scandal, that such "exploitation among Lithuanians and other eastern Europeans appeared to be increasing."⁹⁰² However, the Gangmasters Licensing Authority (GLA) has had its budget for enforcement and inspection reduced by nearly one-fifth. There is also a lack of a system in place for reporting the number of trafficking victims in the industries in the GLA's sphere as its regulatory efforts are directed at employers and not workers. In other words, "the GLA knows how many employers' licences it retracted but not how many workers were affected nor what percentage of those workers were victims of trafficking".⁹⁰³

Police

Collecting intelligence

Back in mid 2008 a local British newspaper wrote an article ironically titled, "At last: Police probe traveller slavery."⁹⁰⁴ Yet it would take several more years for any convictions of this type of trafficking to take place.

The local journalist, Jon Austin, wrote in the article that in the past they had uncovered evidence that some travellers were recruiting homeless and vulnerable men to be used as "slaves" – they were being held against their will and had been assaulted, with residents living nearby saying that they saw them frequently nursing black eyes. However, the journalist wrote that, in spite of reporting this, the "police were reluctant to say if they were investigating."⁹⁰⁵ A resident said "I explained we see it on a daily basis... [but] Police said they found no evidence of people held against their will."⁹⁰⁶ Local resident David Walsh made a comment at the time that is still a weakness in our "sticking plaster" method

⁹⁰⁰ Eight held as 'modern-day slaves' found at French travellers' site Jon Henley in Paris The Guardian, Friday 16 December 2005

⁹⁰¹ Teenage daughter sold in part-exchange for used car was 'kept chained in shed and used as a sex slave by French travellers' By Ian Sparks : 08:38, 17 November 2010

⁹⁰² Workers who collected Freedom Food chickens 'were trafficked and beaten' Felicity Lawrence, The Guardian, Monday 29 October 2012

⁹⁰³ IPPR Report Beyond Borders, Cherti and Pennington, http://www.twolittlegirls.org/ufiles/beyondirregularity-trafficking_July2012_9382.pdf

⁹⁰⁴ "POLICE and council officers have finally confirmed they are investigating the scandal of slave labour on travellers sites - eight weeks after it was exposed by the Echo. We even found evidence some had been assaulted or held against their will." <http://www.echo-news.co.uk/news/2335579.print/>

⁹⁰⁵ <http://www.echo-news.co.uk/news/2335579.print/> At last: Police probe traveller slavery. By Jon Austin, June 2008

⁹⁰⁶ <http://www.echo-news.co.uk/news/2335579.print/> At last: Police probe traveller slavery 7:21am Thursday 12th June 2008 in News By Jon Austin

of working patterns and intelligence systems, saying, "You can't look at incidents individually. It is part of a pattern."⁹⁰⁷

The Big Issue wrote about this problem many years before the Connors case. Anti-Slavery International said that following this article they spoke to the police but the police "always said to us, "No, no it's not happening."⁹⁰⁸

This is concerning when proactive work is required. The Times investigation into the leaked Project Troy said the report admitted that "most victims do not come forward ... and these figures are thought to be a tiny proportion of the whole."⁹⁰⁹

Anti-Slavery International said a key problem was that there was no system in place to feed in this intelligence to show such a trend. Suspicions or accusation related to trafficking need to be collected centrally in London so that we are not always running behind trying to catch up with trafficking cases.

Lack of interest and knowledge

As far back as 2008 Swedish police gave the British police seven dossiers of evidence about the trafficking of British men to assist us in carrying out criminal prosecutions. The Times reported that neither the UKHTC nor ACPO were able to say whether this had led to a conviction.⁹¹⁰

We decided to follow this up and, on asking the police, they told us that there was nothing in that dossier that they had been able to work on.⁹¹¹ However, stakeholders told us how they were repeatedly frustrated with police telling them there was insufficient evidence, when they felt that the police were simply reluctant to dig deeper into the information available.

When we asked the police for their response to the Swedish Situation Report, Trafficking in human beings for sexual and other purposes, 2010 - which said that they had 26 reports of human trafficking for non-sexual purposes and twice mentioned "in particular, these concern British and Irish tarmac and paving layers in Sweden"- the Mayor's response was that the report did not make "any specific links to London."⁹¹² Yet this is not surprising as the Swedish report only briefly mentioned the cases. Furthermore, as discussed above, evidence suggests that at least a number of victims in these cases were recruited in London.

A senior police source claimed that there is "a very low evidence base for this type of trafficking; there is no evidential problem" and that a lot of it was "rumour".

⁹⁰⁷ Ibid

⁹⁰⁸ Meeting with Klara Skrivankova from Anti-Slavery International, 2012

⁹⁰⁹ British men trafficked abroad by slave gangs, John SiMetropolitan Police Service on and Fay Schlesinger , The Times, 24 September 2011

⁹¹⁰ Times, British men trafficked abroad by slave gangs, John SiMetropolitan Police Service on, Fay Schlesinger 12:01AM, September 24 2011

⁹¹¹ Meeting with the Metropolitan Police, 2013

⁹¹² Mayoral question 0467/2013, Andrew Boff, February 2013

Yet we were told by charities working with homeless men and those in trafficking charities that they had been seeing such cases for many years. However, as discussed above, NGOs may have vested interests in exaggerating numbers. Yet this case is clearly not a one-off. Indeed a new case arose in September 2013 when the body of a homeless man working for travellers was found in Gwent.⁹¹³ Furthermore, the number of victims of trafficking recognised by charities does not seem to coordinate with how the police and NRM view the figures. The CSJ report *'It happens here'* noted that "one London-based charity working with vulnerable and homeless men from Eastern Europe told the CSJ that of the 39 men they have so far seen who have shown indicators of modern slavery, just seven (18 per cent) have been referred to NRM."⁹¹⁴

It is not clear if they have not been referred because of fears held by the individuals involved, or a lack of faith in the NRM due to the complexities over the nature of consent, etc. However, Megan Stewart from Thames Reach felt the NRM was "excellent" and said that the NRM had a very clear definition of trafficking which meant that they had been successful with all their referrals. Thames Reach felt that "if [victims] are not getting through [the NRM] then it is probably the referrals failing not the NRM."⁹¹⁵

Like the majority of NGOs we spoke to, Thames Reach praised the work of the Metropolitans Police's Anti-Trafficking team (SC&O7) but said that on a borough level it was still "very difficult to report crimes in British police stations."⁹¹⁶ A number of stakeholders told us of cases where victims had been turned away or not recognised.

Amazingly there were examples of this continuing even after the Connors case reached court and garnered widespread media attention. I was told about one victim who was turned away from four stations, including Bethnal Green and Brick Lane stations where they were apparently told that the police there weren't "equipped to deal with trafficking."⁹¹⁷

It was only when the support service worker, who had accompanied him, contacted SC&O7 on his behalf that his case was taken up. However, a police source said awareness was improving in the boroughs and cited a recent case in 2013 when "two officers were doing a standard stop in West London. In the car there was a Traveller driver and in the back a homeless Eastern European. They immediately saw the trafficking indicators and acted accordingly. It turned out he was being paid in beer."⁹¹⁸

I was told that the "front desk know absolutely nothing about trafficking"⁹¹⁹ yet if a victim manages to gather the will to go to the police, these, rather than SC&O7, are the first officers they are likely to face. SC&O7 have devised a training programme for frontline officers but Thames Reach said that when they ask local officers about their knowledge of the trafficking of homeless men, the police repeatedly "know nothing".⁹²⁰ Hope for Justice

⁹¹³ Police hunt for body they fear was secretly buried by 'slavery gang' after man missing for 13 years is found living in a squalid FARMYARD in Wales, 23 September 2013, Daily Mail

⁹¹⁴ CSJ report *'It happens here'* 2013

⁹¹⁵ Evidence from Megan Stewart, Thames Reach, City Hall, 2013

⁹¹⁶ Ibid

⁹¹⁷ Ibid

⁹¹⁸ Evidence from anonymous police source, 2013

⁹¹⁹ Evidence from Thames Reach, City Hall, 2013

⁹²⁰ Ibid

said training was the key to recognising this crime at a local level. They told us that “Training needs to focus on what people will see in their particular areas. In one case an officer asked, ‘Where are your documents?’ The Eastern European victim said, ‘Someone has my documents’ but this wasn’t picked up as an indicator of trafficking and the victim, who had come to police for help, left.”⁹²¹

Hope for Justice cited the impact that training can have. “We ran a pilot where we trained five or six front line organisations e.g. those working with the homeless in one area. Within a 12 month period 77 victims in that particular area were identified.”⁹²²

Hope for Justice are also training police officers in the same area which is yielding positive results. However, when those at the top of the Metropolitan Police Service, who are trained in trafficking, still believe that this issue is largely based on “rumour” over evidence, there is clearly a greater challenge facing this issue than simply inadequate local policing.

If the police are wrong about the gravity of this type of trafficking, as the evidence I have heard could suggest, then the police may suffer long term consequences for this inaction. Megan Stewart from Thames Reach felt that these trafficking cases being missed would be the “Hillsborough and Savile cases of the future”⁹²³ and that victims will many years from now be demanding compensation.

Proactive work

Anti-Slavery International said that police need to embrace new ways to tackle this issue. For example, they thought borough police should have regular meetings with homeless charities and migrant drop-in centres.⁹²⁴ While the Human Trafficking Unit has started to engage with charities there is not consistent work across London Borough police on this, although there are examples of good practice taking place: in December 2012, Bromley’s Penge and Cator Safer Neighbourhood Team, together with London Street Rescue, carried out patrols to locate and assist homeless men, with the help of interpreters.⁹²⁵

Klara Skrivankova from Anti-Slavery International said if the police were more proactive they would easily start finding more cases of vulnerable men being trafficked. She said there were vans regularly visiting known areas of London. These cases may be free of exploitation or trafficking, but enough indicators should be there for initial proactive work around this type of evidence.

Megan Stewart from Thames Reach said that countries such as the US, Denmark and Italy were ahead of us in tackling this. For example, the US has a system in place called TAT (Truckers against Trafficking)⁹²⁶ which ensures trafficking is in training/orientation for members of the trucking industry and ensures every truck has a helpline number. This has

⁹²¹ Evidence from Hope for Justice, 2012

⁹²² Ibid

⁹²³ Evidence from Thames Reach, City Hall, 2013

⁹²⁴ Dr Aidan McQuade, to the BBC “it is essential that local police officers consider new approaches to investigating this crime, such as regular meetings with homeless charities, soup kitchens and migrant drop-in centres to identify risks and potential victims of trafficking, and gather intelligence on gangs seeking to exploit vulnerable people for forced labour

⁹²⁵ The Metropolitan Police Service website: Help given to homeless by local SNT, 12 December 2012

⁹²⁶ <https://www.facebook.com/TruckersAgainstTrafficking>

apparently led to thousands of arrests and was mentioned by Obama. However, encouragingly, I was told that Mick Clarke from Passage, Kevin Hyland from SC&O7 and Thames Reach were working on the idea of having a helpline number in trucks, at railway and bus stations and in ports.

Support for victims

*Paul Donohoe, of Anti-Slavery International: “When children abscond from care homes and are trafficked, we understand that local authorities have failed. When someone is homeless or has a drinking problem, they are falling through the net.”*⁹²⁷

As well as proactive policing and reviewing the safety of homeless services’ provision in London, the root cause of many of these men’s vulnerabilities was linked to homelessness and this clearly must be tackled. A Salvation Army report found that of the trafficking survivors they dealt with, “a total of 91% (206 cases) of men and 72% (277 cases) of women were reported destitute at this initial assessment stage.”⁹²⁸ They believed men’s higher vulnerability in this area may “reflect the higher proportion of women receiving support from friends/family/community support or those already in NASS accommodation.”⁹²⁹

Stakeholders said this vulnerability was often due to mental health and substance abuse issues as well as learning disabilities.⁹³⁰ The Mayor’s Office for Policing and Crime (MOPAC) is gaining substantial new powers over drink and drug interventions. In 2013/14 the funding for Drug Intervention Programmes (DIP) becomes re-classified as community safety funding. Therefore, 40% of DIP funding will go to MOPAC, with the rest held by the NHS.⁹³¹ This offers the Mayor an opportunity to actively tackle this problem.

As well as investing in mental health and drug services, NGOs that work with homeless people and those providing services to the homeless such as soup runs need to be made more aware of the indicators. Megan Stewart from Thames Reach said a lot of outreach services don’t know the indicators and do not have translations services to deal with Eastern European men who may be vulnerable to trafficking.

One leading NGO working with trafficking victims found that the 45 day reflection limit was not adequate for obtaining support for many male victims of trafficking. They noted, “The length of time necessary to gain access to an appropriate counselling service is often significantly longer in some areas than the 45-day reflection period.”⁹³² This problem was largely due to a lack of counsellors trained to deal with male trafficking. In light of the mental health issues some male victims have, it is clearly vital that they are able to retain contact with certain services after leaving the NRM support service. Otherwise they risk being re-trafficked again as these types of victims are particularly likely to fall into such a

⁹²⁷ <http://www.myfoxatlanta.com/story/17895112/slavery-ring-held-more-than-100-people-across-uk-source-says>

⁹²⁸ Salvation Army report Support Needs of Male Victims of Human Trafficking, June 2013

⁹²⁹ Ibid

⁹³⁰ “The majority of British nationals were rough sleeping prior to being trafficked and/or had existing mental health or learning disabilities which may have made them vulnerable to a trafficker.” Salvation Army report Support Needs of Male Victims of Human Trafficking, June 2013

⁹³¹ Police and crime Committee, London Assembly, Brief, July 2013

⁹³² Interview with a leading NGO working with trafficking victims, 2013

cycle.⁹³³ They also need support to get into work. The Salvation Army said that many of the clients they worked with needed language services and ESOL classes but that demand far outstripped “the supply with long waiting lists for courses.”⁹³⁴

Support after the 45 Day Reflection Period

One issue of serious concern is the lack of support for trafficked victims once they have been through the NRM. Over the NRM’s 45 day period, victims are supported by services; however after this period the services are no longer required to support them and many are left to fend for themselves. Anthony Steen said, “Where do they go? No one can tell you!”⁹³⁵

In London there are very few organisations managing this problem. Housing for Women⁹³⁶ is a charity and housing association which provides accommodation and support for vulnerable women including those who have been trafficked. Hera meanwhile helps female trafficked victims get into work by providing them with mentors and training. However, a stakeholder noted that victims of trafficking often struggled to develop their skills and enter work because of the problems they had acquiring accommodation in London.⁹³⁷

There are barely any services in London to support victims of trafficking after the NRM process. It is also notable that the few services that do exist in the capital, such as Hera and Housing for Women, only service female victims. What is needed in London is a more substantial holistic support system to look after all victims of human trafficking, male and female.

This could mirror the work being produced by the Snowdrop Project in Sheffield, which describes itself as the only initiative in the UK which provides this type of holistic extended support to victims of human trafficking to help them to build new lives.

⁹³³ This cycle was highlighted by a number of NGOs working homeless victims of trafficking and is also described in ‘Our son, the middle-class boy ‘enslaved’ by traveller gangs’ by Lucy Bannerman The Times, 17 September 201

⁹³⁴ Salvation Army report Support Needs of Male Victims of Human Trafficking, June 2013

⁹³⁵ Quotation from Human Trafficking Foundation meeting, Sept 2013

⁹³⁶ <http://hfw.org.uk/>

⁹³⁷ Victims “who are worried about housing can’t focus on work etc. so this is a real challenge. A woman last year was told she had to leave a hostel; she was put into a mixed sex hostel. She was very scared of traffickers attacking her; of course she can’t concentrate on work related issues” Anonymous

Latin American victims of trafficking

Invisible community

"British people ...don't ... notice that they have – on their doorstep – all these Latin American people. They are completely blind, or they don't want to see, or just don't see that they are there." Carolina Gottardo, Latin American Women's Rights Services (LAWRS), *Guardian* ⁹³⁸

One of the most invisible communities in London is the Latin American community. This is all the more remarkable when they are one of the largest communities in the capital. Indeed the Latin American population size is almost as large as the Polish-born population of 122,00 ⁹³⁹ with research suggesting that the number of Latin Americans living in London has increased by almost 400% since 2001 to 113,500. ⁹⁴⁰

41,380 of these are Brazilians, 15,271 are from Colombia⁹⁴¹ whilst Ecuador, Bolivia, Peru and Argentina also have large populations in the capital. The Latin American population is residentially dispersed across the city but is particularly concentrated in the boroughs of Lambeth (14%), Southwark (15%), Newham (8%), Haringey (7%), Islington (6%), Hackney (6%) and Tower Hamlets (5.5%) ⁹⁴²

In census and population forms Latin Americans have no box to tick to allow them to describe themselves as a defined group. But, rather than being viewed as disparate South and Central Americans, many Latin Americans and Latin American campaign groups⁹⁴³ would like to be recognised as an ethnic minority and feel that the problems linked to not being recognised explain partly why they and their concerns remain so hidden. Carolina Gottardo, Director of Latin American Women's Rights Service (LAWRS) told me, "We are quite invisible. [This] means we are invisible to public policy and strategy, and it means services aren't targeting us."⁹⁴⁴ In London, only Southwark borough has recognised the Latin American community as a minority.⁹⁴⁵

⁹³⁸ How London's Latin Americans are fighting back Sam Jones The Guardian, Friday 22 June 2012 17.46 BST

⁹³⁹ Ibid

⁹⁴⁰ No Longer Invisible: Cathy McIlwaine, Juan Camilo Cock and Brian Linneker, Queen Mary, University of London

⁹⁴¹ "In terms of the nature of the flows of Colombian migrants into the UK, while the earliest recorded arrival was 1964, more than half of those in the survey arrived since 2000. However, one-third came in the 1990s, with a further 16.5% arriving before 1990. In addition, 99% of Colombians moved directly to London rather than anywhere else in the UK". The Colombian Community In London, February 2012, Cathy McIlwaine, Queen Mary, University of London

⁹⁴² No Longer Invisible: Cathy McIlwaine, Juan Camilo Cock and Brian Linneker, Queen Mary, University of London. According to the 2011 Census there are also significant numbers of Latin Americans in Wandsworth, Islington and Westminster

⁹⁴³ LAWRS www.LAWRS.org.uk and the Coalition of Latin Americans in the UK CLAUk <http://www.clauk.org.uk/recognition/>

⁹⁴⁴ LAWRS "I'd like us to be a separate ethnic group called Latin Americans, and I'd like that to be translated into practice, policy and strategy. I would like to see the Equality Act apply to all of us so that we are provided for like any other black, minority-ethnic community. I want us to be visible and I want us to have a voice. I want more civil engagement and I want more political participation." How London's Latin Americans are fighting back Sam Jones The Guardian, Friday 22 June 2012 17.46 BST

⁹⁴⁵ It is worth noting that one stakeholder I interviewed about human trafficking in London felt that some of the South American population would prefer not to be equated with the rest of South America, and that for

Other stakeholders working with human trafficking victims also agreed that there is a problem. Carolina Albuerne, a Human Trafficking specialist who has extensive experience in the Refugee and Human Trafficking sector, said, “The Latin American community (and those being exploited in it) is really hidden; almost invisible. [There are a] potential number of Latin Americans being trafficked but they are hidden victims. We really need to look into further work with this community. [There are] no specialist services that work with this community at present. But ... they are one of the fastest growing communities here.”⁹⁴⁶

Latin Americans in London have very high employment rates at 85%.⁹⁴⁷ Though a third arrive with high educational backgrounds, they often struggle to get jobs in London without fluent English or recognised qualifications. As a result they regularly have to take on menial jobs in the cleaning, catering and retailing sectors, and often work very long hours. This is believed to be one reason why they are less visible to the British public on the street.

Entering the UK

I was repeatedly told that it is very hard to monitor how trafficked Latin Americans enter the UK because they were so hidden, had “very different migration”⁹⁴⁸ patterns and may have actually been trafficked into other countries in Europe before arriving in London.⁹⁴⁹

For many Latin Americans it is difficult to enter the UK directly. However, one survey found that two-thirds of Latin Americans entered the UK with temporary visas.⁹⁵⁰ Obtaining a tourist visa to Ireland is also an established mechanism to illegally enter the UK from countries such as Bolivia.⁹⁵¹ The first significant report to look into the Latin American population in London, *No Longer Invisible*, found 19% of the population were without valid documentation (although it also found that the other four fifths had also occasionally “experienced irregularity at some point in their migration trajectory”).⁹⁵²

example those from Brazil, by being from a more wealthy country, may not always want to be linked to the rest of the Latin American community in this way.

⁹⁴⁶ Evidence from Carolina Albuerne, Refugee and Human Trafficking Specialist, at City Hall, 2013

⁹⁴⁷ “Latin Americans have very high employment rates (85%) that are much higher than other foreign born residents and the London population as a whole. However, they are concentrated in low-paid and low-skilled jobs. This is in direct contrast to their jobs back home where more than a third worked in professional and managerial jobs” *No Longer Invisible: the Latin American community in London*, McIlwaine, Cock, Linneker, Queen Mary University

⁹⁴⁸ Evidence from Carolina Albuerne, Refugee and Human Trafficking Specialist, at City Hall, 2013

⁹⁴⁹ “It’s hard to say where they have been trafficked as they may have been trafficked into Spain. Then regularised there.” Evidence from Carolina Albuerne, Refugee and Human Trafficking Specialist, at City Hall, 2013

⁹⁵⁰ “The vast majority of Latin Americans enter the UK with some sort of valid document with only 3% entering by showing documents that were not valid - usually false EU (Spanish, Portuguese and Italian) passports or visas bought on the black market” *No Longer Invisible: the Latin American community in London*, McIlwaine, Cock, Linneker, Queen Mary University

⁹⁵¹ Noted in the case of CE Case No: 5335, Royal Courts of Justice Strand, London, WC2A 2LL, Date: 17/05/2013

⁹⁵² *No Longer Invisible: the Latin American community in London*, McIlwaine, Cock, Linneker, Queen Mary University

A report into the Colombian population in London meanwhile found that more than two thirds had entered on temporary visas,⁹⁵³ 14% had used an EU passport gained by claiming citizenship in southern Europe,⁹⁵⁴ and a third had moved to the UK after living in another foreign country in Europe, other Latin America countries or the US.⁹⁵⁵ One of the main routes used by Latin American migrants (20% of migrants who arrived in the last 5 years) to enter the UK is via Spain.⁹⁵⁶ This is particularly the case for Ecuadorian and Colombian migrants, of whom almost three-quarters had previously lived in Spain. Portugal and Italy, particularly for Brazilian and Argentinian migrants, are also routes used. Both Spain & Portugal have regular amnesties for illegal migrants⁹⁵⁷ and therefore many Latin Americans obtain Spanish citizenship this way and so enter the UK as European citizens. Alternatively some utilise the illegal trade of Spanish documents, using forged ones⁹⁵⁸ to allow Latin Americans to illegally enter the country often by Eurostar.⁹⁵⁹ Other migrants are smuggled in the backs of lorries.⁹⁶⁰

The number of migrants feeling compelled to leave the Continent, by whatever means, and enter the UK has increased due to the high unemployment rates following the recession.⁹⁶¹

⁹⁵³ “More than two-thirds of entry into UK was through temporary visas, especially student visas (32%), tourist visas (11%), ... However, a quarter had entered with no visa.” The Colombian Community In London, February 2012, Cathy McIlwaine,, Queen Mary, University of London

⁹⁵⁴ Significantly, 14% of Colombians entered with an EU passport highlighting the importance of migrating via southern Europe and claiming citizenship through ancestry or naturalisation. Only 3% entered illegally and only 4% claimed asylum on entry (although many more claimed asylum after entry). The Colombian Community In London, February 2012, Cathy McIlwaine,, Queen Mary, University of London

⁹⁵⁵ “Of this group, 50% lived in Spain prior to the UK, with 22% having lived in another Latin American country, while 16% had lived in the United States “The Colombian Community In London, February 2012, Cathy McIlwaine,, Queen Mary, University of London

⁹⁵⁶ “Spain has emerged as an important gateway into the UK for Latin Americans, with 20% of migrants who have arrived in the last five years arriving via this route” No Longer Invisible: Cathy McIlwaine, Juan Camilo Cock and Brian Linneker, Queen Mary, University of London

⁹⁵⁷ “there have been a range of regularisation programmes that have allowed Colombians to attain Spanish passports” The Colombian Community In London, February 2012, Cathy McIlwaine,, Queen Mary, University of London

⁹⁵⁸ “Jairo travelled to Bogotá where he boarded a plane to Madrid. After buying a false Spanish passport for 2000 Euros, he then went to London. However, he was deported in 2003 after his asylum claim was rejected, but managed to return the same year after travelling to Venezuela and obtaining a false passport there” The Colombian Community In London, February 2012, Cathy McIlwaine,, Queen Mary, University of London

⁹⁵⁹ “Leon, also from Loja, Ecuador, arrived in London in 2002 leaving his wife and children back home. He had spent 2 weeks in Spain during which time he bought a false Spanish passport and tickets for a bus trip to Belgium via Holland from where he took the Eurostar from Brussels to London” No Longer Invisible: the Latin American community in London, McIlwaine, Cock, Linneker, Queen Mary University

⁹⁶⁰ “27 year old Clara (interviewed in 2007) recounted how, while she managed to buy false papers in Spain and to enter the UK with these, her boyfriend could not. He bought a false passport in Spain and went to the airport where he was asked to wait by immigration. He panicked and fled the airport. After 2 months in Spain with no money, he ended-up being smuggled into the UK hidden in the back of a lorry.

Others employed smugglers in Colombia such as 43 year old Edilma from Palmira (interviewed in 2007), who recalled how she had her visa application for the UK turned down in Colombia, so she and her husband recruited the help of a trafficker: „A man helped us, it turned out to be really expensive, but it was quick, about a month. We paid the money, and all innocent but very anxious, he brought us. He brought us with other names via Spain“. The Colombian Community In London, February 2012, Cathy McIlwaine,, Queen Mary, University of London

⁹⁶¹ “The global economic recession has hit Spain especially hard with one million jobs lost in 2008. This has resulted in the highest unemployment rate in the EU as a whole of 17% (and over 20% among non-EU

At the same time, it has been reported that many Brazilians are choosing to leave the UK after Brazil overtook the UK to become the world's sixth-biggest economy.⁹⁶² But the 2010 *No Longer Invisible* report found that "Although Spain is the most important European destination for Latin Americans, the UK is an increasingly significant destination." This was further supported by the UK Border Force who told me that "Brazilian cases of domestic servitude are an emerging trend [with] South Americans coming in on Portuguese flights."

Vulnerabilities to trafficking

Most Latin Americans who are exploited in London have initially chosen to migrate here but became vulnerable due to a number of factors. Many assume large debts to come over, with research suggesting 40% of Latin Americans arrive in London with a debt due to the cost of travel.⁹⁶³ Another vulnerability can be their migrant status, with an estimated 17,100 irregular migrants in London in 2008.⁹⁶⁴ As a result, employees can take advantage of them, aware that they will be too scared to approach authorities: It is estimated that 22% have no written contract, meaning they at risk of being paid below the minimum wage and being denied other basic rights.⁹⁶⁵ Indeed the *No Longer Invisible* report found that 40% of working Latin Americans had experienced some form of workplace abuse.⁹⁶⁶

José Luis Sánchez, a spokesman for the Latin American Workers' Association (Lawas), told the Guardian that "poor English and insecure immigration status – compounded by a widespread lack of awareness of employment law – make the community easy prey... Workers are often made to work 16 hours a day, are racially abused, and can find themselves victims of physical and sexual violence."⁹⁶⁷

A migrant's lack of English fluency, lack of familiarity regarding which organisations could support them and lack of awareness of what their rights are may further compound their susceptibility to abuse.

Cathy McIlwaine's report on Colombians in London in 2012, found women on irregular and temporary visas, or who were unable to speak any English, were either too scared or too ill-informed to go to the police or other public agencies. "In these cases, women respondents reported that they will end-up worse off than back home in Latin America."⁹⁶⁸ This is a serious concern that the authorities must engage with.

migrants). This was related to the exodus of migrants from 120,000 in 2006 to 232,000 in 2008 (McIlwaine, 2011c)

⁹⁶² "'I hear a lot of people saying 'I'm going back to Brazil' because there's a lot of job opportunities there and an economic crisis in the EU," says Simone Pereira, who is the press officer for the local Brazilian association, Abras."But Brazilians are still coming to England, particularly from other countries such as Portugal and Spain, where the economy is worse.'"http://www.bbc.co.uk/news/business-17894540 11 May 2012 Homeland beckons for UK's Brazilians By Robert Plummer

⁹⁶³ No Longer Invisible: Cathy McIlwaine, Juan Camilo Cock and Brian Linneker, Queen Mary, University of London

⁹⁶⁴ *ibid*

⁹⁶⁵ *Ibid*

⁹⁶⁶ *Ibid*

⁹⁶⁷ How London's Latin Americans are fighting back Sam Jones The Guardian, Friday 22 June 2012 17.46 BST

⁹⁶⁸ Colombian Community in London 2012 Cathy McIlwaine

The report also discovered that “problems among irregular migrants were growing as immigration legislation was getting stricter and the pressure on employers to check immigration papers of their employees intensified and became more punitive. Many irregular migrants spoke of losing their jobs because they did not have the correct documentation.” A number of stakeholders told me they were concerned that more irregular migrants, such as those from Latin America, were being potentially pushed into sex work because of the pressure on employers to check their employees’ immigration status.

Grey areas

There is clear evidence that many Latin Americans are being exploited; however this does not mean they are all ‘trafficked’.

Latin Americans are not mentioned in the 2013 London data which I obtained from the UKHTC,⁹⁶⁹ nor are they included in the top 20 list of UK-wide adult referrals in UKHTC statistics for 2012.⁹⁷⁰ However, evidence I obtained from the Metropolitan Police showed that 14 of 124 women – that is over 10% – who were described as having “indications of trafficking”, in 2011, were Latin American.⁹⁷¹ However, having “indications” implies that they were not necessarily recognised as victims of trafficking.

Trafficking of Latin Americans in London is not generally on an industrial organised scale but rather more informal, with people being trafficked by boyfriends or employers. This may be one reason it is less of a priority to the authorities, whose remit has traditionally been to tackle organised trafficking cases.⁹⁷² Yet, a number of stakeholders working with trafficked victims had seen clear cut cases of sex trafficking of Latin American migrants. However, while sometimes less clear cut, LAWRS also highlighted that they were seeing serious cases of domestic and labour exploitation, with perhaps the most severe forms occurring in the cleaning, catering and hospitality sector.⁹⁷³

Carolina Gottardo felt there was a “fine line between exploitation and trafficking”⁹⁷⁴ and that many of their cases fell into a grey area between the two. While the “sex cases are clear cases of trafficking we think”,⁹⁷⁵ LAWRS accepted that many victims’ cases they saw, while sometimes dangerously exploitative, were nonetheless perceived by the victim to be an improvement on the lives they had left behind in South America.⁹⁷⁶ LAWRS said they had seen many Latin American migrants forced into severely abusive and exploitative

⁹⁶⁹ Data provided to us by the UKHTC. See Appendix 2.

⁹⁷⁰ NRM provisional statistics for 2012 - http://www.soca.gov.uk/about-soca/library/doc_download/474-nrm-provisional-statistics-2012

⁹⁷¹ Follow-up data following the Silence on Violence report can be found at <http://glaconservatives.co.uk/campaigns/silence-on-violence/scd9-data/>

⁹⁷² “Human trafficking is international organised crime, with the exploitation of human beings for profit at its heart.” Human Trafficking – The Government’s Strategy, 2011

⁹⁷³ No Longer Invisible: Cathy McIlwaine, Juan Camilo Cock and Brian Linneker, Queen Mary, University of London

⁹⁷⁴ Interview with Carolina Gottardo and Marcela Benedetti, from the Latin American Women's Rights Service (LAWRS), City Hall, 2013

⁹⁷⁵ Ibid

⁹⁷⁶ It is important to note that LAWRS regards these people who are exploited as victims of trafficking, even though they accept that victims often don’t see themselves as such and may feel they have seen an improvement in their lives.

conditions because they were scared of being “deported back to a place with dire poverty.”⁹⁷⁷ The words ‘choice’ and ‘coercion’ were problematic in these cases as, while the victim deserves to be helped by the UK, they nonetheless chose to be here as their options were to be “exploited and poor here”⁹⁷⁸ versus being even more exploited and even poorer in their original homeland. Carolina Gottardo asked, “What choices do they really have in these cases?”⁹⁷⁹

In August 2013 the Home Secretary announced that she would introduce an all-incorporating Anti-Slavery Act. However, LAWRS said they had concerns about using this term. First, because people will never recognise themselves as being a “slave” due to its historic connotations and also because I was told, “No person would like to see their lives in these terms. It is quite denigrating and creates a loss of dignity for the victim.”⁹⁸⁰ Exploitation was unique to each culture⁹⁸¹ and therefore the word ‘slavery’ was “not all-encompassing enough.”⁹⁸²

LAWRS said slavery could only be a suitable term if it described abuse and exploitation in a much broader way than is commonly accepted. Carolina Gottardo had attended a conference where “NGOs questioned whether my cases were ‘slavery-like’ enough. But how many cases fit that precise ‘slavery’ definition? You risk making yourself blind to a huge number of cases which are also really awful and serious. My concern is defining a term will mean just a handful of people get recognised and the rest get forgotten.”⁹⁸³ She felt we needed to “define the term in a culturally specific manner”.⁹⁸⁴ One term for such a range of exploitative and critical cases she felt made little sense.

Sex Trafficking

Sex trafficking is believed to take place in every state in Brazil though a high proportion of victims are from the state of Goiás.⁹⁸⁵ Brazilian authorities have evidence to suggest some women are controlled by Russian and Spanish organised criminal networks. However, stakeholders suggested that most Brazilian and other Latin American cases in London did not appear to be very organised. Instead, the following is a typical case LAWRS encounters: A woman is living in Portugal and is suffering domestic violence. She can't go to police as she is an illegal migrant and would be deported. A friend says they can help her escape to the UK. However, as a result they end up, like 40%⁹⁸⁶ of London's Latin American community, in debt. As a result their “friend” makes them sell sex. I was told this “happens with Latin

⁹⁷⁷ Interview with Carolina Gottardo and Marcela Benedetti, from the Latin American Women's Rights Service (LAWRS), City Hall, 2013

⁹⁷⁸ Ibid

⁹⁷⁹ Ibid

⁹⁸⁰ Ibid

⁹⁸¹ Elizabeth Wilmott-Harrop felt that “While that is true, the answer is not necessarily a cultural approach which can stray into cultural relativism, but an approach which acknowledges different forms of exploitation against the backdrop of international standards on human rights.”

⁹⁸² Interview with Carolina Gottardo and Marcela Benedetti, from the Latin American Women's Rights Service (LAWRS), City Hall, 2013

⁹⁸³ Ibid

⁹⁸⁴ Ibid

⁹⁸⁵ UN Office on Drugs and Crime TIP Report, 2011 <http://www.state.gov/j/tip/rls/tiprpt/2011/164231.htm>

⁹⁸⁶ No Longer Invisible: Cathy McIlwaine, Juan Camilo Cock and Brian Linneker, Queen Mary, University of London

Americans a lot. In most of the cases there is not usually organized crime in these sex trafficking cases. Instead it involves partners, friends and families or extended families.”⁹⁸⁷

However, there is evidence that some traffickers run very organised businesses in the UK. Back in 1996 the Metropolitan Police reported that, in one operation, traffickers had brought over 100 Brazilian women over 5-years for prostitution from remote villages in Brazil to London under debt bondage. As a result, the trafficker in London had made £5 million in profit.⁹⁸⁸ There are also cases where victims are trafficked by organised, highly violent gangs for multiple purposes alongside sex work. One Bolivian woman, CE, applying for asylum in 2012, said she had been drugged and sold into prostitution, but had also repeatedly had cocaine implants put in and removed from her breasts twice without anaesthetic. She also had severe external and internal injuries as a result of being brutally beaten and raped.⁹⁸⁹

Brazilian men, transvestites and transsexuals have also been found to have been sex trafficked. Some transsexuals and homosexual men are stigmatised in their communities in their hometown and traffickers can exploit these vulnerabilities.⁹⁹⁰ This is believed to occur predominantly in Spain and Italy.

However, one stakeholder, who works with the Latin American community for the Naz Project London,⁹⁹¹ said he had seen cases of Latin American men being exploited and trafficked into the UK for sex work. He said some Latin American men here were well aware of the sex work they were about to undertake prior to arrival, but others were totally ignorant of the conditions they faced, mistaking a trafficker for a “generous” friend. The stakeholder told us that he was seeing increasingly more cases as more Latin Americans flocked to London.

Labour trafficking

While LAWRS felt that sex trafficking was more clearly understood by the authorities and NGOs than other cases they saw, they highlighted the fact that the labour trafficking cases they saw were often equally abusive. Latin Americans with irregular status can be easily exploited by their employers because they often felt trapped to stay in their job for fear of being deported. LAWRS see “many many cases where people are made to work when they are really ill or heavily pregnant - huge numbers are made to work against their will in this way.”⁹⁹² I was also told of a ‘typical’⁹⁹³ case where an employee would complain to their employer that they had been raped at work. However, their employer would force them not to report by threatening to denounce them to the Home Office. Support services try to

⁹⁸⁷ Interview with Carolina Gottardo and Marcela Benedetti, from the Latin American Women's Rights Service (LAWRS), City Hall, 2013

⁹⁸⁸ Superintendent Michael Hoskins "Trafficking in Women for Sexual Exploitation: Assessment of the Current Threat Within Central London" Metropolitan Police Service, June 1996.

⁹⁸⁹ Noted in the case of CE Case No: 5335, Royal Courts of Justice Strand, London, WC2A 2LL, Date: 17/05/2013

⁹⁹⁰ <http://wordburnerla.wordpress.com/2013/06/06/brazilian-transsexuals-human-trafficking-prey/>

⁹⁹¹ , The Naz Project provides sexual health and HIV prevention and support services to selected Black and Minority Ethnic (BME) communities in London

⁹⁹² Interview with Carolina Gottardo and Marcela Benedetti, from the Latin American Women's Rights Service (LAWRS), City Hall, 2013

⁹⁹³ Ibid

encourage these women to report to the authorities, but they will tend to refuse for fear of being deported. The employees often feel they do not have a choice as they may, for example, be sending money back to support an entire family and feel they “need to send that money back, no matter what”.⁹⁹⁴ Carolina Gottardo said, “The problem is that the Government continues to focus on the immigration aspects of trafficking and exploitation and not on the human rights of the victims of trafficking. Until this approach ... change[s], many victims will fall through the gaps”.⁹⁹⁵

11% of all Latin Americans are paid under the minimum wage and it is believed that in the cleaning industry this percentage is far bigger,⁹⁹⁶ particularly in the hospitality sector. A number of stakeholders said they know of famous chains of hotels not paying the national minimum wage (NMW). One stakeholder explained that, while the contract may claim to pay the NMW, there will often be an extra clause in the contract that states that the agency will consider one hour of work as equivalent to a certain number of rooms. In practice this means that payment is not based on the NMW but on the number of rooms that the worker is able to clean. This number however may not be realistically possible.

One source had said she was paid £1.70 per room, which equates to a worker working eight hours a day but only earning £27.⁹⁹⁷

Two leading hotel chains were mentioned to me as hotels using agencies that used such contracts. However, it may well be that hotels are not aware that their cleaning agencies have these types of contracts in place.

Domestic trafficking

It was reported that the number of victims of domestic servitude, referred to one specialist service, more than doubled in the six months to December according to Salvation Army figures.⁹⁹⁸

When I asked the UK Border Force what new trends were on the rise in the human trafficking cases they were seeing, they specifically isolated Brazilian cases of domestic servitude as a key emerging trend. It is interesting, therefore, that Government data has yet to catch up with this observation.

Domestic trafficking is a very hidden form of exploitation, partly because it occurs in residential properties or other closed environments so the victim may have very little contact with the outside world. They are also less likely than those victims of trafficking for sexual or labour exploitation to encounter the authorities or NGOs. Even when they do

⁹⁹⁴ Ibid

⁹⁹⁵ In an email from Carolina Gottardo from the Latin American Women's Rights Service (LAWRS) 2013

⁹⁹⁶ “11% of all Latin Americans are paid under min. wage. In cleaning industry this percentage is no doubt far far bigger”. From an interview with Carolina Gottardo and Marcela Benedetti, from the Latin American Women's Rights Service (LAWRS), City Hall, 2013. Data from No Longer Invisible: Cathy McIlwaine, Juan Camilo Cock and Brian Linneker, Queen Mary, University of London

⁹⁹⁷ Email from Carolina Gottardo, from the Latin American Women's Rights Service (LAWRS), 2013

⁹⁹⁸ More women forced into slavery after change to immigration law, Paul Peachey, Independent, 3 February <http://www.independent.co.uk/news/uk/crime/more-women-forced-into-slavery-after-change-to-immigration-law-8478998.html>

come into contact with NGOs, many of them are very reluctant to be referred into the NRM. Between 2008 and 2010 Kalayaan identified 157 trafficked domestic workers, but 102 of these individuals refused to be referred into the NRM.⁹⁹⁹ This can be for a number of reasons including a fear of deportation or their traffickers.

Kalayaan, the principle UK charity working to support migrant domestic workers in the UK, did not mention Latin American victims but said they often see Filipino, Sri Lankan, Indonesian or Indian victims of domestic trafficking. However, this may be linked to the fact that Kalayaan do not do outreach work and they have historically supported Asian victims. They said that it is likely that they do not see many victims of this crime because they remain hidden. The UK used to produce 15,000 to 17,000 domestic visas prior to 2012 and yet Kate Roberts from Kalayaan said, “We are seeing 350 migrants a year, so we are seeing a drop in ocean.”¹⁰⁰⁰

Many domestic workers put up with terrible conditions, are often paid as little as £50 a month and may experience physical and sexual abuse.¹⁰⁰¹ However, Kalayaan said it is only when they stop being paid this small sum that they feel compelled to run away. Kate Roberts explained, “They are there because it’s pure economics. They need £50 a month to keep their families alive.”¹⁰⁰² It’s when this tiny sum stops, rather than when serious abuse or threats start, that they may come to the attention of NGOs or the authorities.

Embassies

A number of charities and other stakeholders working in Westminster said there were known cases of slavery taking place in Embassies.

While Arab embassies were regularly pointed out to me as potential residences of slavery, one stakeholder told me, “The idea that it is just Saudi diplomats doing this is ridiculous.”¹⁰⁰³ One NGO confirmed this by stating that they felt that there was a “very serious”¹⁰⁰⁴ problem with domestic servitude within Central American embassies and had seen cases of workers being treated as slaves.

In 2011 Kevin Hyland from SC&O7 said “We are seeing more [domestic trafficking cases] but we are putting it down to improvements in our intelligence-gathering. We have introduced a new system of direct reporting which allows charities and NGOs to notify us directly.”¹⁰⁰⁵ However, at the time the only cases under investigation involved individuals from Saudi Arabia, India, Bangladesh, Tanzania, Uganda and Vietnam.¹⁰⁰⁶

⁹⁹⁹<http://www.kalayaan.org.uk/documents/Kalayaan%20full%20response%20to%20consultation%20%28final%29.pdf>

¹⁰⁰⁰ Evidence from Kate Roberts from Kalayaan, 2013

¹⁰⁰¹ Ibid

¹⁰⁰² Evidence from Kate Roberts from Kalayaan, 2013

¹⁰⁰³ One stakeholder working with exploited children, City Hall 2012

¹⁰⁰⁴ Anonymous stakeholder working with female victims of exploitation, 2013

¹⁰⁰⁵ <http://www.bbc.co.uk/news/uk-12687088>

¹⁰⁰⁶ Ibid

Au pairs

Brazilians are also recruited by families to work in residential settings. One stakeholder had particular concerns about the Au Pair sector, which is very unregulated¹⁰⁰⁷ but can involve serious abuse by employers, including those from British “white middle class families.”¹⁰⁰⁸

Formally there were 12,000 au pairs registered in the UK in 2012; however the British Au Pair Agencies Association (BAPAA)¹⁰⁰⁹ estimates that the real figure is in excess of 100,000.¹⁰¹⁰ Of all the Latin Americans groups, Brazilians are the most likely to be self-employed and many work as au pairs.¹⁰¹¹

There has been very little reporting of the abuse experienced by au pairs. The Telegraph published an article, ‘*The silent abuse suffered by nannies and au pairs*’,¹⁰¹² and an article in the Evening Herald Newspaper in Ireland went further with the headline, ‘*Au pairs ‘treated like slaves’ as job market dries up*’. The article described au pairs being locked up, their mobile phones removed and being coerced to work 15 hour days. In London in 2013 two doctors, Consultant neurologist Dr Hussien El-Maghraby and his wife Dr Safaa Ismail, were charged with trafficking. It is claimed they lured an Egyptian woman to the UK to be a nanny. Instead, she was physically abused and “forced into back-breaking servitude”.¹⁰¹³

A Europol report¹⁰¹⁴ described another case where a South African woman’s passport was taken away by her host family and was made to work long hours for 400 Euros a month. The host family failed to apply for the necessary immigration papers and so she became undocumented after 90 days and was picked up by immigration officials. Her case was forwarded to the Anti-Human Trafficking Unit but they did not recognise her as a potential victim of trafficking for forced Labour.

Prosecutions

It is very challenging to be recognised as a victim of human trafficking when working as a domestic worker as it is very informal and very hidden; therefore it is even more challenging to obtain domestic human trafficking convictions.¹⁰¹⁵ In March 2011, the first prosecution of

¹⁰⁰⁷ The UK has not signed or ratified the 1969 Council of Europe European Agreement on Au Pair Placement of 24. November 1969

<http://www.europarl.europa.eu/document/activities/cont/2011/10/20111020ATT29946/20111020ATT29946EN.pdf> In the UK, there are many Au pair agencies that provide assistance to families looking to engage Au Pairs. These agencies are all privately owned and are not regulated by the UK government. Wiki

¹⁰⁰⁸ Evidence from an NGO, Meeting, City Hall 2012

¹⁰⁰⁹ The British Au Pair Agencies Association was established to set standards for the Au Pair Industry and to promote Au Pair programmes as rewarding cultural exchange experiences.

¹⁰¹⁰ <http://www.dailymail.co.uk/femail/article-2121373/Au-pair-debate-Are-cut-price-foreign-nannies-damaging-children.html#ixzz2eoNxR0kS>

¹⁰¹¹ No Longer Invisible: Cathy McIlwaine, Juan Camilo Cock and Brian Linneker, Queen Mary, University of London

¹⁰¹² <http://www.telegraph.co.uk/news/uknews/2695891/The-silent-abuse-suffered-by-nannies-and-au-pairs.html>

¹⁰¹³ <http://www.standard.co.uk/news/crime/doctors-trafficked-woman-to-be-their-slave-8698102.html>

¹⁰¹⁴ <http://www.europarl.europa.eu/document/activities/cont/2011/10/20111020ATT29946/20111020ATT29946EN.pdf>

¹⁰¹⁵ IPPR report, Beyond Borders, Cherti and Pennington suggests “a comprehensive anti-trafficking strategy should also provide greater opportunities for trafficked people to pursue civil as well as criminal cases against their employers. In civil cases, the burden of proof is lowered and the financial penalties can be a deterrent to traffickers, particularly those operating alone or on a small scale.”

a defendant for subjecting another adult to 'modern day slavery' in the course of domestic work was made.

Former Hospital Director Saeeda Khan lived in Harrow and was paying Mwanahamisi Mruke, from Tanzania, £31. This had been agreed, but when Mrs Mruke arrived, Mrs Khan removed her passport, made her sleep on the kitchen floor and work 18 hour days every day for four years, only fed her bread, and Mrs Mruke was made to believe she may be in danger if she complained.¹⁰¹⁶

However, this conviction was later quashed by the Court of Appeal and Saeeda Khan was acquitted. This related to disagreements on the correct definition in law of exploitation and 'slavery'. Mrs Mruke was to some extent free to come and go as she pleased - indeed she was rescued due to concerns by a GP, when she visited a doctor's surgery. The Court of Appeal described a hierarchy of exploitation - slavery, servitude and then forced or compulsory labour and found that exploitation "could not boil down to simply working long hours for low pay, or issues about the minimum wage."¹⁰¹⁷ Saeeda Khan was acquitted of 'slavery' and of 'servitude'. This appears to be a technicality since stakeholders told me the case was very clearly a form of domestic servitude if not modern day slavery.

Kate Robert from Kalayaan said the problems around the human trafficking term was an "important observation because if they are not trafficked they risk being downgraded. Domestic workers usually come here legally but then are exploited in domestic servitude. It is very hard for [victims and the authorities] to understand those concepts."¹⁰¹⁸

Managing the Border

A number of stakeholders told us that victims of domestic trafficking were brought into the UK without any comprehension of how the system worked and that the procedure to enter the country involved barely any active participation of the victim. Stakeholders cited many cases where victims, while being taken in on legal routes, were not questioned about the job they would undertake nor provided with information about their visa or their employment rights in the UK.

Kate Roberts from Kalayaan said that back in 1998 "the Home Office had a great leaflet about employment law etc. which had our details. Now there is an information sheet which the Home Office claim is distributed but almost none of the workers we see have been are given them overseas."¹⁰¹⁹

Those entering the UK on a domestic visa should be more involved in the procedure. Furthermore, when they are clearly a group at risk of exploitation they must be consistently provided with information about their rights on entering the country and must be told in a leaflet about the risks of human trafficking and how to obtain help under such circumstances.

¹⁰¹⁶ <http://www.bbc.co.uk/news/uk-england-london-12710481>

¹⁰¹⁷ <http://www.9-12bellyard.com/news/326-woman-vilified-as-slavedriver-by-the-media-finally-acquitted>

¹⁰¹⁸ Evidence from Kate Roberts from Kalayaan, Meeting in Kalayaan headquarters, 2013

¹⁰¹⁹ Evidence from Kate Roberts from Kalayaan, Meeting in Kalayaan headquarters, 2013

The controversy over the Overseas Domestic Worker visa

In April 2012 the Government changed the Overseas Domestic Worker (ODW) Visa¹⁰²⁰ arrangements so that a domestic worker may only work for diplomats and visitors to the UK, may only stay in the UK for six months, and must remain with the employer they were initially registered with. Yet the former ODW Visa, which crucially allowed domestic workers to change employer, was cited as best practice by the ILO and UN¹⁰²¹ and was described by the Home Affairs Select Committee on human trafficking as “the single most important issue in preventing the forced labour and trafficking of such workers.”¹⁰²² Almost every single organisation working with domestic victims of trafficking I spoke to was concerned about the new ODW visa arrangements.

LAWRS said domestic workers were “totally at [the] mercy [of the employer] with the new visa.”¹⁰²³ Indeed it has been found that at least 40% of those who change employer do so because they have experienced abuse or exploitation.¹⁰²⁴ If a worker is being abused, they will feel they have even less incentive to report this abuse as they will no longer be legitimately here if they leave their employer.¹⁰²⁵ They are obliged therefore to either stay in the exploitative and possibly dangerous work situation; or go to the authorities and risk being sent back, which for financial or debt-related reasons may simply not be a safe or possible option; or leave their employer and live and work illegally in the UK and so face the risk of being exploited again due to the vulnerability this status brings.

Kate Roberts from Kalayaan said, “This group are already seen as particularly vulnerable to abuse. So this is a very bad decision. This law means the most basic employment law is not complied with. Domestic workers are more likely to disappear or go underground as they are effectively criminalised for escaping abuse.”¹⁰²⁶

Kalayaan has reported that only one of the workers registered with them, who entered on the new tied visa, has consented to reporting to police about the theft of their passport by their former employers – which is an indicator of trafficking. Yet 86% of workers on the tied visa registering at Kalayaan in the year since the introduction of the new ODW Visa have had their passport taken from them by their employers.¹⁰²⁷

¹⁰²⁰ Kalayaan said some of the domestic workers they work with have come in under the guise of marriage or being a family relation; but predominantly those they work with have a domestic worker visa with a named employer.

¹⁰²¹ UN Human Rights Council, Report of the Special Rapporteur on the human rights of migrants, Addendum: Mission to the United Kingdom of Great Britain and Northern Ireland, 16 March 2010, A/HRC/14/30/Add. 3

¹⁰²² House of Commons Home Affairs Committee, *The Trade in Human Beings: Human Trafficking in the UK*, Home Affairs Committee, Sixth Report of Session 2008 – 9, Volume I, House of Commons, London, The Stationery Office, 14 May 2009, p. 26

¹⁰²³ Interview with Carolina Gottardo and Marcela Benedetti, from the Latin American Women's Rights Service (LAWRS), City Hall, 2013

¹⁰²⁴ UKBA statistics in Lalani, M. *Ending the abuse: Policies that work to protect migrant domestic workers*. Kalayaan. May 2011

¹⁰²⁵ *It Happens Here*, Centre for Social Justice Report, 2013 “A charity working with migrant domestic workers reported that of the 157 workers identified as possibly trafficked in the UK, 102 (64 per cent) chose not to be referred into the NRM.”

¹⁰²⁶ Evidence from yet Kate Roberts from Kalayaan, Meeting in Kalayaan headquarters, 2013

¹⁰²⁷ Home Affairs Committee, *Written Evidence*, July, 2013 <http://www.parliament.uk/documents/commons-committees/home-affairs/130603%20Human%20trafficking%20written%20evidence.pdf>

The threats now made by some employers¹⁰²⁸ – that the workers will be deported if they report abuse – are now potentially true as NGOs cannot rely on the NRM to recognise victims consistently; therefore they cannot reassure victims who come to them that they will not be deported if they go to the police. Furthermore, the limited time workers are legally allowed to be in the country now does not allow victims much leeway to obtain contacts or learn how to contact the authorities.

It has been suggested that this legislation, by tying an employee to their employer and therefore reducing their freedom, breaches obligations under Article 4 of the European Convention on Human Rights.¹⁰²⁹

The visa risks being a form of ‘slavery’ in itself by enforcing such stringent relations between an employer and employee. Indeed, Israel found this type of visa to be incompatible to human dignity.¹⁰³⁰ Dr Virginia Mantouvalou predicts that this visa will be challenged in the European Court and forced to be disbanded.¹⁰³¹

The new ODW visa is not even seen as effective in stopping trafficking or immigration. Andrew Wallis from Unseen said it was “naïve to think the changes will impact immigration.”¹⁰³² Even on its own terms the visa was not believed to be working since stakeholders said the cases they were seeing showed people coming in on the visa were often being paid well below the minimum wage and employers often plan to breach the rules and bring a worker over for longer than 6 months. Furthermore, Embassies are still allowed to retain workers for longer periods even if these establishments may be where much of the abuse occurs. NGOs also said that domestic workers are anyway often brought in through other routes such as under the guise of being a family member or wife.

The CPS¹⁰³³ and Government sources disagreed and felt the changes would not be a huge problem. One source told us that the problem with the former domestic worker visa was immigrants were getting into the country by entering on this visa and then remaining here indefinitely. A police source admitted that domestic cases “are incredibly hard to find anyway”. The police said they didn’t yet know the full impact, or whether there would be one, following the changes to the ODW Visa but accepted that “in 2010, 15,000 came in on that visa with the hope to stay on here. It’s understandable that you can’t have a Government system that allows such a huge pull factor. You can’t increase the risks in that way.”¹⁰³⁴

The disagreement over the legitimacy of the new ODW Visa means that it is likely to go to court. Evidence from stakeholders also suggests that the changes to the ODW Visa do not

¹⁰²⁸ As discussed in Skrivankova, K. Trafficking for Forced Labour: UK Country Report. Anti-Slavery International. P17
http://www.antislavery.org/includes/documents/cm_docs/2009/t/trafficking_for_forced_labour_uk_country_report.pdf

¹⁰²⁹ CL Institute for Human Rights Co-Director, Dr Virginia Mantouvalou speaking at Slavery by a new name: the tied migrant domestic worker visa’ held on the 7.5.13 in the House of Commons

¹⁰³⁰ Ibid

¹⁰³¹ Ibid

¹⁰³² Evidence from Andrew Wallis, Kalayaan meeting, HoC

¹⁰³³ Evidence from Pam Bowen, CPS London, 2013

¹⁰³⁴ A police source, 2013

seem to be effectively stopping domestic workers from illegally staying here but do seem to have increased workers' vulnerability. Rather than having this new visa regime, exit checks or follow-up work may be more effective in stopping people illegally staying here; meanwhile I believe the Government should return to using the former ODW Visa system whereby workers were able to switch employer. The CSJ report, *It happens here*, highlighted that improved enforcement in this area could be recouped by the fact that in doing so we could recover "about £37 million [which is currently] lost to the exchequer each year from unpaid tax and national insurance (employers' and employees' contributions) relating to domestic workers on the ODW visa alone."¹⁰³⁵

The UK Border Force

Domestic workers are meant to have already been employed for 12 months prior to coming here. However, this is not always the case but many workers may be unaware they are breaking the law. Indeed, many cannot understand what is being said during an immigration interview and may even have their employer translating for them during questioning. LAWRS described this as "Amazing... The British Consulate asks for your contract of employment but it doesn't need to be translated into the language of the client!"¹⁰³⁶ LAWRS has created leaflets for British Consulates in Latin America on the risks of trafficking. However, it shouldn't be the sole responsibility of small organisations to do this.

There were also concerns about how we monitor domestic workers coming into the country. A Working Lives report said that "Documents held by UKBA are inadequate and do not hold sufficient information to assess the workers' conditions of work: in over 50% of the cases they do not have enough information to assess whether the National Minimum Wage (NMW) is being paid."¹⁰³⁷

Forced Marriage

LAWRS said they were seeing poverty-stricken Latin American women being informally trafficked to the UK by British men to act as 'wives'. While to all intents and purposes this could be seen as a marriage where both parties have different requirements for the marriage, LAWRS said many cases they had seen had human trafficking indicators. The women's passports were removed, they suffered domestic violence, and in some extreme cases they may be forced to have sexual intercourse with the husband's friends.

LAWRS believed "this [form of prostitution] was happening" but that victims had little confidence in coming forward to the authorities because they felt that a British citizen had an advantage over them and they were extremely isolated and did not speak the language.

Another NGO working with trafficked victims had seen similar cases and said there was an issue around this area of sexual exploitation as the authorities did not see it as a trafficking issue and yet "much of the time her money is taken from her and she may experience

¹⁰³⁵ It Happens Here, Centre for Social Justice Report, 2013

¹⁰³⁶ Interview with Carolina Gottardo and Marcela Benedetti, from the Latin American Women's Rights Service (LAWRS), City Hall, 2013

¹⁰³⁷ Turning a Blind Eye - Working Lives Research Institute by N Clark - 2011, www.workinglives.org/londonmet/fms/.../TaBE%20final%20report.pdf

domestic violence or rape - this is seen as a domestic issue [and] may not be picked up on via the NRM.”¹⁰³⁸ This lack of recognition leading to less reporting is described by the IPPR as “a vicious circle: less is known about human trafficking in particular regions or for particular purposes such as forced labour and servile marriages; their problem remains under-reported or redefined as something else.”¹⁰³⁹

Anti-Slavery International said they were seeing an increase in cases around marriage, particularly involving Eastern Europeans being brought over to marry Asians, Africans and Pakistani men.¹⁰⁴⁰ Some of these cases are apparently fuelled by the men desiring EU passports but the women involved in the transaction can end up being sexually or domestically exploited. Crime linked to this issue includes reports of churches being targeted by traffickers, who search for blank marriage certificates to create false identities for illegal immigrants trying to enter the UK.¹⁰⁴¹

Between January and August 2013, 2 potential cases of human trafficking identified in London involved “sham marriages”.¹⁰⁴²

One avenue to reach out to potential victims of trafficking within marriages should be via the NHS as women are likely to have access to their GP. I was told that NHS clinics should have leaflets up in their toilets, where their husband will not be with them, asking the women to leave her details so she can be contacted and gain assistance.

Police

LAWRS said that the police had started to appear interested in the Latin American experience of human trafficking prior to the Olympics but that this interest had ceased after the Games.

“We contacted the police before the Olympics with a sister organisation (Latin American Women’s Aid - LAWA) and they were very keen to meet up, [which we did and while there we] offered to train them on Latin American issues. They were keen at the time but then it didn’t happen. We kept contacting them but heard nothing.” They felt that this was of concern as the Latin American experience of human trafficking was very different to the organised models the police were used to dealing with.¹⁰⁴³

The relationship between the authorities and certain sections of the Latin American community has in recent times come under strain. Latin American Workers Association (LAWAS) told a Guardian report that it “fears that Latin Americans are also being subjected

¹⁰³⁸ In evidence from an interview with an NGO working with trafficked victims 2012

¹⁰³⁹ IPPR report, *Beyond Borders*, Myriam Cherti and Jenny Pennington, 2013

¹⁰⁴⁰ Home Office immigration enforcement officers arrest two Portuguese women and a Pakistani man for trying to breach UK immigration laws
5:10pm Tuesday 9th April 2013

¹⁰⁴¹ Human trafficking fears as Burntwood churches targeted by thieves, 18 February 2013,
<http://www.expressandstar.com/news/crime/2013/02/18/two-burntwood-churches-targeted-by-thieves/>

¹⁰⁴² Data provided to us by the UKHTC. See Appendix 2.

¹⁰⁴³ “The police need to appreciate the special issues around our cases as trafficking is not always happening the same way. Can happen through friends not organisations.” Interview with Carolina Gottardo and Marcela Benedetti, from the Latin American Women’s Rights Service (LAWRS), City Hall, 2013

to arbitrary crackdowns by the UK immigration authorities”¹⁰⁴⁴ as ‘Officials and police are targeting Latin American cultural events in the hope of rounding up those without the correct immigration documents’”.¹⁰⁴⁵ LAWRS also told us that when they found “Latin American women [who are victims of violence] they do not necessarily trust the police as a result of negative experiences in their countries of origin with [the] authorities, and [due to] negative experiences here for some community members. With organisations like us they can go to the police and it’s fine; but they would rarely go to the authorities by themselves and would not have much success by themselves as a result of language barriers. They are highly reluctant to report to the police”¹⁰⁴⁶

A spokesperson from Naz, who worked with Latin American male sex workers, said the men he saw would not go to the police because the community had a “very negative image of police because Latin American police are corrupt so they don’t think our police will help them – this applies to all Latin Americans!”¹⁰⁴⁷ He said the police need to engage more with the community to inform people about police work and gain this trust.

He recalled a Colombian Metropolitan Police officer who had been regularly meeting with the Coalition of Latin Americans in the UK (CLAUK) organisations a few years ago to improve trust and knowledge in the community. However, he thought this engagement had stopped but needed to be continued.

Although it is less organized, Latin American cases often feature severe abuse. One stakeholder told me that some migrants on domestic visas experience physical and sexual abuse and that this is particularly the case in regard to Brazilian domestic workers.¹⁰⁴⁸ When domestic workers have reported abuse though they have sometimes been ignored. A case in February 2013 involved three couples from India and Ghana who lived in Harrow who were charged with human trafficking and rape of an Indian domestic worker who they passed between them to abuse. However, when the victim asked for help from Hertfordshire Police, they interviewed her using one of her abusers as an interpreter, and then returned her to the perpetrators.¹⁰⁴⁹ Her ordeal only ended when her case was taken up by a migrant workers' charity.

Support

The No Longer Invisible report found that more than half of the Latin American population in London identify English language difficulties as their chief problem, and allude to a lack of

¹⁰⁴⁴ How London's Latin Americans are fighting back Sam Jones The Guardian, Friday 22 June 2012 17.46 BST

¹⁰⁴⁵ “In February, police swooped on those queueing for a concert by the reggaeton star Don Omar and arrested 23 people outside the Coronet in Elephant and Castle. Although 18 people were then detained on suspicion of immigration offences, a Home Office spokesman said the operation had been a police-led action aimed at reducing crime across London.” How London's Latin Americans are fighting back Sam Jones The Guardian, Friday 22 June 2012 17.46 BST

¹⁰⁴⁶ Interview with Carolina Gottardo and Marcela Benedetti, from the Latin American Women's Rights Service (LAWRS), City Hall, 2013

¹⁰⁴⁷ Interview with a stakeholder from Naz, 2013

¹⁰⁴⁸ Evidence from one stakeholder, Meeting, City Hall 2012

¹⁰⁴⁹ <http://www.independent.co.uk/news/uk/crime/raped-beaten-and-enslaved-for-years--and-handed-back-to-her-tormentors-when-she-went-to-beg-police-for-help-8580921.html> "Various state agencies failed her... ignoring her repeated pleas for help, not adhering to their own investigative practice and it could be said ignoring the obvious," Caroline Haughey, counsel for the prosecution, told Croydon Crown Court.

ESOL provision. Another problem was the lack of information provided to the Latin American community about their rights and where to access services.¹⁰⁵⁰

To support the Latin American community a number of issues were highlighted to me. It is felt that Latin Americans should be recognised as an ethnic group to assist them in having services geared towards them and as a key way to gain intelligence on victims through the organisations that support them. Carolina Gottrado said, “This way they will be more visible and will not fall through the gaps.”

Furthermore I heard that there needs to be more regulation in the cleaning industry to ensure the minimum wage was being paid. Certainly hotels and offices need to be aware of how their contracted cleaning companies are paying their staff and the issue of corporate responsibility could be highlighted by the Mayor if he was willing to embrace a broader trafficking agenda outside of the VAWG agenda.

¹⁰⁵⁰ “For example, in a focus group of Colombian women conducted in 2010, one participant said that for her in London:,,The main problem is lack of information. When you arrive, and especially if you don’t know anyone, its really hard. I didn’t know about LAWRS. I didnt know where to find a job, to find help when I was in trouble and I couldn’t ask because I couldn’t speak English“.” No Longer Invisible: Cathy McIlwaine, Juan Camilo Cock and Brian Linneker, Queen Mary, University of London

Vietnamese victims of trafficking

Background

Vietnamese victims of trafficking

The trafficking of Vietnamese people is an issue that is increasingly gaining media attention. The cases so far uncovered are highly organised and involve Vietnamese victims, who are very often children, being exploited in cannabis farms, nail bars, restaurants, prostitution and DVD selling.

Between January and August 2013, Vietnam was found to be the third largest source country of human trafficking to London. 33 victims were identified. Ten potential cases of human trafficking were found involving cannabis cultivation— two fifths of whom were children.¹⁰⁵¹

In the UKHTC Strategic Assessment on Human Trafficking for 2012, Vietnam was the fourth largest source country of all potential human trafficking victims (133, 6%) , and the largest source of potential child trafficking victims (103, 19%), showing an astounding 58% increase on a year ago.¹⁰⁵² The child cases registered suggest they are mainly victims of labour exploitation.¹⁰⁵³

A stakeholder in the Criminal Justice system said they are now seeing “more Vietnamese, Indian, Pakistani and Nigerian cases.”¹⁰⁵⁴ Another Council source told us that there is a “Myth of organised unaccompanied migrant cohorts from China - but actually of late the majority of cases involves Nigerians [alongside] waves of Vietnamese males for cannabis.” Tara Topteagarden from the Refugee Council, who was working on a new project set up in May to support Vietnamese boys, said professionals were relieved that her project for Vietnamese trafficked children now existed as there was “relatively little understanding of what’s happening.”¹⁰⁵⁵

Vietnamese community in London

Sixty per cent¹⁰⁵⁶ of those born in Vietnam, who live in England and Wales, live in London, with over a third living in Lewisham (where Vietnamese is the second most common language¹⁰⁵⁷) Southwark and Hackney borough. The catering and nail industries are believed to be the largest employment sectors of Vietnamese workers.¹⁰⁵⁸ One survey found that of those born in Vietnam, living within the Greater London region, 28% were working in the hotel and restaurant sector.¹⁰⁵⁹ However, in boroughs such as Lewisham, the unemployment

¹⁰⁵¹ Data provided to us by the UKHTC. See Appendix 2.

¹⁰⁵² UKHTC: A Strategic Assessment on the Nature and Scale of Human Trafficking in 2012, SOCA, August 2013

¹⁰⁵³ “Vietnamese minors are mainly victims of labour exploitation” First annual report of the Inter-Departmental Ministerial Group on Human Trafficking, 2012

¹⁰⁵⁴ Anonymous source , 2013

¹⁰⁵⁵ Evidence from Tara Topteagarden, of the Refugee Council, at City Hall 2013

¹⁰⁵⁶ The Vietnamese community in Great Britain, thirty years on, JESSICA MAI SIMS, Runnymede <http://www.runnymedetrust.org/uploads/projects/Vietnamese%20Community.pdf>

¹⁰⁵⁷ http://en.wikipedia.org/wiki/Vietnamese_people_in_the_United_Kingdom

¹⁰⁵⁸ <http://www.runnymedetrust.org/uploads/projects/Vietnamese%20Community.pdf>

¹⁰⁵⁹ 2001 Census

rate of registered Vietnamese people living in London was estimated to be as high as 60%.¹⁰⁶⁰

Nonetheless, in “*The Forgotten refugees: the housing experiences of the Vietnamese communities in London*”¹⁰⁶¹ the Vietnamese population was described as “not generally seen as a refugee group now, yet not benefiting from recognition as a major minority ethnic group, they form an invisible minority.”¹⁰⁶² A Runnymede report on the Vietnamese population in London described them as a “hidden” community who “make a great contribution to the life of this country but hardly register in policy and political debates.”¹⁰⁶³ They are disadvantaged by a lack of significant statistical data¹⁰⁶⁴ on their population, alongside language barriers in some parts of the community and limited support besides under-resourced community based voluntary groups.¹⁰⁶⁵ In one study on the Vietnamese population in Lewisham and Southwark, it was found that they “were too intimidated to call emergency services, and admitted their inability to communicate made them feel ‘helpless.’... [meaning] people do not have information about available services.”¹⁰⁶⁶

Illegal migration to the UK

A recent Sunday Times report suggested there were 71,000 irregular Vietnamese nationals in the UK and 29,000 Vietnamese-born migrants officially registered.¹⁰⁶⁷ Some but by no means all illegal migrants may be trafficked. Trafficked Vietnamese migrants are known to enter the country by circuitous routes. They may fly sometimes via China into Russia¹⁰⁶⁸ and then are transported in vans through parts of Eastern Europe, such as the Ukraine, Poland and the Czech Republic, before possibly entering Germany, and then leaving the continent by lorry via France.¹⁰⁶⁹ Vietnamese trafficking victims will have often already come into contact with the French authorities, who routinely receive referrals from the UK Border

¹⁰⁶⁰ The Vietnamese community in Great Britain, thirty years on, JESSICA MAI SIMS, Runnymede

¹⁰⁶¹ ¹⁰⁶¹ The Forgotten refugees: the housing experiences of the Vietnamese communities in London, Tomlins, Richard; Johnson, Mark R. D.; Owen, David, <http://www.researchasylum.org.uk/?lid=157>

¹⁰⁶² The Forgotten refugees: the housing experiences of the Vietnamese communities in London, Tomlins, Richard; Johnson, Mark R. D.; Owen, David, <http://www.researchasylum.org.uk/?lid=157>

¹⁰⁶³ The Vietnamese community in Great Britain, thirty years on, JESSICA MAI SIMS, Runnymede <http://www.runnymedetrust.org/uploads/projects/Vietnamese%20Community.pdf>

¹⁰⁶⁴ “The Vietnamese are not monitored by the government as a settled minority. Any monitoring that does occur is often in the category of ‘country of birth’ which disregards the generation of Vietnamese born in the UK. So not as much is known about the Vietnamese as one might expect, and the task of understanding them, and their place in wider British society, is enough of a challenge to qualify them as one of many ‘less visible’ communities in Britain” The Vietnamese community in Great Britain, thirty years on, JESSICA MAI SIMS, Runnymede

¹⁰⁶⁵ Tomlins, Richard; Johnson, Mark R. D.; Owen, David

¹⁰⁶⁶ The Vietnamese community in Great Britain, thirty years on, JESSICA MAI SIMS, Runnymede

¹⁰⁶⁷ http://www.thesundaytimes.co.uk/sto/news/uk_news/Society/article1302165.ece?CMP=OTH-gnws-standard-2013_08_17

¹⁰⁶⁸ CEOP: “According to information supplied by the Russian Embassy, Russia issues approximately 50,000 visas to Vietnamese citizens every year. There are No Russian immigration staff based in Vietnam, and Foreign Service officers issue visas, for the most part without referral and with few, if any, check” http://ceop.police.uk/Documents/ceopdocs/NPM_CEOP_FCO_report_-_trafficking_of_Vietnamese_women_and_children.pdf

¹⁰⁶⁹ Circuitous routes assist in disorientating those victims who are trafficked and exploited; in doing so this can undermine their ability to recall the details of their route into the UK in detail to the authorities if caught.

Force when Vietnamese nationals are detected in Northern France.¹⁰⁷⁰ A CEOP report on Vietnamese trafficking highlighted that “Vietnamese illegal border-crossing points, locally-issued border passes, apparent lax Russian visa application controls and poorly regulated overseas labour schemes visas are successfully exploited by Vietnamese facilitation and trafficking networks.”¹⁰⁷¹ Falsely obtained South Korean passports are also sometimes used, as South Koreans do not need visas for tourist visits.

In the past, human trafficking victims were believed to come from three provinces (Nghe An and Ha Tinh in the north of the central provinces, and Quang Binh in the centre of the country) but CEOP said the UK was now seeing a trend where victims came from the border regions of Vietnam. North Vietnamese provinces were source points of many migrants trafficked or simply entering the UK illegally.¹⁰⁷² Haiphong, Vietnam's third biggest city, was described as the epicentre of the country's human smuggling industry.¹⁰⁷³

Human trafficking networks will often have members acting under the seemingly legitimate veneer of recruitment agencies providing ‘work’ for victims. Often adult and child migrants being taken into the UK are charged with a debt of around £20,000 for these arrangements.¹⁰⁷⁴ Children coming over to the UK have often left education at 14 to find work, usually to support their families. Of those trafficked, a Save the Children report from 2005-2006 found that 93.5% (659) of victims had a low education level, including 90 (13%) who were illiterate.¹⁰⁷⁵

A child is often instructed to claim asylum at the border and will then be taken into authority care, where the vast majority of Vietnamese children will then abscond.¹⁰⁷⁶ Adults also use the asylum system.¹⁰⁷⁷ One adult victim, after using fake travel documents to get through Vietnamese immigration, destroyed them on the journey. He was then instructed by traffickers to tell Heathrow border staff he was a refugee who had been tortured for protesting against Vietnam's communist government. As a result, he was allowed in “without any further interrogation”¹⁰⁷⁸ and ended up being forced to work in a nail bar in Buckinghamshire.

¹⁰⁷⁰ Human Trafficking IDMG Report 2012,

¹⁰⁷¹ http://ceop.police.uk/Documents/ceopdocs/NPM_CEOP_FCO_report_-_trafficking_of_Vietnamese_women_and_children.pdf

¹⁰⁷² Human Trafficking IDMG Report 2012,

¹⁰⁷³ <http://www.scmp.com/magazines/post-magazine/article/1041471/nail-bar-blues>

¹⁰⁷⁴ http://ceop.police.uk/Documents/ceopdocs/NPM_CEOP_FCO_report_-_trafficking_of_Vietnamese_women_and_children.pdf

¹⁰⁷⁵ Ibid

¹⁰⁷⁶ 20% of 113 missing youngsters listed on the UK's child protection agency website have Vietnamese names <http://www.bbc.co.uk/news/magazine-22903511>

¹⁰⁷⁷ <http://www.dailymail.co.uk/news/article-1249944/Judge-slams-pitiful-immigration-checks-jails-Vietnamese-traffickers.html>

¹⁰⁷⁸ Ibid

Nail bars

Recent hype

In the last 10 years the nail industry has become the fastest growing UK Vietnamese business sector, and accounted for over 50 per cent of all Vietnamese businesses in London in 2007.¹⁰⁷⁹

The salons and restaurants tend to largely hire newly arrived migrants rather than second-generation Vietnamese. There have been reports of Vietnamese migrant workers being exploited in these nail bars as far back as 2000.¹⁰⁸⁰ However, this issue has been underreported and ignored. One London Government officer who had been leading on the trafficking portfolio for a number of years admitted they had only recently heard about this issue.

However, in August 2013, the Sunday Times carried out an investigation claiming that “there are 100,000 Vietnamese manicurists working in 15,000 nail salons across the country” and that “thousands of manicurists are feared to be controlled by people traffickers.”¹⁰⁸¹ These figures have been disputed by a number of people including Dr Magnanti in the Telegraph and by journalists in the Guardian.¹⁰⁸² Furthermore, the article appears to conflate the potentially large number of illegal Vietnamese workers in the UK with the number of trafficked victims there may be. In SOCA’s UKHTC data from January to March 2013, 32 Vietnamese nationals were identified as potential victims of all types of trafficking in those three months.¹⁰⁸³ This could potentially equate to 384 in one year. However, while some stakeholders working in the human trafficking field say that official trafficking data barely reveals the scale of the problem, the numbers are unlikely to reach tens of thousands. Furthermore, many victims recognised as human trafficking victims by NGOs may exist in that ‘grey’ area of exploitation rather than be cases of clear-cut slavery.

There are believed to be large numbers of young people in Vietnam willingly signing up to manicure courses, with some then trying to enter the UK to work, using tourist visas.¹⁰⁸⁴ The Sunday Telegraph quoted a Government source who admitted, “The nail-bar problem started a few years back after a lot of visas were issued to Vietnamese nail technicians because we were short of the skill in Britain. But the migration through that channel is now

¹⁰⁷⁹ The Vietnamese community in Great Britain, thirty years on, JESSICA MAI SIMS, Runnymede <http://www.runnymedetrust.org/uploads/projects/Vietnamese%20Community.pdf>

¹⁰⁸⁰ “Mr Lee told authorities that he arrived at Heathrow Airport with another man in January 2000. After being questioned by immigration officials, they were allowed into the UK. It was then that Van Vu told Mr Lee he owed him £20,000 and put him to work for seven years. Mr Lee often handed all of his wages over to Van Vu. But when Mr Lee stopped working at Van Vu’s nail bar in Bletchley, the defendant confronted him and demanded £1,000.” <http://www.dailymail.co.uk/news/article-1249944/Judge-slams-pitiful-immigration-checks-jails-Vietnamese-traffickers.html>

¹⁰⁸¹ http://www.thesundaytimes.co.uk/sto/news/uk_news/Society/article1302165.ece

¹⁰⁸² “It is possible that the Sunday Times’ figures are accurate. But we would suggest treating them with a dose of scepticism.” Guardian, <http://www.theguardian.com/politics/reality-check/2013/aug/21/71000-vietnamese-manicurists-hidden-in-the-uk>

¹⁰⁸³ NRM statistics, January to March 2013, SOCA Intelligence Report, <http://www.soca.gov.uk/about-soca/about-the-ukhtc/national-referral-mechanism/statistics>

¹⁰⁸⁴ Li Tan’s home town of Haiphong, large numbers are preparing to follow in her footsteps by studying at dedicated “nail academies”. <http://www.dailymail.co.uk/femail/article-2396560/How-Britains-nail-bars-propped-victims-human-trafficking-forced-work-slave-wages.html>

being hijacked by traffickers.”¹⁰⁸⁵ They also interviewed a young woman whose student visa application was rejected and was asked if she would ask her family to pay traffickers to transport her: “I don’t know. But if you want to go overseas and you live in Haiphong, the only visa you need is money.”¹⁰⁸⁶ While many may choose to come here, Vietnamese migrants who come to the UK can face huge fees which place them in a state of debt bondage for years. It is said that many workers are unaware of what work they are being sent to carry out or it has been reported that some recruitment agencies do not show workers their contacts until a day before they are scheduled to leave, and contracts are also often signed in languages alien to the workers.¹⁰⁸⁷

The interchangeable exploitation between nail bars and cannabis farms

The human trafficking of Vietnamese migrants into cannabis farms had, until recently, a higher profile than those trafficked into nail bars. In 2007, DrugScope highlighted the issue of a boom in cases of Vietnamese children being exploited in cannabis farms,¹⁰⁸⁸ and ECPAT UK received its first referral of a trafficked Vietnamese boy aged 15 back in 2003. The awareness and interest in cannabis farms exists partly because it is a large organised illegal activity which was therefore already on the police’s radar.

However, evidence also consistently suggests that the exploitation of workers in cannabis farms and nail bars are related. A report produced by the British embassy in Hanoi and CEOP stated that nail bars were often a front for money laundering activities linked to cannabis farms. Furthermore sex trafficking is also linked to the exploitation in nail bars, as the upstairs section of the nail bars were sometimes used as brothels selling young women and men.¹⁰⁸⁹

Anti-Slavery International is involved in a project investigating human trafficking for the purposes of forced criminal exploitation called ‘RACE in Europe’.¹⁰⁹⁰ A police source told the project that Vietnamese migrants trafficked to the UK are often dropped off in towns and cities and told to visit a nail salon initially as their first port of call.¹⁰⁹¹ When victims are first brought to nail bars however, they are sometimes given a choice between working at the nail bar or working in a cannabis farm; nonetheless, many choose the illegal, far more dangerous – though they may be unaware of the chemically toxic and violent environment this choice will involve or the illegal nature of the work - option of cannabis farms as they are told they will pay off their debt more quickly in doing so.

One charity working with trafficked children had noticed a “weird trend” where several of the trafficked Vietnamese boys they were supporting, who had first worked in cannabis farms, were “ending up in nail bars”.¹⁰⁹²

¹⁰⁸⁵ http://www.thesundaytimes.co.uk/sto/news/uk_news/Society/article1302165.ece

¹⁰⁸⁶ Ibid

¹⁰⁸⁷ UNODC Tip Report, 2013

¹⁰⁸⁸ <http://www.drugscope.org.uk/Media/Press+office/pressreleases/Cannabis-farms-trafficked-children>

¹⁰⁸⁹ Evidence from Anti-Slavery International, 2012

¹⁰⁹⁰ www.raceineurope.org

¹⁰⁹¹ Although the reverse is cited in a Sunday Telegraph report where a child victim was first “taken to a ...cannabis factory. A week later, she was sent on to a nail bar” and while there she was prostituted out. http://www.thesundaytimes.co.uk/sto/news/uk_news/Society/article1302165.ece

¹⁰⁹² Evidence from an NGO working with children, 2013

This was supported by the Refugee Council. They also said boys who were rescued often decided to work in nail bars and that it was unclear if they did so because many Vietnamese worked there already, or under the instruction of an organised network. The anonymous children's charity above was told by one nail bar that this was an apprenticeship but the charity felt that "it's more likely to be organised exploitation within the community, which makes them vulnerable to being re-trafficked and exploited."

Tackling problem

Police have conducted 100 raids on nail bars across the country since 2008 and 150 illegal immigrants have been found as a result.¹⁰⁹³ However, whether these raids are successfully finding large quantities of trafficked victims or simply finding large numbers of illegal migrants and money laundering cases is not clear.

Meanwhile, the nail salons' trade body, the British Association of Beauty Therapy and Cosmetology,¹⁰⁹⁴ has recently launched a campaign to encourage customers to question their nail technicians about their training, insurance and qualifications.

Cannabis farms

The increase in cases

In 2005, the Observer reported that "Police 'can't cope' as Vietnamese flood drugs trade - Gangs make millions by targeting London with cannabis grown in houses rented from unsuspecting landlords."¹⁰⁹⁵ It noted that the majority of cannabis factories raided by police were run by Vietnamese gangs and hence in just one London court in one week they had dealt with 5 cases involving Vietnamese criminals.

While in 2007/8, 3,032 cannabis farms were discovered, in 2011/12 this figure had increased by 150 per cent, to 7,865 in 2011/12.¹⁰⁹⁶ In 2013 it was reported that 20 cannabis farms in residential properties were being discovered every day.¹⁰⁹⁷

I was told that there have been 1400 arrested for cannabis cultivation in 2011-13 and of those 63% were Vietnamese and 13% were children.¹⁰⁹⁸

ACPO said that the threat from the domestic commercial cultivation of cannabis in the UK is increasing.¹⁰⁹⁹ While previously resin and herbal cannabis, which was imported from the Caribbean, West Africa and Asia, were the most popular forms of cannabis used. Now 'skunk', which is intensively cultivated or domestic cannabis or sensimilla (without seeds) is

¹⁰⁹³ http://www.thesundaytimes.co.uk/sto/news/uk_news/Society/article1302165.ece

¹⁰⁹⁴ <http://www.babtac.com/human-trafficking/>

¹⁰⁹⁵ The Observer, Sunday 11 September 2005
<http://www.theguardian.com/uk/2005/sep/11/ukcrime.drugsandalcohol>

¹⁰⁹⁶ "A total of 7,865 were identified in 2011/12 compared to 6,866 in 2009/10, an increase of 15 per cent. A total of 7,660 cannabis farms were identified in 2010/11, 4,951 in 2008/09 whilst 3,032 were recorded in 2007/08." <http://www.acpo.police.uk/documents/crime/2012/20120430CBACCoCPP.pdf>

¹⁰⁹⁷ The 'weed levy' on your electricity: cannabis farms steal power worth £70m each year, Evening Standard, 03 July 2013

¹⁰⁹⁸ Data from Anti-Slavery International's Race in Europe Project, www.raceineurope.org

¹⁰⁹⁹ <http://www.acpo.police.uk/documents/crime/2012/20120430CBACCoCPP.pdf>

more widely consumed.¹¹⁰⁰ Indeed, back in 2005, just 15 per cent of cannabis consumed in the UK was home grown,¹¹⁰¹ yet ECPAT UK told us that police now report that not only do we no longer need to import cannabis, but we are now exporting it.

This shift is believed to be due largely to the “arrival of organised gangs from Vietnam, who rapidly achieved near-total domination of Britain's marijuana business.”¹¹⁰² Their tactics are understood to have been imported from Canada, where the Vietnamese gangs took over the cannabis trade from the Hells Angels in the 1990s. Their modus operandi differed from the Hells Angels’ rural plantations and instead focused on growing cannabis in rented houses in residential areas with transient populations. The success of this business operation led them to expand into other areas of the world such as Australia and the UK.

Other theories regarding this rise include the reclassification of cannabis from a class B to a class C drug. The tighter controls at borders around drug smuggling are also believed to have made domestically bought drug farming more profitable. The increase in the number being found year on year can also be attributed to an enhanced investigative focus and proactive work by UK law enforcement. However, conversely there is also decreasing demand.¹¹⁰³ The British Crime Survey indicated that cannabis was the most commonly used drug in the last year, with 6.4% of adults taking it. However, this percentage was down on 2011 to 2012 (6.9%) and is the lowest percentage since the British Crime Survey measured these figures in 1996 (when the proportion was 9.5%).¹¹⁰⁴

Costs

ACPO estimated that the cannabis industry was worth £200m a year.¹¹⁰⁵ One Vietnamese farm in south London had four houses yielding harvests of 40kg of cannabis, worth £120,000, every six weeks. It was using high quantities of electricity – up to 40 times more than normal households- from the national grid. A report in 2013 warned that cannabis farms’ illegal use of electricity cost £70 million each year.¹¹⁰⁶ Violence¹¹⁰⁷ as well as trafficking is linked to these establishments.

Human Trafficking

Not only is cannabis farming an obvious criminal problem but there is much evidence to suggest that it is far from being a victimless crime, with many farms involving trafficked

¹¹⁰⁰ Ibid

¹¹⁰¹ <http://www.standard.co.uk/lifestyle/untold-profits-fuel-the-violent-gang-world-of-londons-cannabis-farms-6509328.html>

¹¹⁰² Ibid

¹¹⁰³ https://www.unodc.org/documents/drug-prevention-and-treatment/cannabis_review.pdf “some countries, like England and Wales, have experienced strong declines in Cannabis use in recent year”

¹¹⁰⁴ <https://www.gov.uk/government/publications/drug-misuse-findings-from-the-2012-to-2013-csew/drug-misuse-findings-from-the-2012-to-2013-crime-survey-for-england-and-wales>

¹¹⁰⁵ <http://www.channel4.com/news/child-trafficking-victim-crime-judge-cannabis-prostitution>

¹¹⁰⁶ <http://www.standard.co.uk/news/uk/the-weed-levy-on-your-electricity-cannabis-farms-steal-power-worth-70m-each-year-8685059.html>

¹¹⁰⁷ “The body of a Vietnamese man called Khan Tho Nguyen (Nguyen is a common Vietnamese name) was found in a cannabis factory in Wembley, north London”
<http://www.theguardian.com/uk/2005/sep/11/ukcrime.drugsandalcohol>

individuals from Vietnam who are working under severe duress for Vietnamese and Chinese organized crime groups.¹¹⁰⁸

Anti-Slavery International's RACE in Europe work¹¹⁰⁹ found that, of the cases they had examined in the UK media involving Vietnamese adults being prosecuted for cultivating cannabis from January 2011 to 2013, 130 had trafficking indicators. Furthermore of all those children arrested for cannabis cultivation during the same period, 117 of 130 were Vietnamese.¹¹¹⁰

According to a research paper by Professor Savage, director of the Institute of Criminal Justice Studies at Portsmouth University and Dr Silverstone, Vietnamese drug gangs are usually made up of small, tightly knit groups who, rather than forming large networks, initiate and disband business relationships regularly on a case-by-case basis. Those who secure the buildings used to farm the cannabis are "are often highly mobile and drawn from the more established members of the community"¹¹¹¹ while the 'gardeners' are illegal immigrants- often from Northern Vietnam - who work in highly toxic conditions and are often not paid under the guise of being indebted to their traffickers.

The level of restriction of movement varies – with some locked into the factories they work in while others are seemingly free to leave but are often told, unfortunately often correctly,¹¹¹² by traffickers that they will be arrested if they leave. A stakeholder working with Vietnamese victims of trafficking noted, "Some of the gangs stick to their word. But for young people they can't consent to their exploitation."¹¹¹³ They are also controlled by the use of threats, often against their families. This means that when they are caught by the police on raids it may not be in their interest to accept they have been a victim of trafficking or exploitation. Philip Ishola, from the Counter Human Trafficking Bureau, knew of a number of cases where victims' families had been targeted. In a BBC interview he said, "We engaged with people in Vietnam to see if they were ok and, though they hadn't been hurt, the family farm had been burned to the ground."¹¹¹⁴ With no simple way to protect extended families abroad, it is challenging to support such victims or encourage them to disclose their situation to the authorities. The key way to do so is to target the traffickers themselves. However, I have been told there are yet to be any convictions for this type of human trafficking, at least since 2009.¹¹¹⁵

London case example

In one case a 14 year old Vietnamese boy, T, was trafficked from Vietnam to a house in Harrow. He said some men arrived at his home and told him to come with them. He first

¹¹⁰⁸ UNODC TIP Report 2013

¹¹⁰⁹ www.raceineurope.org

¹¹¹⁰ Data from International's RACE in Europe Project, www.raceineurope.org

¹¹¹¹ <http://www.dailymail.co.uk/home/moslive/article-2179287/Cannabis-factories-How-criminal-gangs-turning-shuttered-shops-disused-warehouses-drug-farms.html#ixzz2eyNLhjc2>

¹¹¹² One stakeholder told us that the arrests of victims was a "gift to traffickers", meeting, City Hall, 2013

¹¹¹³ Meeting with an NGO working on Vietnamese human trafficking

¹¹¹⁴ <http://www.bbc.co.uk/news/magazine-22903511>

¹¹¹⁵ Two stakeholders working with Vietnamese victims knew of no convictions in 2013. See also <http://www.theyworkforyou.com/wrans/?id=2013-04-22a.386.7&s=human%20trafficking>: "To ask Her Majesty's Government what assessment they have made of the problem of trafficking of Vietnamese children, in the light of no convictions for the trafficking of Vietnamese children since 2009 despite Vietnamese children accounting for a quarter of all referrals of child trafficking." April 2013

arrived in Poland where he was kept in a room for months with a group of other children who were all told to remain silent. From there they went in freezing conditions in a truck to Germany to another flat and then onto France. There were then a number of failed attempts to board a lorry from Calais to Dover. Each time he was released he would return to a forest on the outskirts.

Eventually he arrived in the UK and was taken to a cannabis farm in Harrow. The traffickers had weapons and told him he would be arrested if he ran away. In 2009 there was a police raid on the farm and he was charged with cannabis cultivation. T was sent to Feltham Young Offenders Institution and Rochester prison for a year. This year, in 2013, that conviction and sentence was finally quashed in a significant Court of Appeal case. Most boys found on these farms are treated as criminals – one stakeholder cited a similar more recent case occurring in West London where a victim of trafficking was being treated as a criminal. Even after his conviction was repealed T is still facing difficulties. “T is now in local authority care and appealing against a refusal to grant him asylum. UKBA officials declared T a victim of child trafficking in 2012 but took a year to communicate that decision to him.”¹¹¹⁶

Shifts in operation

Whereas previously the Chinese and Vietnamese gangs running cannabis farms would knock down walls between terraced houses to create large scale operations, ACPO identified a shift in 2012 as gangs tried to reduce the risks of getting caught. Traffickers were increasingly using a multiple-site model whereby large numbers of gardeners work on a number of small-scale factories across several different residential areas.¹¹¹⁷

Stakeholders noted that whenever obstacles were created for traffickers they would simply modify their working practices. Andrew Wallis from Unseen said that the cannabis farms in Bristol used to be managed largely by irregular migrant Vietnamese gardeners. However, they were now finding that Albanian gangs were involved in this crime and the Vietnamese gardeners had disappeared. They instead found that the Vietnamese gangs were storing drugs underground.

White British gangs are also involved in the cannabis farming even if they do not directly always exploit the Vietnamese farmers themselves. In 2010, Commander Allan Gibson from the Metropolitan Police, told the Evening Standard “There has been a change over recent years... We're now finding there are more white British people involved — about 60 per cent of the people we identify currently fall into that category. It's a significant change.”¹¹¹⁸ The Vietnamese gangs tend to sell in bulk quantities to the British gangs who then carry out the riskier business of street dealing. The gangs can also assist them in acquiring properties. However, there can also be fall-outs between the gangs. One case reported involved a South London street gang who had arranged to buy cannabis from a team of Vietnamese gardeners. They met in a car park in Sutton, but instead of producing money, the gang threatened the gardeners with guns and stole the drugs. When the farmers returned to their Hackney base their boss, Hoc Kim Khoa, did not believe them, leading to one of the

¹¹¹⁶ Trafficking victim's nightmare journey to UK drug farm, SIMON ISRAEL, Home Affairs Correspondent <http://www.channel4.com/news/child-trafficking-victim-crime-judge-cannabis-prostitutioncase jc2>

¹¹¹⁷ Amelia Gentleman The Guardian, Thursday 11 April 2013, <http://www.theguardian.com/society/2013/apr/11/police-cannabis-farms>

¹¹¹⁸ <http://www.standard.co.uk/lifestyle/untold-profits-fuel-the-violent-gang-world-of-londons-cannabis-farms-6509328.html>

gardeners being tortured to death.¹¹¹⁹

Other trafficking cases

Alliance Anti-Traffic found evidence that some traffickers were deceiving Vietnamese families into believing they could gain residency in the UK if they sent their child along first to be raped and give birth in the UK. The cost of this facilitation and rape would be just over £1000. On arrival the child would apply for asylum and the traffickers would claim that if she gained residence before the birth of her child, then this could pave the way for a reunification of the wider family from Vietnam in the UK.¹¹²⁰

CEOP also identified increasing cases of Vietnamese girls being trafficked in brothels in China before being sent to the UK to be sexually exploited here.¹¹²¹ Stakeholders said that many of those being exploited for labour trafficking in nail bars are also being sexually exploited but that many victims fail to report this to the authorities. The 2012 IDMG report revealed that just 7 girls from Vietnam had been identified as trafficked into the UK for sexual exploitation.¹¹²²

Missing Vietnamese young people

More and more children from Vietnam are being referred into the NRM as potential victims of trafficking. In 2009, 34 referrals were made. By 2012, 96 referrals had been made in that one year.¹¹²³

Of 113 children and young people identified as long-term missing persons on the Missing Kids UK website,¹¹²⁴ almost a fifth are Vietnamese.¹¹²⁵ In 2010 the Government estimated that 48% of Vietnamese children in care had disappeared.¹¹²⁶ In CEOP's 2010 Strategic Threat Assessment they reported that Vietnamese children comprised the largest missing group from local authority care, with 67% of missing cases being Vietnamese.¹¹²⁷ A 2011 Guardian article reported that one local authority admitted that it recently lost more than 20 Vietnamese children within the space of 24 hours, with one of them leaving a note explaining that they had to leave or their sister would be forced into prostitution.¹¹²⁸ A stakeholder working with Vietnamese victims of trafficking told me, "Local authorities need to look out for signs. If a child says he has no family and then makes long calls in Vietnamese

¹¹¹⁹ <http://www.standard.co.uk/lifestyle/untold-profits-fuel-the-violent-gang-world-of-londons-cannabis-farms-6509328.html>

¹¹²⁰ http://ceop.police.uk/Documents/ceopdocs/NPM_CEOP_FCO_report_-_trafficking_of_Vietnamese_women_and_children.pdf

¹¹²¹ http://ceop.police.uk/Documents/ceopdocs/NPM_CEOP_FCO_report_-_trafficking_of_Vietnamese_women_and_children.pdf

¹¹²² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118116/human-trafficking-report.pdf

¹¹²³ Baroness Doocey, Parliamentary question, <http://www.theyworkforyou.com/wrans/?id=2013-04-22a.384.4&s=human%20trafficking>

¹¹²⁴ Missing Kids UK website

¹¹²⁵ <http://www.bbc.co.uk/news/magazine-22903511>

¹¹²⁶ <http://www.theguardian.com/society/2011/may/28/trafficked-children-condemned-state-neglect>

¹¹²⁷ http://www.ceop.police.uk/Documents/ceopdocs/Child_Trafficking_Strategic_Threat_Assessment_2010_NPM_Final.pdf

¹¹²⁸ <http://www.theguardian.com/society/2011/may/28/trafficked-children-condemned-state-neglect>

[that's a sign]. But local authorities seem to forget normal procedures on vetting and safeguarding when it comes to these children."¹¹²⁹

The Guardian described the case of 14 year old Hien, from Vietnam, who arrived at Heathrow as an unaccompanied child.¹¹³⁰ He was initially placed with foster carers and then into supported lodgings. But two days later Hien disappeared. Hien was discovered half a year later during a raid on a cannabis factory in London. Hien was arrested and sent to a young offenders institute. Later, he was recognised as a victim of trafficking and was placed into local authority care. Two weeks later he went missing and was not seen again. While local authority sources and CIAC said Asian victims may lie about their age and may actually be adults choosing to work here, some of the cases clearly do involve children and should be a cause for concern. While some are forced to leave, many children themselves choose to flee the care homes for fear of not repaying heavy debts, and to protect their families from reprisals.¹¹³¹

While Hillingdon Council told me they had a handle on this issue now and saw very few disappearances, other parts of the UK need to swiftly follow suit.¹¹³² The system appears chaotic and there is a lack of monitoring and basic care towards young unaccompanied migrants. The ATMG Report, *All Change*, said there were cases of Vietnamese children being trafficked into Britain to work in cannabis factories in 2010 who were then sent back to be trafficked again in France without the knowledge of social services.¹¹³³ Andy Elvin told the Guardian that foreign child-trafficking victims receive "a second-rate service"¹¹³⁴ and mentioned a case where a 13-year-old Vietnamese girl who had been raped in a brothel and become pregnant was placed in a hostel of adult men. Andy Elvin said, "It is unthinkable... that a suspected trafficked child from the UK would end up in the Gilroy Court Hotel."¹¹³⁵

A number of stakeholders felt that safe houses - specialist safe accommodation for trafficked children - were the key to preventing children from falling back into the hands of traffickers. Philip Ishola told the Observer, "The missing rate is alarming. For trafficked children there are so many risks, and for Vietnamese children that risk is magnified because it's such a closed environment that children are trafficked within... For a Vietnamese child placed in foster care or a children's home, we know from experience that in two days you will be lucky if the child is still there."¹¹³⁶ The paper reported that there was an increase in the

¹¹²⁹ Stakeholder working with an NGO on trafficking, 2013

¹¹³⁰ Ibid

¹¹³¹ In another case "officers stumbled upon something unexpected. Hidden among 330 cannabis plants was a small Vietnamese child. She was called Vananh Nguyen and, at just 11 years old, could barely speak English. Croydon Children's Services placed her into a foster home. On 2 February a meeting between detectives and the child was scheduled to help glean information on the gang that had forced her to tend their cannabis crop. The day before, Vananh vanished – she has not been seen since."

<http://www.theguardian.com/society/2011/may/28/trafficked-children-condemned-state-neglect>

¹¹³² "We are now managing to get them stay put in homes once they arrive" - In evidence from Paul Hewitt, the head of safeguarding children and quality assurance in Hillingdon Council, City Hall, 2013

¹¹³³ http://www.antislavery.org/includes/documents/cm_docs/2012/a/atmg_executive_summary.pdf CHECK

¹¹³⁴ <http://www.theguardian.com/law/2011/oct/16/britains-child-sex-trade>

¹¹³⁵ Ibid

¹¹³⁶ Demands grow for child guardians to end shame of modern slavery Mark Townsend and Harriet Grant The Observer, Saturday 7 September 2013 <http://www.theguardian.com/global-development/2013/sep/07/child-slavery-trafficking-theresa-may>

number of legal claims for damages against police and local authorities for failure to properly support victims of trafficking.

Prosecuting victims

Prosecuting victims of trafficking

The chief complaint against the authorities by many stakeholders working with Vietnamese victims of trafficking was that victims were often charged for the criminal activity they had been compelled to carry out.¹¹³⁷ The recent UNODC TIP report described this as a concern and noted a failed appeal of one victim of trafficking who was convicted of cannabis cultivation by the UK justice system, even though evidence showed he had been locked into the factory.

Up to this point, I am told that many Vietnamese Cannabis farmers found, including those discovered as children, are treated as criminals.¹¹³⁸ However, NGOs state that many are genuinely trafficked individuals who have experienced sometimes high levels of physical and even sexual abuse.

In one case, a 14 year old Vietnamese boy was found wandering the streets of Hammersmith having escaped a cannabis factory where he had been repeatedly raped.¹¹³⁹ Anti-Slavery International said disclosures of sexual exploitation often come much later after the victim is found, but that if the authorities first response is to prosecute them, they won't work with the authorities to disclose this information and help prosecute the true criminals. I was told that boys engage even less with the authorities and NGOs than girls. Tara Topteagarden from the Refugee Council said, "Many of the boys I work with have a deep distrust of authorities and may struggle to engage with support services."¹¹⁴⁰

Vicky Brotherton, Project Assistant for Anti-Slavery International's RACE in Europe Project, said there was a lack of initiative to properly examine cases for trafficking indicators alongside a lack of awareness of the policies in place around cannabis farms. Pam Bowen from the Crown Prosecution Service (CPS) admitted that she was "not confident that we are not charging trafficking victims for crimes they been compelled to perform."¹¹⁴¹ The CPS said the challenge in many of these cases was that there is often no information about the victim's experience available to the prosecutor at the time of making a decision to charge and prosecute. The Duty Solicitor, who accompanied the victim in one case that has now

¹¹³⁷ CPS has published guidance entitled 'CPS Policy for Prosecuting Cases of Human Trafficking'. The Law Society has produced a practice note, 'Criminal prosecutions of victims of trafficking'. The Association of Chief Police Officers issued guidance on this issue of children being discovered in cannabis factories: 'Position from ACPO Lead's on Child Protection and Cannabis Cultivation on Children and Young People Recovered in Cannabis Farms'

¹¹³⁸ Phone interview with Vicky Brotherton from Anti-Slavery International, 2013 "Here [in the UK] a large number of trafficked victims in cannabis farms are being arrested."

¹¹³⁹ "The 14-year-old was snatched and trafficked out of Hanoi in early 2010 after his grandmother was unable to repay a loan taken to pay for medical treatment." - Hunt for Vietnamese traffickers after teenager escapes Hammersmith prison By Greg Burns Jun 23 2011 : Fulham Chronicle
<http://www.fulhamchronicle.co.uk/fulham-and-hammersmith-news/local-fulham-and-hammersmith-news/2011/06/23/hunt-for-vietnamese-traffickers-after-teenager-escapes-hammersmith-prison-82029-28930512/#ixzz2f4WTNVrP>

¹¹⁴⁰ Evidence from Tara Topteagarden, of the Refugee Council, at City Hall 2013

¹¹⁴¹ Evidence from Pam Bowen, CPS London, 2013

been successfully appealed, advised the child to give an early guilty plea to expedite it through court and maximise the sentence discount.

Vicky Brotherton from Anti-Slavery International said, "If we could start recognising them as victims and targeting traffickers we could start dismantling the criminal networks." ECPAT UK told me that currently, "We see more victims being prosecuted than traffickers."¹¹⁴²

There is hope that the tide is changing and that a new precedence has been set for the non-prosecution of Vietnamese victims of trafficking found on cannabis plants. This follows a recent judgment from the Court of Appeal cases on the non-criminalisation of trafficked victims (*R v L and Others* [2013] EWCA Crim 991 (Judgment of 21 June 2013)).¹¹⁴³ Three of the cases involved Vietnamese children, who had been forced to work in cannabis farms but had been treated as criminals by the British Justice system. They all had their convictions overturned as the Judge acknowledged the importance of the EU Directive (2011/36).¹¹⁴⁴ While the Judge accepted they had consented to enter the country he noted, "This vile trade in people has different manifestations... Sometimes they are trafficked into this country from the other side of the world. Sometimes they enter into this country unlawfully, and are trafficked on arrival. Sometimes they are trafficked within towns or cities in this country where they live. Whether trafficked from home or overseas they are all victims of crime. That is how they must be treated."¹¹⁴⁵

In one of these cases the UK Border Force had in fact made a reasonable grounds decision that the boy, who had been seen by neighbours tied up, may have been the victim of trafficking. However, this was never communicated either to the prosecution or to the defence, and neither parties considered contacting UK Border Force. The judge on the case even inquired whether or not the appellant had been trafficked but no one was aware of the UK Border Force decision. In another of the three cases, the Judge had even admitted that she suspected that the appellant may have been the victim of trafficking, and that "you have been a very vulnerable young man, you have been used by others who are more sophisticated than yourself, ... you played no part in setting up this sophisticated factory,

¹¹⁴² Meeting with ECPAT, 2013 citing The Anti-Trafficking Monitoring Group Report (2013) In the Dock: Examining the UK's Criminal Justice Response to Trafficking. London: Anti-Slavery International for The Anti-Trafficking Monitoring Group.

¹¹⁴³ <http://www.bailii.org/ew/cases/EWCA/Crim/2013/991.html>.

¹¹⁴⁴ Recital 8 of the EU Directive underlines: "Children are more vulnerable than adults and therefore at greater risk of becoming victims of trafficking in human beings. In the application of this Directive, the child's best interest must be of primary consideration, in accordance with the Charter of Fundamental Rights of the European Union and the 1989 United Nations Convention on the Rights of the Child".

-Recital 14 provides: "Victims of trafficking in human beings should, in accordance with the basic principles of the legal systems of the relevant Member States, be protected from prosecution or punishment for criminal activities ... that they have been compelled to commit as a direct consequence of being subject to trafficking. The aim of such protection is to safeguard the human rights of victims, to avoid further victimisation and to encourage them to act as witnesses in criminal proceedings against the perpetrators. The safeguard should not exclude prosecution or punishment for offences that a person has voluntarily committed or participated in."

-Article 8 makes provision for the non-prosecution or the non-application of penalties to the victim so that: "Member States shall, in accordance with the basic principles of their legal systems, take the necessary measures to ensure that competent national authorities are entitled not to prosecute or impose penalties on victims of trafficking human beings for their involvement in criminal activities which they have been compelled to commit as a direct consequence of being subjected to (trafficking)".

¹¹⁴⁵ www.channel4.com/news/child-trafficking-victim-crime-judge-cannabis-prostitution

and you were very low down in the chain of people involved"¹¹⁴⁶ yet the sentence went ahead.

The Crown Prosecution Service (CPS) ¹¹⁴⁷ said that we needed to front load enquiries early on so that those who are with the victim – be they the police or a duty solicitor- were provided with more information about the circumstances of the arrested person before referred to the CPS for a decision. Pam Bowen, from the CPS, alongside a number of other stakeholders, felt that consideration should be given on whether we should remove consent for adults in the NRM process when they were arrested for criminal offences. This would allow those victims who distrusted the authorities as a result of prosecution, to have their cases reviewed by the Competent Authority for indicators of trafficking.¹¹⁴⁸

It is worth noting that many stakeholders felt that, even when a child victim wasn't being prosecuted, that the court system was not suitable for them. One stakeholder said, "Our court system is adversarial – it doesn't suit children. They have 8 days of being cross examined. There's no magic end after that trauma of being in court."

Guardians

Between January and August 2013, ten potential cases of human trafficking were found involving cannabis cultivation in London – two fifths of whom were children. In light of the large number of raids on cannabis farms in London¹¹⁴⁹ this small number could suggest that large numbers of victims are being overlooked and criminalised rather than recognised as victims.¹¹⁵⁰

Most NGOs working with children felt that child victims of trafficking needed Guardians. ECPAT UK said the reason so many children are let down in the courts is that they have no parent or other individual looking out for them. This means a child is left with the sole responsibility of instructing their legal representative. Within this context, ECPAT UK had witnessed one boy - who had been trafficked - advise his lawyer not to raise trafficking as an issue in his asylum claim as he was scared of his traffickers.

Another problem with the current system is that the individual in social services who represents a child victim of human trafficking will keep changing. One victim had 14 separate social workers in one year; and each time she had to re-tell her distressing stories¹¹⁵¹. Furthermore, victims may not feel they can trust the social worker,¹¹⁵² who is likely to represent a budget-stretched authority who may have other priorities.

¹¹⁴⁶ Neutral Citation Number: [2013] EWCA Crim 991 Case No: (1) 2012/01106; (2) 2012/04425; (3) 2012/04763; 2012/04966

¹¹⁴⁷ The CPS in London told me they had responded to these challenges by redrafting a guide to prosecutors; they had created a clear flow chart to show what courses of action are needed when these cases arise; have recommended the Law Society redraft guidance for duty solicitors

¹¹⁴⁸ Evidence from Pam Bowen, CPS London, 2013

¹¹⁴⁹ There were up to 1133 raids in 2012. The MPS does not measure the number of raids but told us that there were 1133 recorded offences of cannabis production in 2011-12 and 1,008 offences in 2012 until May 2013 - Mayoral question, Andrew Boff, 22/05/13, No 1755/2013.

¹¹⁵⁰ Data provided to us by the UKHTC. See Appendix 2.

¹¹⁵¹ In evidence from a meeting with ECPAT UK, 2013

¹¹⁵² "They often feel the social worker is not on their side and they can't trust social worker" ECPAT UK

The 2013 *Still at Risk* report found that, “Young people were confused by the complex processes they were engaged with – for example the immigration and criminal justice processes. Their problems multiplied as a result of language barriers; poor, or sometimes incorrect, legal advice; and a failure by specialists to spend adequate time (or provide appropriate information or support) to guide them as they progressed.”¹¹⁵³ Indeed, alarmingly “only a few reported positive experiences of the care they had received from social workers.”¹¹⁵⁴ The report highlighted the lack of knowledge about child trafficking alongside a lack of statutory safeguarding practices at all levels in local authorities, but particularly by social workers – who local authorities claim currently act as equivalent ‘Guardians’ to victims.

Scotland recently piloted a Guardianship model and it has been regarded as a success. The project is continuing and is partly funded by the Scottish Government. NGOs felt, alongside aiding disclosures by victims, it would be cost effective in the long term as it could prevent children going missing and police and authorities being sued for incompetency and wrong decisions. A local authority source however said most local authorities feel that child victims did not need a Guardian as we already have local authority staff. They felt that Guardians risked creating another layer of bureaucracy and could create even more issues regarding training and monitoring them. ECPAT UK said, “The Government keeps saying its system is working but it clearly isn't as exploited children are still put in B&Bs with adults or go missing.”¹¹⁵⁵ Paul Hewitt from Hillingdon Council said what was as key as creating Guardians was to improve the system currently in place by effectively training and retaining social services staff.

Family Courts

Professionals working with trafficking victims criticised the current system - whereby we keep the child in the UK until they reach 18, when suddenly they have no support and must apply for Leave to Remain. This makes their status very unstable and forces them to live a life “in limbo”¹¹⁵⁶ where they become vulnerable to exploitation again. Andy Elvin from CFAB said, “The system almost recreates the trafficking problem.”¹¹⁵⁷

Andy Elvin felt that child trafficking victims should have all their circumstances decided immediately to avoid this ‘limbo’ status. He suggested placing victims in a family court with immigration support. He felt the system needed to be set up in similar vein to drug and alcohol courts. Just as a judge reviewed the children and the parents addiction at the same time so too could these courts link immigration into the court system. He admitted that “There are costs attached to this idea. But this costs less than the mass of appeals the current system creates, if we properly support them.”¹¹⁵⁸ I was told that family courts already exist so it wouldn't be a huge burden. Furthermore many decisions may well result in the children being sent home immediately while still young.

Andy Elvin saw nothing wrong with sending trafficked children back to their homeland in some cases. “Why keep them here as children expensively for 4 years - a looked after child

¹¹⁵³ *Still at Risk* Report, Children's Society, 2013

¹¹⁵⁴ *ibid*

¹¹⁵⁵ In evidence from meeting with ECPAT UK, 2013

¹¹⁵⁶ Interview with Andy Elvin, Children and Families across Borders (CFAB), 2013

¹¹⁵⁷ *ibid*

¹¹⁵⁸ *ibid*

is a huge drain on resource - and then we send them back [when they are adults]? Deporting them, escorted, is also very expensive and it is even more so when there are inquiries after it all goes wrong.” Indeed some families of the children were often duped themselves and so may very much want the child returned. This process would mean all child victims of trafficking could stay permanently, plan their future and find jobs; or alternatively be sent home immediately. However, one stakeholder working with Vietnamese victims of trafficking had concerns about this process being used simply to assist Government attempts to send as many victims back home as possible.

Police

Raids

Data from MOPAC shows that there were potentially¹¹⁵⁹ up to 1,133 cannabis raids in 2011/12 and 1,008 raids in 2012/13 to date.¹¹⁶⁰ This could suggest that the number of cannabis farms being set up does not seem to be abating yet, while victims of trafficking on the sites are sometimes prosecuted, there have apparently been no convictions of Vietnamese criminals who have trafficked children into the UK for cannabis cultivation since 2009.¹¹⁶¹

Some stakeholders believed more proactive work to tackle cannabis farms and nail bars is needed to fight this type of trafficking. However, some experts had concerns about this tactic, and even those who supported it had concerns about how these raids were currently carried out.

In an interview with the Daily Mail, Dr Gary Potter, a criminologist from London South Bank University, said he believed that often such police activity could result in further problems. ‘Police crackdowns all too often leave the market in the hands of organised criminals who are prepared to take risks that independent growers are not... Independent growers feel that the risk from police is too high, so the market becomes more professional and more violent with a police crackdown.’¹¹⁶²

The raids themselves are also criticised, with a lack of awareness of the issues around human trafficking being a key problem. It is this challenge that has led to victims of trafficking being prosecuted for drug-related and immigration crimes. ACPO also admitted that “intelligence indicates that sometimes, as a consequence of the need for more awareness of the problem, young persons are not identified as victims, statutory defences are not

¹¹⁵⁹ The MPS does not measure the number of cannabis raids but has an offence of cannabis production which is recorded on the crime reporting information system (CRIS) and this shows the above number of recorded offences.

¹¹⁶⁰ MQT 1755/2013 22/05/2013 Question by Andrew Boff

¹¹⁶¹ <http://www.theyworkforyou.com/wrans/?id=2013-04-22a.386.7&s=human%20trafficking> “To ask Her Majesty’s Government what assessment they have made of the problem of trafficking of Vietnamese children, in the light of no convictions for the trafficking of Vietnamese children since 2009 despite Vietnamese children accounting for a quarter of all referrals of child trafficking.” April 2013. The CPS meanwhile said that “We cannot confirm as our stats will not identify the nature / victims or nationality in trafficking cases.” Email, September 2013

¹¹⁶² <http://www.dailymail.co.uk/home/moslive/article-2179287/Cannabis-factories-How-criminal-gangs-turning-shuttered-shops-disused-warehouses-drug-farms.html#ixzz2eyNoIV6t>

recognised and the individuals end up being charged ...whilst being exploited.”¹¹⁶³ Pam Bowen from the CPS felt that the problem was that trafficking and child related issues would only be picked up by those with expertise in child abuse and human trafficking.¹¹⁶⁴ But these were not the types of law enforcement usually used on drug raids. As well as the officers on raids, custody sergeants needed to be aware of the issues around trafficking as they are the ones likely to make contact with duty solicitors who work with the victims in court.¹¹⁶⁵

As well as lacking victim-focused awareness, these raids often fail to seek out sufficient intelligence, with ACPO admitting that raids “are ‘primarily... a short-term solution, with missed opportunities for further investigation’.”¹¹⁶⁶ Barnardos and Anti-Slavery International said the police should find out the trafficking routes used and who brought them over prior to carrying out raids”. Other questions that stakeholders felt the police were missing regarded who the landlords and dealers were in that area.

A 2012 US State Department wrote a document specifically advising police on how to carry out raids. It noted, “Law enforcement raids are most effective when they involve good intelligence and planning; these factors are critical to fighting modern slavery... a high degree of certainty that trafficking victims are present in labour and commercial sex sites is essential before mounting an operation. Victim information is usually obtained in advance through the accounts of escaped or rescued victims by law enforcement agents working undercover or through strategically recruited informants. “Smart” raids free trafficking victims while minimizing harm to others.”¹¹⁶⁷ ACPO has highlighted the need for smarter raids on cannabis farms, stating that, “In line with the “*Safeguarding Children Who May Have Been Trafficked*” guidance, police should work with local authorities to ensure early identification of trafficked victims before entering any suspected cannabis farm.”¹¹⁶⁸

In Bristol, Unseen has arrangements with the Avon and Somerset police drug unit so that when police carry out a cannabis raid, Unseen will accompany the police. When I asked the Mayor if he would consider doing the same, I received the following response: “The Metropolitan Police Service has assured me that any children or young people identified on Cannabis Farms are treated as potential victims and where there is evidence of trafficking, appropriate specialist advice would be sought and local child protection teams or social services are contacted when children or young people are identified. The Metropolitan Police Service retains an open mind to adopting practice from elsewhere but regional differences and contexts must also be taken into account.”¹¹⁶⁹

¹¹⁶³ Position from ACPO Lead’s on Child Protection and Cannabis Cultivation on Children and Young People Recovered in Cannabis Farms

¹¹⁶⁴ Evidence from Pam Bowen, CPS London, 2013

¹¹⁶⁵ *ibid*

¹¹⁶⁶ <http://www.constabulary.org.uk/2012/04/30/acpo-drug-report-gangs-funding-crime-with-cannabis-sales/>

¹¹⁶⁷ <http://www.state.gov/documents/organization/142979.pdf>

¹¹⁶⁸ Position from ACPO Lead’s on Child Protection and Cannabis Cultivation on Children and Young People Recovered in Cannabis Farms

¹¹⁶⁹ MQT 2741/2013 17/07/2013 Question by Andrew Boff

Borough Police and the Metropolitan Police's Human Trafficking Unit (SC&O7)

A number of charities said that there was a “structural problem”¹¹⁷⁰ in the police which meant boroughs carried out work which the Trafficking Unit were unaware of. Philip Ishola from the CHTB said that the police was “not joined up – that is a problem...[for example] a lot of Safer Neighbourhood Teams (SNTs) in Croydon get training about trafficking indicators. But then somewhere in Croydon you have a raid related to anti-social behaviour. But those in the police who deal with trafficking and missing persons wouldn't be aware of this all happening. And [SNTs don't work] from a victim focus but point perspective so may miss suspected victims and potential intelligence opportunities which could well assist police colleagues in public protection to make arrests.”¹¹⁷¹ This was a particularly marked concern if there was a delay in communication, “which could lead to a delay in implementing a trafficking operational response”¹¹⁷² as this potentially provided a window of opportunity for perpetrators and their victims to go missing.

While the Human Trafficking Unit and NGOs may feel frustrated at the mistakes made at a borough level, conversely, borough police have told me that they feel frustrated at the lack of support they receive from SC&O7. However, the police reassured me that the changes going on in the Metropolitan Police (MPS) at present include work to tackle silos. “Restructuring is taking place to break the artificial divides to get the MPS to work more cohesively...The trend is towards more cross-working between boroughs and teams”¹¹⁷³ as several boroughs are beginning to work in tri-borough arrangements. This is welcome and long overdue. However, this must be done in a clearly communicated way. The Human Trafficking Unit in the Metropolitan Police were initially a Vice unit then became SCD9, then SC&O9 and are currently, as an interim, are called SC&O7 (Specialist & Economic Crime Command). A source from the Trafficking Unit said that, “Because of this, the boroughs won't know about us. If you ask them who to go to if you find a trafficking victim, they may say ‘Clubs and vice’.”¹¹⁷⁴

Prof Fitzgerald told the London Assembly “you have to have the communications right at all levels. From the local level to the borough level to the centre to nationally, across other agencies and so on. Those are the bits that seem to me to be missing.” This coordination between the boroughs and SC&O7 needs to be improved. SC&O7 is too stretched to cover all trafficking and intelligence at a borough level and yet trafficking is not only often residential but does not necessarily involve large organised crime or illegal migration. Therefore SNTs and their relations with communities are crucial in tackling this.

Community engagement

One charity that worked with trafficked boys said they had been trying to meet with the Metropolitan Police but had failed to receive any responses. “I have sent dozens of emails but barely anyone has got back to me. And I have contacted the local Metropolitan Police Service MASH teams - but none have got back to me.”¹¹⁷⁵ This is not acceptable. The police

¹¹⁷⁰ ASI

¹¹⁷¹ Interview with Philip Ishola and Peter Dolby, Counter Human Trafficking Bureau, 2013

¹¹⁷² *ibid*

¹¹⁷³ A police source, 2013

¹¹⁷⁴ Evidence from a source from the MPS Human Trafficking Unit, 2013

¹¹⁷⁵ Charity project working with trafficked children and young people

need to work with NGOs and others who deal with victims of trafficking as they offer sources of invaluable intelligence.

Engagement with the Vietnamese community also needs to be examined by police and other authorities. The Runnymede report highlighted the negative way in which the whole Vietnamese community felt they had been tainted by reports on cannabis farming. While the media was partly to blame for this ¹¹⁷⁶ the report also attributed this to how the police handled the issue.

The West Yorkshire Police Force's drug coordinator uttered the all-encompassing discriminatory line that: "The Metropolitan Police have had a *Vietnamese problem* for some time and maybe *their people* think they can go about their business in relative anonymity in our city centres." ¹¹⁷⁷ Meanwhile, police guidance in Barnet in London also profiled Vietnamese people as one group, failing to make distinctions in guidance between those involved in crime and those who were innocent or guilty, as well as between the settled British-born Vietnamese and newly arrived migrants.

In the Metropolitan Police guidance it said, "Almost invariably residents of these [premises used as cannabis factories] will be of Vietnamese origin... Estate agents and landlords should beware of lone females, possibly Vietnamese, trying to rent property." ¹¹⁷⁸ The Runnymede report said that by "advising landlords to beware of Vietnamese individuals trying to rent property, the police fall short of meeting their obligation to have due regard to the need to, "eliminate racial discrimination" or "promote equality of opportunity and good relations," as required in the Race Relations (Amendment) Act 2000." ¹¹⁷⁹

However, the reverse – avoiding the issue of race or ethnicity - is not helpful either. A BBC article recently claimed, "The Association of Chief Police Officers refuses to comment on the ethnicity of those in charge of the factories." ¹¹⁸⁰ Greater sensitivity as well as accuracy is required so that police do not discriminate in any way and know how to handle these types of cases. Writing guidance with Vietnamese organisations may have helped to prevent the above cases. The Runnymede report warned that "engagement with the Vietnamese as a community cannot be undertaken unless its internal divisions are recognised; it is important not to impose a strict definition of community." ¹¹⁸¹ The authorities must be aware of divisions between different ethnicities, arrival dates, and status - in terms of employment, links to crime, asylum-seekers, those who are undocumented or are overseas students - of Vietnamese communities when targeting services. ¹¹⁸²

¹¹⁷⁶ "Trúc, a 24 year old BBV woman from London explained the media 'paints' the Vietnamese as causing trouble and being involved in gang violence. The perception of 'Vietnamese gangs' as perpetuated by the media may mean that segments of wider more established community believe this alleged criminality may alienate more recently arrived Vietnamese groups. As a result, asylum-seekers and undocumented migrants may develop a misleading reputation of criminal activity," The Vietnamese community in Great Britain, thirty years on, JESSICA MAI SIMS, Runnymede

¹¹⁷⁷ The Vietnamese community in Great Britain, thirty years on, JESSICA MAI SIMS, Runnymede

¹¹⁷⁸ *ibid*

¹¹⁷⁹ *Ibid*

¹¹⁸⁰ <http://www.bbc.co.uk/news/magazine-22903511>

¹¹⁸¹ *Ibid*

¹¹⁸² "the 'types' of people were loosely classified as separated by generation, arrival date, class position, involvement in crime, region of origin in Vietnam, and 'true' ethnicity. These subgroups do not necessarily share the same Vietnamese values or conception of what it means to belong to the Vietnamese community. ...

Tackling demand – is it viable?

Trafficking in cannabis farms

Some newspaper articles have implied that the police will inevitably fail to tackle this problem as “the laws of supply and demand outstrip the laws of the land.”¹¹⁸³ The majority of the six to seven per cent of British citizens who use cannabis no doubt have very little awareness that the product they use is linked to human trafficking and indeed, in particular, to child trafficking.

In 2011, Steve O’Connell questioned the Mayor stating that “CEOP identified that 18% of trafficked children into UK were used for cannabis cultivation. Should these kinds of facts be more widely publicised, to make drug users more aware of the exploitation they cause by their decision to use of drugs?”¹¹⁸⁴ The Mayor responded by agreeing that, “We need to do all we can to raise awareness of human trafficking and to highlight the role the public can play in eradicating this heinous crime. Highlighting the exploitation behind cannabis cultivation could make people think twice before they purchase drugs...” Awareness-raising in this area may not reduce the number of people consuming drugs, nor would it prevent drugs being exported as is now apparently the case, but it may have a small impact on how some people choose to obtain cannabis.

Sex trafficking

The focus on tackling the demand behind human trafficking has predominantly focused on sex trafficking. Indeed, in the Mayor’s VAWG Strategy he does just this.¹¹⁸⁵ However, while a person can be arrested for using a sex worker who has been trafficked, even if they are unaware of this fact, all other demand for off-street sex work is legal. Therefore, unlike cannabis use, no crime has been committed and it seems unbalanced that police should be prioritising resource to tackle this above other concerns.

While some people are willing to point to exploitation in the sex work world and support the criminalisation of punters,¹¹⁸⁶ they are often less willing to do so towards the pornography sector. This may be to do with the fact that it has been estimated that a high proportion of men and women in the UK are estimated to be watching pornography regularly.¹¹⁸⁷ Indeed, a study¹¹⁸⁸ back in 2006, found Britain to be the world’s fastest growing pornography market. However, as several cases I have mentioned in this report show, some of the people trafficked for sexual exploitation in this country were also abused for pornography.

as SR Sáu commented, “I guess when you say ‘Vietnamese community’; it’s a matter of which one.” JESSICA MAI SIMS, Runymede

¹¹⁸³ <http://www.dailymail.co.uk/home/moslive/article-2179287/Cannabis-factories-How-criminal-gangs-turning-shuttered-shops-disused-warehouses-drug->

¹¹⁸⁴ MQT qs no 2191/2011, 13/07/2011 <http://mqt.london.gov.uk/mqt/public/question.do?id=36973>

¹¹⁸⁵ <http://www.london.gov.uk/sites/default/files/VAWGconsultationdocument5June2013.pdf>

¹¹⁸⁶ <http://www.theguardian.com/society/2013/jul/15/scotland-prostitution-debate-criminalisation-legalisation>

¹¹⁸⁷ <http://www.roadtograces.net/current-porn-statistics/>

¹¹⁸⁸ <http://www.cnn.com/id/100907216>

I have spoken to Raven Kalliana, a victim of trafficking who was forced by her parents into child pornography, and as a teenager was sometimes sold by them into adult pornography productions. Raven Kalliana told me that using trafficking victims in non-consensual, violent, or life-threatening forms of pornography may be more lucrative for the perpetrators than prostituting those victims. She surmised that, with instant distribution to thousands of consumers over the internet, if someone is being forced into sex work the likelihood is that they will “probably also be used in pornography”.¹¹⁸⁹ Indeed, due to the physical separation between the consumer and the person in the pornographic sex act, it would be far easier for traffickers to exploit people in this way. Meanwhile prostitution poses large risks to traffickers when the ‘punter’ is faced with an exploited victim alone in a room. Therefore, arguments about tackling the demand for sex work while ignoring the pornography industry risk being disingenuous.

Just as I do not believe we should aim to end the demand for sex work, similarly I do not believe we should aim to end the demand for pornography. However, awareness-raising about the issue of human trafficking in the pornography sector may be able to encourage consumers to be more discerning about the types of pornography they watch, and ask questions about where the actors come from and its general legitimacy.

National Referral Mechanism (NRM)

Many stakeholders working with trafficked children felt that even when a potential victim of trafficking was identified, the NRM system let children down. Firstly, there is no statutory duty to refer a suspected victim to the NRM and yet the Government rely on the NRM for data on trafficked victims.¹¹⁹⁰ This also means that there is low awareness of the NRM’s existence and processes. ECPAT UK said it had “regularly seen referral forms that are very poor in detail and quality. Such forms tend to lead to negative Reasonable Grounds decisions, meaning the child has lost out on the opportunity to be formally identified as a victim and thus receive appropriate protection and care.”¹¹⁹¹ Secondly, the NRM bypasses existing child protection systems and local authority children’s services so that instead, practitioners are required to refer cases to NRM case-owners within the Competent Authorities, who are not believed to have adequate training in relation to children.¹¹⁹²

The concerns around discrimination within the NRM process against non-EU nationals stands for Vietnamese victims as much as Nigerian ones. For example, potential victims of trafficking from Vietnam have only a 24% chance of being recognised with conclusive grounds as trafficked, compared to 88% of British victims and 68% of Romanian victims.¹¹⁹³

Between April 2009 and June 2012, only 31 per cent of the 806 children referred as suspected victims of trafficking received a positive Conclusive Grounds decision on being a victim of human trafficking.¹¹⁹⁴ This was an even lower percentage of positive decisions than adult victims. ECPAT UK felt that “this is a worryingly low rate that suggests the NRM is

¹¹⁸⁹ Evidence from Raven Kalliana, from Outspiral, at City Hall meeting 2013

¹¹⁹⁰ http://www.ecpat.org.uk/sites/default/files/ecpat_uk_briefing_on_the_nrm_for_children.pdf

¹¹⁹¹ Ibid

¹¹⁹² Anti-Trafficking Monitoring Group, *Wrong Kind of Victim?* (2009)

¹¹⁹³ http://www.ecpat.org.uk/sites/default/files/ecpat_uk_briefing_on_the_nrm_for_children.pdf

¹¹⁹⁴ Ibid

not working effectively to identify and support child victims.... [and] is not currently tailored to suit the specific needs of children.”¹¹⁹⁵

Even when victims are recognised, there are concerns about the NRM process. Professionals struggle to support victims in the NRM reflection period of only 45 days. Medical research suggests that victims of sexual exploitation require at least 90 days as a recovery period.¹¹⁹⁶ A number of NGOs and authorities explained that 45 days was not long enough for many complex cases, where victims needed more time to trust their environment and obtain the necessary specialist advice required. Carolina Albuerne felt that to get a disclosure from a victim and access the right legal support required three to six months.

The UK Border Force officers we spoke to also had concerns that the NRM reflection period is only 45 days. They felt it was not long enough and delayed any action as adult victims must consent to go through the NRM but such a decision can take a long time. One UK Border Force source we spoke to felt we needed “to change the expectation that solving these cases needs to be quick. The [people at the] top expect quick results.” They also felt that, as with child victims, consent should not be required to get a victim on the NRM process. Unless the victim consents to committing to the NRM, they cannot gain support from the Government-contracted support services.

Returning victims to Vietnam

Andy Elvin from CFAB believed the UK should be involved in setting up secure, well managed safe houses in the homeland of victims of trafficking. He asked, “Why not set up safe places for a sixteenth of the price of doing so here, back in Vietnam?”¹¹⁹⁷ He said that DFID have money to do this. “They gave £10m to the Home Office to provide safe places to return to but that only £3 million¹¹⁹⁸ had been used.”¹¹⁹⁹

He admitted that many NGOs were wary of this idea. One expert said they were “very uncomfortable with the idea [and] we would be really concerned by this option.” They felt the victims they worked with risked being re-trafficked because of their extreme vulnerabilities. Tara Topteagarden from the Refugee Council said, “We know of instances where people have been re-trafficked after return to their country of origin. We have a responsibility to act in the best interest of children and young people and I cannot see how this option would represent the best interests of these extremely vulnerable young people.”¹²⁰⁰

Vicky Brotherton from Anti-Slavery International said the idea would need to be considered very carefully to verify whether the right level of care would really be able to be provided. Vicky Brotherton also noted that that only a relatively small number of Vietnamese nationals are trafficked to the UK compared to the number trafficked to neighbouring countries, such

¹¹⁹⁵ Ibid

¹¹⁹⁶ <http://www.oas.org/atip/Global%20Reports/Zimmerman%20TIP%20HEALTH.pdf>

¹¹⁹⁷ Evidence from Andy Elvin, 2013

¹¹⁹⁸ Some good work is being done however. For example the British embassy in Vietnam has launched a pilot scheme providing business loans and training to trafficking victims who returned to Vietnam.

¹¹⁹⁹ Evidence from Andy Elvin, 2013

¹²⁰⁰ Evidence from Tara Topteagarden, of the Refugee Council, at City Hall 2013

as China, so working with the UK on this may not be a priority for the Vietnamese government. It has also been said that the Vietnamese authorities can refuse to accept that a trafficking victim without papers is a national of the country, thus leaving him or her in effect stateless.¹²⁰¹

¹²⁰¹ <http://www.publications.parliament.uk/pa/cm200809/cmselect/cmhaff/23/2310.htm#note338#note338>

RECOMMENDATIONS:

Recommendations for the Greater London Authority

Recommendation 1 – London Sub-Regional Human Trafficking Groups
The Mayor must take the lead to create a genuine pan-London Multiagency approach to human trafficking. The Mayor’s Office for Policing and Crime must set up sub-regional multiagency teams to coordinate work around trafficking.

There are a number of ways of doing this. One approach would be for the Mayor to set up a small short-term central unit overlooking the formation of these teams initially. The regional groups should include health and social services, borough police, the Human Trafficking Unit, local authorities, the UKHTC, MOPAC, LSCBs, YOTs, Missing Persons and trafficking third sector organisations, cultural organisations, academics, those working in related fields such as forced marriage, and other relevant bodies.

One aim of this approach is to prevent NGOs and the statutory sector from working in silos and ensure intelligence is shared. Relations between the police and the third sector need to be improved. The London Sub-Regional Human Trafficking Groups should help facilitate changes. The Metropolitan Police Service Commissioner should lead on this as well by calling for police to adequately respond when they are contacted by NGOs. Equally NGOs need to be providing police with the intelligence they receive and be willing to disclose their cases. In return, the Police should be obliged to keep stakeholders informed of how they follow up their cases.

The Regional groups could meet quarterly with the purpose to facilitate an exchange of information and ensure a joined-up response. Its aim would be to share intelligence, send out information and NRM bulletins to all members, evaluate contemporary data, offer guidance, discuss best practice cases and, more importantly, where cases in the region and outside of it have gone wrong, act as a multiagency base for certain cases, deal with cross border issues and make decisions on if and where new training is required. It could also help to oversee all cases to ensure that victims were properly referred between different agencies offering support.

The Metropolitan Police Service also needs a more joined up approach. The borough teams need to be more aligned with the Human Trafficking Unit’s work. The relationship should be formalised so that the Human Trafficking Unit communicates with each borough police force in regard to what areas of trafficking it is covering in their borough. The boroughs can then form their own trafficking strategies on those less organised areas the Human Trafficking Unit does not have the resource to cover. As Prof Fitzgerald told the London Assembly, “You have to have the communications right at all levels. From the local level to the borough level to the centre to nationally, across other agencies and so on. Those are the bits that seem to me to be missing.”

This coordination between the boroughs and the Human Trafficking Unit needs to be improved. The Human Trafficking Unit is too stretched to cover all trafficking and intelligence at a borough level. Furthermore, trafficking is not only often very small scale and residential but does not necessarily involve large organised crime or illegal migration. Therefore SNTs and their relations with communities are crucial in tackling this.

Without this we will continue to have a fragmented approach, distrust and lack of intelligence between the police, local authorities and the anti- trafficking sector – the long term costs of which, in Rochdale and elsewhere, have been seen to be significant. The costs of establishing these groups has so far however been found to be minimal where they have been set up. The result of this Group should be to ensure that everyone has the tools at their disposal to respond, should a human trafficking case be reported.

Recommendation 2 – Data collection and data transparency
The Mayor’s Office for Policing and Crime (MOPAC) should take responsibility for ensuring all LSCBs, Councils and police collate and share relevant data on human trafficking. MOPAC should act as a centralised collecting system to gather this data from the boroughs and NGOs to obtain more reliable human trafficking figures.

It is difficult to have an effective approach to tackle human trafficking when our data on human trafficking is so unreliable. This report found that often what is not shown in the trafficking data is what we should be concerned about. NGOs have also complained that there is no system to feed in intelligence.

If the Mayor and MOPAC want to have a true grasp on the human trafficking situation, then the GLA needs to start ensuring all statutory bodies are collecting and measuring relevant trafficking and missing persons data. MOPAC should then collate this data from all the relevant stakeholders and the police and create its own data source.

Transparency on this issue is also a concern. The Metropolitan Police Service were unable to answer many of my basic questions relating to trafficking, such as case breakdowns on trafficking types in London and victims’ profiles in terms of source country. This information seems invaluable for intelligence and I was concerned that they were apparently unable to easily provide this rudimentary information.

MOPAC must ensure that more Metropolitan Police Service data, such as human trafficking data, is easily available to the public. Furthermore, MOPAC should encourage the Metropolitan Police Service to be more transparent and open to examination. I was able to relate to charities who struggled to get recognition or interest from the police. Some sections of the police have been very helpful indeed. However, other units have not provided me with data I have requested and appeared to effectively refuse to meet up to discuss human trafficking for this report. This may well be linked to resource rather than lack of will. Either way, MOPAC must ensure greater transparency by publishing more data around this topic.

Recommendation 3 – Community engagement

The Metropolitan Police Service and the Mayor need to prioritise effective and regular formal and informal engagement with NGOs, community organisations and media channels serving communities affected by human trafficking and exploitation in London.

Cultural mediators are required between the police and community groups while trust is being built. The Mayor should support these cultural mediators to lead community exercises to inform the communities of trafficking indicators and the subsequent ways to seek assistance and support.

Evidence I have gathered suggests the Nigerian, Chinese, Traveller, Latin American and Vietnamese community all struggle to have their concerns or even at times their existence recognised. This is a serious obstacle to gaining trust and intelligence from these communities, and it is an obstacle for them in gaining access to support services. These communities, alongside those who work with the homeless, need to be reassured that MOPAC and the Metropolitan Police Service are interested in the exploitation they may be witnessing. The police and local authorities must also seek to avoid prejudice against the communities they investigate as this will further isolate communities and limit opportunities for successful advocacy and intelligence.

There is currently a lack of awareness of human trafficking indicators in some of these at-risk communities and there is also a lack of information about how individuals or groups should respond, and who to go to if a victim does come forward. This must be rectified. Community agencies have a crucial role to play as mediators between trafficked people and UK statutory services, as victims of trafficking who escape their exploitation tend to seek help from someone speaking their dialect or from their community.

Significant sums have admittedly already been spent on community engagement; and while I have heard concerns that much of this has been ineffective, there are clear successful avenues, which some NGOs are utilizing, to gain access to communities, which the authorities need to start to consistently follow.

Recommendation 4 – The term “trafficking”

The Mayor’s Office for Policing and Crime (MOPAC) must come up with what they believe the term “human trafficking” constitutes and advertise this to NGOs and the statutory sector. A definition should ensure informal forms of human trafficking are recognised alongside more large-scale organised networks.

MOPAC’s strategy on human trafficking must recognise that models are fluid and constantly transforming, that stereotypes act as obstacles to tackling trafficking, and that human trafficking involves all classes, races, religions, genders and ages as victims and perpetrators.

While I have concerns with the term trafficking, it is a recognised international term to describe the severe commodification of individuals and therefore London must work on this basis.

While the Anti-Slavery Act, proposed by the Home Secretary is welcome, there are concerns about labelling this type of exploitation as slavery. Most cases are not 'slaves' in the traditional sense and this term must not blind the authorities to victims whose cases are more complex and subtle. The Mayor needs to be clear on what he recognises as slavery and trafficking in London, even though, to some extent, the authorities will always have to deal with exploitation on a case-by-case basis.

I am concerned that the police often respond to what the media, rather than stakeholders, highlights as a problem. The police are currently responding to concerns around grooming but there are many cases of trafficking not yet publicly exposed that require similar attention. The grooming of boys and middle class children, the abuse of au pairs and domestic workers, the labour and possible organ trafficking of vulnerable men, baby trafficking, and the sexual and domestic trafficking of individuals within marriage all warrant more attention.

MOPAC's officers should also engage with these issues. For example, the new Sentencing Unit should review cases of baby trafficking and engage with the relevant cultural and trafficking NGOs to verify what can be done at a London level to tackle this. The trafficking of babies currently has no sentencing guidelines or control systems in place to tackle the problem effectively.

Recommendation 5 – Recognising Men and Boys as Victims of Trafficking
The Mayor's strategy for tackling human trafficking must include male victims. Mayoral funding for rape and trafficking support services must also cater more for male victims. Furthermore, more research and proactive work needs to be carried out to examine the extent of male 'grooming' cases and the sexual and labour exploitation of trafficked men.

The Mayor's strategy for tackling human trafficking cannot simply focus on women. This excludes both large numbers of victims of labour and domestic trafficking, as well as the sex trafficking of boys and men – all of which have equal importance to Londoners.

Recommendation 6 – London Boroughs and acknowledging trafficking
The Mayor should lead from a pan-London perspective by calling on all London Councils to recognise that there is human trafficking in their boroughs. The Mayor should encourage local authorities to be on the new sub-regional Human Trafficking Groups and to carry out mapping exercises to find trafficking risk indicators in their borough.

A number of NGOs and social workers told us that they were struggling to get their local authority to recognise cases of trafficking. Boroughs responded to stakeholders by, for example, stating that they needed to focus on gang crime or by simply refusing to respond to calls that grooming for sexual exploitation was taking place outside their schools.

The only way to ensure all local authorities in London take trafficking seriously is if there is clear direction to do so. The Mayor has the opportunity to lead this from a pan-London perspective to ensure local authorities are carrying out their statutory responsibilities to protect child victims of trafficking. Ensuring local authorities are on board and are initiating training programmes to help council officers understand and recognise trafficking is crucial to tackling the problem as victims are often found when they are looking for local authority services such as housing.

A mapping exercise involving a breakdown of where cases are by region would provide the police with intelligence and it would also prove to authorities that that is a problem in their borough.

Recommendation 7 – Labour trafficking

MOPAC must include labour trafficking as a new priority alongside sex trafficking. Labour trafficking must be more clearly publicised and posters about human trafficking need to start including male victims to help victims and the public to identify them. Information about trafficking should also be available at sites where victims of labour trafficking may be found.

The number of cases of labour trafficking identified is already beginning to appear to overtake the number of sex trafficking cases, with recent Salvation Army data from July 2011 to April 2013 showing that labour exploitation (43%) accounted for more cases than sexual exploitation (40%).

Posters and information about labour trafficking should be more widespread. Residents and even police do not seem to currently questions situations where indicators of trafficking are taking place, for example, when they employ builders working in terrible conditions for long hours. Victims of labour trafficking also need to be aware of the indicators and how to seek support. Posters or information should be available, such as at support services for homeless people and at ports, to inform at-risk individuals about the risks of trafficking and who to contact for support. This would also assist outreach services, many of whom don't know the indicators and do not always provide effective services to deal those who may be vulnerable to trafficking.

The Mayor should support those London boroughs who want to remove mobile soup runs but ensure that alternative support services indoors, offering a more holistic service, receive additional resource. A significant number of cases involving the trafficking of homeless men, involved traffickers visiting mobile soup runs and some stakeholders even thought certain mobile soup kitchens should be closed down while others thought it would be easier to disrupt them, for example by ensuring they are not in such close proximity. Either way, intelligence from NGOs and organisations supporting homeless people, such as soup kitchens, needs to be regularly passed to the police who then need to be carrying out active patrolling of those areas. The logistics around how soup runs and soup kitchens are currently set up and how this makes vulnerable adults susceptible to exploitation, as well as how to gain access to the intelligence they receive, needs to be examined by the Mayor.

Recommendation 8 – Training statutory services

The Mayor should call for all local authorities to resource or apply for funding for training in human trafficking. Teachers, health and housing professionals, and benefit agency staff should all have some form of training about the basic trafficking indicators and who they need to consult if they have concerns.

Social workers have a crucial role to play in recognising and supporting victims and gaining convictions against traffickers. Therefore the Mayor must also campaign for social workers to have Continuous Professional Development (CPD) training, and have increased guidance on the sexual abuse and trafficking of children.

Many cases I heard about, involving Nigerian child victims of domestic trafficking as well as British children being groomed and sexually exploited, had at some point attended school. It is therefore imperative that teachers become familiar with the indicators around this issue and where to refer the case onto.

Other trafficked victims - such as victims of trafficking within marriage, sex trafficking or benefit-related trafficking - are likely to have contact with health or housing officials. At present, however, I have been told that teachers, and health and house professionals have barely any knowledge of this area at all. The survey I carried out to some extent supports this concern.

Social workers require more substantial and regularized training on this issue as they are the ones these professionals may refer the cases onto. Their training needs to be repeated formally as human trafficking is a crime model that is continually changing. If social workers were better trained there may be a case for not creating Guardians for children. At present however Guardians do appear to be required. This is because child victims' interests are not being met by the system - many are not recognised as victims, some are treated as criminals, or go missing, or fail to have successful convictions against their traffickers.

Recommendation 9 – Direction and proactive policing

The Mayor's Office for Policing and Crime (MOPAC) should encourage the Commissioner to publicly direct Borough Commanders to lead on and give direction on human trafficking.

Special points of contact (SPOCs) for human trafficking should be established in every borough's police force.

Human trafficking training needs to be mainstreamed into the Metropolitan Police Service and become part of the core syllabus for training new recruits. It needs to be a regular, cyclical syllabus so that every few years officer would have to complete an online training package.

Human trafficking is an area where authorities expect to learn of cases from external sources, contrasting with the more proactive approach of seeking out cases that is the normal practice when dealing with crimes such as drug trafficking. However, there is little incentive for boroughs to proactively investigate trafficking when policing is still a figure driven exercise whereby the more crimes that are found the worse, rather than the better, the policing.

Therefore direction from the top is needed, as has been the case for policing and prosecuting the crime of rape, to ensure boroughs realise increasing figures and proactive work is not frowned upon. I was horrified that NGOs could pinpoint dozens of places in London where I could easily find children being groomed or workers trafficked or homeless men being taken away to work. Police need to start acting on this worrying information and seeking these cases out.

It needs to be made clear that many trafficking cases are not quick wins. They are very complex cases that may take well over a year to complete. Therefore the Human Trafficking Unit and borough police need the space and support from the top to look for and investigate these complex cases. Furthermore, we need to tackle the overly regular staff churn in Borough Commanders and Unit leads – otherwise they have limited incentive to tackle long-term problems in their roles and boroughs. Borough Commanders and those running Metropolitan Police Service specialist units need to be in post for significant enough periods of time to make these long-term substantial impacts in their sphere of responsibility.

We cannot afford to make so many mistakes, in terms of identifying victims of trafficking, at a borough level. Special points of contact in each borough command would encourage good practice and awareness in each borough and they could act as the go-to officer for all cases where trafficking is suspected. They would have sufficient expertise to then refer the case to the relevant NGO, or the Human Trafficking Unit and seek out further relevant information. They should also pass on information from NGOs to officers about where trafficking may be taking place.

The evidence I have is that exploitation is all around us and Safer Neighborhood police are coming across this information all the time. They need the training to know this, and the avenues to feed it into. At the moment not only are they failing to spot many cases of human trafficking but, even when a victim does come to the station, and even remarkably when they are accompanied by specialist support services, many are still not responding appropriately.

The Metropolitan Police Service Commissioner should also consider awareness-raising. For example, they could provide information in the Metropolitan Police Service's next drugs campaign to highlight the fact that 19% of victims of child trafficking come from Vietnam and are often exploited in cannabis factories. This may well make those who take cannabis re-consider supporting this trade.

Recommendation 10 – The Human Trafficking Unit (SC&O7) and Paladin

SC&O7's and Paladin's expertise should not be diluted. The Mayor should also push for better national police responses to human trafficking, and the creation of more human trafficking units in other forces, so that SC&O7 is not overly-stretched by being obliged to assist investigations outside of London.

The evidence I have seen suggests that human trafficking is a very complex crime with many different complex models. As a result the Human Trafficking Unit are over-stretched and principally focus on large-scale organised cases that may have to be prioritised but which ignores the more hidden informal cases, some of which I have discussed.

To tackle trafficking requires authorities to have significant knowledge of the community they are dealing with, otherwise the cultural subtleties behind the case will be missed and traffickers will continue to largely evade conviction. Tackling trafficking effectively therefore needs resource for specialist teams. The concern is that the Trafficking Unit is currently going in the opposite direction and is being absorbed into ever broader specialist commands. I was also concerned by the risk of losing specialisms in other sections of the Metropolitan Police Service – for example the decision to absorb the Chinese Divisional Unit into Safer Neighbourhood policing.

Stakeholders were also concerned about the impact of changes at the Paladin multi-agency child safeguarding team, which the Government itself has promoted as a best practice model for identifying trafficking at ports of entry. However, there has been a reduction in the number of staff and hours of Paladin, whilst taking away its presence at the Asylum Screening Unit in Croydon. While ECPAT UK said they had been “given reassurances by the Met that its service will not be affected, we want to ensure that the Paladin team still works in partnership with the local authority in Hillingdon, continues to share soft intelligence and work to educate and prevent trafficking. This has been proven to be effective and we recommend should be adopted at all major UK ports of entry.”

The Police themselves told me that trafficking cases are rapidly increasing yet the funding for police and other stakeholders has remained the same. While budgets are tight, increasing specialism in the Human Trafficking Unit could help act as a long-term preventative measure to ensure trafficking cases are managed before they increase at the rate seen, for example, with the expansion of cannabis factories exploiting Vietnamese migrants. Furthermore, if the money made in trafficking exploits is recuperated then the investigations could well pay for themselves.

Recommendation 11 – Police raids

Police officers need to be provided with clear protocols about raiding or visiting premises where there may be trafficked victims and other types of high or low level crime.

These should highlight the following:

A high degree of certainty that trafficking victims are present in labour and commercial sex sites is essential before mounting an operation. There need to be standardised procedures about what intelligence is gathered prior to a raid, what intelligence is gathered during the raids and what follow-up takes place afterwards. It should be standard practice for NGOs to

accompany officers, or at least advise officers, when carrying out a raid to ensure a victim-focused approach is taken.

However, other forms of entering premises should be examined. For example, MOPAC should look to encourage more HMIC and NHS related visits to target the owners of premises.

Intelligent raids are more likely to free trafficking victims while minimizing harm to others. For example, raiding brothels can lead to damaged relations and less trust in the police. Before a raid on a brothel, potential cannabis farm, restaurant etc. is carried out, information should be obtained in advance. Intelligence should be collected prior to the raid about the potential crimes, who the landlord is and so forth. Police should work with local authorities and relevant NGOs prior to the raid to ensure early identification of trafficked victims and to gain intelligence and understanding of the issues to they may encounter.

There are a far greater number of police raids seeking trafficked victims than convictions of traffickers. As well as sometimes lacking victim-focused awareness, these raids often fail to seek out sufficient intelligence during the process. Raids need to result in effective intelligence being collected. It must be standardised procedure for officers to ask questions about routes into the UK, look at any credit cards etc., and verify who brought them over etc. It is also important that follow-up checks take place after a raid to ensure those they encountered are safe and to build up relationships. They should also carry out debriefs on raids with the new regional trafficking groups.

Recommendation 12 – Local Safeguarding Children Boards
MOPAC must ensure all Local Safeguarding Children Boards (LSCBs) implement the London Safeguarding Children Board Child Trafficking Toolkit, as well as monitor and collect human trafficking data. The Mayor should also endorse the setting up of sub-groups on human trafficking in each LSCB.

A 2012 survey found that just two out of 64 local authorities collected centralised data specifically on whether children have been trafficked. Of the 43 per cent of London Safeguarding Children Boards that responded to a CSJ survey, only 57 per cent had implemented the London Safeguarding Trafficked Children Toolkit and Guidance and 36 per cent had developed a child trafficking subgroup. Yet a ‘snapshot survey’ of a number of London LSCBs revealed that only one LSCB which did not have a child trafficking subgroup had managed to identify any cases of child trafficking. This suggest without these systems in place trafficking is not being picked up on.

The Pan London Regional Human Trafficking Groups can also be used as a mechanism to support the LSCBs to build on and enhance good practice within the London Safeguarding Trafficked Children Toolkit.

Recommendation 13 – Looking after at-risk children
All boroughs should have completed a review on the safeguarding of children in care homes as soon as possible.

The Metropolitan Police Service needs to review its strategy for gathering intelligence on the web. They should have officers who are regularly monitoring Facebook and other online sources to discover and pursue potential cases of online grooming and trafficking.

I have heard a lot of concerns about the care system. When a child is placed in care there needs to be a safeguarding plan around them.

The Mayor needs to consider if further regulation is required. A review should be conducted to verify if those working in these homes need to be trained on the risks and indicators around trafficking and monitoring. They also need to be collecting data on those who go missing for days or even a few hours. A review should examine other concerns such as how to ensure care home staff remain in post for sufficient time to build relationships with the children. It should also consider what schools should ideally be doing to educate children about these risks and to build children's self-esteem, particularly around gender and sexual relations.

The Mayor should also look into whether we need more special safe houses, as set up by Barnados, for trafficked children to ensure they receive effective security and support. The Mayor should also review his mentoring programme to verify if they need a more holistic approach offering emotional and relationship, as well as more vocational, support.

Children who are not in the care system however are also at risk. Online grooming and child trafficking via the web is cited as one way these children are increasingly targeted. It is concerning that the Metropolitan Police Service are seeing less cases of online grooming when NGOs and social workers are seeing more. Many cases may be being missed. In Finland, they have police officers whose sole work is to patrol Facebook. Someone in the police should be doing this as part of their role in the UK.

Recommendation 14 – Support services

The Mayor should look into what provisions could be made available to victims of trafficking to deliver holistic support - such as housing, language services, counselling services and training, after victims are recognised as trafficked - and examine the ROI from such programmes. The lack of services for male victims need to be urgently examined.

A number of stakeholders cited English language difficulties, a lack of ESOL provision and a lack of information about migrant rights and where to access services as key obstacles for many individuals who were at risk of being trafficked.

Furthermore, the support services for victims of trafficking are currently inadequate. If we are not supporting them at the other end of the NRM process we are only doing half the job as they risk being re-trafficked due to their vulnerability. A holistic system for both male and female victims, incorporating and expanding the work of projects like Hera and Housing for Women, similar to the work being carried out by the Snowdrop Project in Sheffield, should be set up in London. It is worth noting that very little post-NRM support exists in London; and that where it does, it appears to only cater for female victims.

An option of setting up holistic support in the country of origin of the victim should also be examined. This would potentially be much cheaper; however the risks attached to this approach need to be carefully analysed before decision are made.

Recommendation 15– Minimum wage

The Mayor should ensure that no Greater London Authority contracts are held with companies paying less than the minimum wage.

A number of stakeholders said a number of famous chains of hotels are not paying the minimum wage. This is due to clauses currently existing in many cleaning contracts which require unrealistic amounts of work to be carried out per hour. These contracts need to be investigated and noted when any Greater London Authority contracts are given out. The Mayor should also highlight this issue to London businesses so that they do not unknowingly exploit workers.

Recommendations for the Government

Recommendation 16 – Extending the remit of the Gangmasters Licensing Authority

The Mayor should call for the remit of the Gangmasters Licensing Authority (GLA) to be extended into the hospitality and construction sectors so that it effectively tackles labour trafficking in London. The new London Sub-Regional Human Trafficking Groups could assist the Gangmasters Licensing Authority in working with Government departments, such as the DWP, to ensure a joint multi-agency approach to investigation.

The Gangmasters Licensing Authority's (GLA) has been recognised as successfully tackling criminal activity in the sectors it deals with. However, its restricted concentration on food manufacturing means that it largely works outside of London. As a result, traffickers have moved to those areas not monitored by the GLA, many of which are in London. It is therefore in London's interest that the GLA focuses on these other sectors as well.

Stakeholders also felt that at present there was a fragmented approach to many trafficking investigations and that there should be more joint investigations between the Gangmasters Licensing Authority and Government departments such as the DWP and DEFRA.

Recommendation 17 – Controlling the Borders

The Mayor should take the lead on creating information for visa applicants about human trafficking, migrants' and employment rights and how they can gain assistance – written in appropriate languages. The Mayor should also campaign for closer scrutiny of how victims of trafficking are entering the country and how to tackle it, and recommend that the Home Office reviews concerns that the UK Border Force training is inadequate. The Mayor should also call for exit checks to be

created so that people, especially children, cannot simply disappear after entering the country.

Human trafficking appears to disproportionately affect London and, with Heathrow based in the capital, the Mayor should take an active interest in problems with the UK's border supervision.

Evidence I have uncovered suggests the UK is being used as a transit destination into the rest of Europe by some Nigerian traffickers. Many victims are only being spotted on arrival in Europe – this suggests training and knowledge about trafficking indicators in the UK Border Force is not consistently adequate. Furthermore, the constant turnover of staff means expertise is lost – either this must be tackled or the training needs to be even more highly effective to mitigate these circumstances.

Some stakeholders believed that it was relatively easy to enter the country dishonestly. Documents can apparently be obviously forged and yet Immigration Staff are apparently failing to spot this. Furthermore, unlike many other countries we do not require a personal interview when children are brought into the country. There are very few checks and balances on migrant children entering the country. Indeed, the Home Office possesses no record on the number of children residing in the UK on expired visitor visas. If we are only doing checks when people enter the country we are only doing half the job of monitoring immigration. Exit checks are clearly required and, particularly, at risk children should be carefully monitored so that they are not allowed to evaporate in the ether.

Adults also need greater protection within the immigration system. Stakeholders said that victims of domestic trafficking were brought into the UK without any comprehension of how the system worked and that the procedure to enter the country involved barely any active participation of the victim. Those on domestic visas should be questioned about the job they are undertaking and given information about their rights and options to attain assistance once in the country. Information could also be provided in hidden places to reach the victim such as in public toilets at airports.

Recommendation 18 – NRM

The UK Border Force should not be allowed to be a Competent Authority for the NRM.

The Home Office should also review how the NRM system works, including considering the option to extend the 45 reflection day period for complex cases.

At present, British and EU nationals have far more success at being recognised as victims of human trafficking than those from outside the EU. All the NGOs I spoke to felt therefore the NRM needed to be independent of the UK Border Force and entire immigration system.

Removing the UK Border Force's role would help ensure the authorities' decisions are made from a more victim focused perspective, without the influence of Government related expectations on immigration performance indicators. UK Border Force officials deal with asylum claims and usually work to immigration targets – there therefore may be a conflict of interest. Many victims are scared of being returned to their homeland and therefore fear going through a process that involves immigration officials. As a result many choose to not

be referred into the NRM to be recognised as trafficked and to gain access to support services.

Stakeholders also explained that 45 days was not long enough for many complex cases, which needed more time to obtain the necessary specialist advice required prepare the survivor for recovery.

Recommendation 19 – Overseas Domestic Worker visa

The Mayor should actively campaign for the Home Office to restore the right for a domestic worker to change employers within the Overseas Domestic Workers' (ODW) Visa conditions.

Domestic workers are already known to be group who are particularly vulnerable to exploitation and abuse. The new visa further magnifies their vulnerability. Changes to the ODW Visa do not seem to be effectively stopping domestic workers from illegally staying here but do seem to have increased workers' reticence to go to the authorities to report abuse.

Rather than having this new visa regime, exit checks and better follow-up work by the authorities will be far more effective in stopping people illegally staying here. Encouraging domestic workers to report abuse and improving enforcement in this area could, the CSJ found, help recover the £37 million currently lost every year through unpaid tax and national insurance employers' and employees' contributions due to hidden and underpaid migrants on the ODW visa.

Return on investment model

Making the Financial Case for the Report's Recommendations

Due to the severity of the human rights violations and crimes associated with human trafficking for exploitation, a moral imperative would appear to be the only compulsion required for combatting this increasingly ubiquitous menace.

However, there are compelling economic as well as legal and social reasons for progressing robust anti- trafficking initiatives.

For human traffickers, everything has a price: A child sold on Britain's streets costs around £16,000¹²⁰². A small price to pay in light of the tens of thousands of pounds that child can earn his or her exploiter through forced criminal activity or sexual exploitation.

Meanwhile there is an unacceptably high price to pay for the individual child, the broader community and in terms of compromised human rights standards which the UK is committed to upholding.

This Return on Investment (ROI) chapter¹²⁰³, measures potential impact by estimating the economic and social benefits to implementing the recommendations contained in this report, by highlighting a number of case studies. These examples estimate the potential savings which could be made, if these case studies were either prevented or achieved, and provide just a small snapshot of the financial impacts.

The Centre for Public Scrutiny (CfPS) urges that different categories of measurement be considered including community value, time and effort, values, quality of life, self-esteem, and health. And that the ROI should value softer outcomes such as relationships, networking, partnerships and stakeholder engagement. Value can therefore be measure both in terms of:

- Measuring the process itself – what has the production of this report achieved - 'soft' outcomes.
- Measuring what has or will change as a consequence of the review, such as in implementing its recommendations.

The CfPS acknowledges the complexity of measuring the “long-term (even generational) nature of changes in health outcomes and the difficulty of attributing change to a single input activity”.

Many of the recommendations in this report require a high degree of stakeholder engagement. As such this report, and the research undertaken for it, provides a starting

¹²⁰² BBC News Trafficked children 'sold in UK for £16,000', May 2011 <http://www.bbc.co.uk/news/uk-politics-13440736> and Europol January 2011 www.europol.europa.eu/content/press/children-trafficked-and-exploited-inside-europe-criminal-gangs-501

¹²⁰³ This review draws on the processes outlined by the Centre for Public Scrutiny (CfPS) guide Tipping the scales!: A model to measure the return on investment of overview and scrutiny June 2012 http://cfps.org.uk/domains/cfps.org.uk/local/media/downloads/L12_379_tipping_the_scales_v4.pdf

point for that process, opening debate and discussion and opportunities for collaborative working and networking.

As many recommendations suggest the exploration of new ways of working and/or require implementation by third parties, implementation costs have not been assessed at this stage, but will be developed as an outcome of this report.

Process benefits of this report

The report proposes many recommendations each of which has associated benefits. The act of producing the report also had positive outcomes of its own. These include:

1. Improved networking between anti-trafficking stakeholders.
2. Increased awareness of hidden human trafficking in London among some stakeholders as part of the research process.
3. Increased awareness of hidden human trafficking in London among the broader public as a result of the report launch.
4. Highlighting different viewpoints and assessments of human trafficking for exploitation, and exposing sometimes problematic relationships between stakeholders, with the aim of facilitating a new understanding of the problem and possible solutions.
5. Exposing a previously unexplored subject – i.e. hidden trafficking specifically within London – in order to create awareness and change.

Return on Investment Calculations

The following case studies are illustrative of the economic and social impacts of implementing the report recommendations.

Trafficking for Sexual Exploitation

The valuation of market size of human trafficking for sexual exploitation in London was estimated at £126 million in a 2007 Home Office report¹²⁰⁴.

The economic and social cost of human trafficking for sexual exploitation in London is calculated as¹²⁰⁵:

- The average annual cost to the victim and the health service of physical and sexual assault against trafficked women: £187,953 per victim¹²⁰⁶.
- The harms suffered by women when with clients is at least equivalent to the emotional cost of one rape, as each session with a client is non-consensual. This increases the harm to each victim by £61,440¹²⁰⁷.
- An assessment of the quality of life impacts of coercive prostitution based on impacts on personal freedoms, and emotional and psychological costs equates to a value of £14,520 per year, per victim¹²⁰⁸.

¹²⁰⁴ Home Office, Organised crime: revenues, economic and social costs, and criminal assets available for seizure, 2007 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/99094/9886.pdf

¹²⁰⁵ These Home Office calculations were done based on assessments of women, however trafficking for exploitation also applies to children including boys, and men.

¹²⁰⁶ This figure is calculated for serious domestic violence, and is assumed to be indicative for trafficked women. Home Office *ibid*

¹²⁰⁷ Home Office *ibid*

¹²⁰⁸ Home office *ibid*

There were 213 potential victims of trafficking for sexual exploitation identified in London between 1 January and 31 August 2013 (55% of the total number of potential victims of trafficking in London)¹²⁰⁹.

Cost per victim per year: £263,913 x 319¹²¹⁰ victims of trafficking for sexual exploitation identified in London per year, giving total cost per year of £84.2 million.

Trafficking for Benefit Fraud

In 2011, a leading member of a Romanian criminal gang, believed to have trafficked 181 children to Britain, was jailed for conspiracy to defraud the benefits system. He pleaded guilty to masterminding a £800,000 fraud involving housing benefit, tax credits, income support and child benefit.¹²¹¹

According to CEOP, in the year to April 2009, police investigations identified that ten children in the UK were confirmed or suspected of being trafficked into the country for the purposes of securing both financial and housing benefits the claimants were not legally entitled to.¹²¹²

There is a huge financial cost to society of such fraud, not to mention to the children concerned in terms of neglect, physical and sexual abuse, lack of education and disrupted attachment and identity.

CEOP stated that “Many of the children exploited were not related to the carer or spent time at different addresses under the care of different adults to facilitate housing at multiple addresses... In such cases the children appear to be treated as a commodity, with their stability and development at risk.”

Cost: £800,000 from just one trafficker plus significant psychological costs to the individual child.

Suing the police

This report reinforces grave concerns around legal action taken against the authorities by trafficking victims:

- *“There may soon be a tipping point where the authorities are paying out enough in compensation to arouse their interest in tackling this issue head on.”*

¹²⁰⁹ UKHTC: Data supplied to GLA for the production of this report.

¹²¹⁰ i.e. based on 213 identified in an eight month period. The Home Office estimates there are 1,735 trafficked women involved in prostitution in London so for the purposes of the ROI we have treated the 213 figure as if each one had a conclusive ground decision (i.e. actual victim not potential), as it is most certainly a large under-estimate. Home Office ibid

¹²¹¹ Guardian, Suspected member of child trafficking gang jailed for £800,000 benefits fraud, May 2011 <http://www.theguardian.com/uk/2011/may/17/trafficking-gang-masterminding-benefits-fraud>

¹²¹² CEOP, The trafficking of children into and within the UK for benefit fraud purposes, October 2010 http://www.ceop.police.uk/Documents/CEOPChild_trafficking_for_Benefit_Fraud_Assessment_Oct2010.pdf

- “Thames Reach felt that these trafficking cases being missed would be the “Hillsborough and Savile” cases of the future” and that victims will many years from now be demanding compensation.”

In May 2011, a High Court Judge declared that the MPS violated the human rights of four victims of human trafficking and child slavery by failing to investigate the alleged perpetrators when asked to do so in 2007. The victims were also awarded a total of £20,000 plus costs for the distress caused to them by the MPS’ failure to investigate their abusers¹²¹³.

Meanwhile Human rights law firm Bhatt Murphy is currently suing the MPS, Home Office and the London Borough of Newham over the treatment of an underage Nigerian trafficking victim who was found in a brothel raid by the MPS but was not identified as a trafficking victim¹²¹⁴.

Cost: £20,000 plus costs for 4 victims of domestic servitude

Asset seizure

The Home Office estimates the value of assets available for seizure from people trafficking and people smuggling in the UK is £40 million¹²¹⁵. The assumed proportion of criminal profit saved or stored in assets from people trafficking and people smuggling is 20%. It is estimated that just over five per cent of the annual build-up of assets is successfully recovered, indicating the potential to be recovered from people trafficking and people smuggling in the UK is at least £2 million.

In *R v Carroll* 2010¹²¹⁶, the police obtained a confiscation order under the Proceeds of Crime Act 2002 to the sum of £1.9 million, to seize profits from a prostitution ring which included trafficked women¹²¹⁷.

A nominal confiscation order is used in cases where a minimal amount of assets has been identified and means that the case can be revisited at any time in the future should the offender acquire wealth¹²¹⁸.

In *R v Connors* concerning forced labour by Irish traveller families, the UKHTC encouraged the police to commence a financial investigation which recovered £4 million, remunerating investigation and court costs¹²¹⁹.

Cost benefit: £4 million in *R v Connors* case

¹²¹³ Bhatt Murphy Solicitors press release, May 2011 www.bhattmurphy.co.uk/media/files/Press_Release_200511.pdf

¹²¹⁴ Observer, Demands grow for child guardians to end shame of modern slavery, September 2013 <http://www.theguardian.com/global-development/2013/sep/07/child-slavery-trafficking-theresa-may>

¹²¹⁵ These statistics do not disaggregate people smuggling and people trafficking but give an idea of the scale of finances involved. Home Office *ibid*

¹²¹⁶ Law Pages <http://www.thelawpages.com/court-cases/Thomaj-Carroll-4480-1.law>

¹²¹⁷ The Anti Trafficking Monitoring Group, In the Dock: Examining the UK’s Criminal Justice Response to Trafficking, 2013 http://www.ecpat.org.uk/sites/default/files/in_the_dock_atmg_2013.pdf and BBC News Thomas Carroll’s sentence is extended over prostitution fund, April 2012 <http://www.bbc.co.uk/news/uk-wales-south-west-wales-17876691>

¹²¹⁸ The Anti Trafficking Monitoring Group *ibid*

¹²¹⁹ The Anti Trafficking Monitoring Group *ibid*

Children in care homes

Nationally, 7,885 children went missing from care in 2012¹²²⁰, 1,092 (14%) of these went missing from care in London¹²²¹.

There is a strong link between children in care who go missing and those being trafficked or sexually exploited¹²²². This can be a symptom of sexual exploitation as well as a cause putting young people at risk.

In a study assessing young people at risk of or experiencing sexual exploitation who were being worked with on 6 June 2011, 65% were known to have gone missing. Of those, over half had gone missing more than ten times and 21% were in care¹²²³.

Of the 287 potentially trafficked children identified in the 12 months to March 2010, CEOP reported¹²²⁴ that 53 (18%) of the children were recorded as having gone missing from care at some point, with 42 still recorded as missing. Eighty three of the 287 children were identified in London (29%).

In Hillingdon, a multi-agency operational group has been set up to children going missing from home or care. share information, assess the risks and intervene decisively to prevent sexual exploitation¹²²⁵.

As well as the significant individual impact attached to going missing, there is also a broader societal impact. When a child runs away there are substantial financial and social costs.

According to the Children's Society, investing in early intervention to support young runaways results in net savings to public services ranging from £200 for less severe cases to potentially £300,000 or more¹²²⁶.

Cost benefit: £200-£300,000 per young person, where there are 15 potentially trafficked children identified as missing from care in London in one year¹²²⁷, totalling £2.3 million per year¹²²⁸

Regularising migrants

¹²²⁰ NSPCC, Thousands of children repeatedly go missing from care, April 2013

http://www.nspcc.org.uk/news-and-views/media-centre/press-releases/2013/children-missing-from-care/children-going-missing-from-care_wdn95720.html

¹²²¹ Figure provided by email to Elizabeth Willmott-Harrop from the NSPCC Information Service www.nspcc.org.uk/inform

¹²²² The all-party parliamentary group (APPG) for Runaway and Missing Children and Adults and the APPG for Looked After Children and Care Leavers, Report From The Joint Inquiry Into Children Who Go Missing From Care, June 2012
www.gov.uk/government/uploads/system/uploads/attachment_data/file/175563/Report_-_children_who_go_missing_from_care.pdf

¹²²³ University of Bedfordshire, What's going on to Safeguard Children and Young People from Sexual Exploitation?

How local partnerships respond to child sexual exploitation, October 2011
http://www.beds.ac.uk/_data/assets/pdf_file/0004/121873/wgoreport2011-121011.pdf

¹²²⁴ CEOP Strategic Threat Assessment Child Trafficking in the UK, 2010
http://www.ceop.police.uk/Documents/ceopdocs/Child_Trafficking_Strategic_Threat_Assessment_2010_NPM_Final.pdf

¹²²⁵ Hillingdon, Combating Child exploitation, <http://www.hillingdon.gov.uk/article/24282/Combating-Child-exploitation>

¹²²⁶ The Children's Society, Make Runaways Safe Launch Report, July 2011
http://makerunawayssafe.org.uk/sites/default/files/Make%20Runaways%20Safe%20-%20full%20report_0.pdf

¹²²⁷ CEOP 2010 figures *ibid*: 18% of 83 children = 15 children.

¹²²⁸ Based on 15 potentially trafficked children identified as missing from care in London in one year multiplied by average of savings of £200 - £300,000 per young person, £150,100 per child.

Irregular residents who have been trafficked to the UK fall under one of four categories of irregular residents¹²²⁹.

In London, if those irregular residents were regularised:

- they might generate a total of £596 million per annum additional tax revenue
- compared to £240 million for public service costs
- £713 million when including welfare costs
- plus £210 million one off costs¹²³⁰.

Illustrative estimates of the potential impacts of regularisation on GDP in the UK, that assume employment rates of irregulars could be raised by six percentage points and earnings by 25 per cent, imply an addition of £3 billion per annum (or about 0.2 per cent) to national GDP. Against this should be offset the one-off administrative costs of regularisation, which are estimated at about one-tenth of this, giving an addition of £2.7 billion.¹²³¹

Seventy one per cent of those eligible for regularisation, i.e. 294,000, would be in London¹²³². We can estimate that 0.81 per cent of those have been trafficked¹²³³. Added to this number would be irregular migrants who were not trafficked into the country, but who after their arrival were then trafficked from / within the UK as a result of their vulnerable status.

Cost benefit: potential £21.9 million¹²³⁴ addition to national GDP, generated by regularisation of trafficked migrants in London

Shadow economy from Domestic Workers

The shadow economy or black market, comprising economic activity derived from sources that fall outside of a country's commerce rules and regulations, constitutes approximately 10% of GDP in the UK. While only a very small proportion of shadow economy workers can be accounted for by illegal immigrants in most countries¹²³⁵, domestic workers have

¹²²⁹ Greater London Authority, Economic impact on the London and UK economy of an earned regularisation of irregular migrants to the UK, May 2009 www.london.gov.uk/mayor/economic_unit/docs/irregular-migrants-report.pdf
These groups are:

1. People who have illegally entered the country, whether independently or with traffickers
2. People who legally entered the country for a fixed period which has expired and are thus unlawful overstayers.
3. Asylum seekers who legally entered the country to pursue a case for refugee status, but who remain despite a final decision refusing them a continuing right to remain
4. Children born in the country to such 'irregular migrants', who also lack a right to remain although they are not themselves migrants.

¹²³⁰ Based on the numbers of irregular residents in the country at the end of 2007, Greater London Authority *ibid*

¹²³¹ Greater London Authority *ibid*.

¹²³² Greater London Authority *ibid*. "Overall, we estimate the UK has a population of some 618,000 irregular residents, within a range between 417,000 and 863,000. London has about 70 per cent of this total, with a central estimate of 442,000 and a range between 281,000 and 630,000. Of these totals, we estimate that nationally 412,000 (67 per cent) might be eligible for regularisation; of these, 294,000 would be in London."

¹²³³ i.e. 5,000 victims trafficked into the UK out of a total of 618,000 irregular residents (see above footnote). The Trade in Human Beings: Human Trafficking in the UK - Home Affairs Committee, May 2009

www.publications.parliament.uk/pa/cm200809/cmselect/cmhaff/23/2302.htm "Between 100,000 and 800,000 people are trafficked into the EU each year. At a conservative estimate, there are at least 5,000 trafficking victims in the UK."

¹²³⁴ £2.7 billion x 0.81%

¹²³⁵ The Institute of Economic Affairs, The Shadow Economy, March 2013
www.iea.org.uk/sites/default/files/publications/files/IEA%20Shadow%20Economy%20web%20rev%207.6.13.pdf

been identified as being both particularly vulnerable and making a large contribution to the shadow economy¹²³⁶.

This report has identified that encouraging domestic workers to report abuse and improving enforcement could help recover the £37 million currently lost every year through unpaid tax and national insurance employers' and employees' contributions, due to hidden and underpaid migrants on the ODW visa.

In 2011, the sector with the second highest share of foreign-born workers in the UK economy was domestic personnel (29.9%)¹²³⁷ and 37% of all foreign-born workers working as employees, lived in London.

Cost benefit: £13.7 million based on 37% savings in London, of the £37 million national potential

ROI Summary

The impacts of human trafficking are many: personal, social, environmental, economic.

Human trafficking violates human rights, reduces human dignity and agency, takes money from the public and individual purse, and is itself an illegal activity but is used to facilitate many other crimes, from cannabis cultivation to metal theft.

The ROI evaluations above highlights that legal and moral imperatives are underpinned by robust economic arguments for progressing the recommendations outlined in this report.

Just by totalling the small snapshot of examples highlighted above, the economic implications for London are £113 million: in annual cost savings, annual income generation and one-off savings, summarised as follows:

- Trafficking for Sexual Exploitation: £84.2 million per year
- Trafficking for Benefit Fraud: £800,000 from one trafficker
- Suing the police: £20,000
- Asset seizure: £4 million in R v Connors case
- Children in care homes: £2.3 million per year
- Regularising trafficked migrants in London: £21.9 million
- (Shadow economy related to domestic workers: £13.7 million)¹²³⁸

Total: £113 million

¹²³⁶ The Institute of Economic Affairs *ibid*. For example, an amnesty in Italy in 2003 resulted in 703,000 illegal immigrants coming forward, nearly 50% of whom were women employed in shadow work as domestic workers and care providers.

¹²³⁷ Migrants in the UK Labour Market: An Overview, August 2012, The Migration Observatory at the University of Oxford www.migrationobservatory.ox.ac.uk/briefings/migrants-uk-labour-market-overview

¹²³⁸ This has not been added to the total to avoid double counting with "Regularising trafficked migrants in London"

Many of these figures are based on broad but also conservative estimates in areas which are notoriously difficult to assess, from the shadow economy to the number of irregular residents, and the number and distribution of trafficking victims.

However, even if the figures have been erroneously inflated by 500%, that still gives a return on investment of over £20 million.

Meanwhile many economic aspects related to trafficking are not illustrated by the case studies and therefore create even more potential for demonstrating ROI in the future, as part of the progression of the important areas of work highlighted by this report.

The fact remains that if the balance sheet were zero, we would still be compelled to act.

Survey of teachers and social workers in London

This survey revealed that many social workers and teachers are ignorant of the mechanisms available to respond to potential cases of human trafficking. Furthermore many were unable to recognise potential cases of human trafficking themselves.

- 90% of teachers had not been formally introduced to the NRM
- 76.7% of social workers and teachers had not been formally introduced to the NRM
- 10% of social workers could not recognise any of the human trafficking cases we cited and thought all of them were not cases of human trafficking.
- Almost three fifths (56.7%) of social workers surveyed thought you had to cross an international border to be a human trafficking victim.
- 46.7% of social workers and 33% of teachers could not recognise a Nigerian child, brought over to the UK to live with a family and carrying out chores in their house while not going to school, as a human trafficking victim
- Over a quarter (26.7%) of social workers could not recognise a child being brought over to tend cannabis as a potential victim of human trafficking.
- 60% of those surveyed could not recognise a homeless man working for free for long hours for a family as a potential victim of human trafficking.
- Almost half of all social workers and teachers surveyed (48.3%) had no idea what a first responder was.
- One hundred per cent of those surveyed could not correctly identify the two competent authorities. (45% knew that immigration staff were one; but none could cite the UKHTC)

Have you been introduced, for example via formal communication, training, or a working partnership, to the role of the NRM?

	Total	Social worker	Teacher
No	76.70%	63.30%	90.00%
Yes	23.30%	36.70%	10.00%

Is the crossing of international borders essential to proving human trafficking for exploitation?

		Total	Social worker	Teacher
Q5	Yes	38.30%	56.70%	20.00%
	No	61.70%	43.30%	80.00%

Which of the following four cases do you think describes victims of human trafficking?

		Social worker	Teacher
a) A 16 year old boy willingly enters the UK illegally with forged documents facilitated by a middle man. On entering the UK, the 16 year old is taken to a cannabis factory where he tends cannabis plants with his consent before being arrested.	66.70%	73.30%	60.00%
b) A 25 year old English man sleeping rough on the streets of Luton is approached to work for a family cutting conifer trees, working 10 hours a day, 5 days a week. He is ferried around the South of England to cut trees. He is unpaid but receives all accommodation and food.	40.00%	36.70%	43.30%
c) An Indian adult female legally moves to the UK with her family to work as a domestic worker for a family. After two months she is transferred by her employer to work for their adult daughter. There, she undertakes domestic chores at a rate of £3 per hour and sleeps in a room with the families' children. The family retains her passport.	65.00%	60.00%	70.00%
d) A Nigerian child's parents die and for a few weeks she is living on the street. A friend of her family finds her and sends her to a family in the UK for a better life. The girl has a roof over her head and is fed and is allowed out; but she must carry out chores at home and does not go to school.	60.00%	53.30%	66.70%

e) I do not think any of these cases describe a victim of human trafficking.	6.70%	10.00%	3.30%

Questions

Question 1: "Have you been introduced, for example via formal communication, training, or a working partnership, to the role of the NRM?"

Yes

No

Question 2:

Which of the following four cases, do you think describes victims of human trafficking?:
(Tick all that apply)

a) A 16 year old boy willingly enters the UK illegally with forged documents facilitated by a middle man. On entering the UK, the 16 year old is taken to a cannabis factory where he tends cannabis plants with his consent before being arrested.

b) A 25 year old English man sleeping rough on the streets of Luton is approached to work for a family cutting conifer trees, working 10 hours a day, 5 days a week. He is ferried around the South of England to cut trees. He is unpaid but receives all accommodation and food.

c) An Indian adult female legally moves to the UK with her family to work as a domestic worker for a family. After two months she is transferred by her employer to work for their adult daughter. There, she undertakes domestic chores at a rate of £3 per hour and sleeps in a room with the families' children. The family retains her passport.

d) A Nigerian child's parents die and for a few weeks she is living on the street. A friend of her family finds her and sends her to a family in the UK for a better life. The girl has a roof over her head and is fed and is allowed out; but she must carry out chores at home and does not go to school.

e) I do not think any of these cases describe a victim of human trafficking.

The answer is these are ALL potential trafficking cases and all are hidden in residential neighbourhoods.

Question 3: Give three examples of a first responder in cases of human trafficking.

Answer: police, NHS, social services, selected NGOs such as Salvation Army and Poppy.
All have the authority to make an NRM referral.

Question 4: What are the two competent authorities who can identify potential victims of trafficking?

Answer: UKHTC, UK Border Force (UKBA)

Question 5: Is the crossing of international borders essential to proving human trafficking for exploitation?

Yes

No

Answered by 30 teachers & 30 social workers in London

Appendix I

Crown Prosecution Service (CPS): HUMAN TRAFFICKING DATA

TABLE 1 - FLAGGED PROSECUTIONS

	2010-2011			2011-2012			2012-2013		
	Con vict ions	Unsuccessful	TOTAL	Convictions	Unsucce ssful	TOTAL	Convictions	Unsuccessful	TOTAL
London	11	13	24	17	23	40	18	12	30
National	73	30	103	94	48	142	99	40	139

CPS prosecutions are counted in terms of the number of defendants.

1. Convictions comprise guilty pleas, convictions after trial and proceedings which are proved in absence.
2. Unsuccessful Outcomes comprise prosecutions dropped, administrative finalisations, discharged committals and cases acquitted or dismissed following a contested hearing.

(a) The CPS began identifying and monitoring human trafficking defendant prosecutions in April 2010.

(b) CPS human trafficking statistics are dependant upon lawyers and administrative staff identifying applicable cases and flagging the case on the Case Management System.

(c) The CPS defines human trafficking as any offence from the following list :

- Sexual Offences Act 2003 (Section 57)
- Sexual Offences Act 2003 (Section 58)
- Sexual Offences Act 2003 (Section 59)
- Sexual Offences Act 2003 (Section 59A(1)(a))
- Sexual Offences Act 2003 (Section 59A(1)(b))
- Sexual Offences Act 2003 (Section 59A(1)(c))
- Asylum and Immigration [Treatment of Claimants] Act 2004 Section 4(1)
- Asylum and Immigration [Treatment of Claimants] Act 2004 Section 4(2)
- Asylum and Immigration [Treatment of Claimants] Act 2004 Section 4(3)
- Asylum and Immigration [Treatment of Claimants] Act 2004 Section 4(1A)(a))
- Asylum and Immigration [Treatment of Claimants] Act 2004 Section 4(1A)(b))
- Asylum and Immigration [Treatment of Claimants] Act 2004 Section 4(1A)(c))
- Coroners and Justice Act 2009 (Section 71)

(d) The monitoring flag is applied from the onset of the case; this flag will remain in place even if those charges are subsequently amended or dropped. If a case commences under a

different offence but is then changed to a trafficking charge, the case should be flagged at that stage.

TABLE 2 - OFFENCES* CHARGED AND REACHING A FIRST HEARING IN MAGISTRATES' COURTS

	2009-2010	2010-2011	2011-2012	2012-2013
London	40	41	64	14
National	122	117	165	89

* Offences of human trafficking :

S4 and S4A Asylum &
Immigration Act 2004

S71 Coroners & Justice Act 2009

S57, S58, S59 and S59A Sexual Offences Act
2003

1. Offences recorded in the Management Information System Offences Universe are those which reached a hearing. There is no indication of final outcome or if the charged offence was the substantive charge at finalisation.
2. Data relates to the number of offences recorded in magistrates' courts, in which a prosecution commenced, as recorded in the CMS database.
3. Offences data are not held by defendant or outcome.
4. Offences recorded in the Offences Universe of the MIS are those which were charged at any time and reached at least one hearing. This offence will remain recorded whether or not that offence was proceeded with and there is no indication of final outcome or if the offence charged was the substantive offence at finalisation.

(A) CPS data are available through its Case Management System (CMS) and associated Management Information System (MIS). The CPS collects data to assist in the effective management of its prosecution functions. The CPS does not collect data which constitutes official statistics as defined in the Statistics and Registration Service Act 2007. These data have been drawn from the CPS's administrative IT system, which, as with any large scale recording system, is subject to possible errors with data entry and processing. The figures are provisional and subject to change as more information is recorded by the CPS.

(B) The official statistics relating to crime and policing are maintained by the Home Office and the official statistics relating to sentencing, criminal court proceedings, offenders brought to justice, the courts and the judiciary are maintained by the Ministry of Justice.

The CPS collects data to assist in the effective management of its prosecution functions; it does not collect data which constitutes official statistics as defined in the Statistics and Registration Service Act 2007. These data have been drawn from the CPS's administrative IT system, which, as with any large scale recording system, is subject to possible errors with data entry and processing. The figures are provisional and subject to change as more information is recorded by the CPS. The official statistics relating to crime and policing are maintained by the Home Office and the official statistics relating to sentencing, criminal court proceedings, offenders brought to justice, the courts and the judiciary are maintained by the Ministry of Justice.

Appendix II

UKHTC data on Human Trafficking referrals in London

2013

- Between 1st January 2013 and 31st August, 389 potential victims were identified by London local authorities, Metropolitan Police Service, local authorities and London based NGO's (Poppy, Kalayaan, Medaille Trust, CTAIL). This figure also includes potential victims encountered at London airports and referrals from other organisations if their exploitation took place or partly took in place in London.
- The Metropolitan Police Service was a first responder in 36 of the 389 cases.
- It is worth noting that 150 of all referrals related to victims of trafficking from Africa
- It is also worth noting that 10 of the referrals related to victims of trafficking from the UK.
- 106 of the 389 potential victims of human trafficking invited in London to the UKHTC were children.

Gender	Total
Female	308
Male	81
Grand Total	389

Top 15 Nationality/ Country of Origin	Total
Albania	100
Nigeria	76
Vietnam	33
Romania	21
Uganda	13
China	12
UK	10
Ghana	9
Sierra Leone	8
Somalia	7
Bangladesh	6
Hungary	6
India	6
Congo	5
Pakistan	4

Claimed exploitation Type*	Exploitation Sub-Type	Total
Adult - Domestic Servitude		
Total		46
Adult - Labour Exploitation	Agriculture - Fruit or Vegetable Picking	1
	Beauty - Nailbars	1

	Care Sector - General Work or Unspecified	1
	Catering Industry - Cook, Cleaner or Packaging	1
	Catering Industry - General Work or Unspecified	3
	Construction - Domestic (Drives, Pathways & Roofing)	1
	Construction - General Building Work or Unspecified	2
	Criminality - Cannabis Cultivation	6
	Criminality - Other or Unknown	2
	Criminality - Theft	3
	Hospitality Sector - Cleaner, Caretaker, Maintenance	1
	N/A	3
	Not Known	5
	Other - Begging	1
	Other - Sham Marriage	2
	Other - Street Selling of DVD's	4
	Service Industries - Car Wash or Car Valet	2
	Service Industries - General Work or Unspecified	1
Adult - Labour Exploitation Total		40
Adult - Sexual Exploitation Total		180
Adult - Unknown exploitation Total		17
Minor - Domestic Servitude Total		18
Minor - Labour Exploitation	Agriculture - Fruit or Vegetable Picking	1
	Criminality - Cannabis Cultivation	4
	Criminality - Other or Unknown	5
	Criminality - Theft	6
	Not Known	1
	Other - Begging	1
	Other - Benefit Claims or Benefit Fraud	1
Minor - Labour Exploitation Total		19
Minor - Sexual Exploitation (non-UK national) Total		28
Minor - Sexual Exploitation (UK national) Total		5
Minor - Unknown exploitation type Total		36
Grand Total		389

London Local Authorities' Referrals, Jan-August 2013	Total
London - Barking & Dagenham	1
London - Bexley	1
London - Brent	2
London - Camden	1

London - Croydon	3
London - Greenwich	2
London - Hackney	1
London - Hammersmith & Fulham	1
London - Haringey	5
London - Harrow	2
London - Hillingdon	2
London - Hounslow	1
London - Lambeth	2
London - Tower Hamlets	4

2012

From 21st October 2011 to 12th September 2012

- There were 369 potential victims identified by London local authorities, Metropolitan Police Service, local authorities and London based NGOs.
- 125 of these were minors.
- 292 were female and 77 were male of the victims identified.
- 102 referrals were Nigerian. 33 were Vietnamese. 16 were Chinese. 5 were British
- 64 cases involved labour trafficking; of these two victims were found in nail bars and 16 were found in cannabis farms.
- 67 cases involved domestic trafficking
- Of 369 cases, 58 cases were identified by the Metropolitan Police Service.
- It is worth noting that during the 2012 period, between 1st July 2012 and 30th September 2012, Nigeria accounted for the highest numbers of referrals. 20 of 135 referrals in that period were identified by the police. This supports *Silence on Violence's* hypothesis that most victims may come from Nigeria, and risked exploitation in residential areas rather than in brothels. This may explain the low number of cases identified by police during this period, since their focus was on finding human trafficking in brothels.

First Responder- London Local Authorities' Referrals, October 2011 until September 2012	Total
Barking & Dagenham	1
London – Camden	1
London- Croydon	2
London – Greenwich	8
London - Hackney	8
London – Havering	3
London – Hillingdon	6
London – Lambeth	3

London – Merton	2
London – Newham	1
London – Redbridge	3
London – Tower Hamlets	4
London – Waltham Forest	1

Appendix III

Thousands trafficked to the UK and forced to work for a pittance

<http://www.scotsman.com/the-scotsman-2-7475/uk/thousands-trafficked-to-the-uk-and-forced-to-work-for-a-pittance-1-2748531>



by MARGARET DAVIS

Published on the 21 January 2013

Thousands of people are being trafficked to the UK for forced labour in a “hidden crime” where victims go unnoticed, experts will say today.

The workers are forced to put in long hours with little food while living in squalid conditions, the UK Human Trafficking Centre (UKHTC) said, and may be employed by firms unaware of the abuse.

UKHTC has launched a campaign with Crimestoppers and the Association of Chief Police Officers (ACPO) to highlight the plight of the workers.

James Behan, head of operations for UKHTC, said: “It’s probably one of the least understood areas of human trafficking.

“If you asked a member of the public they would probably understand sexual exploitation and child trafficking, but when it comes to labour trafficking it’s a hidden crime. ...

“The idea is to raise the awareness of the general public as they’re going about their daily business to see the signs.

“It can range from a 15-year-old being made to work in a field to a middle-aged man who has fallen on hard times and become alcohol-dependent. It isn’t one specific group, one nationality, one age group, it’s very encompassing.”

More than 1,000 victims of trafficking for forced labour have been referred to the centre since 2009, but Mr Behan said this could be “the tip of the iceberg”, and he believes there are potentially “many more”.

The workers are typically used in low-paid jobs where they have to work for long hours, have to live in poor-quality, cramped housing and can suffer malnutrition because they are fed so little.

Jobs include being made to work in private houses as well as the hospitality, farming, manufacturing and construction industries.

Mr Behan said: “The people live in difficult conditions. Quite often they will share beds. It’s very poor-quality housing and there’s no real downtime because they have to work long hours. They have no possessions and no freedom.”

....