
amnesty international

SCOTLAND

Briefing on trafficking of women into prostitution



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Introduction

200 years ago Slavery was abolished and the greatest shame of that time was brought to an end. Today we have a new shame, a new slavery, that of the human sex trade within which women and children are bought and sold like commodities.

We need to unearth the roots of Trafficking, protect and help those who have been so terribly abused and aim for a world free of slavery.

Women are traded internationally across all borders, it is therefore every Government's responsibility to prevent trafficking, protect the victims and prosecute the perpetrators.

Unless governments can bring to justice the perpetrators of this new slavery, it will continue. But trafficked women are in no state to give evidence against their traffickers, who have terrified them into compliance by threatening them and their families. It is essential that they have access to specialist healthcare and a time for rest and recuperation so that they can gain the strength of mind and body to assist the authorities.

One of the clearest guides on how the international community should tackle this pernicious trade is the European Convention on Trafficking. Amnesty international calls upon the UK government to sign and ratify this treaty and use it as a baseline standard.

Recommendations

1. We ask the UK government to sign and ratify the European Convention on trafficking allowing at least a 30 day reflection period when a woman cannot be deported.
2. We suggest a reflection period of at least 3 months would be appropriate to enable women to seek essential medical care and recover from the trauma to a point where they can assist authorities thereby improving the prosecution rate and preventing the known phenomenon of re-trafficking.
3. The European Convention should be seen as a baseline and best practice should be developed using international examples of care service provision.
4. Trafficked women should be viewed as victims of violence against women not as illegal immigrants.
5. We call upon the Scottish Parliament to fund shelter and accommodation for victims providing protection and creating a secure environment where recovery and rehabilitation may begin. We request that funding be made available for training of staff in specialist areas such as genitourinary medicine, psychiatric and counselling services. Educating health workers in victim identification and making them aware of the psychological fragility of these women is paramount.
We support the continuation of funding for the Inter Agency Working Group on Trafficking set up by Glasgow City Council.
6. Guidelines should be established for staff at transport borders, health care workers, social care workers, lawyers, immigration authorities and the police.
Victims of trafficking often have altered perceptions of reality due to their trauma. Specialist training is needed for these professionals to deal with women who may be suffering from posttraumatic stress disorder, depression, memory problems and a complex array of psychological and physical symptoms. As a result of their ordeal many feel hostile to all around them and may be unable to trust even those who are there to help them.

What is trafficking?

Definition from the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children¹:

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

It is clear by this definition and through research that women who fall victim to trafficking do **not** enter it knowingly.

What is the legal status of trafficked women?

As the law stands, if a trafficked woman is discovered either coming into the country or while she is in the country, she is defined as an illegal immigrant. It is within the power of the authorities to immediately deport her back to her country of origin where she may be at risk of re-trafficking.

This is why Amnesty International and Anti-Slavery International along with other organisations are campaigning for the UK Government to sign the European Convention Against Trafficking. Importantly, the Convention will allow trafficked women a minimum of 30 days reflection period to seek medical help and psychological support. Already 31 countries have signed this convention including France, Belgium, Germany, Italy, the Netherlands and Sweden. Although the UK Government have contended such a period might encourage others to simulate the effects of trafficking in order to enter the country illegally, Amnesty International believes that due to the extreme nature of the violation and abuse these women experience it would be obvious from the psychological profile of a woman if she had or had not been trafficked.

¹ UN Convention against Trans-national Organised Crime

Is there Trafficking into Scotland?

The answer is **yes**. Organisations working in the field of prostitution, the Glasgow City Council Inter Agency Working Group, the results of the UK-wide Police initiative, *Operation Pentameter* and extensive newspaper reports have all shown trafficking to be a reality in Scotland but are likely to have revealed only the tip of the iceberg.

Since January 2005 there have been a total of 112 suspected cases of trafficked women in Glasgow from over 26 nationalities.

The London Metropolitan Police have warned Glasgow that the trafficking situation globally and in London could be mirrored in Scotland. The recent four month Operation Pentameter has produced 232 arrests and 134 charges and reported 84 people as victims of trafficking, including 12 children aged 14-17.

What are we doing so far in Scotland?

Glasgow City Council (GCC) has set up an Inter Agency Working Group on Trafficking to respond to the needs of trafficked women when they are found in Glasgow. The Council has a development officer dedicated to trafficking, funded by the Scottish Executive since 2004. However no extra monies are currently available to support services for trafficked women.

The GCC project is co-ordinating with two organisations which currently work with prostitutes; Base 75 and the Routes Out intervention team. Base 75 is a joint social work and health project. It runs a weekly clinic for indoor prostitutes. This project provides a vital point of contact for trafficked women to access help. The Routes Out intervention team provides more long-term therapeutic support to assist women to exit prostitution.

GCC supplement funding for the temporary housing of trafficking victims on a case-by-case basis.

An anonymous third-party reporting system has been set up so that frontline workers can pass information directly to police.

This initiative follows a similar project in London, the Poppy Project run with the charity Eaves Housing for Women. The Home Office has agreed with GCC that trafficked women in Glasgow can have the same respite from immigration laws as those in the Poppy project as long as they fit the same criteria. Therefore on a case-by-case basis and if women comply with the following criteria they are allowed provisionally to stay for 4 weeks then a further 8 weeks if they agree to cooperate with the authorities.

The women must have

- been brought into the UK
- been working as a prostitute in the last 30 days in the UK
- been forcibly exploited
- come forward to the authorities
- be willing to cooperate with the authorities

This is currently a temporary arrangement. As the home office affords these women 4 weeks of reflection time why not sign and ratify the Convention and protect these women through the law?

What should we be doing in Scotland?

We should be guided by the European Convention, which sets out 3 principles in Tackling Human Trafficking.

1. Prevention
2. Protection of victims
3. Prosecution of perpetrators.

The convention stipulates the implementation of a recovery period of a minimum of 30 days when women are protected from immigration laws while they seek appropriate help, advice and shelter. It also recommends the issuing of renewable residence permits to those who are in danger if returning to their country of origin or those who are assisting in court proceedings.

As Immigration and asylum powers are reserved to Westminster, Amnesty International calls on the UK Government to sign up to the **European Convention** ensuring that trafficked women are given minimum 30 days of reflection and recovery period. As well as recognising these women as victims, we must give them protected time to seek assistance with their health, legal matters, and asylum claim as necessary.

Amnesty International also calls on MSPs and the Scottish Parliament to support the signing of the European Convention and to communicate this to their Westminster colleagues.

So how should we look at Prevention in Scotland?

GCC suggests research and exploration of off street prostitution/sexual exploitation by looking at websites such as punternet.co.uk and establishments such as lap dancing bars. The Lothian and Borders police have briefed parking attendants at Edinburgh airport in the skill of intelligence gathering and victim identification so information can be passed onto the police for follow up. This is a positive intervention and should be standard training for all travel port staff in Scotland. It could also be rolled out to train all frontline staff such as healthcare workers, social workers and professionals likely to come into contact with trafficked women.

How should we Protect Victims in Scotland?

Although the status of these women is a reserved issue, access to healthcare, housing and services, are devolved matters.

Currently there are no guidelines in NHS Scotland for the treatment of Trafficked women.

Awareness raising and training of frontline staff in Accident and Emergency, Genitourinary medicine clinics and General Practice is required. These professionals may potentially be the first point of contact for these women and it is vital that they are recognised as victims of trafficking in order to meet their specialised needs.

Best Practice Protocols must be established within the healthcare system.

Shelter and accommodation for victims in Glasgow has so far been funded by the GCC on a case-by-case basis. Increasingly, the provision of services to victims of trafficking is being met by local councils. We call on the Scottish Executive to fund services to directly support victims of trafficking including healthcare projects and housing needs.

How should we ensure the successful Prosecution of Perpetrators in Scotland?

It is GCC policy that trafficking for commercial sexual exploitation is a serious sexual offence and should be viewed as such rather than merely an immigration crime. The GCC has made calls for trafficking to become core police business and separate from immigration crime.

Police operations such as Operation Pentameter have seen many arrests of the perpetrators but how do we translate this in to successful prosecution? The women who are victims of trafficking are both the evidence and the witnesses of the crime. How do we optimise the contribution these women can make in the cases against their captors and at the same time treat and protect them?

We must look at the actual evidence of what health care needs these women have and set up best practice guidelines to ensure they receive the care they need.

A huge amount of experience and expertise is being built up in the GCC Inter Agency Trafficking Working Group. We believe that this expertise needs to be shared across Scotland, as it is likely that there are trafficked women in other cities in Scotland as well as Glasgow and Edinburgh.

Without adequate guarantees of protection from current **immigration** laws, **shelter**, access to **health** services and **legal** advice, there is a risk that women will not reveal themselves to the authorities and the real extent of the trafficking problem will remain hidden.

As a consequence we will not see the rate of prosecution deserved for this modern-day slavery.

What are the healthcare needs of trafficked women?

The UN convention stipulates that within the realm of victim support the physical and psychological needs of victims of trafficking must be met.

It is obvious that Healthcare Services need to be provided for victims of trafficking on moral grounds. These women have a plethora of physical and psychological needs. Many have symptoms which require immediate medical assessment. For example 60% of women in the study "Stolen Smiles" complained of pelvic pain. This symptom could represent conditions varying in severity from an easily treatable sexually transmitted disease which left untreated could result in infertility, to a life threatening ectopic pregnancy.

What should also be obvious is that the provision of adequate Healthcare, in particular psychological treatment, may help these women to contribute more successfully to the prosecution of Traffickers. This is essential in order to deter the perpetrators and prevent of re-trafficking of these vulnerable women.

The physical and psychological damage sustained during the ordeal of trafficking may inhibit these women from providing useful information for the authorities. The call for a reflection period within which the woman is given access to the necessary health services would improve cooperation with the police and prosecution services. This reasoning has been validated in new research by Cathy Zimmerman from the London School of Hygiene and Tropical Medicine.

In her paper "Stolen smiles" Cathy Zimmerman found that 56% of the women fitted the criteria for a diagnosis of post-traumatic stress disorder (PTSD) in the first 2 weeks of being in contact with the authorities and 63 % had general memory problems. Memory difficulties have been found to be a fundamental element in the psychological portrait of a trafficking survivor. 95% of these women were exposed to physical or sexual violence. Many women are threatened or their families threatened and of those who experienced these threats 82% reported that the threats were carried out "as promised". 77% reported no freedom of movement; this loss of freedom is a defining feature of trafficking.

So what does this abuse mean in terms of how these women can be expected to behave, function and cooperate with the authorities following this ordeal? Rape and serious sexual assault is associated with severe emotional, cognitive and behavioural consequences. The experience may destroy the victim's assumptions about safety, trust, sexuality, intimacy and the predictability of the future.²

Research into health issues in rape victims provides evidence that rape is more pathogenic than any other form of violent crime. Approximately one third of women who report rape develop long-term psychological and social problems.³

Symptoms of the type of PTSD suffered through rape trauma include intrusive recollections, avoidance and hyper arousal. Research shows that the majority of rape victims were found to suffer these symptoms for several weeks after the assault. 3 variables are highly predictive of development of PTSD: complete rape, physical injury, and subjective perception of life threat.⁴ From the data presented in "Stolen Smiles" it is likely that the majority of trafficked women have experienced all three of these assaults.

² Rape council report Royal College Psychiatrists 1996 Chapter 5

³ Kilpatrick et al 1987

It was found that in rape cases the symptoms of PTSD resolved rapidly over time, most victims no longer fulfilling the criteria for PTSD at 3 months.⁴ This is backed up by the new data collected in "Stolen smiles" which found that the proportion of women fulfilling the PTSD criteria fell from 56% 0-14 days post trafficking to 12% at 28-56 days and again to 6% at >90 days.

This presents a strong argument to provide a reflection period of minimum 3 months allowing women to recover to the extent that their psychological state and intellectual capacity have recovered to the point where they may be capable of assisting legal proceedings.

It should be noted however that despite the resolution of the PTSD experienced by these trafficked women in the first 3 months, their levels of mental health problems including depression, anxiety and hostility remain well above the population norm beyond these 3 months.

So how do we begin to help these women and through doing so hope to improve the prosecution rate? We need to create a safe and supportive environment where their physical and psychological needs can begin to be addressed and they can start to regain autonomy over their own lives, and thus encourage the participation in prosecuting the perpetrators.

Why is the reflection period so vital and how much time should we allow these women to remain protected from immigration procedures? The Rape Council report by the Royal College Psychiatrists London, March 1996 recommended stress inoculation over twelve sessions. This recommendation applies to victims of a single rape event. As trafficked women who see 20-30 "clients" a day are, due to their lack of consent, actually being raped 20-30 times a day, it is likely that they would need more extensive therapy to start the healing process.

Post-traumatic stress disorder, depression and anxiety disorders are treatable conditions. Counselling and psychological treatments such as stress inoculation used over 5 weeks have been shown to improve outcome by reducing the severity of PTSD and lowering the long-term incidence of depression in female assault victims. There is a pressing need for the skills of counsellors, psychologists and psychiatrists to be immediately accessible to trafficked women.

We call upon the Scottish Parliament to fund the setting up of these services.

Currently there is no specialist service that deals with the specific health problems of trafficked women in Scotland. Research from the school of hygiene and tropical medicine illustrates the complexity and extent of the health needs of trafficked women, which would suggest the need for a dedicated service to the treatment of trafficked victims.⁴

How do we compare to the rest of the world?

The Home Office estimated at the turn of the millennium that there are approximately 1420 women trafficked a year into the UK. **England** has a government funded "Poppy Project" in London which is run with the Eaves housing charity. It has 25 places for trafficked women. While Amnesty supports this project and hope that it will inspire the establishment of similar projects in Scotland, we note the criticism by the Metropolitan Police that because of the limited capacity of the Poppy project many women were not able to access the support they required. During the period of evaluation by the Home Office 43 women were accepted into the shelter from 169 referred. The immigration also expressed disappointment that with the law as it stands because currently they still have a statutory duty to remove those persons at the Poppy Project who are in the country illegally.⁵

An estimated 2000 women were trafficked into **Italy** in 1996.⁶ 737 perpetrators that year were charged. **Italy** has 49 projects funded by the Department of Equal Opportunity called Citta e Prostituzione ("city and prostitution") in Venice. Provision for undocumented populations includes access to health services, cultural mediators, cover for emergency, maternity health care and hospital cover.

Public debate in **Italy** in 1998 pushed immigration law no.40/1998 to permit shelter and humanitarian care to irregular migrants. The Italian NGO "Associazione On The Road" offers immediate accommodation in a "flight house" for very short periods and a second refuge with high security for longer periods. It sponsors mobile units to provide medical and psychological services to victims.

⁴ "Stolen Smiles" by Cathy Zimmerman 2006

⁵ Home Office evaluation of the poppy Project by Gina Taylor.

⁶ "Trafficking in women to Italy for sexual exploitation June 1996" IOM migration information programme.

According to the Dutch foundation against trafficking in women 2000-3000 women were trafficked into the Netherlands in 2001. Between 1997 and 2000 418 arrests were made, 253 cases were tried and there were 216 successful convictions. **The Netherlands** service for trafficked women is NGO led and government funded. They have 25 shelters.

In **Belgium** there were 429 arrests between January 1998 and September 1999 resulting in 104 convictions from 142 cases brought before the courts. **Belgium** has 3 shelters run by NGOs with government support. Beyond the 45 days of reflection period available in Belgium, women who agree to testify receive temporary work permits and continued assistance from the NGOs⁷. Part of the available service includes social orientation classes.⁸

In **Germany** in 1999, 257 cases of trafficking were revealed, 176 cases were prosecuted resulting in 133 convictions. There are 30 NGOs, which support trafficked women and they have a 28 day reflection period to access shelter and services.

Reflection periods compared

Belgium	48 days
Netherlands	3 months
Norway	45 days
Italy	6 months
Germany	28 days

⁷ US department of state survey "trafficking in persons report"

⁸ "The health risks and consequences of trafficking in women and adolescents" Cathy Zimmerman 2003

Summary

The European convention sets basic standards in the treatment of trafficking victims for the international community. We call upon the UK government to follow the example of 31 countries and sign the convention. We advocate a reflection period of minimum 3 months to allow women to receive the medical and psychological care needed to expedite their recovery and allow them the strength to help in legal proceedings against their captors.

We should provide them with shelter, protection and a safe environment where they can begin their rehabilitation back into society.

The number of women trafficked is unfortunately on the increase. We call upon the Scottish Parliament to provide funding for the expansion of services in trafficking.

Human Trafficking is modern day slavery. It is so destructive to these women that some would rather take their own lives than face the reality of what has been inflicted upon them. We owe these women and children protection, shelter, provision of help, and an opportunity to see their captors prosecuted and punished for their part in this human sex trade. We call on the Scottish Parliament to consider the recommendations in this report and thus provide a brighter future in the fight against Trafficking.

References

1. UN Convention against Trans-national Organised Crime.
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9. "Responding to the needs of torture survivors in the UK" report by Redress Trust November 2004