

# United Kingdom - United States Department of State

## UNITED KINGDOM: Tier 1

The Government of the United Kingdom (UK) fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore the UK remained on Tier 1. These efforts included increasing prosecutions and convictions; identifying significantly more potential victims; and increasing funding for anti-trafficking efforts. Additionally, the government expanded child services to one-third of all local authorities across England and Wales and created a new International Modern Slavery and Migration Envoy position. Furthermore, to address trafficking in its own supply chains, the government published a statement detailing efforts to ensure its operations and supply chains are free of trafficking, and required all of its departments to ensure bidders of government contracts published such statements. Although the government meets the minimum standards, protection services for child victims continued to need increased attention and resources, and long-term care and reintegration support for victims remained inadequate. The government did not compile comprehensive data on sentences imposed on convicted traffickers. Some victims were cautious about entering the national referral system due to delays in review of their status leading to inconsistent availability of longer-term care.

## PRIORITIZED RECOMMENDATIONS:

Expand nationwide the Independent Child Trafficking Guardians (ICTG) program and train more social workers and care providers to better safeguard child victims. • Implement reforms to the National Referral Mechanism (NRM), including timely determination of victim status, to encourage more victims to come forward. • Extend the period of victim support across all UK jurisdictions and expand long-term care and reintegration support. • Establish a database on investigations, prosecutions, convictions, and prison sentence data across the UK, categorized by type of trafficking. • Provide sufficient resources for expeditious processing of trafficking investigations and prosecutions. • Ensure the statutory definition of trafficking under the Modern Slavery Act of 2015 (MSA) and similar provisions in Northern Ireland do not require movement of the victim as an element of the crime. • Provide adequate information to foreign workers, especially the most vulnerable, on their legal rights and how to maintain their status in the UK post-exit from the EU. • Provide a trafficking-specific long-term alternative for foreign victims at risk if returned to their home country.

## PROSECUTION

The government increased prosecution efforts. The MSA, applicable to England and Wales, and similar statutes in Scotland and Northern Ireland, criminalized sex trafficking and labor trafficking and prescribed penalties of up to life

imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international law, the laws in England, Wales, and Northern Ireland required the element of movement of a victim in the definition of “trafficking.” However, these jurisdictions criminalized “slavery and servitude, and forced or compulsory labour” in other provisions of their law, which could be utilized to prosecute trafficking offenses that did not involve victim movement. Scotland, by contrast, did not require victim movement in the definition of trafficking.

As of October, the government reported 1,090 police trafficking investigations in England and Wales, compared with 1,124 in 2018. The Crown Prosecution Service (CPS), which handled cases in England and Wales, prosecuted 349 defendants on trafficking charges with 251 convictions in 2019, compared with 294 prosecutions and 191 convictions in 2018. CPS data did not differentiate between sex and labor trafficking, nor did the government provide data on the range of sentencing of convicted traffickers or percentage of convicted traffickers serving prison time. During the reporting period, courts convicted a man serving as a special constable for the Metropolitan Police Service to four years’ imprisonment for sex trafficking. In 2019, Scotland reported one prosecution and one conviction, compared with 10 prosecutions and no convictions in 2018. Police Scotland had a specialized anti-trafficking unit to coordinate information and intelligence and work with law enforcement agencies across Europe to investigate trafficking cases. In 2019, authorities in Northern Ireland arrested two traffickers for domestic servitude—the first arrest for domestic servitude in Northern Ireland. Additional 2019 data was unavailable; however, in 2018, authorities in Northern Ireland reported five prosecutions and two convictions. According to its Ministry of Justice, the greatest impediment to the timely prosecution of alleged traffickers in Northern Ireland remained inherent delays in the legal system, often taking two or more years from the time of initial arrest to conviction. In 2019, the Police Service in Northern Ireland added five new detectives to the anti-trafficking unit to help manage the potential increase in cases as a result of the UK leaving the EU, in light of Northern Ireland’s land border with the EU.

The government provided a wide variety of anti-trafficking training to law enforcement officers, prosecutors, and justice officials at multiple levels. The national-level College of Policing continued to offer training to all front-line officers. The Modern Slavery Police Transformation Unit (MSPTU) received £3.1 million (\$4.09 million) in supplementary funding to develop intelligence, identify best practices, and share information to equip law enforcement with the knowledge to respond to trafficking. The MSPTU also provided guidelines to police on all aspects of investigations, including victim identification. The CPS had 14 Complex Case Units in jurisdictions across England and Wales that provided initial specialized advice in investigations and prosecutions wherever human trafficking offenses had been committed. During 2019, the CPS conducted mandatory training for all prosecutors responsible for trafficking cases. Police forces in England and Wales used Anti-Slavery Commissioner guidelines and manuals in their training, and sentencing councils in England and Wales provided judges with sentencing guidelines for significant offenses, including trafficking. The Scottish government conducted five 90-minute training sessions for 70 social workers to raise awareness on trafficking. Likewise, the Gangmasters and Labour Abuse Authority conducted 20 sessions on trafficking in Scotland.

The National Crime Agency’s (NCA) International Liaison Officer Network worked with a wide range of law enforcement partners in other countries to develop capacity and capabilities to combat trafficking. The UK

participated in 24 Joint Investigation Teams (JITs) with seven EU Member States, including 11 JITs with Romania. Subsequently, the UK employed a CPS Liaison Magistrate in Romania to work closely with Romanian law enforcement on prosecutions resulting from JITs. In July, authorities from the UK and Poland partnered in the largest trafficking operation to date in the UK, involving the arrest of eight traffickers and rescue of more than 400 trafficking victims. Furthermore, the UK and Vietnam partnered to undertake investigations of illicit finances of traffickers and established a Joint, Serious Organized Crime Working Group to fight trafficking and child sexual abuse. In an October incident that received international media coverage, the bodies of 39 Vietnamese nationals were found in the back of a refrigerated truck in Essex; the driver of the truck was charged with manslaughter as well as trafficking and immigration offenses. The case remained ongoing at the end of the reporting period. In 2019, prompted by a case of a foreign diplomat accused of enslaving a domestic worker in the UK, the Employment Tribunal ruled that claiming diplomatic immunity did not protect against trafficking charges.

## PROTECTION

The government increased protection efforts. Through the NRM, authorities referred 10,627 potential trafficking victims for care nationwide in 2019, a 52 percent increase from 6,993 in 2018. The Home Office maintained a detailed database online with disaggregated information, including source of referral, nationality, jurisdiction, handling the referral, type of trafficking, and disposition of review. Of the referred victims, 3,391 were female; 7,224 were male; one was transgender; and the gender of 11 was unknown. Authorities identified 4,550 minors, an increase from 3,137 in 2018, due in large part to heightened awareness among the public and authorities about “County Lines” gang recruitment of children as couriers of drugs across the country. While the authorities reported potential victims came from 123 nationalities, the majority of identified victims were UK citizens (2,836). Labor trafficking was the most common form of exploitation in adults and minors. In Scotland, the number of victims referred to the NRM increased by 125 percent from 2018 to 2019. Similarly, in Northern Ireland, officials reported a significant increase in the number of potential victims referred to the NRM from 52 in 2018 to 91 in 2019.

The NRM was the framework for identifying and providing care and support for victims. In September, the Home Office deployed the referral process online. First responders, such as police, Border Force, local authorities, and specified NGOs typically generated referrals. Written guidelines existed to assist in victim identification and referral. The Home Office instituted a single case management unit to handle all NRM referrals to improve comprehensive attention to victims, consolidate the work of the NCA and UK Visas and Immigration, and make a “reasonable grounds” decision on whether an individual could be a trafficking victim. A “reasonable grounds” decision for adults triggered provision of victim support and protection measures, whereby the victim started a minimum 45-day reflection period with access to services such as accommodation, health care, and counseling, and decided whether to assist in the investigation and prosecution of the perpetrator. During this period, the unit assessed the individual’s status as a victim and made a “conclusive grounds” decision, which if positive allowed the victim 45 additional days of transitional support. The MSA required a final determination of victim status within 45 days in England and Wales, although in many cases the government extended this deadline. Scotland’s law provided a 90-day timeframe, and Northern Ireland remained at a single 45-day period. NGOs warned of victims being re-trafficked while waiting for

final determination of victim status, which at times took longer than a year. Furthermore, NGOs expressed concern that the lack of long-term support for victims after they left the NRM put them at greater risk of re-trafficking. Subsequently, in 2019, the government funded pilot programs to assess long-term support and best practices for victims departing the NRM and transitioning back into communities.

The government provided £20 million (\$26.39 million) to an NGO through 2020 to coordinate the provision of care for adult victims in England and Wales under the NRM. The Scottish government provided approximately £1 million (\$1.32 million) to the two NGOs providing victim protection and support for 2018-2019, and it committed to a three-year funding agreement with both NGOs. The NCA continued its “Vulnerable Persons Team,” which granted victim assistance to avoid re-victimization after completion of an investigation. Similarly, the Wales Anti-Slavery Leadership Group’s “Survivor Care Pathway” provided a long-term post-NRM individualized plan for survivors. The government encouraged efforts of private companies to assist in reintegration, particularly through employment of survivors. Under the “Bright Future” campaign, a national retail cooperative continued to hire and train survivors in partnership with an NGO, a model the government promoted for expansion.

Children received care through children’s services offices in local jurisdictions. The MSA also provided for the appointment of ICTGs as an additional source of support and advocacy for trafficked children. In 2019, the government expanded the ICTG service to one-third of all local authorities across England and Wales. NGOs reported nearly a quarter of the children referred to the service went missing, mostly on a temporary basis, and approximately 34 percent went missing before meeting with their ICTG. Local authorities highlighted concerns over the high number of children who either left or were missing from care or foster homes and were especially vulnerable to trafficking by gangs. NGOs estimated up to two-thirds of all child victims go missing within 72 hours of placement for care and up to 20 percent remain missing. The MSA review committee recommended implementation of the ICTG system nationally, along with sufficient duration for providing services to child victims, in addition to requiring police to track cases of missing children until they are located, regardless of timeframe. NGOs expressed concern that when victims reach the age of 18 and were no longer eligible for the ICTG service, they were once again at risk of re-trafficking. In 2019, the government published a report evaluating the impact of ICTG services. The report recommended that more work needed to be done to help transition children into adult services that may not have a focus on trafficking victims and suggested that prior to the national rollout of the service, the Home Office needed to conduct a review into why a high rate of children went missing after six months of receiving ICTG services. Scotland and Northern Ireland also required appointment of independent legal guardians for child trafficking victims and trained them on the support services available.

Foreign victims were not automatically granted status in the UK; both detention and deportation were considered on a case-by-case basis. Foreign victims who assisted with investigations were eligible for residency. Foreign victims who were granted a reflection period could not be removed from the UK during that period; however, NGOs reported authorities attempted to deport victims who were already in the NRM system. As a result, some foreign victims were reluctant to seek assistance or opted to petition for asylum instead of entry into the NRM, given the potential for longer residency in the UK. Additionally, as the UK prepared to separate from the EU, NGOs expressed concern that victims would be more reluctant to come forward due to lack of awareness of their legal rights and fear of making their

immigration status known to authorities. Foreign overseas domestic workers (ODW) could legally change employers during the six-month period of their visa. Workers on the ODW visa identified as trafficking victims could apply for a two-year visa as a domestic worker, although NGOs contended workers who had suffered abuse would be unlikely to want to return to the same sector. Foreign nationals identified as trafficking victims could apply for discretionary leave to remain in the UK if supporting the investigation, seeking compensation through a civil claim against the perpetrator, or in some cases based on personal circumstances. Foreign victims could petition for asylum, based on risks faced if returned to their country of origin.

Victims had a statutory defense for crimes committed as a direct result of being subjected to trafficking, and courts allowed victims during hearings to testify by video, behind a screen, or with the public removed from the courtroom. Courts could confiscate assets of traffickers and compensate victims through a reparation order, but only after conviction of the trafficker. NGOs noted victims found this remedy difficult to access given the small number of legal aid providers available to file such claims.

## PREVENTION

The government increased prevention efforts. The prime minister continued to chair a national coordinating task force. The Independent Anti-Slavery Commissioner released a two-year strategy, identifying top anti-trafficking priorities. The Home Office published its 2019 annual report in October, with detailed data on anti-trafficking efforts across the UK, as well as outlining achievements and remaining challenges in fully implementing the MSA. In May, a government-commissioned committee completed a review of the effectiveness of the MSA, recommending increasing the independence of the role of the anti-slavery commissioner, improving corporate reporting on transparency in supply chains, and expanding protections for children under the ICTG system across all regions of the UK. The government accepted or partially accepted most recommendations, including creating and appointing a new International Modern Slavery and Migration Envoy position to drive forward the global response to trafficking and work closely with the Independent Anti-Slavery Commissioner, who is domestically focused.

Total direct government spending to fight human trafficking, on both the domestic and global fronts, increased significantly to £61 million (\$80.47 million) for 2018-2019 from £39 million (\$51.45 million) for 2017-2018. The government invested £10 million (\$13.19 million) over a five-year period to fund a new Modern Slavery Policy and Evidence Centre to better understand trafficking and how to confront it and develop research to inform policy choices. The government conducted awareness campaigns across the UK to help educate citizens, including online and television advertising campaigns, news articles, and documentaries, as well as extensive training for first responders. In England and Wales, the government conducted a “Hidden in Plain Sight” campaign to highlight labor exploitation and labor trafficking, targeting front-line professionals in the financial, health care, and recruitment sectors in four English regions. The UK Border Force shared awareness-raising training and support materials with airline, ferry, and rail carriers to educate employees on trafficking indicators. The Scottish government commissioned a survey on public perceptions of trafficking—what it is, where it occurs, and how to report concerns. The justice department in Northern Ireland conducted a training needs assessment, analyzing knowledge gaps among front-line professionals starting

with the health care sector.

The MSA required organizations with annual revenue exceeding £36 million (\$47.49 million) to publish an annual statement detailing efforts to ensure its operations and supply chains are free of human trafficking. Critics noted inconsistent quality of organizations' statements and the lack of a penalty for non-compliance. To address trafficking in its own supply chains, the government published a statement in 2019 and required all of its departments to ensure bidders of government contracts published statements. In preparation for the UK's exit from the EU, a future migration policy was in development, including a seasonal workers pilot, aimed to ensure that fruit and vegetable farmers could legally employ migrant farmers for seasonal work for up to six months. NGOs continued to criticize the government for ineffective implementation of labor recruitment law and regulations, suggesting workers recruited from overseas were often unaware of their rights. The Department for International Development allocated £3 million (\$3.96 million) to NCA to investigate child sex tourists in high risk destination countries, especially the Philippines, and establish and deploy a team of specialized officers to support law enforcement agencies in those countries. The government did not make efforts to reduce the demand for commercial sex acts.

The government funded a wide range of anti-trafficking programs globally, including continued implementation of programs under the £33.5 million (\$44.2 million) Modern Slavery Fund, of which the government committed £7.5 million (\$9.9 million) mainly to training in 2019. The government provided support in both Nigeria and Vietnam on strengthening the operational law enforcement response to trafficking cases, including capacity building training and provision of resources to the National Agency for the Prohibition of Trafficking in Persons and to the judiciary in Nigeria and training law enforcement officials in Vietnam. The government funded workshops in Romania, teaching Romanian Orthodox clergy how to recognize indicators of trafficking, refer victims to services, and support victim reintegration into their community following exploitation. The government also worked on improving understanding of trafficking among Romanian child support social workers in regions where child exploitation was prevalent. In Lithuania, the UK embassy worked with the Lithuanian government and a Lithuanian NGO to develop and conduct a campaign raising awareness about labor exploitation in the Lithuanian diaspora in Cambridgeshire. This included training on recognizing potential signs of exploitation, running social media advertisements in both English and Lithuanian, and dispersing leaflets translated into Lithuanian around community hubs such as social clubs and churches. The UK's Commonwealth Parliamentary Association works with Commonwealth countries to pass human trafficking legislation, using a tailored approach suited to each country's needs and capacity. The government committed £20 million (\$26.39 million) in cooperation with the United States, other governments, and private donors, to target programs in coordination under the Global Fund to End Modern Slavery.

## **TRAFFICKING PROFILE**

As reported over the past five years, human traffickers exploit domestic and foreign victims in the UK. The government reports 10,627 potential victims came through the NRM, with the latest government estimates of up to 13,000 trafficking victims present in the UK. Potential victims comprise 123 nationalities with the largest source countries being the UK, Albania, and Vietnam. Twenty-six percent of potential victims assert their exploitation

occurred entirely outside of the UK. Labor trafficking is the most common form of exploitation among adults and minors. Nearly half of all victims identified are children. Children in the care system and unaccompanied migrant children are particularly at risk of trafficking. Youth trafficked by gangs are forced to act as drug couriers from larger cities into rural areas across the UK. Traffickers force adults and children to work in agriculture, cannabis cultivation, construction, food processing, factories, domestic service, nail salons, food services, the hospitality industry, and car washes, as well as on fishing boats. In Scotland, most victims are from Vietnam with many forced to work in agriculture, particularly cannabis farms, and nail bars. In Northern Ireland, there are cases of perpetrators forcing victims into shoplifting and the cultivation and distribution of illicit drugs. Young women and girls from Albania, Bulgaria, and Romania, including ethnic Roma, remain vulnerable to sex trafficking in Northern Ireland.