



UNDER THE COVERS

Trafficking for sexual
exploitation in Wales



Amnesty International
PROTECT THE HUMAN

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Under The Covers
Trafficking for Sexual Exploitation in Wales
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Introduction

IN THE UK the Abolition of the Slave Trade Act was passed on 25 March, 1807. Two hundred years later, there are still slaves in the UK. Sonya, a 25-year-old Ukrainian woman sold for £3,500, endured forced prostitution in the UK for more than two years. She is one of thousands of women who are trafficked into the UK for sexual slavery each year.

This brutal trade does not happen only in London: it is happening in communities across Wales, from Cardiff to Denbighshire to Anglesey.

Amnesty International estimates that there are hundreds of women in Wales who have been trafficked into the sex trade. They live in appalling conditions and suffer daily brutality.

Victims of trafficking in Wales, even if they manage to escape their captors, have few sources of support. In some cases, victims of trafficking in the UK have been treated as criminals, rather than as victims of a crime: detained as illegal immigrants before being repatriated without any counselling or support, back into the arms of the criminal gangs who trafficked them here.

Amnesty International's research suggests that Wales has a postcode lottery for access to advice, support and services. Some women found in Wales were rescued and provided with healthcare, counselling and secure accommodation – mostly outside Wales. Others have returned to the criminal gangs that brought them here, because no other option was available.

This report outlines evidence on the extent of trafficking into the sex trade in Wales, and suggests what can be done to help the victims.

In the UK the Abolition of the Slave Trade Act was passed on 25 March, 1807. Two hundred years later, there are still slaves in the UK.

Executive summary

HUMAN TRAFFICKING for the sex trade is a particularly brutal part of the wider criminal trade in people across international boundaries. It is a modern form of slavery whose victims suffer extreme violence and live in constant fear. When they are discovered by the authorities in this country, they are often treated as criminals.

Trafficking-related exploitation in the UK includes bonded labour, domestic servitude and forced marriage. This report focuses solely on trafficking for sexual exploitation, a particularly inhumane form of trafficking that evidence shows occurs in all parts of Wales.

Some 200,000 people are illegally trafficked into the European Union each year, the vast majority for the sex trade. There are some 4,000 victims of trafficking for sexual exploitation in the UK at any one time.

Action has been taken in the UK to tackle trafficking for sexual exploitation, and convictions have successfully been sought under the Sexual Offences Act 2003. A UK-wide police crackdown in 2006, Operation Pentameter, led to numerous arrests and found trafficked women in many locations across the country. As a result, the UK Human Trafficking Centre was established to coordinate further police activity. The Home Office published a UK Action Plan on trafficking in March 2007.

A single, Home Office-funded refuge in London provides secure accommodation for victims of trafficking; elsewhere a few local authority, multi-agency or non-governmental organisation (NGO) projects provide limited services for victims of trafficking.

In March 2007 the UK Government signed the Council of Europe Convention on Action against Trafficking in Human Beings. The convention aims to reduce trafficking by cracking down on the trafficking gangs, while providing support for

HUMAN TRAFFICKING

ACTION IN THE UK

AMNESTY RESEARCH

their victims. To implement the convention, the UK will have to develop new practices in victim support, and this has implications for the Welsh Assembly Government.

Chapter 4 describes the result of Amnesty International’s research into sex trafficking in Wales. Measuring the extent of this illegal trade is fraught with difficulty. Based on crime records, and interviews with police, outreach workers and other professionals with knowledge of the sex industry, it is possible to provide specific evidence of trafficking involving small numbers of women who have clearly suffered severely. The anecdotal evidence gleaned during interviews, however, suggests that the trade is sophisticated and extensive. For example, it is estimated that there are some 60 victims in Cardiff at any given time. The evidence also shows that the trade is not restricted to the cities of Wales, but persists in smaller communities across the country.

CONVENTION REQUIREMENTS

The convention is considered in more detail in Chapter 5. The articles of the convention provide key requirements for amending the regulatory framework for dealing with trafficked people, as well as minimum standards of service provision for victims. Requirements include an appropriate system to identify victims, decriminalisation of victims and a provision to delay repatriation in order to provide appropriate support and help increase conviction rates for traffickers.

WAY FORWARD FOR WALES

Chapter 6 focuses on elements of the convention that are likely to have implications for the Welsh Assembly Government. These include the provision of secure accommodation and support services for victims. Such services would include access to health care, interpreters, legal advice and counselling.

Elements of such provision are devolved, and similar provisions – those designed for victims of domestic abuse, for example – are currently provided by local authorities and multi-agency partnerships in Wales, with guidance and funding from the Assembly Government.

This report recommends that a refuge be established in Wales for women who have been trafficked for sexual exploitation.

Consistency in approach is required across Wales to ensure that appropriately trained staff provide appropriate services. The Welsh Assembly Government is best placed to ensure this. This report puts forward a number of options as a starting-point for such activity, but it is now for the Assembly Government to consider how best to respond to the new framework, and help ensure protection and support for victims of trafficking in Wales.



Louisiana, 20, Lithuanian © Karen Robinson/Panos

Human trafficking in the UK

TRAFFICKING IS modern day slave trading. It involves transporting people away from the communities they live in by the threat or use of violence, deception or coercion so that they can be exploited as enslaved workers. In the process they are deprived of their fundamental human rights in the most brutal manner.

The Council of Europe Convention on Action against Trafficking in Human Beings (ECAT) 2005 defines human trafficking as follows:

Trafficking in human beings' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the 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 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.¹

Trafficking takes many forms. Types of trafficking-related exploitation that take place in the UK include forced prostitution, forced labour, domestic servitude and forced marriage. All forms of trafficking involve some form of abuse and exploitation, ranging from retention of travel documents, debt bondage, and subjection to extremely poor working and living conditions, to psychological and physical abuse including threats, assault, sexual violence and rape.

Amnesty International is concerned about all forms of trafficking. We are campaigning around the world to promote international efforts to halt the trade and to end its inhumane treatment of vulnerable people.

This report focuses exclusively on the problem of trafficking for sexual exploitation in Wales. Amnesty International has direct evidence of the problem in Wales, with trafficked women found in all parts of the country. It is part of our broader campaign to Stop Violence Against Women and aims to influence policy development in Wales.

The extent of sex trafficking in the UK

By its very definition, trafficking is an underground business and therefore it is very difficult to gain accurate information about its scale in the UK.

The following statistics, however, are available:

- In 2000 the Home Office estimated that in one year, between 142 and 1,420 women are trafficked into the UK.
- By 2003, the UK government estimated that 4,000 victims of trafficking for prostitution were in the UK at any one time.²
- About 200,000 people are illegally brought into the EU each year, the vast majority of them for sexual exploitation.³
- A recent study documenting the physical and psychological health of 207 women trafficked across Europe found that 95 per cent of them reported physical or sexual violence.⁴
- Prostitution and the trafficking of women is the third highest 'black market' income-earner globally (after arms and drugs).⁵
- A UNICEF report in 2006 suggested that there are at any one time 5000 child sex workers in the UK, most of them trafficked here.⁶

Action in the UK

United Nations Trafficking Protocol, 2000

The UK Government has taken some steps to deal with the problem of human trafficking. It has signed and ratified the United Nations Trafficking Protocol, 2000, and has subsequently established a maximum penalty of 14 years' imprisonment for trafficking offences under the Sexual Offences Act, 2003. Four convictions under this legislation in Wales have highlighted the activities of criminal gangs.

'They said I am their property. I will be with them for the rest of my life – I'm not human, just something that can be bought ... I worked all day, maybe 12 hours ... seven days a week. I was forced to pretend I'm fine and like the job, otherwise I'd be beaten. I couldn't keep the money, not even tips which were paid to me by the clients. I was searched after every job. I was beaten on many occasions, very badly kicked and punched.'

– Sonya, from Ukraine

1. Council of Europe Convention on Action against Trafficking in Human Beings, 2005, Chapter I, article 3a.

2. Joint Committee for Human Rights, report on Human Trafficking 2005-6, Chapter 4, p28.

3. UK National Crime Squad.

4. Zimmerman, C. et al (2006) *Stolen smiles: a summary report on the physical and psychological health consequences of women and adolescents trafficked in Europe*.

5. UK Human Trafficking Centre.

6. UNICEF (2006c) Commercial sexual exploitation, London: UNICEF UK.

The POPPY project

The UK Government has worked with the charity Eaves to develop the POPPY Project in London. With Home Office funding, this refuge has 35 bed-spaces and provides accommodation for women who have been forced into prostitution after being trafficked. Once accepted into the project, they are allocated a social support worker and offered a range of services, including health assessment, medical treatment, legal advice and counselling.

Between March 2003 and January 2007, 584 women were referred to the project. This reflects the small proportion of women who manage to escape or are rescued, and qualify for assistance. Of these, 129 were accepted for accommodation and 33 received outreach services.⁷ Amnesty International understands that a small number of women found in Wales have been referred to this project.

The importance of this refuge should not be under-estimated. Many of the victims of trafficking found in the UK are officially seen as illegal immigrants, which makes it impossible for local authorities to provide accommodation through the established domestic violence refuge system.

Operation Pentameter

Operation Pentameter was the first police operation to focus exclusively on tackling human trafficking for the purposes of sexual exploitation. The operation was funded by the Home Office and managed through Reflex, a multi-agency taskforce established to tackle organised immigration crime. Launched in February 2006, it went on for three months. It involved all 55 police forces in England, Scotland, Wales, Ireland and the Channel Islands,⁸ as well as the UK Immigration Service and the newly-established Serious and Organised Crime Agency (SOCA). Non-governmental organisations, including the POPPY Project and Chaste, were also involved. The police raids conducted were consolidated by a national awareness campaign, which highlighted the plight of trafficking victims and encouraged any clients with information to come forward.

Operation Pentameter resulted in:

- 515 premises visited
- 188 women rescued
- 84 women and girls confirmed as trafficked victims (12 were minors aged 14-17)
- 232 people arrested
- 134 people charged to date.

Operation Pentameter demonstrated that trafficking for sexual exploitation is a real problem in the UK. As the Gold Commander for the operation, Dr Tim Brain, said, it had the effect of 'turning the stone' on the problem, revealing the distasteful details of what is happening in the UK. It also indicated that previous statistics vastly underestimated the problem. As the police themselves recognise, Operation Pentameter was merely the first step in the more proactive police response needed to deal with trafficking for the sex trade.

The UK Human Trafficking Centre

In October 2006, as a result of Operation Pentameter, the UK Human Trafficking Centre was established to plan and coordinate police work, intelligence, research and victim care activities. The Home Office is also devising a UK Action Plan on trafficking, which has been released for consultation and will be published in 2007.

The Council of Europe Convention on Action Against Trafficking in Human Beings, 2005

In March 2007, the Home Secretary signed the Council of Europe Convention on Action against Trafficking in Human Beings, 2005 (ECAT) on behalf of the UK. This broad-ranging treaty, explained in more detail in Chapter 5, aims to reduce trafficking by cracking down on the gangs who run the trade, while providing support for the victims of trafficking.

Members of Amnesty International in the UK have been campaigning for some time on this matter, and we very much welcome the UK's accession to the treaty as a positive step forward.

7. UK Human Trafficking Centre.

8. Pentameter official website, <http://www.pentameter.police.uk/>



Danielle, 18, Lithuanian © Karen Robinson/Panos

Now that the government has signed the convention, we are keen to ensure that the protective measures outlined in it are implemented as effectively as possible, and will lobby Westminster and Whitehall to ensure that the minimum measures it provides for are introduced.

In Wales, we would argue that the Welsh Assembly Government has a role to play in implementing one element of the convention: provision of support for victims of trafficking in Wales.

The regulatory framework for this is due to change because of the requirements of the convention, so the Assembly Government could develop a partnership with local authorities and relevant agencies in Wales to support victims of trafficking by providing sensitive and appropriate services.

In this report we describe how the Assembly Government could set the standard in the UK, by going beyond the minimum measures outlined in the convention to provide full protection and support for victims of trafficking.

Sex trafficking in Wales

IT IS EXTREMELY difficult to know the exact scale of human trafficking in Wales (and for the UK generally). However, it is known that trafficking for sexual exploitation does go on throughout Wales, with women from around the world bought and forced to work as prostitutes against their will. After conducting extensive research it is possible to estimate the scale of the problem.

This report is based on interviews and desk research. Those interviewed included police officers involved in Operation Pentameter in Wales, outreach workers who work directly with prostitutes in Wales, and officials from relevant service provision agencies.

- In the past two years, 18 women from overseas have been removed from brothels in Wales. Twelve of them have been confirmed as victims of trafficking.
- Since March 2003, five women found in Wales have been referred to the POPPY Project.
- The women found have been predominantly from the Far East, and aged between 18 and 40.
- It is estimated that there are currently about 60 trafficked women working in brothels in Cardiff.
- Since 2004, six people have been convicted of trafficking for sexual exploitation in Wales. The total number of convictions for both England and Wales is 54.

Although the numbers of trafficked women in Wales are lower than those in England, we estimate that in relation to the population of the two countries, they are equal in scale.

All four police forces in Wales participated in Operation Pentameter in spring 2006. Working closely with other police forces throughout the UK, they conducted several raids to remove victims of trafficking and arrest the men and women running the gangs that organise and profit from the sex-slave trade. To get a picture of the efforts to tackle trafficking for sexual exploitation, it is helpful to look in more detail at each of these force areas.

We have striven to be fully comprehensive in our research, but would be happy to hear from any organisations that we have not mentioned and that are providing assistance to trafficked women. This will help to build a thorough picture of provision.

Gwent Police Area

In Newport, Gwent Police have been running their own operation, codenamed 'Barbara'. Working alongside immigration officials, health agencies and the charity 'Women in Need', they aimed to research the sex industry in the city and establish relationships with brothels, pimps and sex workers. They hoped this would enable them to monitor the industry in Newport and to provide information and employment offering women routes out of prostitution, as well as to take appropriate action whenever they came across anyone they believed to have been trafficked.

During this operation, the police visited every off-street premises being used for prostitution, including brothels and private flats. Of the 15 premises operating, the police found that at least three were involved in trafficking. Over the past two years, seven victims of trafficking have been found in these premises.

The women found were all of Far Eastern origin, aged between 20 and 40, and had been brought into the country illegally. Although there was no evidence of physical violence, they were described as 'confused and terrified'.

Once identified as victims of trafficking, women are removed in targeted raids and taken to police stations for questioning. The Gwent police reassure them that they are not being arrested or charged with any crime, and ensure that interpreters are always present. After questioning, the women are placed in accommodation. However, because of the shortage of refuges or safe houses specifically for trafficked victims, the accommodation normally consists of hotel rooms around the city.

Most of the women stayed in the hotels for an average of two nights. Two of them

were transferred to the POPPY project in London when space became available. The others went back to working as prostitutes in Newport. Although the police continue to monitor them, they remain extremely vulnerable to any traffickers working in the city.

A small local charity based in Newport, Women in Need, works with prostitutes in the city. Its staff are mainly volunteers, who regularly meet women working in the sex trade and help them access health services.

There are no drop-in clinics or other specialist health services, and approaches to the local health board have been fruitless so far.

Lessons learned in Gwent

Using a partnership model, Gwent Police have built relationships with many of the sex workers in Newport, ensuring that they learn more about any active criminal elements. Gwent Police, however, acknowledge that the trafficked sex trade is difficult to monitor. The gang leaders generally rotate women every 20-25 days, making it hard for the police to act quickly enough to rescue the women. This tactic of rotation is deliberately adopted by the gang masters and relies on a web of criminal networks operating throughout the UK.

South Wales Police Area

There have been several cases of human trafficking in the South Wales Police region. In November 2005 when two Albanian nationals – one a student at Pontypridd College – were found guilty of trafficking for sexual exploitation and controlling a prostitute for gain. In January 2005 they had travelled to London to view and buy a 20-year-old Lithuanian woman for the purposes of prostitution. After paying just £5,000, they brought her back to Cardiff, where she was forced to work in massage parlours on Whitchurch Road, Bute Street and Woodville Road. She was kept in a flat on Crwys Road and forced to see a minimum of seven clients a day.

She was routinely threatened by the two men, who told her that if she tried to run away they would track her down and kill her. She was kept in ‘debt bondage’, forced to give half of her weekly wage over to pay back debts incurred by her entry to the UK.

After being rescued by South Wales Police, she was placed in a safe house and later gave evidence against her traffickers. At a later date she was transferred to the POPPY project refuge, where she was able to study and enrol in a college.

South Wales Police conducted raids throughout 2006 as part of Operation Pentameter. In March 2006, they visited several premises in Cardiff, Bridgend, and Swansea and arrested nine people, of whom two were charged with running a brothel.

Following a separate raid on a house in Cathays, Cardiff, two trafficked women were found and a woman of Thai origin was charged with trafficking and controlling prostitution. She was convicted of a lesser charge and received a suspended sentence.

In February 2007, another two Albanian men were convicted of trafficking for sexual exploitation. It was discovered that these men had been involved in bringing four Lithuanian women into the country and then prostituting them. After promising the women jobs in hotels, they collected them from Gatwick and brought them to work in brothels in Cardiff and Birmingham. The women, all in their early 20s, were forced to see up to 10 clients a day and to hand over all their earnings to their traffickers.

The Cardiff and Vale NHS Trust operates a support service for workers in the sex trade in Cardiff, with an outreach worker responsible for building relationships and offering advice to the women who work as prostitutes. This has led to good understanding of the trade and the issues facing local women, as well as those trafficked to South Wales. Such practitioners are perhaps the best placed to estimate the extent of sex trafficking. Their current estimate is that some 60 women who have been trafficked are working in the sex trade in Cardiff.

Four women have been referred to the Black Association of Women Step Out (BAWSO – a voluntary organisation providing specialist services to ethnic minority women fleeing domestic violence) which provides refuge for domestic violence victims from black and ethnic minority communities. BAWSO has expressed concern about the growing number of trafficking gangs active in Wales.

Lessons learned in South Wales

Evidence suggests that there is a higher concentration of trafficked women in the

CASE STUDY Newport

In January 2007, Gwent Police found a woman of Chinese origin in her twenties who had been trafficked. Working as a prostitute in the Caerau Road area of Newport, she was being held in ‘debt bondage’. The gang responsible for bringing her into the country illegally maintained their control by forcing her to pay back the cost of her travel to Wales. Any money that she earned from her clients would be handed over to her traffickers until it was deemed that she had paid back the debt.

This is a common means of control in trafficking cases and, accompanied by threats of violence, can be an extremely effective way of controlling a victim.

She was removed from the brothel and taken to a hotel where she was offered medical services. However, when she refused these services she was referred to immigration officials. Because China refuses to allow any individual to enter the country without a passport, she cannot return to China and has since been released. Her whereabouts are currently unknown.

CASE STUDY Tanya, Cardiff

One 18 year-old Lithuanian girl ended up working as a prostitute in Cardiff after being promised a new life as a waitress in a hotel.

Tanya, not her real name, agreed to travel to work in the UK, but instead was sold into sex slavery by the police officer in her local village. She was then trafficked into the UK and sold to her new owners in London. They took her to Cardiff and gang-raped her to prepare her for her new job.

Beaten every day, she was also forced to dance naked on tables for customers. She was burned with cigarettes and threatened that if she went to the police her family would be harmed.

Tanya was extremely frightened and would not tell local health officers any details of her story for fear of retribution from her new owners. She was scared to go to the police because she distrusted them more than her traffickers. Her only comment was to tell how her traffickers 'sell me like a dog'. Too scared to visit her local health clinic, she received no treatment for her injuries.

Tanya managed to save some money from her clients which her traffickers did not know about. The owner of a massage parlour helped her to escape and board a flight home.

It is not known what happened to Tanya, but it is known that women who return home can remain vulnerable to re-trafficking, often reappearing in the UK after only a matter of weeks.

South Wales Police area, particularly in Cardiff. The police have seen an increase in this activity in the area, and are making efforts to monitor the situation, which is difficult because the gangs operate sophisticated UK-wide networks.

North Wales Police Area

Throughout March and April 2006, North Wales Police conducted several raids on brothels. In March, following a raid on a brothel in the Ewloe area, three people – two men and one woman – were arrested on suspicion of immigration offences, trafficking for sexual exploitation and management of a brothel. After being questioned, however, all were released without charge.

On 25 April 2006, as part of Operation Pentameter, more than 40 police officers searched a number of properties in Rhuddlan (Denbighshire), Penmaenmawr (Conwy), Cemaes Bay (Anglesey), Llanrhuddlad (Anglesey) and Colwyn Bay (Conwy). Six people were arrested, but were released pending further inquiries.

Three 18-year-old women, from China, Malaysia and Namibia, were found to be working as prostitutes. All three were taken to covert police premises. They were told that they were not under arrest and were offered food, clothes, translators, health checks and a referral to social services. North Wales Police released a statement:

'The operation was a success. Trafficking and sexual exploitation of individuals is not acceptable and we will take positive action against individuals who engage in such activities. Our main priority is to recover and assist the three victims who are now safely in our care.'⁹

However, the women refused the services offered and they were released after about 10 hours. It is not known where they went or whether they are still working as prostitutes. The women had told the police that they believed they had not been trafficked.

Lessons learned from North Wales

Clearly North Wales Police were attempting to help the women in this case. Identifying the victims of trafficking can be very difficult, and service provision for those seen as illegal immigrants is fraught with regulatory complexity. Traffickers often control their victims by threatening both them and their families with violent reprisals should they go to the police. Moreover, victims often originate from countries where the police are corrupt and cannot be trusted. These fears greatly influence the behaviour and statements of victims, even after they have been removed from the traffickers' control.

Recent guidelines provided by the UK Human Trafficking Centre acknowledge that officers should not expect victims to disclose that they have been trafficked. The case of the three 18-year olds suggests that improved training, a clearer understanding of victim identification and the comprehensive implementation of national guidelines can help ensure that victims receive support. The next chapter provides more details on the identification of victims.

Our research in North Wales, however, has led to a further concern that North Wales Police may not be fully aware of the extent of trafficking in their force area. Their monitoring and relationship-building may not be as well-developed as in other areas.

Dyfed-Powys Police Area

At this stage, Dyfed Powys Police report that they have not experienced trafficking for sexual exploitation in their force area. Although the force was involved in Operation Pentameter, the sex trade in this area is not thought to be substantial. It appears that the pattern in North Wales, where small numbers of trafficked women have been found in small communities, has not been replicated in Mid- and West Wales.

However, officers have not ruled out the existence of trafficking, but acknowledge that they have little intelligence on it. They are confident that sophisticated gangs operating in some parts of Wales are unlikely to be active in the Dyfed Powys area, but believe that limited organised prostitution exists.

There are concerns about other forms of trafficking, in particular, debt bondage and trafficking for agricultural, processing and other low-wage industries.

A senior officer said that the force's Public Protection Unit, which deals with sensitive crimes such as this, would be engaged in any future activity, and that victims would be dealt with as victims.

9. North Wales Police at <http://www.north-wales.police.uk/en/news/latest.asp?id=56>

The European Convention on Human Trafficking

ON 23 MARCH 2007, John Reid, the Home Secretary, signed the Council of Europe Convention on Action against Trafficking in Human Beings, 2005. Previously, ministers had hesitated to sign the convention for fear it would encourage ‘fraudulent claims of trafficking victim status’.¹⁰ However, 29 other European countries have signed the convention and experience in these countries, which showed no resulting ‘pull’ factor, probably played a part in the UK’s welcome change in position.

The convention is important because it represents a significant advance on previous international instruments. It is the first treaty to provide minimum standards for the protection and support of victims. It also recognises trafficking as a human rights violation and an offence to human dignity and integrity.

Implementation of the convention

The convention has a threefold focus:

1. To prevent and combat trafficking
2. To promote international police cooperation on action against trafficking
3. To protect the human rights of the victims of trafficking.

The key articles of the convention are summarised below, along with recommendations from Amnesty International to the UK government, and to devolved administrations, with regard to implementation.

Identification

Article 10 of the convention requires:

- Trained officials to identify and help victims, including referring them to support organisations and issuing them with residence permits where eligible.
- If there is reasonable suspicion that a person has been trafficked, they should not be removed until the identification process is complete and should receive appropriate support and accommodation in the meantime.

Correct identification and referral to the appropriate support services lie at the heart of any system to protect trafficking victims. Victims who are not identified are often treated as illegal entrants or criminals, and their subsequent treatment by the authorities can compound the trauma they have suffered.

Amnesty International recommends that the UK government adopts a UK-wide system of mandatory procedures for the identification and referral of victims. The Organisation for Security and Co-operation in Europe (OSCE) has published a report on this subject, providing recommendations and practical guidelines for developing national identification and referral systems.¹¹

Support and accommodation

Article 12 of the convention requires member states to provide such measures as may be necessary ‘to assist victims in their physical, psychological and social recovery’. As a minimum these should include:

- standards of living necessary for subsistence including appropriate and secure accommodation
- psychological and material assistance
- access to emergency medical treatment
- information on rights
- access to interpreting and translation
- legal advice and access to education for children.

The explanatory report to the convention notes that protected shelters are suitable for trafficking victims as they provide 24-hour care, stability and security, particularly in cases where traffickers may try to regain control. The report states that immigration detention centres are never suitable for children.

10. Joint Committee for Human Rights report on Human Trafficking 2005-6, Chapter Six, p85.

11. OSCE, Office for Democratic Institutions and Human Rights (2004) National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook, see www.osce.org/publications/odihr/2004/05/12351_131_en.pdf

Practitioners who support victims of trafficking have found the mental and physical health of the victims is often precarious. In the initial weeks after leaving a trafficking situation, victims are also extremely vulnerable to being found by or returning to traffickers. Many victims (in particular those who have been subjected to sexual and physical violence) have complex mental and physical needs and also require specialist advice on employment and immigration rights.

The 35-bed POPPY Project is currently the only Home Office-funded refuge specifically for women who have been trafficked into sexual exploitation. There are no similar projects for children or adults who have been subjected to labour exploitation, even if they have suffered physical and sexual violence (a particular risk for domestic workers).

In Glasgow, the TARA project provides some specialist refuge. It has a multi-agency approach, working with housing departments, health bodies, organisations that work with women in the sex trade, the police and the Home Office. The accommodation and services are funded by Glasgow City Council, with the two members of staff funded by the Scottish Executive.

Amnesty International has found examples of best practice in the domestic violence refuge sector and an excellent support project run by the NSPCC in east London for girls and young women who have been trafficked into domestic servitude and sexual exploitation.

Amnesty International recommends that the UK government and devolved administrations should ensure that:

- All victims of trafficking receive access to appropriate, safe and secure accommodation with 24-hour help available.
- All victims of trafficking be supported by staff trained to work with victims of violence against women, or who are experts in child protection.
- All providers of support and services be screened through a Home Office or devolved administration accredited scheme, must comply with UK-wide minimum standards of care provision for trafficked victims and must be subject to continued monitoring.
- The detention of vulnerable people, including those suspected of being trafficked or who have been trafficked, is prohibited.

Reflection periods

Article 13 of the convention requires member states to provide a minimum of 30 days for reflection and recovery where there are 'reasonable grounds' to believe that the person is a victim. The victim is entitled to all the support set out in Article 12 for the reflection period.

In its explanatory report the Council of Europe states that the purpose of the reflection period is to enable victims to recover physically and psychologically, escape from the influence of traffickers, and make an informed decision about whether they wish to cooperate with the authorities. The duration of the reflection period must be compatible with this purpose.

CASE STUDY Italy

Italy is considered a good example of a victim-centred response to human trafficking, and its measures and policies have been carefully studied by the Joint Committee for Human Rights.

In 1998, Italy adopted its first anti-trafficking legislation, which provided victims of trafficking who cooperate with the authorities with the right to a six-month residence permit and social protection. In Rome, the Roxanne project was set up to fund four outreach teams to contact women on the streets, to provide sheltered accommodation for those who had escaped prostitution after being trafficked and to provide legal and social counselling.

Over time it seems that these residence permits and extensive support measures have helped to raise the

number of arrests and prosecutions for human trafficking offences by making victims more willing to cooperate with local authorities. Seeking to protect the human rights of the women involved has helped them feel safe from harm and encouraged them to cooperate in the judicial process.

In 2006, the Italian police launched Operation Spartacus. Seventeen raids were conducted throughout the country, resulting in the arrest of 780 individuals. Police discovered that of the 70,000 prostitutes working in Italy, 90 per cent are foreign nationals and one-fifth are minors.

Police found that many of the women were persuaded to go to Italy after being promised work. Many of them had been sold by their families who, in abject poverty, had accepted as little as 200 Euros (£130) for their daughters.

There is persuasive evidence that trafficking victims who have been subjected to sexual exploitation or sexual violence within forced prostitution or domestic labour may need up to three months to recover from physical and mental trauma, and reach a stage where they can make informed decisions about their future and whether to cooperate with the authorities. Researchers at the London School of Hygiene and Tropical Medicine found that it took up to three months for the majority of victims to experience a significant improvement in their mental health and that the psychological reactions were severe: comparable to or worse than symptoms recorded for torture victims.¹²

The call for a three-month reflection period is led by the UK Parliament's Joint Committee for Human Rights and the Parliamentary Assembly of the Council of Europe and is supported by numerous practitioners interviewed by Amnesty International. The Netherlands already offers victims such a reflection period. Amnesty International recommends that the UK government provide trafficking victims with a three-month reflection period, in line with best practice based on research evidence.

Residence permits

Article 14 of the convention requires Council of Europe member states to issue renewable residence permits to victims where they need to stay in a country either because of their personal circumstances or to cooperate with a criminal investigation or prosecution.

Residence permits for children should be issued in accordance with the best interests of the child and where appropriate renewed under the same conditions.

The convention does not specify a time period, but its explanatory notes state that the permit must be renewable and mention that the EU directive on short-term residence permits for trafficked people provides for six-month residence permits.¹³ On issuing a permit on the basis of personal circumstances, the explanatory notes set out the factors that should be taken into account including a victim's safety, state of health, family situation or other factors.

The Joint Committee of Human Rights visited officials in Italy as part of its inquiry into human trafficking in 2006. It found that Italy's provision of six-month residence permits had contributed to high arrest and prosecution rates of traffickers, because victims were given the time and support they needed to make informed decisions.

Amnesty International believes that residence permits should not be granted only to victims who cooperate with the authorities. Currently, victims who give evidence have no guarantee that they will be granted the right to remain in the UK even if their cooperation places them and their families at increased risk of retaliation and harm from traffickers. Some victims may never be in a position to cooperate with the authorities, owing to trauma and fear of reprisals. Trafficking victims should be treated primarily as victims of crime and the UK government should have the option of granting residence permits where the physical, mental health and security needs of the victim require an extended stay in the UK beyond the reflection period.

12. Zimmerman, C et al (2006) *Stolen smiles: a summary report on the physical and psychological health consequences of women and adolescents trafficked in Europe*.

13. Council Directive 2004/81/EC

Once in Italy, the women were quickly coerced into prostitution. They earned on average 5,000 Euros (£3,330) a month, but were forced to hand all of it over to their traffickers, who often beat and raped them. One 16-year-old Romanian girl, Maria, said that she had been sold by her parents and taken to Rome, where she was 'treated like an animal'. Her captors took away her passport and mobile phone and put her to work. She said she tried to run away, but was recaptured and beaten up. After several attempts, she eventually escaped and went to the police. Several of the women had similar stories.

The Italian police achieved such a high number of arrests as a result of their close collaboration with 45 victims of trafficking. These women had all been brought into Italy to

work as prostitutes, but managed to escape and contact the police. After receiving residence permits and 24-hour protection, they were able to aid the investigations.

This example shows that supporting victims of trafficking has two clear benefits. First, it ensures the safety of victims by providing for their needs once they have managed to escape. If women know they will be treated sympathetically by the police, as victims and not criminals or illegal immigrants, they will be more inclined to turn to them if they do escape. This contributes to the second benefit of increased arrests and prosecutions.

Non-punishment

Article 26 of the convention requires each member state, 'in accordance with the basic legal principles of its legal system, to provide for the possibility of not imposing penalties on victims for their involvement in unlawful activities to the extent that they have been compelled to do so'.

Owing to their uncertain immigration status, many victims of trafficking may have inadvertently broken the law, either at the time of entry into the UK, by working illegally or through being in possession of false documentation or no documentation. Such victims will be liable to prosecution and detention in police or immigration custody. The threat of criminalisation increases the coercive power of traffickers, who are known to deter victims from contacting the authorities by telling them that they will be treated as criminals and risk imprisonment if they go to the police for help. It will also make prosecution of traffickers more difficult, because victims will be reluctant to cooperate with the authorities for fear of exposing themselves to the risk of prosecution. Crown Prosecution Service guidance recommends that women trafficked into prostitution should not be prosecuted for possession of false documents.

Amnesty International recommends that the Crown Prosecution Service should expand its guidance on non-prosecution, to cover all victims of trafficking, and offences relating to documentation and working illegally.



Egle, 23, Lithuanian © Karen Robinson/Panos

Implications for the Welsh Assembly Government

ALTHOUGH THE problem of human trafficking for sexual exploitation is a UK-wide phenomenon, Amnesty International believes that specific requirements under the convention fall within the remit of the Assembly Government.

Clearly, the criminal justice system and the prevention of trafficking are a retained responsibility, and support for the victims of crime is generally a Home Office issue. However, the Welsh Assembly Government's direct responsibility for community safety and indirect role in overseeing local authority provision, give it responsibility in the provision of support for the victims of trafficking.

Through this responsibility, the Welsh Assembly Government, working with local authorities and other agencies, has taken a strong lead on the provision of secure accommodation and services for the victims of domestic violence and sexual assault. Edwina Hart, the minister responsible for community safety until May 2004, identified the need to develop the All-Wales Domestic Abuse Strategy into a more integrated strategy designed to address all forms of violence against women.

Amnesty International welcomes this clear support for tackling violence against women, and further welcomes the opportunity to help inform future work to ensure that victims of trafficking in Wales are protected and supported. We further welcome the focus on working in partnership, a necessity if these women are to receive the support they require.

Now that the Convention is to be implemented in the UK, the regulatory framework for the provision of accommodation and services in Wales is likely to change. This is primarily because a number of women in Wales have been unable to access the current provision because of their immigration status. Of course, this problem also affects women in the UK who have not been trafficked, but whose immigration status denies them recourse to public funds. Nevertheless, Amnesty International would argue that specialist training and specifically targeted services are required for victims of trafficking for sexual exploitation.

Accommodation

The UK's provision for victims of trafficking is inadequate. The Home Office-funded POPPY Project is the only refuge specifically for trafficked women in the UK and has only 35 beds. The criteria for admission are so restrictive that they exclude all minors, domestic workers, women who escaped prostitution more than 30 days before referral and those who do not wish, or feel unable, to cooperate with the UK authorities.

The lack of sufficient specialist accommodation and support services for victims means that many women and girls could be placed in inappropriate or unsafe accommodation, often without access to support services. This results in a deterioration of the health and well-being of victims, whose physical and psychological health has already been severely compromised. It also leaves them vulnerable to reprisals from traffickers.

Although the number of police raids on the sex trade has increased recently, the capacity of appropriate accommodation has not grown accordingly. A spokesperson from Reflex, the UK government's multi-agency response to organised immigration crime, says police have had to turn to local churches and other organisations for immediate help with housing victims following anti-trafficking raids. A senior officer from CO14 (the Metropolitan Police unit dealing with prostitution) expressed concern:

If we do a job where we find 20 women – perhaps only two or three will want to cooperate with us – and out of these three we might get one into POPPY. We will always try and refer women to POPPY and Praed Street.¹⁴ But if we do anything large-scale we don't have anywhere to place them. They might have to stay with immigration – and that's not right.¹⁵

14. The Haven, based in Praed Street, London, is a Sexual Assault Referral Centre where victims of sexual assault can receive medical care and counselling.

15. Amnesty International UK, Submission to the JCHR Inquiry into Human Trafficking, February 2006, p14.

The Joint Committee for Humans Rights report clearly states that:

... similar projects [to the POPPY Project] need to be established in other cities. We believe there is clearly insufficient capacity in the system to provide shelter and specialist support services for the women who need them, and we urge that capacity be expanded as a matter of priority.¹⁶

The implementation of the Convention, with the introduction of reflection periods, decriminalisation and temporary residence permits, is likely to increase the demand for specialist secure accommodation, as fewer victims will be detained within the immigration system or immediately repatriated.

In Wales, the domestic violence refuge system is funded in large part by the Welsh Assembly Government's Supporting People Grant and delivered, though with clear variation, by local authorities and non-governmental organisations (NGOs). There are UK examples of excellent practice by local authorities, such as Glasgow City Council (see page **) which has established an Inter Agency Working Group with two existing projects set up to help women exit prostitution, to extend their services to victims of trafficking.¹⁷ In Wales, it may be unlikely that any one local authority will step in to fund such a refuge. Amnesty International believes that the Welsh Assembly Government is in the best position to provide the leadership, policy guidelines and funding to tackle this lack of appropriate accommodation.

A refuge in Wales for the victims of trafficking should provide appropriate and secure accommodation, with 24-hour assistance. Such a refuge should be managed by trained specialist staff who understand the complex needs of the victims.

Providing a new service will cost money. BAWSO and Cardiff Women's Aid suggest the cost of supporting a victim of domestic violence is between £13,000 and £15,000 a year. However, they say that the provision of this support saves up to five times that amount in terms of the health, social services and criminal justice expenditure if victims are not supported.

16. Joint Committee for Human Rights, report on Human Trafficking 2005-6, Chapter 2, p52.

17. Glasgow Inter Agency Trafficking Working Group Response (2006) *Tackling Human trafficking – Consultation on Proposals for a UK Action Plan*.



Sheila, 20, Ugandan © Karen Robinson/Panos

The Welsh Assembly Government has taken note of the concerns of a number of organisations on this issue, and has set aside some funding to plug some gaps in provision to address violence against women. In a recent paper to the Social Justice and Regeneration Committee, Edwina Hart, the Minister for Social Justice and regeneration, noted that her future plans in this area included:

To increase the level of support for the delivery of the Strategy additional Assembly funding of £1.5m per annum is being made available from April 2007. It is envisaged that this funding will be used to develop some specialist refuge provision especially for women fleeing prostitution including trafficked women. Other gaps in service likely to be supported include a black and minority ethnic outreach service in North Wales, more support for children in refuges, services for men and more non-statutory perpetrator programmes. The Committee will be kept informed about these developments.

This extra funding is to be welcomed, as it demonstrates intent on the part of the Assembly Government to tackle the issue. The next stage is to fully cost the provision required and ensure that funding is adequate, and that the extra funding is not stretched too thinly across the competing priorities outlined.

Following the election in May 2004, Andrew Davies has responsibility for Community Safety as Minister for Social Justice and Public Service Delivery. At this stage, indications are that such support will continue, and the Minister has agreed to meet Amnesty International to discuss the broader issue.

Support services

Police forces and other agencies in Wales do provide some support services to victims of trafficking. It is important, however, to develop a national framework to ensure that any official in an organisation that may come across trafficked women knows what services are available. This will be vital following the additional provision required to implement the convention. Consistency of service across Wales is very important, and the Welsh Assembly Government has a clear role to play here.

The followings services should always be made available to victims:

- health care
- adequate interpreting and translation
- legal advice and information on rights
- counselling
- education for children

Providing such services requires a high degree of cooperation between national and local service providers. Multi-agency partnerships should be established to ensure that all relevant agencies work together to provide these services in a consistent and efficient way.

A good example of practice in this area already exists. Cardiff Council has initiated a multi-agency group in its efforts to prepare a protocol to deal with child trafficking. The partners include lead officers from the police Child Protection Team, schools and lifelong learning, health, immigration, the National Asylum Support Service, social work services and relevant voluntary organisations. Such a diverse membership ensures that the identification of a child victim is swift and that all aspects of a child's care are considered and catered for.

A similar multi-agency group is needed to discuss identification and service provision for adult victims. In this way, the expertise of all relevant agencies could be used to build an appropriate and effective procedure to respond to cases of trafficking for sexual exploitation.

The Welsh Assembly Government, through multi-agency partnerships, should help to develop a protocol that can be adopted throughout Wales to deliver a consistent and high level of response to any cases of trafficking.

The coordination of these services could be the result of extending the work of current child trafficking partnerships to include adult victims, and to include all areas in Wales. Alternatively, the way forward may be to extend the scope of current work dealing with prostitution in various parts of Wales may be the way forward. A third option is to extend the scope of the five Sexual Assault Referral Centres. Whichever option is chosen, new investment in capacity, and specialist expertise and training in issues relating to trafficking for sexual exploitation, will be required.

Conclusion

THERE IS EVIDENCE of a significant level of human trafficking for sexual exploitation in Wales. Trafficking victims have been found in cities and in small communities across Wales, and their experiences have included a level of brutality that is shocking.

Attempts have been made by police forces to crack down on trafficking gangs, and some victims have been offered a range of support services. The consistency of service provision could be improved.

Now that the UK Government has signed the Council of Europe Convention on Action against Trafficking in Human Beings, there is an excellent opportunity to look again at the way in which victims of this trade are treated in Wales.

Given that the regulatory framework will change, the need for secure accommodation and support services in Wales is likely to rise significantly. Clearly, as responsibility for criminal justice is retained by Westminster, the Home Office will take a lead on implementation of the convention. Amnesty International argues, however, that the Welsh Assembly Government has responsibility to deliver support services for victims of trafficking in Wales. We also argue that the Assembly Government is best placed to drive through a multi-agency approach, and to provide Wales-wide guidelines and minimum standards of service. The Assembly Government can ensure that all relevant agencies are aware of the problem of trafficking for sexual exploitation and have a clear understanding of how to respond to individual cases. It can build the relationships between different service providers needed to provide a high level of support and protection to victims.

The willingness of the previous Assembly Government to set aside some funding for this issue is to be welcomed, although Amnesty International will continue to campaign to ensure that adequate funding is provided annually.

A proactive, victim-centred response not only helps to care for the victims of trafficking, but also to raise the level of arrests and prosecutions. In this way, the extent of the problem in Wales can be monitored and further steps taken to prevent its increase.

Amnesty International will continue to campaign for improved services for the victims of sex trafficking, and we hope that our research can assist in policy development in Wales.