

# action briefing

today's fight for tomorrow's freedom

## Trafficking in the UK

Government research shows that there are an estimated 4,000 victims of trafficking for sexual exploitation in the UK at any one time. The police identified 167 victims of trafficking, including 16 children, during Pentameter 2, a six month UK-wide operation to tackle trafficking for sexual exploitation which began in October 2007. Anti-Slavery International estimates a further thousand more men, women and children are trafficked for the purpose of forced labour at any one time. Our 2006 research documented trafficking across several major industries including agriculture, construction, food processing and packaging, nursing, hospitality, domestic work and the restaurant trade.

### Progress on tackling trafficking

All forms of human trafficking constitute a criminal offence in the UK and carry a maximum penalty of 14 years in prison. While there had been 86 convictions for trafficking for sexual exploitation up to May 2008, Anti-Slavery is aware of only a few successful prosecutions brought for trafficking for labour exploitation. On 17 December 2008, the UK ratified the Council of Europe *Convention on Action against Trafficking in Human Beings*, obliging the UK to provide minimum standards of protection and assistance to trafficked people, including access to compensation, and tougher action to prosecute traffickers.

### Access to compensation

Despite progress on tackling trafficking, compensation remains inaccessible for victims.

Compensation plays an important role in the recovery of a trafficked person, allowing them to recover from physical, emotional and financial losses. It also serves as a deterrent for traffickers used to compensate victims.



Karen Robinson/Panos Pictures

Jiera (19, Lithuanian) was a victim of human trafficking. "My life has been ruined by two men I thought were my friends. They trafficked me into prostitution when I was 17." She has taken refuge in drink and drugs.

Victims of trafficking have the right to compensation and there are four mechanisms in place in the UK for trafficked people to apply for compensation. These are criminal courts, civil courts, the national compensation fund, and in some cases at an employment tribunal.

It is extremely rare for a trafficked person to receive compensation. Anti-Slavery's review of 41 criminal court cases, resulting in 95 convictions, revealed that there had not been a single compensation order, even in cases where assets had been confiscated from the trafficker. To date, there have been only five known successful compensation awards through the national compensation fund (the Criminal Injuries Compensation Scheme) and only one successful civil suit on behalf of a trafficked person. These exceptions were only possible due to significant investment of resources by lawyers acting pro bono and support organisations.

Various obstacles prevent trafficked people from accessing compensation. Currently, compensation appears to be seen as a marginal issue by the Government and relevant bodies such as the police, prosecution and judiciary. It is not a key element of anti-trafficking policies and measures. Little guidance or training on compensation is provided for the police, prosecution or judiciary, who consequently have low awareness of the issue. Insufficient support and difficulties in accessing legal aid provide a further obstacle.

Undocumented workers, who may constitute a significant number of those trafficked for forced labour, experience particular obstacles as a result of their immigration status and find themselves essentially excluded from the protection of employment law.

### What is trafficking?

**Trafficking involves transporting people away from the communities in which they live, through the use of violence, deception or coercion, for the purpose of their exploitation. When children are trafficked, no violence, deception or coercion needs to be involved. Simply transporting them into exploitative conditions constitutes trafficking.**

**Because of its hidden nature, accurate statistics on the numbers involved across the world are hard to come by. The International Labour Organization (ILO) estimates that at any one time at least 2.4 million people have been trafficked and are being subjected to sexual or labour exploitation.**

## Stories of trafficked people: access to compensation

In July 2007, the first successful compensation awards were made to two young Romanian women. Both were trafficked to the UK and forced into prostitution. They suffered rape as well as physical and emotional abuse. After several years the women managed to escape their traffickers and found refuge at the Poppy Project. Both women were witnesses at the trial of their trafficker, who was subsequently convicted of rape and controlling prostitution and sentenced to 21 years imprisonment.

One of the women, trafficked at the age of 16, received £62,000 compensation, which included £22,000 for sexual abuse and £40,000 for lost earnings and opportunities. The other woman, who was 13 when she was trafficked, received £36,500 which included £16,500 for sexual abuse and £20,000 for lost opportunities.

During the first Pentameter police operation in 2006, £250,000 was seized from traffickers. The Home Office reported that the assets were transferred to the Treasury, with half of the money diverted back to law enforcement and prosecution bodies and the other half used by the Home Office for asset recovery and crime reduction projects. Police recovered more than £500,000 worth of cash from arrested offenders during Pentameter 2, and court orders are in place to seize further criminal assets. There is no sign that the Government will take any action to ensure that victims receive a portion of this money as compensation.

## What you can do about it

Please write politely worded letters to the Home Secretary Jacqui Smith MP

- Welcome the progress made by the Government so far in tackling human trafficking, particularly the recent ratification of the Council of Europe *Convention on Action against Trafficking in Human Beings*.
- Express your concern that although victims of trafficking have the right to compensation, and various compensation mechanisms are in existence in the UK, it is extremely rare for a trafficked person to receive compensation.
- State that compensation plays an important role in the recovery of a trafficked person and also serves as a deterrent for traffickers.
- Urge the Government to implement its Council of Europe Convention obligations on compensation for victims of trafficking. This would include mainstreaming compensation into anti-trafficking policy and practice; outlining concrete actions in the updated Action Plan on Trafficking to overcome the obstacles that prevent trafficked people from receiving compensation; and providing training and issuing guidance on compensation to the police, prosecution and judiciary. The Government should also ensure that sufficient support and legal aid assistance is available to trafficked people.

If you are in the UK, please also write to your Member of Parliament and ask them to write to the Home Secretary about this issue.

### Please write to:

Rt Hon Jacqui Smith MP  
Secretary of State for the Home Department  
The Home Office  
2 Marsham Street  
London SW1 4DP  
United Kingdom

Fax: +44 (0)20 7035 4745

Salutation: Dear Home Secretary

MP  
House of Commons  
London SW1A 0AA  
United Kingdom

Switchboard tel: +44 (0) 20 7219 3000

Email via the website: [www.theyworkforyou.com](http://www.theyworkforyou.com)

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If you require any further information please contact Kate Willingham, Campaigns Officer, on +44 (0)20 7501 8933 or email [k.willingham@antislavery.org](mailto:k.willingham@antislavery.org)