

Trafficking for Forced Labour UK Country Report

Anti-Slavery International 2006

9. Policy recommendations

1. UK should sign, ratify and incorporate into domestic law the following two key international instruments:
 - a) The Council of Europe Convention on Action Against Trafficking in Human Beings to guarantee minimum standards of protection to all trafficked people;
 - b) The UN Convention on the Protection of the Rights of All Migrant Workers and Their Families to guarantee all migrant workers protection from slavery and forced labour as well as to guarantee them basic labour rights regardless of their status.
2. The proposal for new immigration rules for domestic migrant workers should be dropped as this would put them into an extremely vulnerable situation and contribute to them being trafficked. The impact of trafficking in human beings needs to be assessed as an essential part of changes in migration policies. Legal channels to enable migrants to work which meet the needs and realities of the labour market for all skills levels should be created. This should also be seen as a tool to actually prevent trafficking.
3. The implementation of the Gangmasters (Licensing) Act should be closely monitored and evaluated with regards to its impact on preventing exploitation and detecting exploitative labour activities. An assessment should be made to see whether the licensing arrangements should be expanded to cover other industries.
4. A code of conduct and ethical guidelines should be introduced for the public sector. All public sector employers should sign this code of conduct and require sub-contractors to do the same. Such a code of conduct could safeguard decent working conditions and prevent exploitation and forced labour. Such regulations would need to be strictly monitored. In general, companies should sign codes of conduct (such as the code of conduct set up by the Ethical Trading Initiative) and take responsibility for the conduct of their sub-contractors.
5. An administrative body should be set up to monitor employment and work conditions and to join up all the agencies involved in carrying out various tasks of inspection. We support, for example, the idea of a “Fair Employment Commission” as articulated by the Citizens Advice Bureau,⁵³ which would establish a more co-ordinated system for investigations of complaints, inspections, advice, guidance and practical business support for small businesses, and thereby pursue a proactive approach to compliance and enforcement where necessary.
6. Further in-depth research into trafficking for forced labour in the UK is required in order to establish best possible responses to the problem. The research should take into account the variety of industries involved as well as the nationalities and different types of status of migrant workers.
7. An independent National Rapporteur on Trafficking in Human Beings should be established in the UK, along the lines of the role of the Dutch National Rapporteur.
8. Those who are likely to encounter trafficked people or migrant workers at risk should be trained in detecting possible indicators of forced labour and

⁵³ Citizens Advice Bureau, *Somewhere to Turn: The case for a fair employment commission*, 2004. p. 11

- trafficking. The groups to be trained should include law enforcement and immigration agencies, NGOs and other assistance workers, social services, unions, the Health and Safety Executive, minimum wage and labour inspectors and, labour providers.
9. Setting up a UK Human Trafficking Centre could harmonise law enforcement responses to all forms of trafficking in the UK. Guidelines on dealing with cases of trafficking for forced labour should be drawn up and implemented by the police and the immigration service. Numbers of people investigated, prosecuted and convicted for all trafficking offences should be published annually.
 10. A multi-agency referral system along the lines of the Organization for Security and Cooperation in Europe's (OSCE) National Referral Mechanisms should be set up. The Government should support relevant agencies working with migrants in order to help them extend and develop their services for people trafficked for forced labour as well as migrant workers who are vulnerable.
 11. Incentives should be provided for migrant workers to come forward and report their situation to the authorities. Incentives could include providing anonymity and protection. A confidential helpline could be an excellent way to facilitate assistance and support to migrant workers. This should be accompanied by an efficient complaints system for victims of forced labour, victims of labour exploitation abroad and for victims of abusive recruitment practices. They should all be able to present their case regardless of their immigration status in order to have their rights protected and to access compensation for the damage suffered.⁵⁴ They should also be allowed to have their status temporarily regularised so that they can meaningfully pursue their case in the courts.
 12. Migrant workers should be provided with accessible information at the earliest possible stage in a language they understand. Migrant workers should be encouraged to seek confidential advice and be provided with contact numbers and sources of help in countries of destination.
 13. Posts dedicated to helping all migrant workers should be created within the police, social and advice services, especially at local level. Postholders could be in charge of providing information and advice to prevent exploitation and trafficking, and could also help identify indicators of trafficking and forced labour.
 14. There should be increased co-operation with countries of origin on providing information about regulations, entitlement and obligations in the employment sector in the UK, as well as more support for relevant agencies and organisations to disseminate such information among would-be migrant workers.
 15. Deterrence is crucial in preventing forced labour. Employers must be made aware of existing relevant legislation. Awareness among employers should be raised to avoid discrimination and its effects which are currently being experienced by foreign work permit holders. Moreover, care should be taken not to close entry points to the labour market for migrants, as this can force them into more inappropriate work situations. Government authorities should work closely with employer organisations on these issues.⁵⁵
 16. Awareness among consumers should be raised on how goods and services could be affected by trafficking for forced labour. Consumers should be encouraged to ask for information on the conditions a particular product was manufactured in. Initiatives such as Ethical Trading Initiative, which focuses on extending the fair trade mark to the fair employment/condition mark, should be supported.

⁵⁴ Anderson, B. & Rogaly, B., *Forced Labour and Migration to the UK*, TUC, Compas, 2005. p. 61

⁵⁵ *Ibid*, p. 59