

# Trafficking: immigration or human rights concern?

by Beth Herzfeld, Sarah Green, Sarah Epstein and Christine Beddoe

*Leading UK agencies have urged the UK government to do more to protect the victims of trafficking.*

**H**undreds of women, children and men are trafficked from Africa, Asia and eastern Europe to the UK each year, lured into sexual exploitation and for other forms of forced labour, including domestic slavery, agricultural work, packing and construction. Despite the significance of this problem, trafficked people have no guaranteed protection or support in the UK.

One recent case clearly illustrates this. In September 2005, UK police raided the Cuddles 'massage parlour' in Birmingham. They found 19 women from Lithuania, Albania, Moldova, Romania and Thailand, whom they believed to be victims of human trafficking. The women's documents had been confiscated and they were locked in a house by day and brought to Cuddles at night. Cuddles was secured with an electric fence and police found a sawn-off shotgun and batons on the premises.

Even though the police suspected the women inside were trafficked, their treatment of the women differed depending on whether they were from the European Union or not, reflecting the UK's tendency to approach trafficking from the immigration angle rather than as a crime committed against a person. Those who were non-EU citizens were held in Yarlswood Immigration Removal Centre and the EU citizens were released. Until the Home Office was challenged on this issue, none of the women was offered the opportunity to receive medical help, appropriate legal advice or safe accommodation. Soon after, the Home Office announced that six of the women would be removed the following day - wholly inappropriate treatment for suspected victims of traffick-

ing - action which was only halted after pressure.

Concerns over the UK government's treatment of trafficked people are heightened by the fact that it has not signed up to any international standards that would provide at least minimum levels of protection and support to trafficked people. It has not signed the EU Council Directive on short-term residence permits, which stipulates that trafficked people should be informed of "the possibility of obtaining this residence permit and be given a period in which to reflect on their position. This should help put them in a position to reach a well-informed decision as to whether or not to co-operate with the competent authorities." Nor has it signed up to the further-reaching Council of Europe's European Convention on Action Against Trafficking in Human Beings<sup>1</sup>, the first international standard which provides guaranteed minimum standards of protection for trafficked people, including a reflection period of at least 30 days to stay in the country to receive emergency medical assistance, legal advice and safe shelter.

## No reflection period in the UK

Without a reflection period, trafficked adults from non-EU countries face immediate deportation. This is neither in the interests of the trafficked person, who may be re-trafficked, or of the police, who will lose the opportunity to gather valuable information and possible witness testimony, which would help them combat trafficking in the long term. The reflection period is also crucial to being able to evaluate whether a trafficked person's life is in danger if deported

or whether they may be subjected to rape, torture or some other form of punishment. Traffickers frequently punish the individual for cooperating with the authorities, as a warning to others, as a punishment for getting caught, or for not paying back the money they owe.

Norway, the Netherlands and Belgium all have a reflection period for people suspected of having been trafficked, which has helped increase the number of prosecutions against traffickers in these countries. Children's charities agree that the best interest of the child should always be the guiding principle in relation to safeguarding trafficked children, including the provision of leave to remain and reflection periods.

## Limited support

The UK provides only limited support for women trafficked into prostitution. The Home Office funds the London-based Poppy Project<sup>2</sup> but only for 25 adult places, with access provided under narrow criteria, which includes their already having been prostituted in the country and having agreed to cooperate with the authorities. The need for spaces has often exceeded availability, and the criteria exclude many trafficked women who need help. There remains no protection, care or support for children trafficked into the UK despite the continued call for 24-hour safe house care. There is also no specific assistance for people trafficked into forced labour in the UK.

In addition, there is no provision for specialist services to help trafficked children. These children continue to go missing from under-resourced local authority accommodation whilst many others are exploited for their labour and never come to the attention

of the authorities. Child protection authorities have a poor record in information sharing and the specialist knowledge required to both identify and combat child trafficking.

In January 2006 the UK government launched a public consultation on its national action plan against human trafficking. As part of this process, four leading charities - Amnesty International, Anti-Slavery International, End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes (ECPAT UK) and UNICEF UK - have urged the government to:

- join the 25 nations which have already signed the European Convention on Action Against Trafficking in Human Beings
- sign the UN Convention on the Protection of the Rights of All Migrant Workers and Their Families<sup>3</sup>, the most comprehensive international standard protecting migrants' rights
- ensure that the proposed national action plan includes a commitment to: a) a guaranteed minimum reflection period for all trafficked people; b) specialist support and medical assistance; c) specialist safe houses for child and adult victims of trafficking; and d) the

right to a temporary residence permit if deemed at risk.

**For more information, contact:**  
**Beth Herzfeld, Anti-Slavery International** ([www.antislavery.org](http://www.antislavery.org)); [info@antislavery.org](mailto:info@antislavery.org);  
**Sarah Green, Amnesty International UK** ([www.amnesty.org.uk](http://www.amnesty.org.uk)); [sarah.green@amnesty.org.uk](mailto:sarah.green@amnesty.org.uk);  
**Sarah Epstein, UNICEF UK** ([www.unicef.org.uk](http://www.unicef.org.uk)); [sarahe@unicef.org.uk](mailto:sarahe@unicef.org.uk) or **Christine Beddoe, ECPAT UK** ([www.ecpat.org.uk](http://www.ecpat.org.uk)); [ecpatuk@antislavery.org](mailto:ecpatuk@antislavery.org).

1. [www.coe.int/T/E/human\\_rights/trafficking](http://www.coe.int/T/E/human_rights/trafficking)
2. [www.poppyproject.org](http://www.poppyproject.org)
3. [www.unhchr.ch/html/menu3/b/m\\_mwctoc.htm](http://www.unhchr.ch/html/menu3/b/m_mwctoc.htm)

*Discarded/washed up clothing on a common migration and trafficking route between North Africa and Spain.*

## Do you have your passport?

In February 2006 the UK police and travel industry launched a joint campaign against sex trafficking - Operation Pentameter - in which police patrol major ports, handing out information and contact numbers for people who suspect they are being trafficked. It will be supported by a poster campaign asking questions - in a number of languages - such as: Do you have your passport? Do you know who you are meeting? Did you arrange your own travel?

Operation Pentameter is one of a number of measures in the UK to address trafficking for sexual exploitation. By contrast, even though trafficking people to the UK for forced labour is a criminal offence and a significant problem, there are no official measures being taken to help or protect those - including children - who have been trafficked in this way.

