



Strasbourg, 1 July 2015

GRETA(2015)26

**Reply from the United Kingdom
to the Questionnaire for the evaluation of the implementation
of the Council of Europe Convention on Action against
Trafficking in Human Beings by the Parties**

**Second evaluation round
(Reply submitted on 10 June 2015)**

Introduction

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings, GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

GRETA has decided that the second evaluation round of the Convention will start on 15 May 2014. For the second evaluation round, GRETA has adopted a questionnaire to be sent to all states parties which have undergone the first round of evaluation, following a timetable approved by GRETA. States parties are requested to transmit to GRETA a reply to this questionnaire within five months from the date it was sent.

Following a first round of monitoring, which provided an overview of the implementation of the Convention by each state party, GRETA has decided to examine during the second evaluation round the impact of legislative, policy and practical measures on the prevention of trafficking, the protection of the rights of victims of trafficking, and the prosecution of traffickers. The adoption of a human rights-based approach to action against trafficking in human beings remains at the centre of this new evaluation round. In addition, particular attention is paid to measures taken to address new trends in human trafficking and the vulnerability of children to trafficking. GRETA has selected provisions of the Convention which are mainly related to these issues.

The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. The reply to the questionnaire should contain all the relevant information on the implementation of the Convention since GRETA's first evaluation report. Particular emphasis should be put on the practice and impact of legislative and other measures taken. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's first evaluation report.

States parties should provide copies or extracts of relevant legislation, regulations and case law mentioned in the reply to the questionnaire (as an appendix to the reply). These copies/extracts should be supplied in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

A. Follow-up questions

1. Please provide information on developments since GRETA's first evaluation report on your country in the following areas:

- the main forms of trafficking in human beings (THB) and emerging trends observed in your country (for example, any new types or sectors of exploitation, recruitment methods, countries of origin or destination of the victims);
- any changes in your country's laws and regulations relevant to action against THB;
- the institutional framework for action against THB, in particular: any changes in respect of the composition and functions of the bodies responsible for co-ordinating national action against THB, the involvement of NGOs in co-ordinating bodies, the entities specialised in the fight against THB, and the establishment of a national rapporteur or other mechanism for monitoring the implementation of anti-trafficking strategies, policies and activities;
- an overview of the current national strategy and/or action plan to combat trafficking in human beings (duration, objectives and main activities, bodies responsible for its implementation, budget, monitoring and evaluation of results).

England and Wales

1. According to the National Crime Agency (NCA), National Referral Mechanism Statistics End of Year Summary 2014¹:
 - 2,340 potential victims were referred in to the National Referral Mechanism in 2014; a 34% increase on 2013² 1,746 referrals, with 671 of those referred as a minor;
 - Potential victims of trafficking were reported to be from 96 different countries of origin;
 - Albania was the most referred country of origin, followed by Nigeria and Vietnam;
 - Sexual exploitation was the most referred type this period (830 referrals) followed by labour exploitation (788 referrals) and domestic servitude (305 referrals);
 - Albania, Vietnam, UK, Slovakia and Nigeria were the five most common countries of origin for the majority of minors being trafficked;
 - The most common exploitation type for girls was sexual exploitation, where as boys were predominantly exploited labour purposes.

The Modern Slavery Act 2015 received Royal Assent on 26 March 2015. The Act consolidates and simplifies the existing offences – previously contained in a number of different Acts – into a single Act. It includes two substantive modern slavery offences: one for human trafficking and one for slavery, servitude and forced or compulsory labour. It has a victim centred approach and includes a range of enhancements to the support and protections available to victims of human trafficking and slavery, which support the UK's existing activity in complying with the provisions of the Council of Europe Convention.

The Act introduces the Independent Anti-Slavery Commissioner, who is dedicated to the UK's fight against modern slavery. The Commissioner will act strongly in the interests of

¹ <http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics/502-national-referral-mechanism-statistics-end-of-year-summary-2014/file>

² <http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics/139-national-referral-mechanism-statistics-2013/file>

victims - and potential victims - by encouraging good practice in the prevention, detection, investigation and prosecution of slavery and human trafficking and ensuring victims are identified effectively. The Commissioner will have a UK-wide remit ensuring that modern slavery issues are tackled in a coordinated and effective manner across the whole of the UK.

The National Referral Mechanism (NRM) was reviewed in 2014 and the report published in November 2014. It made the following recommendations:

- extending the NRM to cover all adult victims of modern slavery;
- strengthening the first responder role - the point when potential victims are first identified and referred by creating new Slavery Safeguarding Leads, supported by increased training and feedback;
- streamlining the referral process by removing the “reasonable grounds” decision once the successful implementation of accredited Slavery Safeguarding Leads has occurred – allowing direct referral to specialist support for potential victims;
- establishing new multi-disciplinary panels, headed by an independent chair, with a view to ceasing the sole decision-making roles of UKVI and the UKHTC;
- creating a single case working unit within the Home Office to replace the current case-working units in the National Crime Agency and UK Visas & Immigration.

The Government accepted these recommendations in principle and is working with key partners to trial the changes.

The Modern Slavery Strategy was published in November 2014 and sets out a comprehensive cross-Government approach, detailing the actions that we expect from Government departments, agencies and partners in the UK and overseas.

The Inter-Departmental Ministerial Group performs the national rapporteur function, as set out in the EU Directive, and is responsible for overseeing the Government’s contribution to the Modern Slavery Strategy.

The Director General of Crime and Policing Group in the Home Office has been appointed as SRO (Senior Responsible Officer) to drive delivery of the Modern Slavery Strategy. Further governance arrangements are being discussed with the Ministers.

Scotland

The Scottish Government has brought forward dedicated human trafficking legislation – the Human Trafficking and Exploitation (Scotland) Bill. The Bill fulfils the Scottish Government’s commitment to introduce, in the current session of the Scottish Parliament, a comprehensive and focused human trafficking and exploitation Bill. The Bill will:

- consolidate and strengthen existing criminal law against traffickers and those who exploit others;
- enhance the status of and support available for victims of trafficking and exploitation; and
- require relevant bodies to work with the Scottish Government to develop and implement a Scottish Anti Trafficking Strategy.

The aim of the Bill is to create a legislative framework which ensures that police, prosecutors and other agencies have the powers to make Scotland a hostile environment for human traffickers and those who exploit others. It takes a victim-centred approach by criminalising the perpetrators while enhancing the support for victims. Preventative and protection measures in the Bill include trafficking and exploitation prevention and risk orders. The Bill will also provide a statutory basis for a Scottish Anti-Human Trafficking and Exploitation Strategy. Scottish Ministers will be required to prepare, publish, review and update the strategy in engagement with relevant stakeholders. Public authorities will be required to work with Scottish Ministers on the preparation and implementation of the strategy.

Northern Ireland

In 2014, 45 potential victims of human trafficking were recovered and referred to the NRM from Northern Ireland (16 females and 29 males), compared to 41 in 2013. Of those 45, 37 (82%) were adults and 8 (18%) were minors; 33 (73%) were referred in connection with labour exploitation or domestic servitude; 22 were recovered as part of a single police investigation. This differs from previous years, where sexual exploitation has been the predominant exploitation type: a strategic profile of potential victims of human trafficking referred to the NRM from Northern Ireland between 1 April 2009 and 12 August 2013 found that 49% (48 out of 97) of the potential victims had been trafficked for sexual exploitation.

The strategic response in Northern Ireland has been informed by these trends and our draft Strategy on Human Trafficking and Slavery for 2015/16 includes specific actions on labour exploitation as well as other forms of exploitation.

In 2014, the top countries of origin of potential victims referred to the NRM from Northern Ireland were Romania and China. In 2013, Romania and UK were the most prevalent countries of origin.

New legislation to tackle human trafficking and slavery-like practices and to support victims has been passed in Northern Ireland. The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 received Royal Assent on 13 January 2015. The Act created a new consolidated offence of human trafficking and a new offence of slavery, servitude and forced or compulsory labour. Previous offences have been repealed. The Act also includes measures in respect of sentencing, recovery of criminal assets, investigation and prosecution, prevention and protection and support for victims. In particular, section 18 of the Act sets out responsibilities of the Northern Ireland Department of Justice (DOJNI) in respect of the provision of assistance and support to adult potential victims of human trafficking, pending determination by a competent authority.

A number of measures in the Westminster Modern Slavery Act 2015, relating to enforcement powers at sea, the establishment of an Independent Anti-Slavery Commissioner and transparency in supply chains, also extend to Northern Ireland.

The Department of Justice (DOJNI) leads the Northern Ireland Executive's strategic response to tackling modern slavery and is also responsible for providing support and assistance to adult potential victims of human trafficking pending determination by a competent authority. The Department of Health, Social Services and Public Safety (DHSSPS) provides appropriate support for adults who have been confirmed as victims through the NRM, subject to their leave to remain in Northern Ireland. Support and protection for child victims and potential victims are also the responsibility of DHSSPS.

Northern Ireland's strategic response to modern slavery is characterised by a partnership approach. The Organised Crime Task Force (OCTF) is a voluntary coalition of statutory bodies and law enforcement agencies chaired by the Northern Ireland Minister of Justice. The OCTF provides strategic direction on tackling organised crime, including human trafficking and modern slavery, through multi-agency partnership. The OCTF's Human Trafficking and Immigration Subgroup is chaired by the Police Service of Northern Ireland.

In addition, since GRETA's first evaluation report, DOJNI has established an Engagement Group on Human Trafficking which facilitates a partnership approach and joint working between civil society organisations, Government Departments and law enforcement. The Engagement Group facilitates the sharing of knowledge, expertise and resources across statutory and civil society groups. It also provides an arena for the exchange of information and ideas and the sharing of best practice, as well as assisting in coordinating efforts to

prevent duplication. Through the Engagement Group, civil society groups work to assist Government and law enforcement agencies in responding to human trafficking and contribute to the development of human trafficking policy and programmes.

Since May 2013 the Northern Ireland Minister of Justice has published annually a multi-agency action plan for Northern Ireland aimed at tackling human trafficking and exploitation. Good progress has been made against both the 2013/14 and the 2014/15 action plans. Published progress reports are available at:

- <http://www.dojni.gov.uk/northern-ireland-human-trafficking-action-plan-2013-14-progress-report> and,
- <http://www.octf.gov.uk/Publications/Human-Trafficking/Human-Trafficking-and-Exploitation-Action-Plan-201.aspx>

In addition, the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 requires the DOJNI to publish an annual strategy to tackle human trafficking and slavery-like offences. Work on the development of the 2015/16 strategy is in progress.

B. Cross-cutting questions

Gender equality (Articles 1.1.b, 5.3 and 17)

2. What specific measures are taken in your country to address the gender dimension of THB and incorporate gender equality into the policies to prevent and combat THB and to protect and promote the rights of victims, including through the empowerment of women and girls?

England and Wales

Human trafficking and slavery form part of the Crown Prosecution Service Violence Against Women and Girls (VAWG) strategy, which supports cross government work in this area. The vulnerability and intimidation of VAWG victims is recognised in the types of offences directed disproportionately towards women and girls. By drawing together VAWG offences ensures that the gendered patterns and dynamics involved are acknowledged and understood to provide an effective prosecution response.

Northern Ireland

DOJNI is an associate partner in the cross-border, EU-funded REACH project, which is aimed at combating the trafficking of women and girls for sexual exploitation. The project launched in December 2013 and will conclude in December 2015. One of the key objectives of the project is to combat trafficking of women and girls by raising awareness among victims, potential victims and women who may be vulnerable to traffickers of the issue, their rights of victims and the support that is available to them. The project has two strands: one is a campaign targeted at men and boys which seeks to reduce demand for the sexual services of women and girls who have been subject to trafficking; the other is a rights-based awareness campaign targeted at women and girls who may be subject to sexual exploitation within the sex industry.

Non-discrimination (Article 3)

3. What measures are taken to ensure that trafficked persons who are members of ethnic minorities have access to the rights specified in the Convention?

4. What specific measures are taken to ensure that trafficked persons who are irregular migrants or migrant workers are identified as victims of THB and have access to the rights provided for in the Convention?

5. What measures exist to ensure that male victims of trafficking are identified and provided with assistance and protection, including safe accommodation, as provided by the Convention.

England and Wales

3-5. The Government funds the Victim Care Contract, a national support service for adult potential victims of modern slavery identified in England and Wales. This provides all adult potential victims of human trafficking with care and support and meets the Government's obligations under Article 12 of the European Convention on Action against Trafficking in Human Beings, and Article 11 of the European Directive on preventing and combating trafficking in human beings. This includes access to safe accommodation and material assistance for victims of human trafficking. It also provides access to specialised care including emergency medical treatment, psychological assistance, counseling and information. Potential victims are also provided with assistance to access translation, interpretation and legal services and provided with help to access compensation.

The provisions provided in the Contract are for all adult potential victims of modern slavery. The contract has a clause which states:

"The Contractor shall not unlawfully discriminate either directly or indirectly on such grounds as race, colour, ethnic or national origin, disability, sex or sexual orientation, religion or belief, or age or any other protected characteristic and without prejudice to the generality of the foregoing the Contractor shall not unlawfully discriminate within the meaning and scope of the Equality Act 2010 and or other relevant or equivalent equalities legislation (or any statutory modification or re-enactment thereof). The Contractor shall take all reasonable steps to secure the observance of clause 22.1 by all Staff."

4. All victims are provided with specialist support. This often requires a multidisciplinary approach to address both the trauma of coming to terms with their experience and longer term support to help them move on and rebuild their lives. Immediate support in safe accommodation is also available.

Scotland

Two support organisations, Migrant Help and the Trafficking Awareness Raising Alliance (TARA), receive grant funding from the Scottish Government to provide specialised support services, on a needs assessment and consensual basis, to potential and confirmed adult victims of trafficking. Migrant Help provides support to male and female potential and confirmed victims subjected to exploitation by way of forced labour, domestic servitude, forced criminality, etc. The Agency also provides support to potential and confirmed adult male victims who have been subjected to sexual exploitation. TARA provides support to potential and confirmed female victims, over the age of 18 years, who have been trafficked for sexual exploitation only.

The support package provided includes, as required, access to safe accommodation and material assistance for victims of human trafficking. It also provides help to access

specialised care including medical treatment, psychological assistance, counseling and information. Potential adult victims are also provided with assistance to access translation, interpretation and legal services and provided with help to access compensation.

The Human Trafficking and Exploitation (Scotland) Bill contains provisions to put support for adult victims of human trafficking on a statutory basis. It will also provide discretion for support to be provided out with the reflection and recovery period on an assessment of needs. Local authorities have responsibility for providing support to child victims of trafficking under existing child protection and children's services legislation in Scotland.

Northern Ireland

In January 2014, following a public procurement process, DOJNI awarded contracts for the delivery of support services to adult potential victims of human trafficking to Migrant Help (in respect of adult males) and to Belfast and Lisburn Women's Aid (in respect of adult females). Under this provision, support and assistance is available to all adult potential victims of human trafficking, regardless of ethnicity, meeting DOJNI's obligations under Article 12 of the European Convention on Action against Trafficking in Human Beings, and Article 11 of the European Directive on preventing and combating trafficking in human beings.

It includes, as required, access to safe accommodation and material assistance for victims of human trafficking. It also provides help to access specialised care including medical treatment, psychological assistance, counselling and information. Potential adult victims are also provided with assistance to access translation, interpretation and legal services and provided with help to access compensation. Delivery of the support package is overseen by a multi-agency Stakeholder Group.

The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 has put this support for potential adult victims of human trafficking onto a statutory footing in Northern Ireland. Under DHSSPS, the appropriate Health and Social Care Trusts provide support for child victims and potential victims of trafficking.

Training of relevant professionals (Articles 10 and 29)

6. Please describe how the needs for training of professionals in the area of action against THB are identified and met, with an indication of the categories of staff that receive such training, whether the training is obligatory or optional, the content and focus of the training, and the funding provided for training activities. If the impact of training has been assessed, please provide details.

England and Wales

6. Key organisations most likely to come into contact with victims are police forces, the National Crime Agency (NCA), Border Force (BF), UK Visas and Immigration (UKVI), the Gangmasters Licensing Authority (GLA), officers in local authority children's services, health workers and the judiciary. All professionals employed by these organisations receive mandatory training to raise their awareness of modern slavery and of typical indicators that would indicate that a person is a potential victim. These training packages will be updated to take into account the legislative changes resulting from the Modern Slavery Act 2015 and the NRM Review.

The Government is working with NGOs to develop a core training module for all first responder organisations. This can be built upon to create bespoke training for any organisations working with victims of modern slavery. It will be developed to take into account the new Slavery Safeguarding Lead role resulting from the NRM review.

National Occupational Standards for professionals who come into contact with potential victims of modern slavery were published in 2014. These set out minimum performance and capability standards. We anticipate that the standards on modern slavery will be used by support workers, and may also be referred to by police forces and social workers.

Scotland

The subgroup created to take forward the awareness-raising and training initiatives action points from the Human Trafficking Summit held in 2012 has:

- Identified public private and voluntary sector organisations that require training or awareness raising in respect of human trafficking;
- established training materials that are currently in use/in development: and
- developed levels of training material for delivery as appropriate.

A leaflet “Reading the Signs” has been developed by the subgroup as a basic awareness raising tool. The leaflet has been distributed widely to private, public and third sector organisations. Initial distribution included 4,000 businesses affiliated to the Scottish Business Resilience Centre, Scottish Prison Service, HMRC, Chief Executives and Directors of Social Work in the Scottish Local Authorities (via Convention of Scottish Local Authorities), Home Office and the 360 Registered Social Landlords across Scotland.

Future distribution of the leaflet will focus on the pinch points as outlined in the ‘Mapping the Journey of a Trafficking Victim’ document. A definitive list of organisations who have received some level of awareness-raising as well as those who require future awareness has also been developed. An existing Police Scotland e-learning training pack has been revised to make it suitable for a broader audience and this was accepted by the subgroup as the approved training material in respect of enhanced awareness-raising.

The Victim Care and Support subgroup has produced a ‘Key Principles’ document, informed by a Human Rights based approach and developed around the PANEL model for such approaches. The document could be disseminated widely to statutory and 3rd sector organisations that support trafficked victims. The document was informed by Scotland’s unique Getting it Right for Every Child (GIRFEC) approach, designed to be user friendly and disseminated electronically and could support a wide range of staff with varying skills/experience to work with victims from initial identification to the later stages of support. The document is currently with the Scottish Government for consideration alongside the development of a draft Human Trafficking & Exploitation Strategy

Training and awareness-raising will be part of the work on the development of the draft Human Trafficking & Exploitation Strategy.

There has also been engagement with businesses in Scotland through the UK-wide ‘Stronger Together’ campaign, which has over 3,000 members. The campaign was developed jointly by Migrant Help, the Gangmasters Licensing Authority and the Association of Labour Providers. The Scottish Government has also engaged with the Scottish Chambers of Commerce on raising awareness amongst Scottish businesses.

Northern Ireland

As set out in the progress report for the 2013/14 human trafficking action plan³, training has been provided to over 4000 Police Service of Northern Ireland (PSNI) officers and a Training Needs Analysis was developed for statutory bodies represented on the Organised Crime Task Force subgroup. The Health and Social Care Board (HSCB) also developed guidance for staff in emergency departments, and multi-agency training on issues relating to human trafficking was delivered to civil society organisations.

³ <http://www.dojni.gov.uk/northern-ireland-human-trafficking-action-plan-2013-14-progress-report>

Training has remained a priority for delivery in the 2014-15 action plan and bespoke training and awareness sessions were provided to a range of groups including New PSNI recruits and the Harbour Police; UK Border Force; Prison officers; Detention centre staff; Registrars; Midwives; Ambulance teams; Airport staff; Legal professionals; and Social workers.

DOJNI also commissioned the Law Centre NI to deliver briefing sessions on human trafficking to a number of specified groups in 2015, including Northern Ireland Association of Social Workers; Family Planning Association; Health and Social Care Board; Compensation Service; The Northern Ireland Council for Voluntary Action (NICVA); Rural Community Network; Victim Support Northern Ireland; and The Recruitment and Employment Confederation.

The Public Prosecution Service is also working with Migrant Help and Women's Aid to provide training to its Victim Witness Care Unit (VWCU) Staff.

Special measures concerning children (Articles 5, 10, 11, 12, 14, 15, 16, 28 and 30)

7. Please describe whether and how trafficking in children is specifically addressed in your country. If there are institutions responsible for taking the lead in combating trafficking in children and a specific national referral mechanism for child victims of trafficking, please provide details.

8. What practical measures are taken to reduce children's vulnerability to trafficking and create a protective environment⁴ for them, including through:

- a. ensuring registration of all children at birth, in particular from socially vulnerable groups;**
- b. raising awareness of THB through education;**
- c. training professionals working with children.**

9. Please explain what methods are used to verify the age of a presumed victim of trafficking where the age is uncertain and there are reasons to believe that the person is a child. Would such a person be presumed to be a child until the age verification is completed?

10. What steps are taken in your country to ensure that the rights of the child and his/her best interests⁵ are duly taken into consideration, in particular when it comes to:

- a. identification of child victims of trafficking;**
- b. appointing a legal guardian, organisation or authority which shall act in the best interest of unaccompanied minors identified as victims of trafficking;**
- c. locating the child's family;**

⁴ The concept of a protective environment, as promoted by UNICEF, has eight key components:

- protecting children's rights from adverse attitudes, traditions, customs, behaviour and practices;
- government commitment to and protection and realisation of children's rights;
- open discussion of, and engagement with, child protection issues;
- drawing up and enforcing protective legislation;
- the capacity of those dealing and in contact with children, families and communities to protect children;
- children's life skills, knowledge and participation;
- putting in place a system for monitoring and reporting abuse cases;
- programmes and services to enable child victims of trafficking to recover and reintegrate.

⁵ "The best interests of the child" means that any situation should be looked at from the child's own perspective, seeking to take the child's views into consideration and with the objective of ensuring that his/her rights are respected. Any decision concerning a child should therefore be guided by what is objectively best for that child, given her/his age and maturity.

- d. ensuring that the identity or details allowing the identification of a child victim of trafficking are not made publicly known through the media or by any other means;
- e. access to appropriate and secure accommodation, education and health care;
- f. issuing residence permits for child victims of trafficking;
- g. providing counselling and information in a language that the child can understand, legal assistance and free legal aid prior, during and after legal proceedings, including to claim compensation;
- h. carrying out best interests determination, including risk assessment, prior to any decision on the return of child victims to their country of origin, and ensuring the child's safe return in accordance with the best interests of the child;
- i. special protection measures for children.

11. What practical measures are taken in your country to identify victims of trafficking among unaccompanied foreign minors, including asylum seekers? What measures are taken to prevent their disappearance? Have there been cases of non-voluntary return of child victims of trafficking?

12. What programmes and services exist in your country for the (re)integration of child victims of trafficking? What solutions are provided if the reintegration of the child into his/her family is not in the child's best interests?

England and Wales

7/12 The UK Government takes our responsibility to safeguard and promote the welfare of children very seriously. We have implemented article 3 of the UN Convention on the Rights of the Child through statute in the form of section 55 of the Borders, Citizenship and Immigration Act 2009. S 55 ensures that the Secretary of State must make arrangements for ensuring that her functions in relation to immigration, asylum and nationality are discharged having regard to the need to safeguard and promote the welfare of children who are in the UK, including that their best interests are a primary consideration.

Our responsibility to safeguard and promote the welfare of children is reflected in our operational guidance to frontline staff on identifying and referring victims of trafficking, competent authorities in trafficking decision-making and asylum decision makers. This guidance includes information specifically on dealing with children, including interviewing minors. We are determined to ensure that consideration of the best interests of the child forms an integral part of the progress of that child through every stage of the immigration process, and this includes children who are potential victims of trafficking and whose case has a live immigration aspect. To protect the best interests of unaccompanied children, we have a legal duty to endeavour to trace their families as soon as possible after they claim asylum if this in accordance with the duty to safeguard and promote their welfare and the safety of their family would not be jeopardised.

Under our guidance to competent authorities, children who receive a positive conclusive grounds decision are also considered for at least 12 months discretionary leave (or, in exceptional circumstances, indefinite leave to remain) if they need to remain in the UK to help the police with their enquiries, pursue a claim for compensation against their traffickers or due to particularly compelling personal circumstances. This period can be extended.

If a child also has an asylum claim, we will also consider that on its merits in line with the 1951 UN Refugee Convention and the European Convention on Human Rights, and they may be granted 5 years ' refugee leave or humanitarian protection, or a period of

discretionary leave on that basis. The UK will not seek to remove any unaccompanied child from the UK unless we can demonstrate that safe and adequate reception arrangements are in place in the country of return. In practice, the challenges in demonstrating that suitable reception arrangements are available mean that currently the UK rarely enforces the return of unaccompanied children, although we will facilitate voluntary return and reunion with family where possible and this may form part of permanency planning by the local authority. Any return must take into account the child's best interests as a primary consideration, and involves close working with social services in the UK and the country of return as appropriate. In practice, unaccompanied children, including those who also allege trafficking, who claim asylum in the UK but do not have an international protection need are generally granted UASC (Unaccompanied Asylum Seeking Children) leave to remain in the UK and will be in the care of local authorities until they reach 18.

Local authority children's services, working in partnership with other agencies such as police forces, have statutory responsibilities to safeguard and promote the welfare of all children in their area. Local Safeguarding Children Boards monitor the effectiveness of safeguarding arrangements in each local authority area. Where a local authority is made aware of an unaccompanied child, who may have been trafficked, the child must be accommodated by the authority and will be "looked after" in the same way as any other child in local authority care.

In cases where a child who may have been trafficked is in the care of the local authority, the authority must offer them safe accommodation with carers able to understand and respond to their particular needs and access to suitable education and health care.

Pathway planning by local authorities to support an unaccompanied child's transition to adulthood should cover all areas that must be addressed in planning the transition to adulthood for any looked after child. The plan will also have to take into account the needs of the young person as a result of their specific immigration status. As with other looked after children, the authority will have a duty to consider whether it will be viable to return the child to their family but in reaching this judgement child protection considerations will be paramount. Unaccompanied and trafficked children subject to immigration control have access to specialised legal advice and support.

Statutory guidance for local authorities on the care of unaccompanied asylum seeking and trafficked children was issued in July 2014 to supplement more general guidance on safeguarding children and on care planning for children in public care ("looked after children")⁶.

In January and April 2014 we strengthened regulations that came into effect requiring children's homes to assess the safety of the areas where they are located and to develop effective response on prevention and response to children going missing⁷. Regulations require children's homes and foster care services to establish policies and processes, agreed with local safeguarding services, to prevent children from going missing and to be clear about how they should respond if children do go missing from their care.

6

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/330787/Care_of_unaccompanied_and_trafficked_children.pdf

7

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/307867/Statutory_Guidance_-_Missing_from_care_3_.pdf

Where the age of a person is uncertain and there are reasons to believe that the person is a child, that person is presumed to be a child in order to receive immediate access to assistance, support and protection in accordance with Article 10(3) of the European Convention on Action against Trafficking in Human Beings.

We protect the data of children and adults in line with stringent legal obligations, particularly the Data Protection Act 1998.

Going forward, the broad range of work set out in the Modern Slavery Act 2015 and the Modern Slavery Strategy will make a significant contribution to improving the prevention of modern slavery, as well improving the identification of victims and prosecution of perpetrators. This work will include a particular emphasis on children at risk of exploitation.

The Government is working with stakeholders to standardise the training currently available in order to raise standards across all frontline staff in the identification of child victims of modern slavery. We continue to promote the London Safeguarding Board Trafficking toolkit which is an aid for practitioners in identifying and safeguarding trafficked children. The guidance requires that in cases where a child displays indicators that they may have been trafficked, local authority social workers or other front line professionals should refer the case to the NRM.

A 12-month trial of specialist independent advocates for trafficked children began on 8 September 2014 across 23 local authorities. We will be robustly evaluating this new approach to assess whether allocating advocates adds value to the current system of statutory protection for trafficked children

The Modern Slavery Act 2015 includes a provision to give independent child trafficking advocates a statutory basis and the status they need to effectively support and represent the child. It provides the Secretary of State with a duty to make such arrangements as are considered reasonable to enable specialist child trafficking advocates to be available to support and represent children for whom there are reasonable grounds to believe may be victims of trafficking.

The Modern Slavery Act 2015 makes clear that advocates would fulfil the European Union Agency for Fundamental Rights' (FRA's) key functions of a guardian, including acting in the best interests of the child, promoting their well being and assisting them with legal representation. The Act also provides that regulations made setting out the further detail of the advocate role must require public authorities to cooperate with advocates and provide them with information.

Scotland

A toolkit has been produced for agencies working with children and young people to ensure that staff are able to identify trafficked children and make appropriate referrals so that victims can receive protection and support. This is designed to be used in conjunction with the National Child Protection Guidance, the Safeguarding Children in Scotland guidance, and other relevant national and international guidance.

The Scottish Government is funding the Aberlour Child Care Trust and the Scottish Refugee Council to pilot a guardianship service for all separated children, including those who may have been trafficked.

The Scottish Government is coordinating the development of a National Missing Persons Strategy for Scotland. The aim of the Strategy is to aid the creation of more effective and consistent arrangements for agencies involved in handling missing person's episodes, and also to help safeguard those that go missing. It will provide clarity about the existing

legislative framework and guidance, promote best practice, identify preventative approaches, and raise awareness of people at risk of going missing. Its focus will be around prevention, safeguarding, and support.

Northern Ireland

In October 2012 the Department of Health, Social Services and Public Safety and the DOJNI jointly issued *Guidance on Working Arrangements for the Welfare and Protection of Adult Victims of Human Trafficking*.

Further Guidance, “*Pathway for Safeguarding and Promoting the Welfare of separated children*”, was launched in November 2013. Following the launch, the Health and Social Care Board is leading on a training needs analysis. This will form the basis for specific training to be provided by Health and Social Care Trusts to staff in relation to this area of practice.

In addition, awareness training and/or specialist training is provided for social workers as appropriate in relation to their duties.

The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 received Royal Assent on 13 January 2015. This provides for an Independent Guardian to be appointed for a child who is a victim, or a potential victim, of human trafficking, or who is determined to be a separated child. This provision will commence ten months after Royal Assent. Regulations to support the appointment of Independent Guardians are currently being drafted and will be published for consultation.

Revised Regional Guidance Police Involvement in Residential Units – Safeguarding of Children Missing from Home or Foster Care was published in May 2012 by the Health and Social Care Board and the Police Service of Northern Ireland (PSNI) and has recently been reviewed.

In Northern Ireland, under the Children (Northern Ireland) Order 1995 (the Order), the relevant Health and Social Care Trust has responsibility for access to health and social care for those deemed to be “children in need” under the Order as they have overall responsibility for the provision of protection, care and support for these children.

The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 received Royal Assent on 13 January 2015. This Act includes measures about human trafficking offences and exploitation, measures to prevent and combat human trafficking and slavery and provision of support for human trafficking victims.

C. Questions related to specific articles

Definitions (Article 4)

13. Have any difficulties been experienced in your country in identifying and prosecuting cases on the ground of trafficking for the purpose of forced labour or services, slavery and practices similar to slavery or servitude? If so, please provide details.

14. How does your country’s law define “abuse of a position of vulnerability” and what are the criteria for evaluating the vulnerability of a person subjected to THB? Please provide any relevant examples where the means used in THB offences involved an abuse of a position of vulnerability.

15. To what extent does your country's law recognise the relevance of forced marriage and illegal adoption to THB offences? Please provide any examples from case law where forced marriage and illegal adoption were considered in the context of THB.

16. Can forced begging be considered as a purpose of THB according to your country's law? Have there been any cases of child trafficking for forced begging with the involvement of the child's family or legal guardian?

17. Can the exploitation of criminal activities be considered as a purpose of THB according to your country's law? Please provide any examples from case law.

England and Wales

13. We have had some success in prosecuting cases of trafficking for the purpose of forced labour or for the offence of holding someone in slavery or servitude or requiring them to perform forced labour to date, but the Modern Slavery Act 2015, when it comes into force⁸ will give law enforcement the tools to tackle modern slavery and ensure that offenders receive suitably severe sentences for these appalling crimes, including life sentences.

14. For prosecution purposes, the abuse of a position of vulnerability is defined in the CPS guidance on slavery and forced labour, identifying some of the vulnerabilities for which victims are deliberately targeted and advising on good practice for case management. A number of cases have been successfully prosecuted involving Irish travellers who had recruited susceptible and chaotic men from hostels. Their vulnerability included mental health problems, addiction to alcohol and drugs and homelessness. This led to them being controlled and exploited by their employers abusing that vulnerability - *Connors (x4) and R* [2013] EWCA Crim 324. In another case, trafficked Asian men were made to work in forced labour in restaurants by abusing their economic vulnerability *R v Khan, Khan and Khan* [2010] EWCA Crim 2880.

15. There is a distinction in UK law between forced marriage for cultural purposes, which is criminalised under s.121 of the Anti-social Behaviour, Crime and Policing Act 2014, and trafficking for sham marriage to regularise illegal immigration status. The CPS has prosecuted a number of cases for trafficking for exploitation involving victims who were recruited to participate in sham marriages to regularise the immigration status of non-EU males. In 2013 five people were convicted of trafficking a woman from Slovakia for a sham marriage to a Pakistani male to enable him to remain in the EU. A further case in 2015 resulted in the conviction of 2 men for conspiracy to traffic a Hungarian woman to sell her for a sham marriage to a Pakistani male.

Forced marriage is now a criminal offence in England, Wales and Scotland, but it has always been acknowledged that a range of offences may be committed in the course of forcing someone to marry. As a result, a range of issues are always taken into account in the course of handling identified cases. As the new forced marriage laws were only introduced in 2014, there are no current case law examples where forced marriage and illegal adoption were considered in the context of THB.

A number of cases have been prosecuted involving illegal adoption of babies from Nigerian baby farms. These cases have been successfully prosecuted as cases of illegal smuggling

⁸ The Parliamentary process has been completed and the next step will be to commence the Act – there has been a delay in order to allow guidance to practitioners and rules of court etc. to be prepared ahead of commencement.

as the facts and evidence in those cases did not support trafficking or exploitation of the baby.

16. Section 3(5) and 3(6) of the Modern Slavery Act are sufficiently flexible to capture any type of criminal behaviour where a person is exploited for somebody else's benefit. Begging is adequately captured by section 3 (5) (b) or (c) where a person is subjected to force etc in order to provide another with benefits of any kind or to acquire such benefits – the benefit here being the money donated to the beggar. Forced begging will amount to forced or compulsory labour under section 1.

The first case prosecuted in England and Wales for trafficking for exploitation involved Roma defendants, one of whom was the victim's uncle, who had trafficked the child for forced begging by selling the Big Issue.

17. The exploitation of criminal activities can be considered as a purpose of THB and prosecuted as trafficking for exploitation. A significant case involving a Joint Investigation between the UK and Romania (Operation Golf) involved a large number of children being trafficked from Romania to the UK to commit offences of theft. The perpetrators were prosecuted in both the UK and Romania.

Scotland

The Human Trafficking & Exploitation (Scotland) Bill will establish a new single human trafficking offence, for trafficking of both children and adults for all potential forms of exploitation. This includes exploitation for forced labour, services, slavery and servitude, forced begging, forced criminality, forced marriage or illegal adoption. The Bill includes provisions to reflect circumstances where someone is exploited because of a position of vulnerability, including physical or mental ill health, youth / age, or family relationship. There has been one successful prosecution in Scotland to date under existing legislation for human trafficking for the purposes of forced marriage.

Northern Ireland

As yet there have been no concluded prosecutions for offences of trafficking for the purpose of forced labour or services, slavery and practices similar to slavery or servitude. The Public Prosecution Service is currently actively considering a number of cases.

An abuse of a position of vulnerability is encapsulated in the new definition of exploitation in section 3(6) (securing services etc, from children and vulnerable persons) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015. Vulnerable persons are identified as children and vulnerable adults. The definition includes vulnerability in the contexts of family relationships and positions of trust. Further definitions are set out in section 25 (interpretation) and include the definitions of "child" and "vulnerable adult" in subsection (1) and "a position of trust" and "a member of another person's family" in subsection (2). These definitions are recognised and further set out in section 6(1) (aggravating factors) for the purpose of mandatory sentencing guidance.

Section 3 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 defines exploitation for the purposes of a human trafficking offence under section 2. Subsection 3(5) defines exploitation as including subjecting a person to force, threats, abduction, coercion, fraud or deception in order to compel them to provide services of any kind, or to provide another person with benefits of any kind, or to enable another person to acquire benefits of any kind. Subsection 3(5)(c) further clarifies that the term "benefits" under this subsection includes the proceeds of forced begging or of criminal activity.

Section 3 of the Act also covers circumstances where a person is trafficked into or within Northern Ireland and threatened, forced or deceived to enter into a marriage against their will and without their consent. Section 16 of the Act makes forced marriage a criminal offence in Northern Ireland.

Prevention of THB (Article 5)

18. Is the impact of awareness-raising campaigns and other measures to prevent THB evaluated and how are the results taken into account? Please provide copies of any impact evaluation reports.

19. How does your country promote and fund research on THB and use its results in the development of anti-trafficking policy? Please provide examples of recent research.

20. How do your country's migration legislation and policies seek to prevent THB by enabling lawful migration?

21. Please describe the measures taken in your country to prevent THB for the purpose of the removal of organs, and in particular:

- a. the legislation and regulations on organ transplantation and removal of organs, including requirements for the living donation procedure (information/consent, evaluation/selection, follow-up and registry) and criteria for authorising centres for living donation;**
- b. the institution(s) in charge of overseeing and monitoring the medical care and recovery of donors and recipients and managing or supervising any waiting lists for organ transplantations;**
- c. the guidance and training provided to relevant professionals to prevent this form of THB, to report cases and to identify and assist victims.**

England and Wales

18. To measure the impact of the Government's Modern Slavery television advertising campaign run in summer 2014 and to inform internal campaign planning, an independent online tracking questionnaire was conducted before and after the campaign. The evaluation found that following the campaign:

- more people were aware that modern slavery exists in the UK;
- more people recognised modern slavery as a problem in the UK; and
- more people claimed they would report suspicion of modern slavery; and

During the campaign, the modern slavery helpline received 591 contacts.

NRM and UKHTC data sources show a consistent and sustained increase in the detection of modern slavery in the UK since data was first collected. We believe that this increase is likely to be at least in part due to the increased priority now attached to tackling this crime and the increased focus of law enforcement and other partners, rather than solely reflecting an increase in the scale of modern slavery itself.

19. The Home Office has conducted research and analysis to establish a better understanding of the scale of modern slavery in the UK. Based on analysis using the statistical technique of multiple systems estimation, the Home Office Chief Scientific Adviser

Professor Bernard Silverman, has estimated that in 2013 there were between 10,000 and 13,000 potential victims of modern slavery in the UK⁹.

UK research councils such as the Economic and Social Research Council, provide funding for academic research into human trafficking. The Research Councils UK Gateway to Research website contains details of recent grants and outputs¹⁰.

20. We offer a wide range of immigration routes open to legitimate migrants wishing to enter the UK for a variety of purposes. We have a selective approach to migration which is designed to operate in a fair and practical way that ensures people come to the UK for the right reasons – to work hard and contribute to our economy and society.

21. Trafficking for human organs is criminalised under s. 4 Asylum and Immigration (Treatment of Claimants) Act 2004. This makes it an offence to traffick someone for exploitation for the purpose of committing an offence under the Human Organ Transplants Act 1989. The new consolidated human trafficking offence in sections 2-3 of the Modern Slavery Act 2015, which will imminently replace this offence, includes trafficking for the purpose of exploitation involving the removal of organs.

The Human Tissue Act 2004 regulates activities concerning the removal, storage, use and disposal of human tissue. A Protocol for managing potential criminal breaches of Human Tissue legislation (under the Act) has been agreed between National Policing Leads, The Human Tissue Authority (HTA) and the CPS. This includes trafficking.

Additionally we have transposed EU legislation in the area of safety and quality of tissues cells and organs of human origin for human application that requires the voluntary donation of such tissue and the licensing of activities such as the procurement, storage and transplantation of tissue, cells and organs. A record of all organs donated and transplanted in the UK must be recorded in a central data base and each donation and transplantation must be traceable.

All living donation in the UK is strictly regulated according to legislation and guidelines. All prospective living donors and recipients are interviewed to ensure that consent is voluntary and unpaid.

The Human Tissue Authority was established under the Human Tissue Act 2004/Scotland Act 2006 to regulate practice in line with the law. They are also the Competent Authority overseeing the requirements of the EU legislation.

The UK was one of 14 countries signing the CoE Convention against Trafficking in Human Organs on 25th March 2015 in Spain.

Legislation on organ trafficking forms part of the legal session and the session on transplantation and ethics during the training of specialist nurses involved in donation from deceased donation.

All potential living donors are assessed by independent assessors (IAs) to ensure that they donor is not receiving financial inducement or being coerced. All IAs are trained and accredited by the Human Tissue Authority (HTA).

⁹ <https://www.gov.uk/government/publications/modern-slavery-an-application-of-multiple-systems-estimation>

¹⁰ <http://gtr.rcuk.ac.uk/>

Scotland

Police Scotland in conjunction with the Scottish Government launched a public facing human trafficking awareness leaflet with the Scottish Business Resilience Centre. The leaflet was distributed to approximately 25,000 people and throughout various businesses to enhance awareness and key indicators of human trafficking.

The Human Trafficking & Exploitation (Scotland) Bill will place a specific duty on Scottish Ministers to prepare and publish, in consultation with key public, third sector and business contacts, a Scottish Human Trafficking and Exploitation Strategy. The Strategy will set out actions to raise awareness of human trafficking. The impact of the Strategy will be reviewed and reported on every 3 years.

Northern Ireland

18. DOJNI has sought to encourage self-identification of victims by distributing a rights-based victims' information leaflet. The leaflet was translated into eight languages, as well as made available in English. The leaflet was distributed to a range of relevant organisations, including Policing and Community Safety Partnerships (PCSPs), homeless organisations, Police Service of Northern Ireland, and healthcare providers.

DOJN also worked with the Home Office to extend the Modern Slavery Campaign to Northern Ireland as well as taking forward a wide programme of awareness and training amongst frontline professionals, key sectors and the wider public. Identification of victims has been a key theme at both the 2013 and 2015 cross-border forums on human trafficking and forced labour. DOJNI and its partners have delivered awareness training and resources for schools, legal professionals, social workers, health professionals, council staff, hotel staff, taxi drivers, recruitment agencies and have participated in a range of initiatives to raise public awareness.

19. The Organised Crime Task Force in Northern Ireland has carried out research on potential victims of human trafficking who have been recovered in Northern Ireland and referred to the National Referral Mechanism (NRM) from 1 April 2009 to 12 August 2013. That report, along with analysis of key trends after 12 August 2013, has informed our strategic response.

An All-Ireland analysis of human trafficking in 2013 and 2014 has also been completed and will be refreshed on a biennial basis.

20. Responsibility for immigration, including migration legislation and policies has not been devolved to the Northern Ireland Executive and remains reserved to the Westminster Government.

21. Section 3 of the Human Trafficking and Exploitation (Criminal Justice and Support for victims) Act (Northern Ireland) 2015 makes explicit that exploitation for human trafficking includes the removal of organs. As noted above, appropriate training and awareness has been delivered across relevant sectors including health and legal professionals and law enforcement agencies.

Measures to discourage the demand (Article 6)

22. What preventive measures to discourage demand that fosters different forms of exploitation has your country adopted, in particular in the areas of:

- a. educational programmes;**
- b. information campaigns and involvement of the media;**

- c. **legislation (including in the areas of public procurement, disclosure requirements and anti-corruption);**
- d. **involvement of the private sector.**

23. Please describe the measures taken in your country to prevent trafficking for forced labour or services, *inter alia*, by means of labour inspection and labour administration, monitoring of recruitment and temporary work agencies, and monitoring of supply chains.

England and Wales

22. The Home Office ran a campaign to increase awareness of modern slavery among the public, partners, and businesses in 2014, and encouraged reporting to the new modern slavery helpline (0800 0121 700) and website (www.modernslavery.co.uk).

The campaign also aimed to raise awareness of forced labour and exploitation amongst employers and industry by targeting sectors in which slavery has been reported – agriculture and fisheries, factories and food processing, construction/ labouring, hotels and catering. We worked with industry bodies in these sectors to inform people who work either directly or indirectly in these sectors about modern slavery, its prevalence in their sector, and measures they can take to ensure their supply chains are clean.

Education programmes can play an important role in challenging attitudes and can deter people from being involved in crime in first place. In the UK the Home Office will continue to work alongside the police and the National Crime Agency with local groups to develop education resources which explain what serious and organised crime looks like and help people to understand the consequences of involvement in it. We will also work with NGOs and faith groups to message local diaspora communities that we believe have links to foreign national perpetrators in the UK and countries of origin.

23. The Gangmasters Licensing Authority (GLA) is also working closely with the University of Derby and the Ethical Trading Initiative on accredited training, aimed at staff and auditors of supermarkets, and major suppliers in the food industry supply chain initially to raise their awareness of forced labour, how to identify it, and the action to take. This follows the GLA's successful piloting of the training package with a major UK supermarket. It has also developed its "Spotting the signs" booklet, reviewed by the ILO, to further support awareness-raising by the private sector and other organisations and individuals.

The Modern Slavery Act 2015 includes a provision which will require businesses of a certain size that do business in the UK and supply goods or services to disclose annually what steps they have taken to ensure that slavery and human trafficking is not taking place in the business or its supply chains.

Northern Ireland

DOJNI is a key partner in the cross-border, EU-funded REACH Project which seeks to prevent the trafficking of women and girls for sexual exploitation. One strand of this project seeks to foster an atmosphere of zero tolerance of human trafficking as a form of violence against women and girls amongst men and boys.

Section 15 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 created a new offence of paying for sexual services of a person. This offence will come into operation on 1 June 2015.

In August 2013 the Justice Minister for Northern Ireland launched an educational resource on human trafficking for teachers of Year 10 and Key Stage 4. The pack aims to raise

awareness of the issue of human trafficking; to help young people to make healthy, safe choices; and to motivate them to become active citizens in the fight against trafficking. The resource has been made available to all post primary schools in Northern Ireland

Invisible Traffick, an NGO represented on the Department's Engagement Group, has also produced an education resource pack for primary schools. Through the concept of Fair Trade, the pack prompts children to consider their role as consumers in society and helps them to develop an understanding of human rights, specifically in relation to human trafficking.

Measures are also in place to ensure that the private sector understands the drivers for demand of trafficked victims.

In partnership with DOJNI, the Northern Ireland Department of Employment and Learning (DELNI) published information on its website intended for employers and employment agencies. This draws attention to the indicators of trafficking and modern slavery and provides advice as to how to report any concerns. The link to this information has been widely circulated. Further work to engage with the private sector in Northern Ireland is planned for 2015/16.

Provisions in the Westminster Modern Slavery Act 2015 relating to transparency in supply chains also extend to Northern Ireland.

The DELNI, through the Employment Agency Inspectorate (EAI), is responsible for regulating private employment agencies in Northern Ireland. Such agencies will supply temporary workers to hirers as and when they are needed. Agencies do not have to register with the EAI and are not "licensed" but any person or company operating as an agency must comply with the Conduct Regulations which the EAI enforce. The legislation exists to protect workers and hirers who use agencies and as such the EAI carry out targeted inspections of agencies on a risk based approach and are keen to identify any sectors which may be of concern. Sector and vulnerability of both end users and work-force are determining factors in the risk analysis.

The EAI regulates sectors of agency work including manufacturing, construction, hospitality, office, health and entertainment and works closely with colleagues in the Gangmasters Licensing Authority (GLA) who regulate the sectors which the EAI does not; horticulture, agriculture, shellfish gathering, and food/drink packaging industries.

The EAI also has a dedicated helpline and public facing mailbox where complaints are received. These complaints are usually directly from workers and often require the EAI to signpost to further organisations such as the PSNI, Labour Relations Agency and the GLA.

Border measures (Article 7)

- 24. Please describe the specific measures taken in your country to strengthen the capacities of border guards to prevent and combat THB, in particular as regards:**
- a. identification of possible victims of THB in the context of border control;**
 - b. identification of possible perpetrators of THB offences;**
 - c. gathering of first-line information from victims and perpetrators;**
 - d. identification of vulnerable persons in need of international protection among possible victims of trafficking.**

25. What measures have been taken to ensure that the personnel employed by commercial carriers, including airline attendants and staff working on other means of transportation by land and sea, are able to detect possible victims of THB and inform relevant bodies in due course?

26. What measures have been taken to promote co-operation between border control agencies as regards the establishment and maintenance of direct channels of communication? How have these channels been used for detecting transnational THB? Please provide examples of cases in which these channels were used and any difficulties encountered by border control agencies in this context.

24. There is collaboration and cooperation between Border Force (BF), local police force leads on trafficking/FGM/safeguarding and social services representatives. There have been a number of operations to combat human trafficking at air and sea ports across the UK in collaboration with other agencies.

Border Force also collaborates with Social Services and Children's Services for regular reviews/ updates on all their cases.

Border Force has set up Safeguarding and Trafficking teams nationally which contain officers who have been trained to identify and deal with these issues. All Higher Officers are being trained and all frontline staff have had the e-learning awareness packages.

Joint Border Intelligence Units (JBIUs) that are being established bring together Border Force officials, the National Crime Agency officers and other major relevant enforcement partners at major ports and airports.

The Home Office Immigration Enforcement's Risk and Liaison Overseas Network (IERALON) uses emerging intelligence to identify potential traffickers and their victims during the visa application process and at the border. The Network will deter and disrupt the use of false documentation and identities by working with airlines, strengthening checks on visa applicants, using appropriate biometric information and working with overseas law enforcement to share information.

25. A final e-learning package is being updated to reflect the introduction of the Modern Slavery Act 2015 which we will provide to airline staff nationally in order to make them more focussed in highlighting potential victims of trafficking and vulnerable children/ adults. The airline staff will also be notified of mechanisms to contact Border Force or the Police who will be able to pursue further once they have been alerted. This is an ongoing process. We have worked with Virgin Atlantic, Thomas Cook and Easy Jet to develop this training and report any unusual behaviour.

26. Border Force works with law enforcement agencies and civil society organisations in source countries to intercept traffickers prevent victims from being trafficked to the UK and provide enhanced protection against re-trafficking.

Identification of the victims (Article 10)

27. Is there a national referral mechanism (NRM) or an equivalent system for identification and referral to assistance of victims of trafficking, both nationals and foreigners, for any form of exploitation? If so, please specify the bodies involved in it and their responsibilities. If an NRM existed in your country at the time of the first evaluation, please indicate any changes that have been made to it in the meantime.

28. Are there any formalised indicators for the identification of victims of THB for different forms of exploitation and how is their use by different professionals ensured in practice in your country?

29. What is considered as "reasonable grounds" to believe that a person is a victim of THB and which bodies have competence to identify victims upon "reasonable grounds"? Please provide examples from practice.

30. What measures are taken in your country to encourage self-identification of victims of THB?

31. What measures are taken in your country to identify victims of THB during the examination of asylum applications and during return of persons whose applications are rejected? How is communication ensured between the authorities responsible for identification of victims of trafficking and immigration and asylum authorities when there are reasonable grounds to believe that a person who is irregularly staying in the country is a victim of trafficking?

England and Wales

27. The National Referral Mechanism (NRM) for victims of human trafficking was established in 2009 and reviewed in 2014. The review report was published on 11 November 2014¹¹ and recommended that the support system for identifying and supporting victims of people trafficking should be overhauled. The review team met over 150 stakeholders and partners to seek views and the key recommendations of the report included:

- extending the NRM to cover all victims of modern slavery;
- strengthening the first responder role - the point when potential victims are first identified and referred - by introducing accredited Slavery Safeguarding Leads;
- streamlining the referral process by removing the "reasonable grounds" decision once the Slavery Safeguarding Leads have been introduced;
- establishing new multi-disciplinary panels, headed by an independent chair, with a view to ceasing the sole decision-making roles of UKVI and the UKHTC; and
- creating a single case working unit within the Home Office to replace the current case-working units in the NCA and UKVI.

The Government accepted these recommendations in principle and is examining how to implement these effectively, including conducting pilots of the new referral and decision making model suggested by the review.

28. The UK Home Office recognises that there are a range of indicators that can help identify victims of trafficking. These indicators cannot be used in isolation; however, they highlight to First Responders that a situation should be further investigated.

The Home Office has issued separate guidance to its frontline staff responsible as First Responders for identifying potential victims and referring them into the NRM, as well as guidance to the Competent Authorities responsible for making trafficking decisions. The guidance makes clear that any frontline member of staff may encounter a potential victim at any stage in the border and immigration process, and they may not have a related protection claim. However, frontline officers in the following areas must be particularly alert to the signs of trafficking: Border Force, criminal casework, entry clearance staff, enforcement teams, immigration crime teams, local immigration teams, asylum screening unit, asylum processing, public enquiry office staff and detention centres. Staff working in these areas

¹¹ http://socialwelfare.bl.uk/subject-areas/services-activity/criminal-justice/homeoffice/170470Review_of_the_National_Referral_Mechanism_for_victims_of_human_trafficking.pdf

must also complete the e-learning training packages 'Human Trafficking' and 'Human Trafficking – the National Referral Mechanism (NRM) Process'.

The guidance to frontline staff covers a range of indicators including physical, psychological, sexual and situational and environmental, and indicators of forced labour and domestic servitude. The training packages also cover objective indicators (those which can be detected through observation e.g. seeming fearful) and subjective indicators which can be found through interviews and investigation.

29. There are currently two Competent Authorities which make decisions on whether there are reasonable grounds to believe that someone is a potential victim following a referral by a First Responder into the NRM: the UK Human Trafficking Centre (UKHTC) and the Home Office Competent Authority, UK Visas and Immigration (UKVI).

UKHTC deals with all cases involving a UK or European Economic Area (EEA) national, and acts as the first point of contact for referrals. If the UKHTC receives a case involving a non-EEA national who is subject to immigration control, they will refer the case to the Home Office Competent Authority unless the case involves a non-EEA national with no active immigration issues. In these cases they will complete the reasonable grounds decision and then refer the case to the Home Office.

The Home Office Competent Authority decides cases where trafficking is raised as part of an asylum claim or in the context of another immigration process.

Based on the guidance to Competent Authorities, the test for the Reasonable Grounds decision is:

- whether the statement 'I suspect but cannot prove (the person is a victim of trafficking)' is true, and
- whether a reasonable person having regard to the information in the mind of the decision-maker, would think there are reasonable grounds to believe the individual has been trafficked.

Reasonable suspicion would not normally be met on the basis of an unsubstantiated claim alone, without reliable, credible, precise and up to date intelligence or information, or evidence of some specific behaviour by the person concerned.

30. It is recognised that victims of trafficking may initially be unwilling to disclose details of their experience or identify themselves as a victim, for a variety of reasons. The Home Office does not necessarily expect a person to feel or behave as a 'victim' (in the sense of being totally dependent on help and protection from someone else). That is why the Home Office requires frontline staff to act as First Responders in identifying potential victims, and the guidance to frontline staff covers victims who are reluctant to self-identify, potential reasons why this may be the case and how to recognise and identify the signs of trafficking where a victim does not self-identify.

However, measures such as using individual screening rooms, if appropriate, are also put in place to ensure that victims feel confident in self identifying when speaking to frontline staff. The Salvation Army is responsible for the Government's Victim Care Contract and victims or concerned individuals are also able to call their 24-hour confidential Referral Helpline.

The Home Office launched a campaign to increase awareness of modern slavery among the public, partners, and businesses, ensuring victims, and those concerned about potential victims, know how to get help. The campaign ran from July to November 2014, and

encouraged reporting to the new modern slavery helpline (0800 0121 700) and website (www.modernslavery.co.uk).

31. The circumstances under which some asylum applicants are encountered by the Home Office, as well as the initial information provided during the screening stage (including in response to some trafficking-specific questions), means that many trafficking cases are identified early during the asylum process. However, victims of trafficking may be identified after this point, based on information obtained during an asylum interview or subsequently. The guidance to frontline staff includes a section on handling potential victims who are identified during an asylum interview. Asylum caseworkers will establish what has happened through using open questions and without making any assumptions. Asylum caseworkers must complete E learning on 'Human Trafficking' and 'Human Trafficking – the National Referral Mechanism (NRM) Process'. The Asylum Learning and Development team also have a section on trafficking issues as part of the five week training programme for new caseworkers.

Most trafficking cases would therefore be identified prior to the returns stage and referred into the NRM. However, enforcement teams also have a responsibility to act as First Responders and be particularly alert to the signs of trafficking, and are covered by the guidance to frontline staff including identification of trafficking indicators. Enforcement teams must also complete the 'Human Trafficking' and 'Human Trafficking – the National Referral Mechanism (NRM) Process'. If they identify a potential victim during the returns process who had not been referred into the NRM previously, they will make a referral at that stage and, if they receive a positive Reasonable Grounds decision, the potential victim will then receive at least 45 days supported recovery and reflection period and a Conclusive Grounds decision, which might result in leave in the UK.

Northern Ireland

The UK NRM also extends to Northern Ireland. DOJNI and other agencies and organisations in Northern Ireland have been fully involved in the review of the NRM. DOJNI is working with the Westminster and Scottish Governments to consider how the recommendations should be implemented within Northern Ireland.

DOJNI has sought to encourage self-identification of victims by distributing a rights-based victims' information leaflet. The leaflet was translated into eight languages, as well as made available in English. The leaflet was distributed to a range of relevant organisations, including Policing and Community Safety Partnerships (PCSPs), homeless organisations, Police Service of Northern Ireland, and healthcare providers.

DOJN also worked with Home Office to extend the Modern Slavery Campaign to Northern Ireland as well as taking forward a wide programme of awareness and training amongst frontline professionals, key sectors and the wider public. Identification of victims has been a key theme at both the 2013 and 2015 cross border forums on human trafficking and forced labour.

Protection of private life (Article 11)

32. What measures are taken by relevant professionals to protect the confidentiality of information and protect the personal life and identity of victims of THB, including as regards storing of their personal data? Are there any conflicts of interest between professional ethics, on the one hand, and the obligation to report an offence, on the other hand? If so, how are these conflicts resolved in practice?

England and Wales

32. The Data Protection Act 1998 (DPA) is an Act of Parliament of the United Kingdom of Great Britain and Northern Ireland which defines UK law on the processing of data on identifiable living people. It is the main piece of legislation that governs the protection of personal data in the UK. It was enacted to bring British law into line with the EU data protection directive of 1995 which required Member States to protect people's fundamental rights and freedoms and in particular their right to privacy with respect to the processing of personal data. Anyone holding personal data for other purposes is legally obliged to comply with this Act, subject to some exemptions. The Act defines eight data protection principles. It also requires companies and individuals to keep personal information to themselves.

The United Kingdom Human Trafficking Centre (UKHTC) publishes an annual report on the nature and scale of human trafficking in the UK. Where the necessary measures to respect the right of data subjects to personal data protection allow, the data is disaggregated into gender, age, exploitation type and country of origin. The latest assessment is available here: <http://www.nationalcrimeagency.gov.uk/publications/399-nca-strategic-assessment-the-nature-and-scale-of-human-trafficking-in-2013/file>

The new duty to notify included in the Modern Slavery Act 2015 will improve our picture of modern slavery in the UK. It will apply to specified public authorities in England and Wales identified as 'first responders'. Where they encounter individuals who may not wish to be referred into the National Referral Mechanism, suitable anonymised data will be captured.

Scotland

The Human Trafficking and Exploitation (Scotland) Bill will place a duty on public authorities to provide anonymised data about potential human trafficking victims to Police Scotland, where victims don't wish to participate in the NRM. This anonymised data will provide wider information about the potential scale and nature of human trafficking activity in Scotland not currently collected through the NRM or criminal justice processes. The data collected should help inform Government and law enforcement to target resources more effectively, to disrupt trafficking activity and identify, recover and support victims better. Non-public authorities, such as third sector organisations, will be asked to provide similar anonymised information about potential victims through a memorandum of understanding.

Northern Ireland

In line with the Modern Slavery Act 2015, the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 has created a statutory duty on specified public authorities to report any cases where there is reason to believe that an individual may be a victim of an offence of slavery, servitude and forced or compulsory labour or of human trafficking (this duty will be commenced by Order of the Department).

This is to improve our understanding of the extent and nature of human trafficking and slavery, servitude and forced or compulsory labour in order to inform the development of effective policy and operational responses. Such information would help Government and law enforcement to target resources more effectively, to support victims better and, importantly, could also help law enforcement to identify and recover further victims and to target and disrupt perpetrators and bring them to justice.

This duty will ensure that even in cases where the individual has declined to give their consent to a referral to the NRM anonymised information can still be captured.

Assistance to victims (Article 12)

33. When assistance to victims is provided by non-state actors, how do your country's authorities ensure compliance with the obligations under Article 12 of the Convention, in particular when it comes to:

- a. funding;**
- b. victim's safety and protection;**
- c. standards of assistance and their implementation in practice;**
- d. access to medical treatment, psychological assistance, counselling and information;**
- e. translation and interpretation, where appropriate?**

34. What specific measures are taken to ensure that the provision of assistance to victims of THB who have been issued a residence permit for the purpose of their co-operation in the investigation or criminal proceedings is not made conditional on their willingness to act as a witness?

35. What accommodation is available for victims of THB (women, men and children) and how is it adapted to the victims' needs?

36. What measures are taken to ensure that services are provided to victims on a consensual and informed basis?

37. Is there any follow-up provided after the termination of assistance programmes? Can victims continue to receive assistance, where necessary and taking into account their specific needs resulting from the type of exploitation (including the removal of organs), after the termination of criminal proceedings, and if so what type of assistance?

England and Wales

33. The Government funds the Victim Care Contract – the national support service for adult victims of modern slavery identified in England and Wales. This provides all adult potential victims of modern slavery with care and support and meets the Government's obligations under Article 12 of the European Convention on Action against Trafficking in Human Beings, and Article 11 of the European Directive on preventing and combating trafficking in human beings.

The Salvation Army has been awarded the Victim Care Contract to continue provision of providing service to adult victims of modern slavery. The new contract will continue the current provisions but may also look to include additional requirements to continue to provide support to victims who receive a positive conclusive grounds decision once they leave Government-funded support.

The obligations under Article 12 of the Convention underpin the Contract that provides the Services to potential victims of modern slavery. The Home Office has in place contract management and monitoring arrangements to ensure that the Contractor, The Salvation Army, complies with and delivers all aspects of the contract.

Local authorities have well-established child support arrangements and a statutory duty to safeguard and promote the welfare of all children in need of protection, including trafficked children. Under these arrangements, looked after children are provided with access to meet all of their needs, be these in relation to education, accommodation, psychological well-being or health. In July 2014 the Department for Education published updated care planning regulations and guidance for unaccompanied asylum seeking and trafficked children to clarify the steps local authorities should take in providing appropriate support.

We are currently trialling specialist independent child trafficking advocates to act as a single point of contact supporting, guiding and advising the child as needed through the complexities of the social care, immigration and criminal justice systems and will be responsible for promoting the child's safety and wellbeing. The Modern Slavery Act 2015 includes a provision enabling advocates to be placed on a statutory footing.

Where these exist, potential victims do have access to English as a Second Language (ESOL) classes and practical workshops, which are made available to them by their service provider. In addition, during their recovery and reflection period, potential victims will be provided with a range of options for when they leave the Service.

34. Adult victims of human trafficking who have appropriate leave to remain in the UK and decide to stay are able to access means-tested residence based benefits, and will be encouraged to access the labour market and/or seek vocational training. Interpreting services may also be provided to those accessing these services if their first language is not English.

In line with Article 12, assistance to victims via the NRM (including the 45 day recovery and reflection period and support provided under the Victim Care Contract) is provided to all potential victims who have a positive reasonable grounds decision; it is not made conditional on their willingness to act as a witness.

In relation to residence permits (Article 14), the Home Office may grant a period of 12 months discretionary leave where a victim needs to remain in the UK to assist with police enquiries. Where a person is conclusively found to be a victim of trafficking and has agreed to assist with police enquiries from the UK, the police must make a formal request for them to be granted leave to remain on this basis. This may be extended where necessary, for example, where a criminal prosecution takes longer than expected and the police have confirmed this or requested an extension.

Victims may also be eligible for discretionary leave if they have compelling personal circumstances requiring a longer stay in the UK (e.g. to complete a course of medical treatment which would not be readily available if they were to return home) or to pursue a claim for compensation against their traffickers.

35. As prime contractor, The Salvation Army has access to over 200 units of safe accommodation across 9 regions of England and Wales. This allows for victims to be safely accommodated outside of the area of exploitation.

Accommodation varies from single flats to shared houses with 3 to 12 units of accommodation. Safe houses are available to meet the specific needs of single male or female victims, pregnant women, lone parents, large families and couples, including lesbian and gay couples.

Under the new contract the number of accommodation units will increase significantly to reflect the anticipated growth in the number of potential victims that will require support under the contract.

36. The nature and provision of the service is explained to each potential victim in a language they understand in order for them to make an informed decision on whether to accept the support being offered. Also, to ensure victims are able to understand the support that is available to them, a leaflet offering advice to trafficking victims into 11 languages is available. These languages relate to the most common nationalities supported.

37. There are no formal arrangements in place for follow up support after the termination of the funded support period. However, as part of the support provided under the contract, wherever possible, victims are engaged with or signposted to other agencies and charities that may assist them further. Also, some service providers within the Victim Care contract have separate projects and 'drop in' services that victims may access following move on.

Scotland

There has been in depth discussion with regards to ensuring and maintaining an adequate support package. The Human Trafficking & Exploitation (Scotland) Bill will place on a statutory basis the responsibility of Scottish Ministers to ensure the provision of appropriate support to adult victims of human trafficking. The support package includes, as required, access to safe accommodation and material assistance for victims of human trafficking. It also provides help to access specialized care including medical treatment, psychological assistance, counseling and information. Potential adult victims are also provided with assistance to access translation, interpretation and legal services and provided with help to access compensation. Child victims of human trafficking in Scotland already have statutory rights to receive services and support based on their individual needs, as set out in relevant child support and child protection legislation.

The Human Trafficking and Exploitation (Scotland) Bill will commit Scottish Ministers to publish and update regularly a Scottish Anti trafficking strategy, setting out a vision and key objectives for a multi-agency approach to raising awareness of trafficking and making Scotland a hostile environment for traffickers.

Northern Ireland

In January 2014, following a public procurement process, DOJNI awarded contracts for the delivery of support services to potential adult victims of human trafficking to Migrant Help in respect of male potential victims and to Belfast and Lisburn Women's Aid in respect of female potential victims.

The support package includes access to safe accommodation and material assistance for victims of human trafficking. It also provides help to access specialised care including medical treatment, psychological assistance, counselling and information. Potential adult victims are also provided with assistance to access translation, interpretation and legal services and provided with help to access compensation. Delivery of the support package is overseen by a multi-agency Stakeholder Group.

The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 has put this support for potential adult victims of human trafficking onto a statutory footing in Northern Ireland. The appropriate Health and Social Care Trusts provides support for child victims and potential victims of trafficking.

The DOJNI is responsible for the provision of Convention-related care for the period the victim remains within the National Referral Mechanism and not less than 45 days. Under the terms of the contracts there are no provisions for follow-up after the termination of assistance programmes.

Recovery and reflection period (Article 13)

38. Please specify in which cases a recovery and reflection period can be granted and who is entitled to it (nationals, foreign nationals). Please describe the procedure for granting a recovery and reflection period, the assistance and protection provided during this period, and any difficulties encountered in practice.

England and Wales

38. The Convention recommends that all potential victims are given a minimum recovery and reflection period of 30 days. The UK Government provides all potential victims of modern slavery a minimum of 45 days recovery and reflection period or until a positive determination that the individual is a victim of trafficking is made, whichever is greater. This is regardless of whether the individuals are British or foreign nationals.

Scotland

The Human Trafficking and Exploitation (Scotland) Bill will put the requirement to provide appropriate support for potential adult victims of human trafficking onto a statutory footing in Scotland, including a necessary minimum recovery and reflection period. As in England and Wales, the current minimum period is 45 days. The Bill provides flexibility for Scottish Ministers to extend this period.

Northern Ireland

Section 18 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 makes statutory provision for support and assistance to be provided to adult potential victims of human trafficking in Northern Ireland.

A potential victim referred to the NRM is entitled to assistance and support until either:

- there is a determination that there are not reasonable grounds to believe the individual is a victim of trafficking; or
- there is a conclusive determination, either way, about whether the person is or is not a victim of trafficking.

In cases where a positive conclusive determination is reached (i.e. that the person has been trafficked) the DOJNI is required to continue to provide support until the end of a 45 day period (the NRM's "Recovery and Reflection Period").

Residence permit (Article 14)

39. If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.

40. When a residence permit is issued for the purpose of co-operation with the competent authorities, how is "co-operation" interpreted and what does it consist of in practice?

41. What measures are taken to ensure that a residence permit is provided to victims of THB in compliance with the obligation under Article 12.6, which states that the assistance to a victim of trafficking should not be made conditional on his or her willingness to act as a witness?

England and Wales

39/41 Our guidance to Competent Authorities states that where someone is recognised as a victim of trafficking at the conclusive grounds decision and does not meet the criteria for any of the other leave or protection categories, it may be appropriate to grant them discretionary leave if their personal circumstances are compelling – for example, to allow them to complete a course of medical treatment which would not be readily available if they were to return home. This Discretionary Leave is for at least 12 months, and normally no more than 30 months, in line with our wider policy on discretionary leave. It is possible to apply for extension at the end of this time if the victim continues to qualify for leave under the Discretionary Leave policy or under other provisions of the Immigration Rules.

In line with Article 12, assistance to victims via the NRM (including the 45 day recovery and reflection period and support provided under the Victim Care Contract) is provided to all potential victims who have a positive reasonable grounds decision; it is not made conditional on their willingness to act as a witness. During this time, the Competent Authority will make a conclusive grounds decision. If this decision is positive, the victim may be eligible for discretionary leave.

In relation to residence permits (Article 14), the Home Office may grant a period of 12 months discretionary leave where a victim needs to remain in the UK to assist with police enquiries. Where a person is conclusively found to be a victim of trafficking and has agreed to assist with police enquiries from the UK, the police must make a formal request for them to be granted leave to remain on this basis. This may be extended where necessary, for example, where a criminal prosecution takes longer than expected and the police have confirmed this or requested an extension. Victims may also be eligible for discretionary leave if they have compelling personal circumstances requiring a longer stay in the UK (e.g. to complete a course of medical treatment which would not be readily available if they were to return home) or to pursue a claim for compensation against their traffickers.

Going forward, the Modern Slavery Strategy includes a commitment to work with law enforcement and others to promote the ability to request Discretionary Leave for victims of trafficking who co-operate in the investigation of police proceedings. When considering a referral into the NRM, UKVI will seek to ascertain whether any criminal investigation has commenced or is ongoing.

Adult victims of human trafficking who have appropriate leave to remain in the UK and decide to stay are able to access means-tested residence based benefits, and will be encouraged to access the labour market and/or seek vocational training.

Compensation and legal redress (Article 15)

42. Please indicate any measures taken since the first evaluation report to promote effective compensation of victims of THB, in particular when it comes to:

- a. access to information on the relevant judicial and administrative proceedings in a language the victim can understand;**
- b. access to free legal assistance and legal aid during investigations and court proceedings;**
- c. compensation from the perpetrator;**
- d. compensation from the state;**
- e. compensation for unpaid wages to victims of trafficking.**

Please provide examples of compensation awarded and effectively provided to victims of THB.

43. What specific measures are taken to make available the assets of traffickers to provide compensation (for example, effective financial investigations resulting in seizure of assets of perpetrators with the view to their confiscation)?

44. Is there a possibility for victims of THB to claim damages and compensation in the country of destination after their return to the country of origin? Please provide any relevant examples.

England and Wales

42. Victims of trafficking and those granted asylum are entitled to apply for compensation under The Criminal Injuries Compensation Scheme 2012, if they have suffered a criminal injury in Great Britain. There is no right to automatic compensation, but as with all claims, there are eligibility criteria that victims are required to meet.

The Criminal Injuries Compensation Authority worked closely with the Salvation Army, who run the Government-funded Victim Care Contract and with UKHTC. CICA published the leaflet "Victims of Human Trafficking and the Criminal Injuries Compensation Scheme" on GOV.UK and provided the Salvation Army with a fact sheet for front line staff to make victims of human trafficking, who have suffered an injury as a result of their experience, aware of the routes to compensation. There is a section of the Code dedicated to the particular needs of children and young people.

New bespoke Reparation Orders in the Modern Slavery Act 2015 will ensure that courts give appropriate priority to compensating victims and have the necessary tools to ensure that more money from convicted slave drivers and traffickers goes directly to their victims. Where the perpetrator has assets available, as evidenced by a Confiscation Order, the court would have to consider making a Reparation Order to provide reparation to the victim for the harm that they have suffered and give reasons if it does not.

Victims of human trafficking can apply for civil legal aid for advice and representation in relation to immigration matters and for damages or employment claims in relation to their trafficking exploitation.

For example, in 2014 Confiscation Orders were made against all five defendants in R v Connors & Ors, members of the travelling community, who recruited vulnerable men (homeless, friendless, isolated and addicted to alcohol) into their family 'business' of block-paving work. The victims were made to work excessive hours completing hard manual labour, without adequate tools or safety equipment, for little/no pay. They were forced to live in poor accommodation, subjected to violence and threats, verbal abuse, were told that they could never leave and were threatened with physical reprisals if they did so. The defendants were convicted of conspiracy to require persons to perform forced or compulsory labour. Twenty victims were recovered but not all were able to give evidence. The judge awarded compensation (in various sums) to 14 victims who didn't give evidence on the basis of the evidence given by others as to the defendant's treatment of them.

43/44. The Proceeds of Crime Act (POCA) 2002 sets out the legislative framework for the recovery of criminal assets. Prosecutors are advised to consider asset recovery in every case in which a defendant has benefited from criminal conduct, which includes human trafficking and slavery which are lifestyle offences for the purposes of POCA. Prosecutors advise the police on financial investigation and instigate confiscation proceedings. They also ensure that assets are restrained (anywhere in the world) pending the making of a confiscation order, ensure that confiscation orders are made in appropriate amounts and that when made, the orders are enforced. This includes recovering assets in the UK and overseas, and on behalf of overseas jurisdictions in response to requests for Mutual Legal Assistance.

POCA makes it clear that, where there is both a confiscation order and a compensation order, monies collected under the confiscation order should be used first to settle any compensation to victims, if the defendant does not have the means to pay both orders.

The Serious Crime Act 2015 which came into force 3 May 2015 makes amendments to POCA to close various loopholes in the legislation to help enforcement and speed up confiscation.

There is the possibility for victims to claim compensation from confiscation proceedings, as long as the relevant applications have been made before their return to the country of origin.

Scotland

Section 249 of the Criminal Procedure (Scotland) Act 1995 as amended by section 24 of the Victims & Witnesses (Scotland) Act 2014 requires a court in Scotland to consider in all relevant cases whether to make a compensation order requiring the offender to pay compensation to the victim. This includes in cases with a human trafficking background. Under the current arrangements, victims in Scotland can apply for the Criminal Injuries Compensation Scheme too.

Northern Ireland

Applications for compensation are handled in accordance with the Compensation (Northern Ireland) Order 2002 and the Northern Ireland Criminal Injuries Compensation Scheme 2009. The scheme allows for those who are resident in the United Kingdom, as well as those outside Northern Ireland and the United Kingdom, to apply for compensation. It is open to victims of human trafficking.

Section 20 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 also places a requirement on the DOJNI to produce statutory guidance setting out the procedures for a human trafficking victim to apply for compensation and the arrangements to provide assistance and support to a person applying for compensation. A leaflet for victims of human trafficking on applying for compensation is currently being developed and this will be translated into the languages most commonly spoken by potential victims of human trafficking recovered in Northern Ireland. DOJNI is also working to develop guidance notes to assist victims of human trafficking in completing a personal injury application form.

The Compensation Service in Northern Ireland has also put in place measures to record compensation claims in human trafficking cases, where this is known. There have been 19 cases to date:

- 12 cases are ongoing.
- 3 cases have been successful.
- 4 cases were denied.

A guidance note on compensation for victims of human trafficking has been issued by the Chief Executive of the Compensation Agency to agency staff.

Section 10 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 also created a power for courts in Northern Ireland to order a convicted perpetrator to provide reparation to their victim. Under this measure courts are required to consider making a reparation order where they have powers to do so and to set out their reasons where they choose not to do so.

Access to translation and interpretation services is included in the DOJNI's package of support for potential victims during the recovery and reflection period. The DOJNI's package of support for potential victims during the recovery and reflection period includes signposting to legal advice. All victims of trafficking are made aware of their rights for legal redress in a language that they can understand.

Victims of human trafficking are entitled to legal aid in Northern Ireland.

Repatriation and return of victims (Article 16)

45. What steps are taken to ensure that the return of victims of THB from your country to another country is carried out preferably voluntarily and in full observance of the duty to ensure their rights, safety and dignity, including the obligation not to return a person to a country where his or her human rights are at risk of being violated (*non-refoulement* principle)? How is risk assessment carried out when deciding upon return and repatriation of victims of THB? What is the procedure and what are the modalities of co-operation with the authorities of the receiving state?

46. Has any victim of trafficking who is a citizen or permanent resident of your country been returned against their will? If yes, what steps, if any, were taken to assist them after their return?

England and Wales

45. Voluntary return packages for non-EEA Nationals are operated by Choices (a subsidiary company of Refugee Action). All victims of trafficking are made aware of the packages offered by Choices, who ensure that they engage with support providers. The UK Government has committed to extending the Choices return project to EEA nationals.

In addition, the Government funds the International Organisation for Migration (IOM) operated voluntary Albania Reintegration Project, a reintegration package specifically for victims of trafficking from Albania. Again, IOM have conducted significant outreach to engage with support providers.

Both packages provide voluntary return and reintegration provision which ensures that the rights, safety and dignity of trafficking victims are protected. They also provide for a tailored reintegration package, where the skills and ambitions of the victim are taken into account and reintegration provision is both realistic and achievable.

We are reviewing the provision of return and reintegration and will engage with Refugee Action, IOM, The Salvation Army and support providers to ensure that victims are fully informed about the provision available to them.

46. We are not aware of any UK national who has been trafficked abroad and then returned to the UK against their will.

The return of a person with no right to remain in the UK is progressed on a case by case basis. Supported voluntary return packages are available to victims to help them reintegrate and build new lives on return, for example the CARE package operated by the International Organisation for Migration with the UK, France, Austria, Spain and Portugal. This provides pre-departure, post-arrival and reintegration assistance specifically for victims, including anything from accommodation or medical needs, to the purchase of livestock, business set-up, improved security in the home and a driver's license. The tailored assistance package is €2000.

Scotland

In Scotland support service providers for potential adult victims of human trafficking currently have the discretion to help with repatriation of potential victims on a case-by-case basis, where the individual has requested it and where both the police and support providers indicate that repatriation would be in the best interests of the potential victim.

Northern Ireland

The DOJNI contracted support services for adult victims of human trafficking currently provide discretionary assistance with the repatriation of potential adult victims on a case-by-

case basis. Repatriation takes place where it is decided to be in the best interests of the individual and only following advice from relevant statutory authorities, such as the police, regarding safety of return.

All victims are screened and their own circumstances are discussed to identify possible issues. If the person is in this country lawfully whether they are repatriated is on a voluntary basis. Victims are given advice before returning to their home country as to their welfare and personal situation. Information is shared with the country of origin through either the embassy or Europol. Risk assessments are conducted using the relevant information via protocols that exist for the sharing of criminal intelligence.

As repatriation is prompted initially by a request from the victim to return home, neither DOJNI nor PSNI is aware of any repatriations where the victim was returned against their will.

Corporate liability (Article 22)

47. Have there been any developments in your country's law regarding corporate liability for THB offences? Does corporate liability apply to legal persons involved in THB for the purpose of forced labour or services, including by their sub-contractors throughout the supply chain? Please provide examples of any relevant cases and the sanctions imposed.

47. The human trafficking and slavery servitude and forced or compulsory labour offences in the Modern Slavery Act 2015 can be committed by all persons including legal persons. This means they can be committed by companies provided the usual legal principles of corporate criminal liability apply.

The Modern Slavery Act also includes a provision requiring large businesses to disclose what they have done to ensure their supply chains are slavery free. The Government has recently completed a consultation to determine what size of business this provision should apply to and what our accompanying guidance should cover. Gathering a wide range of views will help us to identify a fair threshold and ensure that our guidance meets business needs.

Aggravating circumstances (Article 24)

48. Have there been any prosecutions and convictions for THB with the aggravating circumstance of involvement of public officials in the exercise of their functions? Please provide any relevant examples.

48. There have been no cases referred to the CPS for prosecution of public officials for their involvement in human trafficking.

Northern Ireland

There have been no prosecutions and convictions for THB with the aggravating circumstance of involvement of public officials in the exercise of their functions.

Non-punishment provision (Article 26)

49. Is the non-punishment provision incorporated in law and/or prosecution guidelines? If so, please provide the relevant texts. Please give details, including

references to case law where relevant, of cases where the non-punishment principle has been applied and the outcome of such cases.

England and Wales

49. The Crown Prosecution Service (CPS) issued refreshed guidance to prosecutors in February 2014 on the non-prosecution of suspects who might be victims of human trafficking. This has been shared with the National Policing Lead and the Law Society to ensure their members are aware as prosecutors are reliant on information from both sources on the identification of potential victims in order to inform their decision.

The CPS has also participated in a number of seminars for the judiciary, Bar and Law Society to highlight their role in identifying suspects who might be victims of trafficking. Additional briefings have been provided in seminars to the police.

A new statutory defence for victims of human trafficking and slavery who have committed criminal offences is provided for at section 45 of the Modern Slavery Act 2015; this will operate in parallel with the CPS guidance. However, the issue of non-prosecution or availability of a defence is entirely reliant upon the identification of the suspect as a trafficked victim.

Northern Ireland

Public Prosecutors in Northern Ireland, when applying the Test for Prosecution, must give consideration as to whether the public interest requires prosecution in cases where the defendant is a trafficked victim and the crime has been committed when he or she was compelled to commit it. The Public Prosecution Service for Northern Ireland's (PPS) Policy for Prosecuting Cases of Human Trafficking includes guidance on taking decisions in such cases, as well as highlighting the relevant case law. The PPS has confirmed that it has applied this approach in such cases already, resulting in no prosecution of the trafficked person. In 2014 the PPS also issued further detailed guidance to prosecutors in this regard.

In addition, section 22 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 provides a statutory defence for victims of offences of human trafficking or of slavery, servitude and forced or compulsory labour who have been forced to participate in certain criminal activities.

This new measure affords greater protection from prosecution for such victims, in cases where the nature of the offence means that prosecution would not be in the wider public interest, in line with our obligations under Article 8 of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA¹² ("the EU Directive"). The defence does not apply in the case of certain serious offences.

Ex parte and ex officio applications (Article 27 in conjunction with Article 1.1.b)

50. Does your country's law provide for the possibility of investigating a THB case in your country if the offence was committed on your territory, but the complaint was submitted in the country of residence of a foreign victim of THB? Please provide any relevant examples.

¹² A copy of the EU Directive can be accessed at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:101:0001:0011:EN:PDF>

This will depend on a variety of circumstances such as whether the overseas country passed the complaint to the UK police; whether the complainant contacted UK police; whether the complainant was prepared to assist; what, if any evidence it was possible to gather; whether the defendant was still in the UK/capable of being traced.

There are several potential outcomes to a scenario where if an individual alleges they were a potential victim of modern slavery or human trafficking in the UK but now reside outside the UK.

An allegation of this type could be forwarded to the UK law enforcement in several ways, including:

- By letter or email to the UK Police; or,
- Intelligence report via Europol/Interpol.

Victim identified as a result of enquiries in an on-going investigation.

Once identified and it is confirmed that a potential victim is willing to support an investigation, there are several options available to the UK law enforcement agencies. There is no single mechanism for forwarding an allegation of crime made in one country that impacts on another.

EU & Non-EU based victims

Applications via CPS for an international letter of request (ILOR) asking for a victim/witness statement to be taken by local police in the country of residence.

Applications via CPS for an international letter of request (ILOR) asking for permission for the UK Officers to travel to the country of residence and obtain evidence/statements.

EU based victims

In addition to the two outcomes above, there are additional options/considerations for those based in the EU countries member states. If appropriate, consideration for the formation of a Joint Investigation Team through EuroJust or through an invitation to the victim to return to the UK for statements and to assist with additional enquiries.

Dependent on a country's political profile and/or FCO advice, there will be scenarios where making contact with a potential victim could place them at further risk of harm. Such potential circumstances will need to be assessed and full detailed decisions documented.

Northern Ireland

Yes, an example being where the victim has made their complaint in Republic of Ireland.

51. Please describe the measures taken in your country to ensure compliance with the obligation of effective investigation into THB cases, in particular as regards:

- a. setting up specialised investigation units and the number of staff involved;**
- b. exchange of information with, and obtaining evidence from, other parties;**
- c. use of special investigative techniques (such as informants, cover agents, wire-tapping, controlled deliveries), with an indication of how their use is regulated and whether they can also be applied in cases not related to organised crime;**
- d. investigation of THB offences committed through the Internet, including the possibility of blocking websites which are used to facilitate the recruitment of trafficking victims or the dissemination of child pornography;**

- e. **financial investigations to disrupt criminal money flows and ensure asset recovery;**
- f. **use of joint investigation teams (JITs).**

England and Wales

51. The NCA has responded to the government strategy on Modern Slavery (including human trafficking) and is leading two National Projects:

- o **Heatproof 2** – a project which encompasses all facets of the NCA action in this area
- o **Zigurat** – NCA response to Organised Immigration Crime and Human Trafficking.

NATIONAL OIC and HT THREAT GROUP

The head of the NCA UK Human Trafficking Centre (UKHTC) chairs the multi-agency sub threat group - Key Threat 5 Human Trafficking and Modern Slavery. The mandate is to identify ways in which the representative organisations can work together to produce activity that is beyond business as usual. The Strategic Action Plan 2015 for this group focusses on the disruption of criminals trafficking children and adults (overseas, at the UK border, and in country).

The NCA directly supports the Home Office Modern Slavery Strategy through commitments to the 'four Ps' approach of Pursue, Prevent, Protect and Prepare:

- a. The UKHTC is dedicated to providing national support through;
 - Management of the UK National Referral Mechanism (NRM)
 - Tactical Advisors providing support to NCA and partner investigations
 - Intelligence Development
- b. Using appropriate legislation and MOUs, information and evidence is regularly and routinely shared between parties involved in the activity to combat THB.
- c. Provision for the use of such techniques is governed and regulated by the Regulation of Investigatory Powers Act 2000 (RIPA) and can be applied to cases where it is considered necessary and proportionate.
- d. The NCA National Cyber Crime Unit (NCCU) and the Child Exploitation and Online Protection (CEOP) unit support THB offences committed through the internet including those which involve child sexual exploitation.
- e. All NCA investigations into THB will determine the opportunities for financial investigation and asset seizure.
- f. Where there is an international element to a case, the use of a JIT will be considered and negotiated through officers based in Europol, including NCA officer based overseas.

Northern Ireland

- a. A Human Trafficking Unit has been established within the PSNI staffed by 8 experienced officers to pro-actively investigate trafficking offences.
- b. Various MOUs and agreements already exist between PSNI and other parties that permit the sharing of information and exchange of evidence.
- c. The use of special investigative techniques by PSNI is permitted and regulated under Regulation of Investigatory Powers Act 2000. Use of such techniques is not restricted to organised crime and can be used in any investigation where deemed proportionate and necessary.
- d. The PSNI Human Trafficking Unit works closely with the Cyber Crime Centre to develop and enhance cyber tactics that can help identify victims, offenders and websites that may be used by traffickers.
- e. Each investigation into THB will have a linked financial investigation to identify assets linked to the Traffickers with a view to seizing assets

- f. Where an international element to an investigation can be established then the use of a JIT is considered at an early stage through contacts developed in Europol. An example of this was Operation Burgave where a JIT with Sweden was successfully used.

52. Have you had any cases or suspected cases of THB for the purpose of the removal of organs? How did investigations take place in such cases and what special investigation techniques were used?

England and Wales

52. Whilst there have been a couple of cases of trafficking for organ removal investigated, no further action was taken.

Northern Ireland

PSNI has not encountered any cases or suspected cases of THB for the purpose of the removal of organs in Northern Ireland.

Protection of victims, witnesses and collaborators with the judicial authorities (Article 28)

53. What measures are taken to protect victims, witnesses and NGOs assisting victims during criminal proceedings from potential retaliation or intimidation during the investigation and during and after the criminal proceedings? In how many cases have special protection measures been used in respect of victims and witnesses of THB? Please specify any difficulties in providing victim/witness protection and creating a safe environment for their participation in investigations and court proceedings.

54. What other measures are taken to promote the participation of victims and witnesses in criminal proceedings and to give testimonies which accurately reflect their experiences and assist courts in establishing the truth? Can a victim of THB be assisted by a social worker, psychologist and/or NGO representative during the investigation and court hearings?

England and Wales

53. There are many provisions in place to help vulnerable and intimidated witnesses give evidence in court through special measures – such as giving evidence from behind a screen or by video link, access to a registered intermediary and use of ground rule hearings to prevent oppressive cross-examination. The Government is working to improve the consistency and use of special measures to support vulnerable witnesses including recruiting more registered intermediaries, and looking at ways to increase the number of sites where vulnerable and intimidated witnesses can give evidence away from the court.

Pre-trial cross-examination is being piloted in three courts, allowing vulnerable witnesses, which may include victims of human trafficking, to give evidence in advance so they do not have to do so during the full trial. Evaluation of the pilots will help inform the decision on any future roll-out of the measure.

54. Through the Modern Slavery Act 2015 we will ensure that existing specific provisions for human trafficking victims, including automatic eligibility for special measures, are extended to all modern slavery victims.

Scotland

Section 10 of the Victims & Witnesses (Scotland) Act 2014, provides victims of human trafficking in Scotland with automatic right to access special support measures, such as screens in court or giving evidence by video link.

Northern Ireland

The Public Prosecution Service (PPS) “Policy for Prosecuting Cases of Human Trafficking” includes sections on the views and interests of victims and on the special measures that may be provided to help them give their best evidence. This sets out in detail the PPS commitment to ensuring that the interests of victims are considered at every stage of the criminal process.

Sections 23 and 24 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 make provision to enhance the protection of victims during criminal investigation, to prevent secondary victimisation and to clarify that victims of human trafficking and slavery-like offences are eligible for special measures in court.

Jurisdiction (Article 31)

55. Please outline the measures taken by your country to establish and exercise jurisdiction over the offences set out in the Convention, in particular with regard to offences committed outside the jurisdiction of the state (including in cases where your national is a victim of THB committed abroad).

England and Wales

55. The Modern Slavery Act 2015 makes slavery, servitude and forced or compulsory labour and human trafficking criminal offences. This builds upon existing legislation which criminalises such conduct.

In the case of human trafficking, a UK national who commits the offence overseas will still be liable to prosecution in this country.

A non UK National commits an offence of human trafficking if any part of the arranging or facilitating of the travel takes place in the UK or the travel consists of arrival in or entry into, departure from, or travel within, the UK. In that circumstance it may be possible to seek the extradition of a foreign national to stand trial in this country.

Northern Ireland

Section 2 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 makes provision for the offence of human trafficking and ensures that traffickers operating across international borders, or internally within the United Kingdom, are not immune from prosecution in Northern Ireland.

Strong cooperation exists between PSNI and An Garda Síochána (AGS). AGS is represented on the OCTF and DOJNI has worked in partnership with the Irish Department of Justice Equality, including on the EU-funded cross-border REACH Project, which aims to tackle the trafficking of women and girls for sexual exploitation.

A Joint Investigation Team (JIT) involving the PSNI and Swedish police was used during Operation Burgrave. This was an investigation into a Romanian OCG involved in Human Trafficking, Controlling Prostitution, and Brothel Keeping. These offences occurred throughout Northern Ireland, Sweden, Ireland and Romania. The joint approach resulted in the successful prosecution of two suspects in Sweden for trafficking offences. A similar prosecution is pending in Northern Ireland. The JIT provided for quick-time sharing of

intelligence and for the smooth exchange of evidence. Without the use of the JIT it is unlikely that there would have been such a successful outcome.

Issues have been encountered where another nation cannot participate in a JIT because no criminality has occurred within their jurisdiction although the OCG involved may be based there as happened with Romania during Operation Burgrave. Other difficulties have arisen when working with nations that do not allow the use of JITs such as Republic of Ireland.

International co-operation (Article 32)

56. Please provide examples of international co-operation initiatives with other states in preventing and combating THB, as well as an assessment of the impact of such initiatives, including any difficulties you have experienced in this area. Please also indicate any bilateral or multilateral agreements concluded by your country concerning mutual legal assistance and how such assistance is provided in the absence of an agreement.

56. The Modern Slavery Strategy includes a strong international focus and details the UK's efforts to foster international cooperation with a view to preventing modern slavery, assisting the victims of trafficking and ensuring their safe return, including through exploring further possibilities for co-operation with governmental and non-governmental actors in countries of origin and transit.

The Government is committed to identifying priority countries and working with international partners to provide support and advice to British Embassies and High Commissions so that they can prioritise activity to tackle modern slavery.

We have already facilitated small scale training programmes by non-governmental organisations in West Africa and South East Asia. We will also continue to work with Europol, Interpol and their member countries to improve international co-operation on preventing modern slavery.

We will continue to support the Santa Marta Group, launched in April 2014 by Pope Francis, which brings together senior international law enforcement chiefs and representatives of the Roman Catholic Church to strengthen and coordinate the response to tackling modern slavery globally.

In conjunction with four other EU Member States we finance the CARE programme, an International Organisation for Migration run project, to provide reintegration support to victims of human trafficking returning to non EU countries.

The Government has financed a wide range of awareness-raising activities in key countries. This includes co-financing the Hungarian Government's Human Trafficking awareness raising programme series at the Sziget Festival which is visited by over 400,000, mainly young, people.

In Lithuania the UK Embassy launched the Comic Relief funded film "*Two Little Girls*" in partnership with Save the Children. The short animated film based on real life stories is aimed at young women in Eastern Europe who are in danger of being trafficked for sexual purposes. The launch attracted significant media coverage including on Lithuanian national television.

Between 28 and 29 April 2015, the Gangmasters Licensing Authority ran a conference with the assistance of ICMPD, funded by the FCO, attended by the ILO, OSCE, UNODC,

CEPOL, the Council of Baltic Sea States, and representatives from a number of destination and source countries to discuss effective operational collaboration, and how to support investigation in both support and destination countries. The work is complimentary to the work of Europol's EMPACT project on tackling forced labour.

Measures related to endangered or missing persons (Article 33)

57. What measures are envisaged in your country to transmit information to another party concerning a victim, witness or collaborator with the judicial authorities in a THB case, who your authorities believe is in immediate danger on the territory of another party? What protection measures are envisaged for such persons, should another party to the Convention inform you about their presence on your territory? Please provide examples from practice.

58. Has an early warning system for missing children been introduced in your country and is the harmonised European telephone number for missing children available? What other measures are there for early signalling to other countries about endangered and/or missing children? Has your country concluded any agreements or taken any other measures to reinforce co-operation with other countries in the search for missing people, in particular children, where your authorities have reasonable grounds to believe that missing children may be victims of trafficking or are at risk of becoming victims of trafficking?

England and Wales

57. We are working with partners to ensure our police and operational response is sufficiently robust including work to explore opportunities to spread good practice to reduce the number of children who go missing. This includes reviewing how to identify those at risk at our ports and border, and issuing guidance to local authorities on protecting children at risk of going missing from care.

Statutory guidance on children who run away or go missing from home or care was issued in January 2014. It includes information about local authority responsibilities for protecting children who have been victims of trafficking¹³.

58. The UK's Child Rescue Alert system (equivalent of the Amber Alert Europe) was re-launched in May 2014 by the National Crime Agency's CEOP Command and the charity Missing People. The charity also runs the European 116 000 telephone number as a free and confidential helpline that is open 24 hours a day (to children and adults).

In addition, on 13 April 2015 the UK connected into SISII, a European system used by 29 countries which enables the exchange of law enforcement alerts on persons and objects in real time. This includes information on missing persons who need to be located or placed in a place of safety; including children and those needing immediate protection and safeguarding. The UK participates in the law enforcement aspects of SISII, as we have maintained control of our own borders.

Scotland

The Scottish Government is coordinating the development of a National Missing Persons Strategy for Scotland. The aim of the Strategy is to aid the creation of more effective and

13

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/307867/Statutory_Guidance_-_Missing_from_care_3.pdf

consistent arrangements for agencies involved in handling missing person's episodes, and also to help safeguard those that go missing. It will provide clarity about the existing legislative framework and guidance, promote best practice, identify preventative approaches, and raise awareness of people at risk of going missing. Its focus will be around prevention, safeguarding, and support.

Northern Ireland

'Revised Regional Guidance Police Involvement in Residential Units – Safeguarding of Children Missing from Home or Foster Care' was published in May 2012 by the Health and Social Care Board and the Police Service of Northern Ireland (PSNI) and updated recently in 2015. The document contains two related but distinct Guidance areas:

- guidance in relation to when the PSNI attend residential units including where a child is missing; and
- guidance in relation to children living within their own families, or who are in the care of a Health and Social Care Trust and placed in a family setting, who go missing.

In Northern Ireland, under The Children (Northern Ireland) Order 1995 (the Order), the relevant Health and Social Care Trust has responsibility for access to health and social care for those deemed to be “children in need” under the Order as they have overall responsibility for the provision of protection, care and support for these children.

The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 received Royal Assent on 13 January 2015. This Act includes measures about human trafficking offences and exploitation, measures to prevent and combat human trafficking and slavery and provision of support for human trafficking victims.

Procedures are in place in Northern Ireland to facilitate the notification of a missing child and found notifications to/from all Health and Social Care Trusts in Northern Ireland to/from Local Authorities in England, Scotland, Wales and Republic of Ireland. The European telephone number for missing children is available.

Operational guidance to provide advice and guidance for Statutory Agency staff on practice responses and interventions to meet the needs of all separated children arriving in Northern Ireland was issued in 2014. This guidance sets out operational arrangements to be followed when **any separated child** arrives in Northern Ireland from outside the United Kingdom.

Co-operation with civil society (Article 35)

59. What steps are taken by your country to encourage state authorities and public officials to co-operate with NGOs and other civil society organisations, including trade unions, so as to involve them in the elaboration and implementation of anti-trafficking policies, programmes and other initiatives to prevent THB? Please provide information on any memoranda of understanding or other agreements concluded between public bodies and NGOs in this field.

England and Wales

59. The Government holds regular meetings with Operational and Stakeholder organisations to consult on the development of policy and the effectiveness of its actions to tackle modern slavery.

The Modern Slavery Act 2015 enhances this engagement with relevant bodies in the UK and internationally. The UK-wide Independent Anti-Slavery Commissioner will encourage good practice in the prevention, detection and prosecution of offences and the identification of victims of those offences. The Commissioner will work closely with other organisations

including the GLA, Children's Commissioners for England, Wales Scotland and Northern Ireland, the Anti-Slavery Co-ordinator for Wales and members of civil society.

Scotland

The Scottish Government held a Human Trafficking Summit in October 2012, which brought together all organisations that had a statutory or specific responsibility to tackle trafficking and support its victims. Eleven actions were agreed at the summit –

<http://www.scotland.gov.uk/Resource/0042/00429442.pdf> and a Progress Group was created to take forward the actions. There are four subgroups within the progress group designated with the task of taking forward:

- Awareness raising and training of front line professionals;
- Data collection and analysis of trends;
- Victim care and support; and
- Legislation/Enforcement/Prosecution.

The Human Trafficking & Exploitation (Scotland) Bill will place a specific duty on Scottish Ministers to prepare and publish, in consultation with key public, third sector and business contacts, a Scottish Human Trafficking and Exploitation Strategy. The Strategy will set out actions to raise awareness of human trafficking. The impact of the Strategy will be reviewed and reported on every 3 years.

Northern Ireland

In December 2012, the DOJNI established an NGO Engagement Group on Human Trafficking which facilitates a partnership approach and joint working amongst Government Departments, statutory bodies, voluntary and community organisations and other agencies. The Engagement Group enables the pooling of knowledge and expertise across statutory and civil society groups. It also provides an arena for the exchange of information and ideas and the sharing of best practice, as well as assisting in coordinating efforts to prevent duplication. Through the Engagement Group, civil society groups work to assist Government and law enforcement agencies in responding to human trafficking and contribute to the development of human trafficking policy and programmes. The Irish Congress of Trade Unions – Northern Ireland (ICTUNI) is represented on the Engagement Group.

In addition, section 12 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 requires the DOJNI to publish an annual strategy on tackling slavery, forced labour and human trafficking. In drawing up the strategy the Department is required to consult other relevant organisations and have regard to their view.

Relationship with other international instruments (Article 40)

60. Please indicate any agreements concluded by your country in accordance with Article 40.2 of the Convention.

61. Please provide details of cases where victims or possible victims of THB have been granted refugee status or subsidiary/complementary protection.

60. The UK signed up to the Belarus-led 2010 resolution that established the Global Plan of Action to combat TiP (and subsequently was reaffirmed with some new elements each time in 2011, 2012, and 2013). The UK joins consensus each time.

The UK also signed up to a Philippines-led resolution on Trafficking in Women and Girls that comes up every two years (most recently in 2014) and the proposal for the Sustainable Development Goals (from the Open Working Group) which includes references to trafficking under goals 5 and 16 (although the SDGs will not be agreed by Member States until September).

The UK is also a signatory to the following international agreements on human trafficking:

- The United Nations Convention against Transnational Organised Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
- The Council of Europe Convention on Action against Trafficking in Human Beings;
- The EU Directive on preventing and combating trafficking in human beings and protecting its victims; and
- The EU strategy towards the eradication of trafficking in human beings 2012-16.
- The UK is also a signatory to a number of United Nations and International Labour Organisation Conventions intended to impact on the exploitation of labour and sexual services.

The UK has signed and ratified the:

- United Nations Convention against Transnational Organized Crime” (in 2000 and 2006), and,
- ILO’s “Protocol of 2014 to the Forced Labour Convention”.

The UK does not have any bilateral agreements in place with any other member state.

61. Many potential victims of trafficking also have an asylum claim. However, we do not have published data on asylum decisions specifically in trafficking cases.

D. Final questions

62. Which bodies and organisations contributed to responding to this questionnaire?

UK Government departments (Home Office, Foreign and Commonwealth Office, Department of Health, Department of Education)

National Crime Agency

The Salvation Army

The Gangmaster’s Licensing Agency

The Crown Prosecution Service

The Scottish Government Justice, Children and Families and Legal Directorates, Police Scotland and the Crown Office and Procurator Fiscal Service.

Northern Ireland Department of Justice

Scottish Government Justice Directorate, Human Trafficking Policy Office

Police Service of Northern Ireland (PSNI)

Public Prosecution Service (PPS)

Department for Employment and Learning (DELNI)

Department of Health, Social Services and Public Safety (DHSSPSNI)

Department of Justice Northern Ireland (DOJNI)

63. Who was responsible for co-ordinating and collecting the replies to this questionnaire?

Modern Slavery Unit, Home Office

E. Statistics on THB (per year, starting with 2010)

Number of victims identified in the sense of having been recognised by a state institution or mandated NGO as deserving any of the rights or entitlements to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).

The statistics provided below are taken from the National Referral Mechanism (NRM) database. The NRM is the UK's identification and support mechanism for potential victims of human trafficking. NRM statistics are published quarterly and annually on the National Crime Agency website (<http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics>)

Number of potential victims of human trafficking referred to the National Referral Mechanism, 2010 – 2014

	2010	2011	2012	2013	2014
Number of potential victims referred to NRM	714	946	1186	1746	2340

Sex of potential victims of human trafficking referred to the NRM, 2010 – 2014

	2010	2011	2012	2013	2014
Female	518	634	786	1123	1432
Male	195	312	400	623	906
Transgender	0	0	0	0	2
Total	714	946	1186	1746	2340

Age of potential victims of human trafficking referred to the NRM, 2010 – 2014

	2010	2011	2012	2013	2014
Adult	527	648	814	1295	1669
Child	187	298	371	450	671
Unknown	0	0	1	1	0
Total	714	946	1186	1746	2340

Country of origin of potential victims of human trafficking referred to the NRM, 2010 – 2014

Potential victims of human trafficking referred to the NRM are from a large number of different countries of origin. The top 10 countries of origin of potential victims referred to the NRM each year between 2010 and 2014 are included below:

2010		2011		2012		2013		2014	
Country of Origin	Number of potential victims	Country of Origin	Number of potential victims	Country of Origin	Number of potential victims	Country of Origin	Number of potential victims	Country of Origin	Number of potential victims

Nigeria	125	Nigeria	163	Nigeria	206	Albania	270	Albania	449
China	81	Vietnam	93	Vietnam	135	Nigeria	189	Nigeria	244
Vietnam	71	Romania	79	Albania	129	Vietnam	181	Vietnam	216
Czech Republic	33	China	61	Romania	75	Romania	104	Romania	151
Slovakia	28	Slovakia	52	China	56	UK	92	Slovakia	132
Uganda	25	UK	40	Poland	52	Poland	86	UK	131
India	23	Uganda	38	Slovakia	52	Hungary	76	China	89
Hungary	19	Albania	32	Lithuania	46	China	75	Poland	81
Albania	18	Czech Republic	31	UK	37	Lithuania	61	Lithuania	69
Lithuania	18	Eritrea	24	Pakistan	26	Latvia	59	Hungary	55

Reported exploitation type of potential victims of human trafficking referred to the NRM, 2010 – 2014

	2010	2011	2012	2013	2014
Adult - Domestic Servitude	88	119	120	142	234
Adult - Labour Exploitation	167	214	275	516	584
Adult - Sexual Exploitation	240	297	378	586	673
Adult - Organ Harvesting	0	2	0	0	1
Adult - Unknown exploitation	32	16	41	54	177
Minor - Domestic Servitude	30	42	44	45	71
Minor - Labour Exploitation	53	119	99	123	206
Minor - Sexual Exploitation (non-UK national)	43	78	81	88	91
Minor - Sexual Exploitation (UK national)	10	22	21	59	66
Minor - Sexual Exploitation (all)	53	100	102	147	157
Minor - Unknown exploitation type	51	37	125	133	236
Minor - Organ Harvesting	0	0	1	0	1
Unknown age & Unknown exploitation type	0	0	1	0	0
Total	714	946	1186	1746	2340

Type of organisation referring potential victims of human trafficking referred to the NRM, 2010 – 2014

FIRST RESPONDER TYPE	2010	2011	2012	2013	2014
Government Agency	365	458	558	797	1034
Local Authority	83	102	142	153	172
NGO/Third Sector	94	141	232	368	408
Other	1	0	0	0	0
Police	171	245	254	428	726
Total	714	946	1186	1746	2340

Number of presumed victims whom the competent authorities had “reasonable grounds” to believe were victims of THB (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them). Please clarify whether this number includes victims who were formally identified or is an additional number. See below.

Number of potential victims referred to the NRM who received a positive ‘reasonable grounds’ decision, 2010 - 2014

2010	2011	2012	2013	2014
447	669	866	1307	1993

By Age

ADULT / MINOR	2010	2011	2012	2013	2014
Adult	318	441	590	986	1410
Minor	129	228	276	321	583
Total	447	669	866	1307	1993

By Gender

Gender	2010	2011	2012	2013	2014
Female	318	424	561	862	1265
Male	128	245	305	445	727
Transgender	1	0	0	0	1
Total	447	669	866	1307	1993

By Exploitation Type

Claimed exploitation Type*	2010	2011	2012	2013	2014
Adult - Domestic Servitude	51	66	75	113	210
Adult - Labour Exploitation	119	177	233	400	478
Adult - Organ Harvesting	0	1	0	0	1
Adult - Sexual Exploitation	144	190	265	454	610
Adult - Unknown exploitation	4	7	17	19	111
Minor - Domestic Servitude	26	27	38	33	64
Minor - Labour Exploitation	38	99	77	88	199
Minor - Organ Harvesting	0	0	1	0	1
Minor - Sexual Exploitation (non-UK national)	33	57	68	73	85
Minor - Sexual Exploitation (UK national)	9	22	21	56	65
Minor - Unknown exploitation type	23	23	71	71	169
Total	447	669	866	1307	1993

By Nationality

Nationality/ Country of Origin	2010	2011	2012	2013	2014
Afghanistan	1	1	6	5	16
Albania	8	29	95	203	413
Algeria	0	1	0	4	0
Angola	0	1	0	5	4
Australia	0	0	0	1	1
Bangladesh	11	14	11	11	28
Belarus	0	0	1	0	0
Benin	0	1	0	1	1
Bhutan	0	0	0	0	1

Bolivia	1	0	1	1	2
Botswana	0	0	0	2	1
Brazil	2	1	0	0	2
Bulgaria	0	9	6	6	8
Bulgaria	0	0	0	0	7
Burma	0	1	0	1	7
Burundi	1	0	0	1	1
Cambodia	1	0	0	0	0
Cameroon	6	0	6	7	16
Canada	0	0	0	1	0
Chile	1	0	0	0	0
China	39	33	25	46	69
Congo	0	0	0	8	1
Cyprus	1	0	0	0	0
Czech Republic	32	31	17	29	36
Democratic Republic of the Congo	2	11	6	8	10
Dominican Republic	0	0	0	1	0
Egypt	0	0	1	0	4
Equatorial Guinea	0	0	1	0	0
Eritrea	1	12	9	8	44
Estonia	0	1	0	0	1
Ethiopia	7	6	8	8	26
Ethiopia / Eritrea	0	0	0	0	1
France	0	2	1	1	0
Gambia	5	8	12	9	10
Georgia	1	0	0	0	0
Germany	0	0	0	0	2
Ghana	6	15	11	21	28
Grenada	0	0	0	1	0
Guinea	3	4	4	8	5
Guinea Bissau	0	0	0	1	2
Guyana	0	0	0	0	1
Haiti	0	0	3	0	0
Honduras	0	0	0	0	1
Hong Kong	0	0	0	1	0
Hungary	18	15	21	67	46
India	17	9	8	11	27
Indonesia	2	5	5	8	10
Iran	1	0	3	2	3
Iraq	1	0	0	0	1
Ireland	0	1	0	6	1
Ivory Coast	1	2	3	5	3
Ivory Coast/Ghana	0	0	0	0	1
Jamaica	0	1	2	5	7
Kazakhstan	1	0	0	0	0
Kenya	5	8	6	9	21
Kosovo	1	0	1	1	3
Kuwait	0	0	0	0	1
Lao People's Democratic Republic	0	0	0	3	0
Latvia	3	5	4	31	8
Lesotho	0	0	1	0	0

Liberia	0	0	3	1	3
Lithuania	16	16	45	51	59
Madagascar	0	0	0	0	1
Malawi	2	1	3	6	10
Malaysia	0	1	0	1	1
Mali	0	0	1	1	3
Mauritania	0	1	1	0	0
Mauritius	1	0	4	0	0
Mexico	0	0	0	0	1
Moldova	2	0	2	0	0
Mongolia	0	1	0	3	1
Morocco	0	5	3	1	10
Namibia	0	0	1	0	2
Nepal	3	0	0	1	4
Netherlands	0	1	0	1	0
Nigeria	67	89	126	119	209
North Korea	0	0	0	1	2
Norway	0	0	0	0	1
Not known	0	0	1	1	1
Pakistan	5	9	13	21	18
Panama	0	0	0	0	1
Philippines	0	3	23	16	17
Poland	3	19	52	85	70
Portugal	0	0	1	1	9
Romania	12	72	59	80	116
Russia	2	0	0	2	3
Rwanda	0	2	1	3	1
Saint Vincent and the Grenadines	0	0	0	0	1
Saudi Arabia	0	0	0	0	1
Senegal	2	2	2	1	2
Serbia	1	0	0	0	1
Seychelles	1	0	0	0	0
Sierra Leone	9	7	6	13	17
Sierra Leone/ Belgium	0	0	0	1	0
Slovakia	25	50	49	54	128
Somalia	9	6	9	8	8
South Africa	2	1	2	3	1
South Korea	0	0	0	0	1
Spain	1	0	0	1	2
Sri Lanka	2	2	4	6	13
St Lucia	0	2	0	0	1
Sudan	0	1	0	1	11
Swaziland	1	0	0	0	0
Syria	0	0	1	0	8
Tajikstan	1	0	0	0	0
Tanzania	5	1	2	2	1
Thailand	5	2	6	10	14
Togo	0	2	2	2	1
Trinidad & Tobago	0	0	0	1	1
Turkey	0	0	0	2	3
Uganda	18	25	15	30	24

Ukraine	3	0	2	2	1
United Kingdom	13	40	36	87	126
United States of America	0	1	1	2	1
Uzbekistan	0	1	0	0	0
Vietnam	52	75	107	127	184
Western Sahara	0	0	0	1	1
Yemen	0	0	0	1	0
Zambia	2	1	3	5	3
Zimbabwe	3	3	2	5	14
Total	447	669	866	1307	1993

Where more than one country is listed, one is the claimed nationality at the time of the referral and the other is the nationality that the referring officer believed was their nationality.

By First Responder Type

FIRST RESPONDER TYPE	2010	2011	2012	2013	2014
Government Agency	183	251	338	507	877
Local Authority	51	82	110	120	146
NGO/Third Sector	71	117	196	312	352
Other	1	0	0	0	0
Police	141	219	222	368	618
Total	447	669	866	1307	1993

Number of victims granted a recovery and reflection period (if possible, disaggregated by sex, age, nationality, form of exploitation).

All PVOT that receive a positive reasonable grounds decision are entitled to a 45 day reflection and recovery period. These figures differ from above as it does not include those that were subsequently suspended or withdrawn following the RG decision being made. Those that have been suspended are likely to have gone missing, and those that are withdrawn have usually chosen to leave the process.

2010	2011	2012	2013	2014
422	633	810	1253	1938

By Age

ADULT / MINOR	2010	2011	2012	2013	2014
Adult	304	428	574	954	1376
Minor	118	205	236	299	562
Total	422	633	810	1253	1938

By Gender

Gender	2010	2011	2012	2013	2014
Female	306	406	539	839	1237
Male	115	227	271	414	700
Transgender	1	0	0	0	1
Total	422	633	810	1253	1938

By Exploitation Type

Claimed exploitation Type*	2010	2011	2012	2013	2014
Adult - Domestic Servitude	49	65	71	110	207
Adult - Labour Exploitation	112	176	229	385	464
Adult - Organ Harvesting	0	1	0	0	1
Adult - Sexual Exploitation	139	181	258	440	600

Adult - Unknown exploitation	4	5	16	19	104
Minor - Domestic Servitude	25	27	38	32	61
Minor - Labour Exploitation	32	83	55	79	190
Minor - Organ Harvesting	0	0	1	0	1
Minor - Sexual Exploitation (non-UK national)	30	53	65	70	83
Minor - Sexual Exploitation (UK national)	9	22	21	56	65
Minor - Unknown exploitation type	22	20	56	62	162
Total	422	633	810	1253	1938

By Nationality

Nationality/ Country of Origin	2010	2011	2012	2013	2014
Afghanistan	1	1	5	4	16
Albania	8	28	92	201	408
Algeria	0	1	0	3	0
Angola	0	1	0	4	4
Australia	0	0	0	0	1
Bangladesh	10	13	9	11	27
Belarus	0	0	1	0	0
Benin	0	1	0	1	1
Bhutan	0	0	0	0	1
Bolivia	1	0	1	1	2
Botswana	0	0	0	2	1
Brazil	2	0	0	0	2
Bulgaria	0	9	6	6	8
Bulgaria	0	0	0	0	5
Burma	0	1	0	1	7
Burundi	1	0	0	1	1
Cambodia	1	0	0	0	0
Cameroon	6	0	5	7	16
Canada	0	0	0	1	0
Chile	1	0	0	0	0
China	37	30	22	44	69
Congo	0	0	0	8	1
Czech Republic	32	31	17	28	35
Democratic Republic of the Congo	2	11	6	8	10
Egypt	0	0	1	0	4
Equatorial Guinea	0	0	1	0	0
Eritrea	1	12	9	8	44
Estonia	0	1	0	0	1
Ethiopia	7	6	8	8	25
Ethiopia / Eritrea	0	0	0	0	1
France	0	2	1	1	0
Gambia	5	8	12	9	10
Georgia	1	0	0	0	0
Germany	0	0	0	0	2
Ghana	6	15	11	21	27
Grenada	0	0	0	1	0
Guinea	3	4	3	8	5
Guinea Bissau	0	0	0	1	2
Guyana	0	0	0	0	1
Haiti	0	0	3	0	0

Honduras	0	0	0	0	1
Hong Kong	0	0	0	1	0
Hungary	16	15	21	66	45
India	15	8	8	9	24
Indonesia	2	5	5	8	10
Iran	1	0	3	2	3
Iraq	0	0	0	0	1
Ireland	0	1	0	6	1
Ivory Coast	1	2	3	5	2
Ivory Coast/Ghana	0	0	0	0	1
Jamaica	0	1	2	5	7
Kenya	5	8	6	8	21
Kosovo	1	0	1	1	3
Kuwait	0	0	0	0	1
Lao People's Democratic Republic	0	0	0	2	0
Latvia	3	5	4	31	8
Lesotho	0	0	1	0	0
Liberia	0	0	3	1	3
Lithuania	16	16	45	51	59
Madagascar	0	0	0	0	1
Malawi	2	1	3	6	10
Malaysia	0	1	0	0	1
Mali	0	0	1	1	3
Mauritania	0	1	1	0	0
Mauritius	1	0	4	0	0
Mexico	0	0	0	0	1
Moldova	2	0	2	0	0
Mongolia	0	0	0	3	1
Morocco	0	5	2	1	10
Namibia	0	0	1	0	2
Nepal	3	0	0	1	2
Netherlands	0	1	0	1	0
Nigeria	64	85	122	112	207
North Korea	0	0	0	1	2
Norway	0	0	0	0	1
Not known	0	0	1	1	1
Pakistan	5	9	13	20	18
Panama	0	0	0	0	1
Philippines	0	2	22	16	16
Poland	3	19	52	85	69
Portugal	0	0	0	1	9
Romania	12	71	58	80	112
Russia	2	0	0	2	3
Rwanda	0	2	1	3	1
Saint Vincent and the Grenadines	0	0	0	0	1
Saudi Arabia	0	0	0	0	1
Senegal	2	2	2	1	2
Serbia	1	0	0	0	1
Seychelles	1	0	0	0	0
Sierra Leone	9	7	5	13	17
Sierra Leone/ Belgium	0	0	0	1	0

Slovakia	25	50	49	54	128
Somalia	9	5	9	8	7
South Africa	2	1	2	3	1
South Korea	0	0	0	0	1
Spain	1	0	0	1	2
Sri Lanka	2	2	4	6	13
St Lucia	0	2	0	0	1
Sudan	0	1	0	1	11
Swaziland	1	0	0	0	0
Syria	0	0	1	0	8
Tajikistan	1	0	0	0	0
Tanzania	5	1	2	2	1
Thailand	4	1	6	8	11
Togo	0	2	2	2	1
Trinidad & Tobago	0	0	0	1	1
Turkey	0	0	0	2	3
Uganda	16	23	15	30	24
Ukraine	3	0	2	2	1
United Kingdom	13	40	35	86	125
United States of America	0	1	1	2	1
Uzbekistan	0	1	0	0	0
Vietnam	43	57	72	101	160
Western Sahara	0	0	0	1	1
Yemen	0	0	0	1	0
Zambia	2	1	3	4	3
Zimbabwe	3	3	2	5	14
Total	422	633	810	1253	1938

By First Responder Type

FIRST RESPONDER TYPE	2010	2011	2012	2013	2014
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NGO/Third Sector	71	117	196	312	352
Other	1	0	0	0	0
Police	141	219	222	368	618
Total	447	669	866	1307	1993

Number of victims who received assistance (if possible, disaggregated by sex, age, nationality, form of exploitation, internal or transnational trafficking).

This information is not available.

Number of victims who were granted a residence permit, with an indication of the type of the permit and its duration (if possible, disaggregated by sex, age, nationality, form of exploitation).

This information is not available.

Number of victims given refugee status and subsidiary/complementary protection.

This information is not available.

Number of victims who claimed compensation and who received compensation (if possible, disaggregated by sex, age, nationality, form of exploitation), with an indication of whether the compensation was provided by the perpetrator or the state, and the amount awarded.

This information is not available for England and Wales

Summary of Northern Ireland compensation cases relating to human trafficking

- 9 Ongoing at First Stage Consideration
- 2 Ongoing - at Review
- 1 Ongoing - at Appeal
- 3 Awards Made
- 4 Denied
- **Total Cases = 19**

Number of victims repatriated to your country (if possible, disaggregated by sex, age, country of destination, form of exploitation).

This information is not available.

Number of victims repatriated from your country to another country (if possible, disaggregated by sex, age, nationality, form of exploitation).

This information is not available for England and Wales.

Northern Ireland

- February 2011 – January 2012: 6 individuals
- February 2012 – January 2013: 0 individuals
- February 2013 – January 2014: 5 individuals

DOJNI is collating information for the period from February 2014 to January 2015 for the first year of the new contracts and this information is not currently available.

Number of investigations into THB cases.

Northern Ireland

Year	Investigations
2010	19
2011	16
2012	17

2013	17
2014	15

Number of prosecutions of THB cases.

The Crown Prosecution Service (CPS) flags prosecutions that relate to human trafficking offences. Since 2011-12 the number of flagged human trafficking prosecutions has increased.

Completed prosecutions for flagged human trafficking offences, by outcome, 2011-12 to 2013-14

	2010 - 11		2011 - 12		2012 - 13		2013 - 14	
	Volum e	%	Volum e	%	Volum e	%	Volum e	%
Convictions	73	70.90 %	94	66.20 %	99	71.20 %	155	68.60 %
Unsuccessful	30	29.10 %	48	33.80 %	40	28.80 %	71	31.40 %
Total	103		142		139		226	

CPS data are available through its Case Management System (CMS) and associated Management Information System (MIS). The CPS collects data to assist in the effective management of its prosecution functions. The CPS does not collect data which constitutes official statistics as defined in the Statistics and Registration Service Act 2007. These data have been drawn from the CPS's administrative IT system, which, as with any large scale recording system, is subject to possible errors with data entry and processing. The figures are provisional and subject to change as more information is recorded by the CPS.

The human trafficking flag was introduced in 2010/11 and is applied to cases referred to the CPS as human trafficking offending, which may be charged as a human trafficking offence or as another offence. The flag is applied at the onset of a case and remains in place even if the charges are subsequently amended or dropped.

- 3 persons convicted in Northern Ireland for offences of Trafficking in Human Beings with trafficking activities in Northern Ireland.
- 2 persons convicted in Scotland for offences of Trafficking in Human Beings where some trafficking and related activity occurred in Northern Ireland.

Number of convictions for THB resulting in penalties involving deprivation of liberty, with an indication of the duration of the penalty and whether effectively enforced or suspended.

See table above on completed prosecutions.

Northern Ireland - 3 persons sentenced to periods of imprisonment.

Number of judgments resulting in the confiscation of assets.

This information is not available for England and Wales.

Northern Ireland

- 2 Confiscation Orders granted following convictions of 2 persons for Trafficking in Human Beings

Number of judgments resulting in the closure of a business or an establishment which was being used to carry out THB.

This information is not available.

Number of convictions for the use of services of a victim of THB.

This information is not available.