

Council of Europe Convention on Human Trafficking

Summary

Trafficking is an abhorrent crime. It can be defined as the action of recruitment, movement or receipt of a person by coercion or deception for the purpose of exploitation, such as prostitution, slavery or forced labour.

The Government is committed to identifying and supporting victims of all forms of human trafficking - men, women and children. It is also determined to bring to justice the criminals responsible and to make the UK a hostile environment for any form of human trafficking. Ratification on 17 December 2008 of the Council of Europe Convention on trafficking against trafficking in human beings is evidence of that commitment.

The Convention will enter into force in the UK on 1 April 2009. Its purpose is to: prevent and combat trafficking in human beings; to identify and protect victims of trafficking and to safeguard their rights; and to promote international co-operation against trafficking.

The UK was largely compliant with the Convention prior to ratification. A limited number of legislative, policy and procedural changes have been made to enhance existing arrangements, some of which now go beyond the requirements of the Convention.

National Referral Mechanism

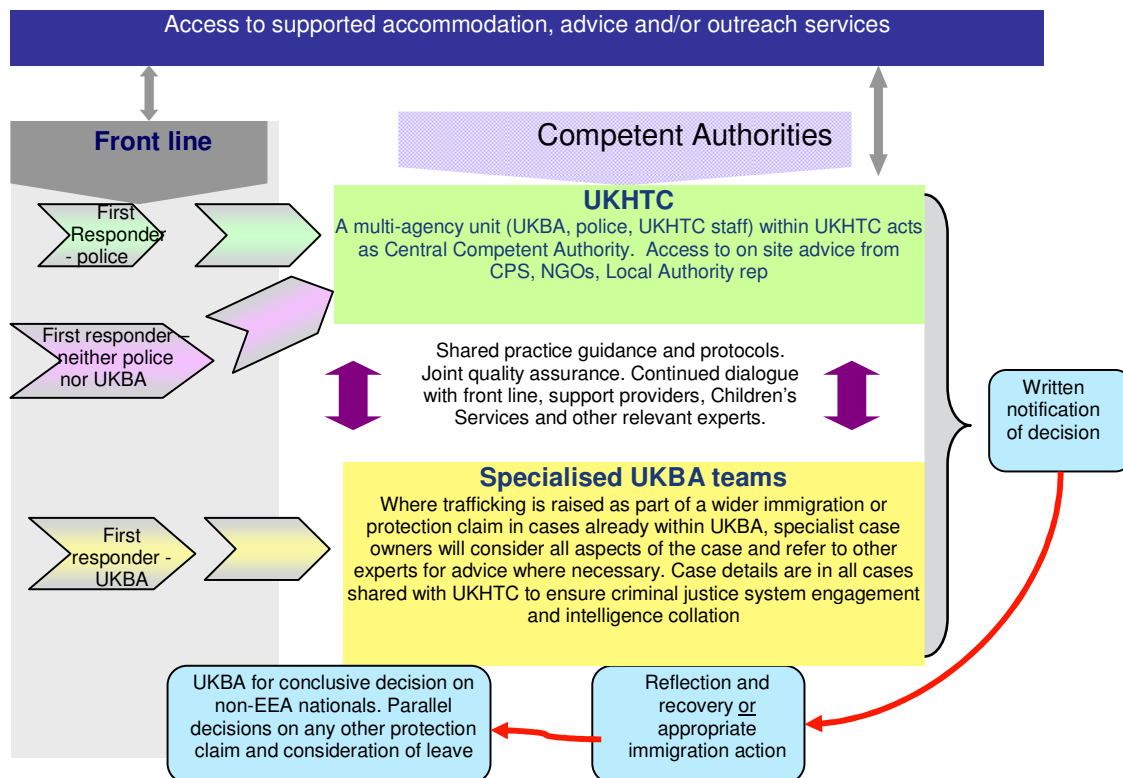
Some victims of human trafficking may be particularly vulnerable and there are often barriers to them seeking help and reporting a crime. There is therefore an onus on front-line agencies to identify potential victims and help them access services.

From 1 April 2009 a National Referral Mechanism will provide a framework within which public bodies such as the criminal justice agencies, UKBA, local authorities and third sector partners can work together to identify individuals who may be victims of trafficking and provide appropriate protection and support. Front-line professionals will refer individuals who they think may be evidencing signs of being a victim of human trafficking to designated 'Competent Authorities' who will work with partners to make an assessment. There is:

- A central multi-agency Competent Authority based in the UK Human Trafficking Centre (UKHTC); and
- Linked but separate Competent Authorities in UKBA to assess cases where trafficking is raised as part of an asylum claim or in the context of another immigration process.

Front line staff in any public body such as the police and local authorities and government funded third sector service providers should refer possible victims of trafficking to the Competent Authority based in the UKHTC - **0114 252 3891** using an agreed format (initial target referral time is 48 hours). Where UKBA identify a potential victim the case will be assessed by designated specialist staff within a UKBA Competent Authority, which will also work with other relevant partners.

NATIONAL REFERRAL MECHANISM



Reporting a crime

If someone is in immediate danger or you wish to report a serious crime you should contact the Police by dialling **999** for an immediate response or contact your local police station. Alternatively you can contact Crimestoppers on **0800 555 111** and give information, this can be done anonymously and you may be able to claim a reward.

Immigration Enquiries should be directed to **0870 606 7766**.

Information on protection and Support for victims of human trafficking

The Government has put in place comprehensive measures for victims of crime including: A Victims Code of Practice (setting out minimum standards that victims can expect from the criminal justice agencies; Victim Personal Statements (to ensure that victims have a voice in the criminal justice system); access to compensation; and special measures to help victims give evidence. Partnerships are also in place with a range of Third Sector organisations including Victim Support to ensure that victims can access services to meet their practical and emotional needs

Adults

Additional funding has been invested into specialist services for victims of human trafficking through the Poppy project www.eaves4women.co.uk and the UK Human Trafficking Centre. This includes: supported accommodation; advocacy workers, living expenses; access to counselling; support through the criminal justice process; access to independent legal advice (where required); and help with resettlement. Additional support for adult victims of trafficking for forced labour is available through the UKHTC.

Children

Local Authority Children Services remain responsible for assessing and providing for the needs of all vulnerable children, including victims of trafficking. Under the co-ordination of Local Safeguarding Children Boards local authorities and partners will work very closely with Competent Authorities to ensure all relevant information is considered before any decisions are made on whether a child is a victim of trafficking.

Recovery/Reflection Periods and Residence Permits

Where a Competent Authority finds 'reasonable grounds' to believe someone is a victim of trafficking they will be granted a 45 day extendable recovery and reflection period during which time the victim can access accommodation and support and will not be removed from the country. This period may run in parallel with consideration of separate or linked immigration and asylum issues. Before the end of the reflection period a 'conclusive' decision or a decision to extend the recovery period will be made by the Competent Authority.

Before the end of a reflection period victims may be granted a renewable residence permit, a minimum of one year in duration, on one of two grounds: participation with a criminal investigation or due to their personal circumstances. Many victims of trafficking want to go home at the earliest opportunity. For them and for other foreign national victims who do not qualify for a residence permit the government works closely with international organisations such as the International Organisation for Migration (IOM) to assist voluntary returns.