

United Kingdom

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1. INTRODUCTION

The following piece of research is the first of its kind in the UK, as no research has been carried out into the trafficking of children into the UK for sexual purposes. The only UK report on the trafficking of women was published in the summer of 2000¹. Additionally, as the research progressed it became obvious that due to the limited amount of information in relation to Eastern European children, children trafficked from other countries should also be considered. Therefore, this research has not focused solely on children trafficked from Eastern Europe, but has widened to include children of other nationalities.

Within the remit of the project, each researcher was to undertake a minimum of 15 interviews. By the end of the UK research, 23 interviews had been carried out. These interviews lasted on average for one and a half hours, and were undertaken using an open questionnaire. Although the questionnaire compiled for the research was used in most of the interviews, in some cases the respondent was not asked set questions, as their expertise lay outside of the whole questionnaire, such as a lawyer advising on existing law only.

Problems encountered

Information on child trafficking has been difficult to obtain, and for the purposes of this report, organisations that worked with women were also approached. This is because the trafficking routes used for children are often the same as those used for women. Additionally, the forms of recruitment and enslavement are also similar, and many children found in the sex industry are picked up by organisations working with women as the children maintain that they are over 18 years of age. It is for these reasons that the relevant groups working with women were contacted.

Furthermore, although this research aimed at finding out the situation of trafficking in the United Kingdom, due to the limited time for the research very little information could be found on Northern Ireland and therefore not enough information to ascertain whether there is trafficking into this area. However, those that were contacted over the phone were unable to provide any information that indicates that children are being trafficked. With regard to Scotland, three interviews were carried out, and a number of phone conversations were undertaken, yet there is no evidence to show that trafficking of children is taking place in Scotland. However, this view is contradicted by newspaper reports on the trafficking of women and children into Scotland². When the police interviewees were asked about these reports, they said that there was no foundation to the stories.

Interviews

Within the project framework, the researcher was asked to interview members of organisations that fitted into three categories. These areas were: officials (Immigration, police), non-governmental organisations (child care and refugee organisations, HIV Service Providers³) and observers (academics, journalists, lawyers). Furthermore, information was gathered via telephone calls, meetings and conferences. In total, including those interviewed, approximately fifty people have been contacted regarding the issue of trafficking of children into the UK.

2. LEGISLATION AND POLICY

Background to UK legislation

Currently, there is no legislation in the UK that pertains particularly to the trafficking of people into, or out of, the UK. Legislation does exist which can be used to convict those involved in prostitution, but

¹ Kelly, L. & Regan, L. (2000) 'Stopping Traffic: Exploring the extent of, and responses to, trafficking of women for sexual exploitation in the UK'. Police Research Series, Paper 125. Home Office.

² Sunday Mail (14 January 2001) 'Scots sauna boss held me as sex slave'; Sunday Mail (4 March 2001) 'Face of a Slave Trader'.

³ HIV Service Providers are organisations that provide health services to female and male sex workers, drug addicts and homeless people.

trafficking as such has yet to be made illegal. Legislation does exist in the form of the Sexual Offences Act 1956 and Offences against a Person Act 1861, which relate to the offenses of rape, assault and murder, which may have been inflicted on the trafficked victim.

The main act relevant to trafficking is the Sexual (Sex) Offences Act 1956. However, in January 1999, a review of the Act was announced. This review was carried out through consultation meetings with relevant experts, resulting in recommendations, which were published in June 2000⁴. In the following section, as well as the relevant provisions within the Sex Offences Act, the preliminary recommendations from the review will also be referred to. Additionally, articles within the Children Act 1989 are also relevant to the protection of children from prostitution, as is guidance developed in 2000 entitled 'Safeguarding Children from Prostitution'.

Additional legislation relevant to the issue of trafficking of children can be found in the new Protocol, to 'Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime', to which the UK is a signatory.

Sex Offences Act 1956

As stated earlier, the Sex Offences Act is currently under review, as the current legislation has become out of date. One main area of contention regarding the Sex Offences Act is the length of sentence regarding a man living off immoral earnings (Section (S) 30)⁵, a woman exercising control over prostitutes (S31)⁶, procurement of women and under 21s for prostitution (S2 & 23)⁷, or encouraging an under 16 year old into prostitution (S28)⁸. These first two offenses carry a sentence of seven years imprisonment, whilst the latter carry a penalty of two years imprisonment. However, it is not uncommon for the sentences for those convicted under Section 30 & 31 to be given a sentence of 18 months⁹. According to police respondents, Section 30 and 31 are the main sections that have been used to convict traffickers, but to obtain a full seven year sentence, the trafficker can only be charged for procurement if the female has not worked as a prostitute before. If it can be proved that the female had been cautioned or convicted for prostitution, the provision would not hold.

The Review of the Sex Offences Act 1956

The recommendations from the Review of the Sex Offences Act are currently being used to inform future policies and legislation¹⁰, particularly in relation to crimes that have developed since the Act's implementation, such as the trafficking in children for sexual purposes. Two areas that are relevant to this report are trafficking and the commercial sexual exploitation of children. The review states 'the fact of trafficking should be sufficient to prove the offence. Evidence of deception, coercion and force would add to the seriousness of the offence'¹¹. With regard to the pimping or sexual exploitation of children, the review states that a number of respondents to the review felt that there were few effective provisions in the law. It was also suggested that more emphasis should be put on the person buying the services of the child, rather than the child.

⁴ Home Office (2000) 'Setting the Boundaries: Reforming the Law on Sex Offences'.

⁵ Section 30: It is an offence for a man knowingly to live wholly or in part on the earnings of prostitution.

⁶ Section 31: It is an offence for a woman for purposes of gain to exercise control, direction or influence over a prostitute's movements in a way which shows she is aiding, abetting or compelling her prostitution.

⁷ Section 2: It is an offence for a person to procure a woman, by threats or intimidation, to have unlawful sexual intercourse in any part of the world. Section 23: It is an offence for a person to procure a girl under the age of twenty-one to have unlawful sexual intercourse in any part of the world with a third person.

⁸ Section 28: It is an offence for a person to cause or encourage the prostitution of, or the commission of unlawful sexual intercourse with, or of an indecent assault on, a girl under the age of sixteen for whom he is responsible.

⁹ Home Office (2000 p.106) 'Setting the Boundaries: Reforming the Law on Sex Offences'.

¹⁰ At the time of writing, the Sex Offences Act of 1956 is still under review.

¹¹ Home Office (2000 p.114) 'Setting the Boundaries: Reforming the Law on Sex Offences'.

The following recommendations were made in the review¹²: 'To combat recruitment by deception in the UK a new offence was proposed to replace section 3¹³ of the 1956 Act:

- Recommendation 14:
There should be an offence of obtaining sexual penetration by threats or deception in any part of the world.
- Recommendations 49:
There should be a specific trafficking offence. This offence could involve bringing or enabling a person to move from one place to another for the purposes of commercial sexual exploitation (e.g. knowingly facilitating transportation), for reward.
Any such new offence should have attached powers to trace assets overseas.
- Recommendation 50:
The review considers that the commercial sexual exploitation of children should be dealt with by specific offences in which 'child' should refer to any person up to the age of 18, and where sexual exploitation means the use of a child in prostitution or in the making of pornography.' According to one police respondent, this will help close the current loophole that leaves 16 and 17 year old children unprotected, as currently those who prostitute this age group are sentenced under laws relating to adults, rather than children, which carry light sentences of a maximum of two years imprisonment.
- Recommendation 51:
It should be an offence to:
 - *buy the sexual services of a child;
 - *recruit, induce or compel a child into commercial sexual exploitation;
 - *participate in, facilitate or allow the commercial sexual exploitation of a child or;
 - *receive money or other reward, favour or compensation for the sexual exploitation of a child.
- Recommendation 52:
There should be offences of: exploiting others by receiving money or reward from men and women who are prostitutes managing or controlling the activities of men and women who are prostitutes, for money or reward.

This section of recommendations apply to replacing Section 30 & 31 (living of immoral earnings, and women exercising control), and are less gender specific.'

With regard to the poor conviction rate under Sections 22 and 23¹⁴, the review considered consolidating 'an offence around procurement in terms of recruiting or procuring anyone to work for sex in any part of the world'¹⁵.

The Children Act 1989

The Children Act was implemented in 1989 to protect all children in the UK, including those temporarily in the UK. There are a number of provisions that apply to a child's welfare that could be used to protect child victims of trafficking, and other provisions that apply specifically to sexual exploitation:

- Section 17: This section imposes a general duty on every local authority to safeguard and promote the welfare of children within its area who are in need by providing an appropriate range and level of services.
- Section 20 states that all local authorities have the duty to provide accommodation to any child who

¹² Home Office (2000) 'Setting the Boundaries: Reforming the Law on Sex Offences'.

¹³ Section 3: It is an offence for a person to procure a woman, by false pretences or false representations, to have unlawful sexual intercourse in any part of the world.

¹⁴ Section 22: It is an offence for a person a) to procure a woman to become, in any part of the world, a common prostitute; or b) to procure a woman to leave the United Kingdom, intending her to become an inmate of or frequent a brothel elsewhere; or c) to procure a woman to leave her usual place of abode in the United Kingdom, intending her to become an inmate of or frequent a brothel in any part of the world for the purposes of prostitution. (Section 23: see footnote 7.)

¹⁵ Home Office (2000 p.116) 'Setting the Boundaries: Reforming the Law on Sex Offences'.

has no adult who has parental responsibility for them, has been lost or abandoned, or their care giver is unable to provide appropriate accommodation or care.

- Section 30 a court can grant an order for an applicant, such as a local authority, to take over the supervision and care of a child. However, no care orders or supervision orders can be made to a child who has reached 17 years old.

Safeguarding children in prostitution

'Safeguarding Children in Prostitution' was published by the Department of Health in 2000, as supplementary guidance to 'Working Together to Safeguard Children'. In summary the guidance draws on expert knowledge to propose that children found to be involved in prostitution should not be criminally prosecuted, but should be treated as victims. The guidance states that the 'primary law enforcement effort must be against abusers and coercers who break the law and should be called to account for their abusive behaviour'¹⁶. The report emphasises this by saying 'anyone engaging in sexual activity (whether for money or not) with a girl or boy under 16 (whether male or female) and a man engaging in sexual activity with a boy under 18 is committing an offence'¹⁷. Furthermore, under the Crime and Disorder Act 1998, a caution against a prostitute can no longer be made to a female under 18 years.

Immigration Act 1971 and Immigration and Asylum Act 1999

Under Section 25 (1) charges can be made for facilitating the entry into the UK of a person thought to be an illegal entrant. According to Kelly and Regan¹⁸ these charges are often used in order to make clear to the court that the case involves trafficking. In practice, complex evidential requirements often make allegations difficult to prove¹⁹. Additionally, according to the 1999 Act, Section 29, facilitation of entry can only be proved by showing that the person facilitating the entry did so 'for gain'. According to police and Immigration respondents, this is extremely hard to prove, especially when all the assets which may confirm the person facilitated entry are outside of the UK.

3. OVERVIEW OF OTHER RESEARCH

Trafficking of Unaccompanied Asylum Seekers

Since 1996, police have been investigating the disappearance of unaccompanied asylum seekers from UK Social Service's care homes. A newspaper article on this investigation was printed as early as 1998²⁰. By this point nine children had already gone missing. Kelly and Regan²¹ and Ayotte²² both refer to this investigation in their reports. However, neither report provides many details of the means of transport or procurement. They do relate the facts that the children are West African girls, mainly from Nigeria, who, on entry, are taken into residential care homes in the South-East of England. From these homes, the girls contact their trafficker or are contacted by their trafficker, and soon after disappear. The police investigation has shown that the girls are taken to Europe, with Italy being a favoured destination. It is here that they are forced into prostitution. Kelly and Regan state that the

¹⁶ Department of Health (2000 p.10) 'Safeguarding Children in Prostitution'.

¹⁷ Ibid (2000 p.12).

¹⁸ Kelly, L & Regan, L (2000 p.10) 'Stopping Traffic: Exploring the Extent of, and Responses to, Trafficking of Women for Sexual Exploitation in the UK'. Police Research Series, Paper 125. Home Office.

¹⁹ Home Office (2000 p.106) 'Setting the Boundaries: Reforming the Law on Sex Offences'. Kelly, L & Regan, L (2000 p.10) 'Stopping Traffic: Exploring the Extent of, and Responses to, Trafficking of Women for Sexual Exploitation in the UK'. Police Research Series, paper 125. Home Office.

²⁰ Crawley Observer (11 February 1998) 'Teens Lured into Ring of Vice' Fear'.

²¹ Kelly, L. & Regan, L. (2000 p.19) 'Stopping Traffic: Exploring the Extent of, and Responses to, Trafficking of Women for Sexual Exploitation in the UK'. Police Research Series, Paper 125. Home Office.

²² Ayotte, W (2000 p.66) 'Separated Children coming to Western Europe: Why They Travel and How They Arrive'. European Union and Save the Children.

trafficking of West African children into Italy has long been recognised, and due to this, immigration controls are tighter on flights directly from West Africa. However, there are more relaxed immigration controls on flights coming in from the UK, as a `significant number of Black British young people travel to Italy for holidays and school trips'²³.

On 8 March, BBC South²⁴ aired a documentary on the West African girls missing from care, and related this to trafficking for sexual purposes, particularly in Italy. This documentary interviewed one girl in care who has refused to go with the traffickers, and explains how terrified she is as her asylum application has been turned down and she may be deported back to Nigeria. She owes the traffickers GBP 38,000. The documentary highlighted other cases of girls who have gone missing from care homes and foster homes, and whilst on camera a social worker receives a phone call from the airport. A girl of 11 years has come into the country with two women, one claiming to be her mother. The women are under suspicion as they have been seen bringing in other girls. However without the girl telling immigration that the woman is not her mother nothing can be done. An investigation by Ian Pannell for the BBC²⁵ also looked into the trafficking of West African girls in general, and into the UK. Pannell includes in his report the use of `voodoo'²⁶ to coerce the girls into working for their sponsors. Additionally, an article printed in the Post Express, Lagos²⁷ further indicates that there is an established trafficking route from West Africa to the UK. The report states that `two major attempts in two weeks at child trafficking between Lagos and London have been foiled by the Deputy British High Commissioner'. The two foiled attempts involved 22 children and 14 adults, but the High Commission states that they have recently detected over 200 cases of possible trafficking. This form of trafficking involved adults applying for visas for `their' children. However, the High Commission staff noted that many of the child travelling with their `parents' were unable to tell the staff the same name as that stated on their passports, and the child's surname were different from their `parents'. The Deputy High Commissioner also stated that he believed the UK was not the final destination of the children.

Trafficking of children from various countries of origin

One newspaper story²⁸ relates to the trial of three `Russian gangsters' who were given sentences totalling eight years for the trafficking of Russian and Lithuanian women and girls into the UK for prostitution. The newspaper report told the story of one woman, aged 24, who had been kidnapped by the gang, taken to the UK, and sexually abused by two members of the gang. Once the woman had escaped, police raided the flat of the traffickers, and other flats known to be used by the gang. In one of these flats, police found a girl they believed to be 15 years old, although she stated she was 18 years old. This Lithuanian girl asked to be sent home, and was taken to the airport the next day.

Other newspaper reports provide further evidence of trafficking. On 17 and 24 December 2000 and 14 January 2001, The Observer newspaper ran three stories entitled `Child Sex for Sale'. The first of the series interviewed a 14 year old Nigerian girl who had been sold to traffickers by her father. The girl, Fayemi, told the reporter she had stayed with five other girls, one as young as six. Fayemi was able to escape and was found working the streets of south London. The reporter also talked to a few other girls who had escaped their traffickers. The second of the series interviewed a self confessed trafficker, drug dealer and pimp called Carlos. Carlos traffics under age girls as `its safer for him' and maintains that he currently has five girls working for him, all of whom he has made drug addicts. By being addicted, Carlos can exert more control over the girls. He also states that he pays between GBP

²³ Kelly, L. & Regan, L. (2000 p.19) `Stopping Traffic: Exploring the Extent of, and Responses to, Trafficking of Women for Sexual Exploitation in the UK'. Police Research Series, Paper 125. Home Office.

²⁴ BBC Southern Eye Programme (8 March 2001) `The Lost Girls'.

²⁵ Pannell, I (20 July 2000) `Trafficking Nightmare for Nigerian Children'. BBC PM Programme (Radio and BBC Online: www.bbc.co.uk).

²⁶ `Voodoo' has become a generic term that describes ritual ceremonies, although this voodoo may not be the same form of voodoo as specialists in traditional religion mean when they refer to `voodoo'.

²⁷ Post Express (16 September 2000) `British Envoy Bursts Child Smuggling Racket'. Lagos, Nigeria.

²⁸ Evening Standard (1 March 1999) `London's new sex slave trade from Russia'.

800 and GBP 2,500 for young girls from South Africa, but he claims to send back as much as GBP 500 to GBP 700 a week to the girls' parents. Carlos says "They're not even property: they're commodities... You've bought them and they have to do what you tell them"²⁹.

The Observer's final article interviewed a Vietnamese man, Toan, who brings in girls from Vietnam. In the article, Toan declares that two years ago he paid GBP 20,000 for a girl, yet today, he only pays half. Furthermore, the girls are trafficked with the help of Immigration officials in Vietnam. They are flown to France, and then driven to the UK. Toan supports Carlos' statement by saying that men who buy the girls like them to be drug addicts, so they are easier to 'own'. Furthermore Toan says "But because there are so many girls, they are very cheap: they charge only GBP 2, and that's for the man to do what he wants all night long"³⁰.

With regard to knowing what the girls will have to do, Toan argues that they are well aware of their job, and are in fact, keen to come to England. However, once the girls are older, no one wants to own them and as Toan says "It doesn't matter what happens to them once they get old and that's why I have such a good business".

Two articles regarding the trafficking of women and children, were published by the Sunday Mail^{31/32}. The first report relates to a case of two Chinese girls who had responded to a job advert in China as travelling companions to a Chinese woman, but ended up being forced into prostitution in a sauna in Glasgow. They eventually escaped with the help of a client, and returned to China. Strathclyde Police believe that 'thousands of other young illegal immigrants are trapped in slavery after being lured by the 'Snakeheads'. In recent years, the Snakeheads have smuggled Thai, Chinese, and, more recently, Russian girls into Glasgow³³. Although the article stated that the 'girls' who had managed to escape were in their late teens, the article does add that 'Girls aged under 16 years will be kept in flats for exclusive use by Chinese customers before 'graduating' to saunas and then being discarded'^{34/35}.

Trafficking of women into the UK

According to Kelly and Regan³⁶, based on statistics and figures from 1998, it can be estimated that between 142 and 1,420 women are trafficked into the UK each year. Kelly and Regan's report was commissioned by the Home Office as part of their Police Research Series. Information on trafficking was gained from 36 police forces in the UK. The results indicated that 'the majority of police forces have limited knowledge of, and thus give limited attention to, trafficking and there is a danger that this unintentionally creates a climate of toleration for trafficking of women into and within the UK'³⁷.

However, those forces that were able to provide information indicated that the first signs of trafficking were detected about 10 years ago in Triad controlled brothels in London. Since then, women from Thailand and Central and Eastern Europe countries are most likely to be trafficked into the UK.

The report details four forms of recruitment, these are:

- Complete coercion through abduction or kidnapping
- Deception by promises of legitimate employment
- Deception through half truths, such as promising they will be employed in entertainment, dancing or even stripping.
- Although some women are fully aware that they are going to work in prostitution, they put

²⁹ The Observer (24 December 2000) 'Child Sex for Sale'.

³⁰ The Observer (14 January 2001) 'Child Sex for Sale'.

³¹ Sunday Mail (14 January 2001) 'Scots Sauna Boss Held me as a Sex Slave'. Scotland.

³² Sunday Mail (4 March 2001) 'Face of a Slave Trader'. Scotland. This report will not be referred to as it contains information about women, and is similar to other reports on trafficking.

³³ Sunday Mail (14 January 2001) 'Scots Sauna Boss Held me as a Sex Slave'. Scotland.

³⁴ Ibid.

³⁵ While the author is unable to verify any of the above journalist's findings, their evidence is consistent with the results of the research. However, it must be stated that when asked, Strathclyde Police denied the reports on Scotland were accurate.

³⁶ Kelly, L. & Regan, L. (2000) 'Stopping Traffic: Exploring the Extent of, and Responses to, Trafficking of Women for Sexual Exploitation in the UK'. Police Research Series, paper 125. Home Office.

³⁷ Ibid (2000 p.V).

themselves at the mercy of traffickers in order to migrate to Western Europe. However, they are not made aware of the extent to which they will be indebted, intimidated, exploited and controlled³⁸.

The forms of recruitment from Central and Eastern Europe come in two main forms. The first involves adverts in the media for well paying jobs abroad, through a (possibly bogus) employment agency³⁹. The second entails a single man approaching a girl in a bar or club, where they are offered the chance to earn lots of money. Some of the traffickers are relatives or family friends, whilst some girls believe that the man is not her pimp, but her boyfriend. The size of the trafficking network varies from a few individuals working together, to large highly organised groups. These groups may also be making money from drugs and money laundering, which are believed to be linked to the trafficking of human beings.

Kelly and Regan detail the movement of the trafficker and their 'cargo' into the UK. They propose that women rarely enter the UK by illegal means, such as being smuggled in lorries. These women enter on legitimate or illegitimate documents, and are accompanied by the trafficker or an English speaking man who poses as her husband or boyfriend. Some women arrive by plane, especially if they are from Thailand or Africa, although sometimes, the trafficker and victim fly into another European country, and travel by Eurostar train into the UK. On arrival, the woman is sometimes told to apply for asylum, as the trafficker knows the process will take at least a year.

Once in the UK, the woman is taken to a brothel, where her false papers and passport are confiscated by the trafficker. For many of the women, the reality of their situation is only perceived at this point. Kelly and Regan state 'For some, discovering that there is no good job, the debt they owe is GBP 5,000-GBP 15,000, and that they have to pay it off in three months, are a series of shocks. For others is it the virtual imprisonment, lack of papers and that they will receive no money for three months, which are the realities they have not anticipated'⁴⁰. There are some who have anticipated earning nothing for three months, but have been led to believe that after this 'pay back' period they will be able to keep the money. However, they are then told of the overheads, such as flat rents, food, maid and laundry bills that they have to pay for. In reality the women are allowed to keep very little money, if any. Any protestations are followed by threats from the trafficker to hurt her or her family.

This study has given an insight into the trafficking of women into the UK. Of particular interest are the police responses, and the overall lack of awareness of the issue. Apart from the pro-active Clubs and Vice Police Unit in London, very little attention is given to the trafficking of women by other police forces. The report highlights the need for more attention to be given to this area.

Child prostitution in the UK

Child prostitution in the UK is not uncommon. Research by certain children's groups have brought attention to the situation of many children involved in prostitution. Like statistics relating to trafficking, accurate statistics on child prostitution are hard to come by. Hard statistics can be found from police records and cautions given to children caught soliciting. Between 1989 and 1995, there were 2,380 cautions, and 1,730 convictions, in England and Wales, of children under 18. One of these cautions was given to a 10 year old^{41/42}. These figures show only a proportion of those being prostituted, as many child prostitutes work in 'off-street' locations to avoid police detection. Another way of gauging the number of children in prostitution is to gain contact through non-governmental organisations (NGOs) working with abused children. A report published by Barnardos, entitled 'Whose Daughter Next' (1998) carried out research into what contact agencies had with child prostitutes. Based on the responses of 48 agencies, the report, using the most conservative interpretation of the agencies responses, estimated that in a twelve month period, the organisations had contact with 55 boys and 267

³⁸ Ibid (2000 p.24).

³⁹ Ibid.

⁴⁰ Ibid (2000 p.25).

⁴¹ Lenihan & Dean (2000 p.27) in Barrett et al, 'Youth Prostitution in the New Europe'.

⁴² The number of children cautioned or convicted for prostitution are no longer kept due to Governmental guidance which states that all children, under 18 years of age, found in prostitution are viewed as victims rather than criminals.

girls under 16 years old, and a minimum of 94 boys and 338 girls aged between 16 and 18 years. A further study conducted by the Children's Society⁴³ revealed the various reasons and means that children enter prostitution. These include adopting prostitution as a survival strategy, becoming involved so they can buy material goods they can't afford otherwise, and earning money for drugs. The study also states that numerous research shows 'that poverty is strongly related to entry into prostitution'⁴⁴. Additionally, the study also revealed that for some, prostitution is an easy way to gain money, compared to the other forms of illegal activity that is their only option. With regard to the way children enter prostitution, the Children's Society's research demonstrates that the majority of children become involved in prostitution due to peer group association, those without this association enter on a freelance basis (without any help) whilst a small minority were coerced. However, many of those interviewed asserted that they did not have pimps, and were not forced into prostitution. This assertion contradicts a study carried out by Barnardos (1998)⁴⁵, who proposes that girls are often coerced by men they believe to be their boyfriends, but are in actual fact pimps. This form of relationship is developed over a period of time, until the girl is completely dependent on the boyfriend, and has no control over their relationship. At this point the girl is very vulnerable, and will do anything to please her boyfriend, such as sleep with his friends. This occasional sexual exploitation soon turns into full time commercial sexual exploitation.

4. RESULTS OF THE INTERVIEWS

The following section summarises the results of twenty three interviews. There were no interviewees whose sole responsibility was to look into the issue of trafficking.

To be able to compare results easily with the other six European ECPAT groups who have also carried out the research, this section will state the question asked followed by a summary of all the answers. The questionnaire was divided into six sections.

Introduction

Does your organisation use a definition of trafficking for its work? If so, what is this definition?

The majority of those interviewed did not use a definition for the trafficking of people. However, one police respondent felt that using a definition would restrict their work.

The answers from the four able to give a definition varied from giving a short, personal reply, to using definitions laid out by certain organisations, such as the European Commission and the Coalition Against Trafficking of Women. In the latter case it was an academic who used definitions already defined by other organisations. A respondent from the Immigration Service looked specifically at the difference between smuggling and trafficking. In this case, smuggling is for the benefit of the smuggled person. People who are trafficked are subjected to exploitation, be it slave labour, debt bondage or sexual exploitation. The final two respondent from NGOs felt that trafficking describes people, drugs or guns being moved from country to country and also added that those trafficked are given to believe that they will be working under different circumstances, whether this is in prostitution or not. It is the working conditions that differ, even if the women or girls know they will be working in prostitution.

In your organisation/work, what priority is given to the trafficking of children?

Six of the respondents, from all three categories, gave priority to trafficking of children. However, it was not the sole responsibility of any of these people. Three were beginning to give priority, as they realised that the situation was starting to show itself, which meant it was becoming worse. Nine gave

⁴³ Melrose, M, Barrett, D & Brodie, I (1999) 'One Way Street? Retrospectives on Childhood Prostitution'. The Children's Society and University of Luton.

⁴⁴ Ibid (1999 p.28).

⁴⁵ Barnardos (1998) 'Whose Daughter Next? Children Abused through Prostitution'.

no priority. Of these, two were police units (national and international), and two were HIV prevention projects working with adults. For the remaining respondents, the issue of trafficking was not seen as a priority, but was dealt with as necessary, such as academics, lawyers, and the press.

How did you first come into contact or become involved with the problems of trafficking?

The way that people first came into contact with trafficking was very varied. For those working in HIV prevention programmes, they have become involved due to a large influx of Eastern European women into the sex industry in the UK. Of the three respondents from HIV programmes one said that no women actually state that they had been trafficked, although they may have alluded to the fact. Of the remaining two HIV prevention programmes, one had worked with a woman who had wanted help to escape her trafficker, whilst the other had gained the trust of some women who told her of their experiences. All these projects were aware of trafficked women, as past experience has enabled them to spot 'tell tale' signs of trafficked women. These include the women pretending they are from another country, such as Italy, when it is obvious they are Eastern European⁴⁶, the control their 'boyfriends' have over them, their lack of control in where they work and who their clients are. One police respondent said that his first contact was through two trafficking cases of Eastern European women five years previously.

Three respondents from Social Services, the police and an NGO first became involved through a police investigation into asylum seeking children missing from care. For the Chief Immigration Officer, the first contact came in the late 1980s, early 1990s. This was in regard to 200 Zambian children brought into the UK under 'sponsorship' from a charity. A subsequent police investigation concluded that the children had been brought into the UK for paedophiles. For the remaining interviewees their contact has been through research into the area, as journalists and academics. Of the respondents one police officer had had no contact with any trafficked children or women, and knew very little of the issue.

A. Children

How do children enter your country? Please specify.

Children enter the UK in various ways. Some enter as unaccompanied minors and asylum seekers at airports, and sea ports (ferries and road transport). Additionally, some enter on student visas, as language students, or on tourist visas. However, a number of respondents believed that children were increasingly entering using illegal means, such as stowing away on ferries, cars, lorries and freight trains and using fake passports^{47/48}. Children are also brought in by adults who state that they are their dependants⁴⁹, or are met at the airport by an adult who declares themselves to be a relative.

Do you know for what purpose?

The majority of the respondents believed that the children were brought into the UK for purposes of sexual exploitation, either within the UK, or in Europe.

What happens once they are in the country?

The police investigation into the missing children from asylum has produced the most hard evidence into trafficking^{50/51}.

⁴⁶ In some cases, the women start to speak Italian, but on examination it is revealed that they know very little Italian. Additionally, women will ask for leaflets in Italian, but then pick up leaflets in Kosovan, Albanian etc.

⁴⁷ With regard to fake passports, two sisters known to immigration as possible traffickers had their bags searched on one trip out of the UK. Both were found to be carrying British passports, which, when checked, were shown to be false. The passports were later found on girls entering the UK and Europe.

⁴⁸ In one immigration investigation, immigration officials looked, at random, through their passport database. They picked out three hundred names of children who had died before they were five years old, and would now be 20 and 25 years old. Of the 300 names they checked, all 300 had been issued passports, suggesting that someone is now using their identity.

⁴⁹ One observer knew of a case whereby Asian children were brought in under the guise of being a part of the family.

⁵⁰ This form of trafficking is referred to as the 'asylum route'.

On arrival at Gatwick airport, in the county of Sussex, the majority of girls⁵² declare themselves to Immigration as asylum seekers, and unaccompanied minors. They are then taken to social service under Section 20⁵³ of the Children Act. What happens to the child depends on their age and the Social Services that they have been referred to. In the case of West Sussex Social Services, a safe house was set up to take in children thought to be trafficked. However, other Social Services do not always provide safe accommodation to children who are 16 and 17 years old, as they are thought to be able to manage in bed and breakfast accommodation. In the case of those in West Sussex safe accommodation the children go missing anything from a day to six months after they are admitted, although some never go missing at all. They are taken to London, and then driven or flown to Europe, with the main destination being Italy⁵⁴.

The West African girls taken into care are under instruction to contact someone or await the trafficker's contact. In some cases, the girls have been abducted from the homes, as they are unwilling to go with the traffickers. The removal of the girls is often blatant, and the Social Services are aware of which children are at risk of disappearing. Additionally, the police believe there are older children in the homes, who are helping the traffickers to remove the child. In other cases, West African girls arrive in the UK to meet an 'uncle' or 'auntie', who are in fact no relation to them. The Immigration Service have intelligence to prove that many of those picking up their 'nieces' are not related. Another method of collecting children at the airport is seen in the form of legal representatives appearing at the airport, declaring that they will legally represent the child who is claiming asylum. In cases such as these immigration are not allowed to prevent the child from going with the legal representative, who maintains he will look after her in his house.

Those not involved in the asylum route cases could not be as precise as this. However, one respondent from an NGO said that if a woman or a child is being trafficked then she will either be met at the port of entry or will have to phone a number on arrival. She may also have an address, and will go to this address or be taken to this address. From there she is forced to work.

Where do the children come from originally⁵⁵?

All but one respondent were able to state where the women and children they had come into contact with had come from. All said that there had been a huge increase in women from Eastern Europe especially Albania. The main countries of origin are Eastern and Central Europe included Russia, Lithuania, Albania, Romania and Bulgaria. Additionally, one respondent (NGO) knew of one Egyptian woman, and Somalian, Moroccan and Ethiopian women.

With regard to Thai women, respondents from NGOs and the police said that there were not as many as in previous times⁵⁶, but women and older children were still coming from South East Asia. Interviewees also knew of South American and Chinese women. Those involved in the asylum route cases, said that the majority of these children were Nigerian, although some stated that they were from Liberia, Sierra Leone, Gabon and Ghana. A number of these children are also Chinese. One respondent when asked answered 'all over'.

⁵¹ The police investigation (Operation Newbridge) looked only at Nigerian children missing, as this is the largest number missing, however, West Sussex Social Services also have children of Chinese origin who are thought to be trafficked, but Social Services are unsure as to what the children will be used for.

⁵² Those missing from care are not just girls. However, due to the majority being girls, and Social Services knowledge that girls are used in prostitution, the report only refers to the girls. It must be noted that some of the boys may be used in prostitution, and that the means of disappearance are the same for girls and boys.

⁵³ Section 20 states that all local authorities have the duty to provide accommodation to any unaccompanied child.

⁵⁴ West Sussex Social Services believe that those who remain in Social Services are used by the traffickers in the UK. The boys are used for either drug dealing or credit card fraud, while the girls are prostituted.

⁵⁵ Although this question asked about children, those working with women were only able to talk about where women came from, yet past experiences and literature reveal that women and children usually come from the same countries of origin.

⁵⁶ A few years ago there was a large influx of Thai women into the UK sex industry, however, this is now being over taken by Eastern European women.

Can you explain how minors who entered your country legally are then recruited for illegal activities such as commercial sexual exploitation?

Many of the respondents who answered this question, felt that the child's route into illegal activities was arranged before the child left the country of origin. It was also suggested that due to the family of the children paying for the child to be taken overseas, the child then has to pay back the family.

Therefore, the child has to undertake any work the trafficker forces them into, and further control over the child is facilitated by threats of violence to the child's family⁵⁷. In these cases, the family and child are often deceived into what work the child will undertake to pay back the debt.

Girls also end up in illegal activities, by being forced to work by men they thought were their boyfriends. This form of seduction and then pimping was raised a number of times by HIV prevention workers, who argued that many of the Albanian women come into the UK with a boyfriend, and then are forced into prostitution.

Can you give any ideas of:

Numbers

The majority of the interviewees were unable to answer this question. Those that did consisted of police and HIV prevention workers. One police respondent said that out of 75 brothels in Soho, there are about 5-10 children, aged about 15-17 years working in prostitution. However, all the 'children' state they are over 18. All three HIV prevention projects questioned believed that there were a number of trafficked women, but none were able to provide any figures for under 18s. In all three cases, the projects stated that the average age for their workers is between 18 and 25, but that some were definitely younger. One clue to their age is revealed through smear tests. All clients (from one HIV prevention project) receive a smear test if they are over 20 years old. Any smear tests below this age show abnormalities, due to an immature cervix. The smear programme has shown that many of the clients have abnormal smears, disclosing that the girls are under 20, and are probably about 17-19 years old. With regard to the trafficking of West African children, 69 have gone missing from care. This covers a time period of five years, but in the years 1995-1997 only 9 children went missing, in 1999 23 went missing. There are a further 42 in Social Services who are thought to be at risk of being trafficked. Furthermore, 15 children have gone missing from another Social Services Department's care.

Ratio of children to adults

No respondents answered this question, as they were unable to give exact figures relating to children. One police interviewee stated that it was impossible to tell, as there are hundreds of female sex workers, and many have false documents claiming they are over 18 years of age.

Period of time covered, time span, setting?

Question not answered, or was answered in the above.

B. National legislation and law enforcement

In your opinion, is existing legislation adequate and properly applied in practice?

Six respondents (NGOs and Observers) were not asked this question, or declined to answer⁵⁸. Of the remaining thirteen all agreed that existing legislation is wholly inadequate and out-dated.

What are the loopholes?

⁵⁷ This form of control is known as debt bondage, and is a known form of contemporary slavery. In this situation, the family will take out a loan, with the view to the child paying back the loan. However, no terms are agreed, and in reality the child never pays back the loan, due to high interest and other costs that are added to the original loan, such as transport, accommodation, food.

⁵⁸ Scotland has different legislation to England and Wales, but due to there being no cases of trafficking the differing laws were not researched. No comparisons were made with English laws, however, interviewees did state that trafficking laws were necessary in case trafficking cases appeared.

The loopholes in existing legislation were thought to be a lack of understanding and the inability to take the issue of trafficking seriously. Coupled with this is the difficulty in proving and investigating trafficking offenses, and the lack of victims willing to testify. Other respondents complained that the sentences handed out were too light, and the lack of cross-border communication and country agreements on sentencing.

What measures exist specifically directed at traffickers?

Although one police respondent said that there was an increased awareness of trafficking, and in relation to this, an increase in intelligence to combat the trafficking, there are currently no measures directed at traffickers of people.

What do you consider to be the weak point in your country's legislation?

With regard to weak points within the legislation, the interviewees found many. One police respondent felt that the main problems were that it is hard to prove offenses have been committed, as there is never enough evidence under existing legislation to take the case to the Court⁵⁹. Three respondents from the Immigration Service and the police answered that the 'for gain' stipulation in facilitation of entry means that unless the trafficker is caught with the money on them, it cannot be proven that they were paid to transport a person over a border.

One police interviewee argued that there is adequate legislation under the Sex Offenses Act 1956, but that sentencing guidelines are poor. In the UK, a person caught trafficking 2 kg of cocaine would be sentenced to between eight and fifteen years in prison. However, for a trafficker to be given a maximum sentence of seven years under sections 30 and 31⁶⁰ of the 1956 Act, the victim must testify. Not only must the victim testify, she must also prove that she would not have entered prostitution had she not met the trafficker, and that there was physical and/or mental coercion. Without this testimony, the trafficker will only get two years.

Further criticism against existing legislation is that the legislation punishes the victim, rather than the trafficker or the client, and that there is a need for harsher sentences for those forcing under 18s into sexual exploitation⁶¹. Additionally, it was raised throughout the interviews by various people from all three categories, that there is currently no organisation that accepts trafficked women or children as referrals from the police or HIV prevention programmes. It was felt that there is a real need for this service.

According to the 1998 IOM data study, 'certain countries have a significant number of investigations into traffickers, but EU conviction rates are very low'. How do you think conviction rates could be improved?

The respondents gave a number of ways they felt that conviction rates could be improved. Many agreed that there is a need for better intelligence at ports of entry and embarkation, better intelligence with regard to the movement of traffickers, a need for increased resources to all front line authorities, and shared intelligence between agencies and law enforcement. It was also thought that a unit should be set up to manage the communication between EU countries on traffickers' movements, and to have a partnership between agencies to share relevant information. Furthermore, taking out the 'for gain' in legislation, making the aiding and abetting of forging a passport an offence, and introducing heavy penalties and legislation against traffickers, were all thought to be ways to increase conviction rates.

⁵⁹ In the past few years, police have attempted to take two suspected traffickers to court. However, the Crown Prosecution Service deemed the evidence insufficient to take the case to court.

⁶⁰ Section 30: It is an offence for a man knowingly to live wholly or in part on the earnings of prostitution. Section 31: It is an offence for a woman for purposes of gain to exercise control, direction or influence over a prostitute's movements in a way which shows she is aiding, abetting or compelling her prostitution.

⁶¹ In comparison, a recent case in Glasgow saw a man sentenced to 12 years imprisonment for trying to procure a young female prostitution. The man had no contact with any children, but an adult female sex worker told the police that a regular punter had been asking about procuring a young girl. It was on this testimony that the man was convicted.

When a minor becomes illegal in your country, what laws apply?:

In prosecuting the child for being illegal?

Children found for being illegal are not prosecuted. They are dealt with under the Immigration and Asylum Acts⁶².

In protecting minors?

The Children Act 1989 and the Sex Offences Act 1956

Are there any special laws concerning minors?

The Children Act 1989.

What do you see as the barriers?

Although the Acts stated in 3.72. are aimed at protecting minors, the respondents cited incidences that show that children are not as protected as they should be. With regard to the Children Act, it was stated that law protecting British children, protects all children. If a child is found to be unaccompanied, the Immigration Service contacts Social Services, who then look after the child. Immigration are able to grant temporary admission to the UK, for the child. However, Immigration pointed out that on many occasions the Social Services have requested Immigration to ask the child to make their own way to the Social Services. It has also been known for Immigration to find the child still waiting at the airport the following day, after sleeping on the concourse all night. One police respondent supported this lack of care, when he stated that when they take in a child found to be soliciting, they put her under police protection, while the Social Services are contacted. The police officer said that when the Social Services find out the child is 16 or over, they 'don't want to know'. In cases like these the police have to let the child leave the police station. The Social Services have told the police that they are under-resourced and unable to take children of this age, as there are younger children more in need, although they are under a legal obligation to care for the child.

In summary, a number of officials felt that barriers were set up by Social Services, who due to low staffing, did not see child prostitution or trafficking as a priority, and were not proactive in helping children at risk of being prostituted.

What improvements in existing legislation do you consider necessary?

One respondent, an official, stated that improvements could be made by the Government completely rewriting the Immigration Act 1971 and the Sex Offences Act 1956. A number of interviewees from NGOs also felt that legislation is not child friendly, as it always labels the child as a refugee or asylum seeker first, before seeing them as a child. Other recommendations included providing legal guardians to unaccompanied children under Section 17⁶³ of the Children's Act, rather than accommodating them under Section 20⁶⁴. With a legal guardian it was thought that the child would be better protected, as there is an adult who is held responsible for the child's disappearance. With regards to unaccompanied minors, one respondent argued that with an estimated 10,000 unaccompanied minors in the UK, the Government should take the problem seriously. Furthermore, one policeman commented that under the Children Act 1989, children are well protected, yet Social Services do not use the Children Act to its full capacity, and because of this 16 and 17 year olds are 'let down'.

C. Childcare/protection

Are there effective:

prevention programmes?

⁶² There are a number of Acts, due to amendments over the years. The precise Act depends on what year the child entered the UK.

⁶³ Section 17 imposes a general duty on every local authority to safeguard and promote the welfare of the children within its area.

⁶⁴ See footnote 53.

The only prevention programme noted is related to the West Sussex Social Services' work in trying to protect children thought to be at risk, from being trafficked. Through introducing the children to 'normality' (e.g. sending them to school, involving them in the community), some of the girls have felt safer, and decided to stay in the UK.

rehabilitation programmes?

Some of the girls have gone through rehabilitation whilst in Social Services, as their journey to the UK has often involved sexual, physical and mental abuse. One girl in particular had continual nightmares that the traffickers were going to kill her. Since Social Services intervention, she is no longer scared. Additionally, Social Services provided rehabilitation to one girl who was returned to the UK after she had contacted them from Italy. Social Services were able to offer rehabilitation, and have re-housed her in another part of the country. Although she is over 18 years old, they are still providing support to her.

repatriation programmes?

No respondents knew of any repatriation programmes, but respondents from NGOs and officials felt that there was a need for such programmes to ensure that it is safe for children to return to their country of origin.

Can measures be introduced into the immigration process to improve or strengthen procedures and keep children safe while in custody?

With regards to the children thought to be at risk of trafficking, and being held in 'safe houses', it was suggested that the monitoring of phone calls should be carried out. During the police investigation, surveillance was undertaken, but soon finished due to a lack of resources.

Immigration procedures were praised by a number of respondents, as the Immigration Service have worked closely with police in identifying children they believed to be at risk of trafficking. Additionally, Immigration have, on occasions, not released a child into the care of people claiming to be the child's relatives, as they are suspicious of the person's activities with regard to collecting other children at various times.

D. General observations

Where is the demand coming from?

The main response to this question was 'men' and already existing markets. Additionally, those in connection with the West African trafficking were able to answer that Northern Italy drove the demand for West African women. A number of possible explanations for Italy were given as the already existing Mafia networks, and that Italian men prefer black women, who are perceived as 'rare' and 'exotic', and inferior to Italian women.

What is the role of:

The police in combating trafficking?

The police's role was thought to include, investigation, intelligence and surveillance with regard to children missing from Social Services care, and carrying out background checks on those collecting children already identified as being at risk of trafficking.

Detection and enforcement in relation to trafficking offenses, protection of witnesses before, during and after the trial and collaborating with other authorities involved in the issue, such as Social Services, Immigration and authorities overseas. A further suggestion was made to establish a police unit whose sole responsibility is human trafficking.

Non Governmental Organisations (NGOs) in combating trafficking?

NGOs were thought to be able to provide support and accept referrals from police forces and service providers, and may even be the first point of call for victims of trafficking. Additionally, the NGOs role

could involve raising awareness amongst the general public and organisations and act as a communicator between Social Services and Immigration, as it was stated there was a lack of communication between these two important organisations. It was also thought that NGOs were in a position to be able to lobby the Government for effective legislation

Children themselves in combating trafficking?

The main role of children was considered to be peer educators, raising awareness amongst other children of trafficking, and to make other children more aware of adults who try to manipulate them.

What specific difficulties do you face in your work/organisation?

Nearly all respondents said that their biggest difficulty was lack of resources, low staffing levels and lack of adequate legislation. Difficulties faced by HIV prevention programmes included the fact that their funding is for HIV programmes only and no wider reaching work, inability to refer the women or children to any organisation particularly looking at trafficking and a lack of communication with Social Services. Additionally, one police respondent felt that difficulties were faced in trying to get victims to testify, and their unwillingness to cooperate.

The 1998 IOM study indicates that there is relatively little emphasis on certain types of preventative action, but more on others, such as identifying trafficking routes and recruiting mechanisms. Many institutions collect information on the characteristics of victims.

What are these institutions?

The institutions noted were the police, Social Services, Immigration and the University of North London. One respondent also said that there were small NGOs collecting their own information, but due to no centralised recording place, this data was unavailable.

What have they found out?

As of July 2000, the police, the Immigration Service and Social Services put together an 'at risk profile'. This applies to children entering the country, and declaring themselves asylum seekers to immigration. The profile was put together for immigration to be able to spot the children easily. The profile includes:

Aged 12-28, but may maintain to Immigration Service that they are older than they appear.

Come from West Africa (Sierra Leone, Nigeria, Liberia) or from China, but may have documentation which is not West African.

Anxious/distressed (particularly wanted to know where they are, use the phone etc).

May have been drugged or held captive prior to flight.

Girls are submissive and cowed, uncommunicative and tense, and often fail to make eye contact, although it is recognised that this is a cultural norm for some. However, this may be the case even when the social worker and carers have known them for some time.

Interest is shown by suspected perpetrators.

On arrival a solicitor or legal representative has been informed by a third party of their arrival and attempts to make contact with Immigration or Social Services.

In your opinion what responsibility is shared by the sending country(ies)?

All those questioned felt that the countries of origin shared responsibility, but how much depended on the state of the country.

How and what should they do to help solve the problem?

One answer that a number of interviewees gave is the need for awareness raising in the country of origin, and to make parents and children aware of what actually happens to children who are taken overseas for a better life. Further education must be made available to girls and women, with the harder task of providing employment at the end of education. It was pointed out that war, poverty and economic imbalances cause trafficking, and it is these problems that must be addressed, and possibly

through foreign aid and women's cooperatives. What must be understood is why children leave, and the cultural attitudes, such as fear of voodoo, which lead women and children to fall prey to traffickers. On general issues, it was thought that trafficking is made easier by corrupt officials in countries of origin. It was thought that adequate pay, enforcement and a change in cultural attitudes would help to prevent corruption. Additionally, better policing, and at a multi-international level, were cited as ways to overcome the issue, as was investigating the trafficking routes and finding the recruiters.

E. Organised crime

Is it believed that the child's onward route may be pre-arranged at the time they enter the UK?

All respondents who answered said yes. For those who are transiting through the UK, their point of destination is already arranged before they leave the UK. Onward travel is also easy as those with British passports are not checked on embarkation.

Can you say whether or not this is always the case?

Yes, for those travelling through the UK.

What happens when the children arrive in de UK?

For those who come in as unaccompanied minors, they are taken into residential care, or placed in a foster family by Social Services. In some instances the children are found bed and breakfast accommodation. In this situation, it is not uncommon for the child to go missing soon after arriving. Those that are brought in by traffickers, stay in accommodation with the trafficker, or are found accommodation pending further arrangements.

What treatment do they receive?

This question received varying answers. For those involved in the children missing from care, they felt that children were well looked after. Other respondents stated that the children would receive reasonable treatment, due to the traffickers fear that excessive violence would cause the child to try and escape, whilst other interviewees said it was 'pay back' time, and the treatment they receive is brutal. One police respondent stated that there was evidence that some of the missing children investigated had been sexually abused whilst travelling.

Who knows where they are?

Social Services, and the Immigration Service were cited as two organisations who may know where the trafficked children are, but only in respect of unaccompanied children. Otherwise it was thought that hardly anyone, except the traffickers and exploiters knew where they were. The point was also made that if a child is smuggled in either through transportation, such as lorries and cars, or as someone's child, then no-one knows where they are.

Are they trafficked within the EU?

All respondents answered 'yes' and 'some' respectively to these questions, although one understood that some Asian women in particular were being trafficked to North America.

Where do they stay?

They are kept in off-street locations, such as saunas, flats and safe houses.

How do the customers find them?

Nearly all respondents stated that customers find children through word of mouth, existing brothels and flats, paedophile networks, phone booth and newspaper advertising and internet chat rooms. One police respondent said that children would not be found in well known red light districts, such as Soho, because the police are too active. Additionally, children are imported to order, and in situations where a

family brings in a child, they find the customers for the child.

Who are those customers?

The only answer was 'men', and 'all males have the potential to be'.

How much does a child cost? Compare to an adult.

No respondents could answer this question with substantial evidence. However, it was divided between the view that there is a premium on sex with a child, to those that think it is the same price as sex with an adult. Even if a child can charge more, the difference was GBP 10. However, it was noted that there is a premium on unprotected sex, which trafficked women and children are willing to do.

One interviewee was able to cite the price for an adult Thai woman to come to the UK, at GBP 21,000, whilst another cited GBP 15,000 for a West African girl. These are the amounts the women and children must pay to the traffickers.

How can we enter the circuit, to find the children before their clients do?

The respondents felt there were a number of ways to intervene. This could be by mediating while the children are en-route and in transport, stop them getting on planes in Lagos, and working with the host country's immigration, police and education system.

Many interviewees felt that intelligence, surveillance, undercover work and policing was required. One police officer suggested that every unaccompanied child should hand over their travel documents to a member of the air crew on inbound flights. The documents would then be returned on landing.

In your opinion, how risky/dangerous might such intervention be?

The majority of the respondents stated that intervention would be dangerous, however, one police interviewee said it would be no more dangerous than normal police work.

Are trafficking networks involved?

Networks are involved, yet this ranges from one person bringing in one child or adult, to a number of individuals bringing in lots of women and children. It was stated that none of the traffickers could work strictly on their own, as they need to have contacts to gain access to the sex industry and move illegal woman or children around. Immigration have also noted that the traffickers who appear at the airport to pick up the children change every six months. A number of other respondents had noted that the Russian groups worked in larger numbers, bringing in lots of women, yet the Albanian men worked one-to-one with their 'girlfriend'.

What evidence do you have for this?

The evidence to support the above answers was taken from the police operation investigating missing children from care (Operation Newbridge), police investigations in vice units, previous research working with the police, Immigration, UK National Criminal Intelligence Service, INTERPOL and EUROPOL, and from organisations working directly with women who had been trafficked.

5. CASE STUDIES

Case studies relating to child trafficking are difficult to acquire. The children themselves are often unwilling to provide any information, due to the fear they have of the traffickers, and the need to protect their families. Additionally, there are extremely few case studies, as only a small number of children who have been trafficked have been found by the relevant services.

Case 1

The only detailed case study known to the respondents, was that of one Nigerian girl. The girl stated that she was 17 years old, and had been living in Nigeria when she heard about a place in town that could help her get to Europe. She was aware that she would be made to work as a prostitute, but saw this as her chance to leave Nigeria, and believed she would be able to escape the traffickers once in the UK. Unlike many other girls who were controlled through threats made after they partook in a voodoo ceremony, this girl didn't believe in voodoo, as she was a Catholic. After entering the country and claiming asylum she was taken to a Social Services care home. Immediately she refused to go with the traffickers, but she was abducted and taken to London. In London she was kept in a flat for three days, with three or four other girls. From London, they were driven to Belgium, to a remote, rural area, where she was kept under close supervision, due to her initial reluctance. Her final destination was Italy. In Italy, she immediately ran away and went to a church. She contacted Social Services, who then contacted the police. The authorities in Italy looked after her until British police collected her. By this time she was 18 years old, but due to her age when she was first admitted to care, Social Services agreed to look after her. She is now in Social Services accommodation in another part of the country. However, due to the girl's unwillingness to provide information to the police, no action has been taken against the traffickers.

Case 2

Another case study is taken from an article written by Amelia Hill in the Observer newspaper on the 17 December 2000. This case study involved Fayemi, a 14 year old Nigerian girl who had been sold by her father to two men. At Lagos airport, Fayemi was handed over to a woman who was already accompanied by two girls. They were all waved through immigration.

The group arrived at Gatwick airport, and were met by two men. One man took Fayemi to a flat in London. According to the report, five other girls were kept in the flat, one was only six years old. This child came from Nigeria, whilst the others spoke other languages, indicating to Fayemi that they all came from different countries. In this flat Fayemi and the other girls were sexually exploited by men everyday, from morning till night. Fayemi is quoted as saying "They wore suits. They hurt me". Sometimes Fayemi was taken to the client's office to be sexually exploited. She was never left alone, and all the money she made was taken from her. Additionally, due to Fayemi's protestations, the men made her inject heroin, which 'made it hurt more little'.

At the beginning of December, Fayemi escaped from the flat by climbing through a window, and now works from 10 p.m. to 6 a.m. on the streets in South London. Fayemi is still terrified of the traffickers and told the journalist "The men said that they would kill me if I left. It true."

6. CONCLUSION AND RECOMMENDATIONS

Conclusions

As outlined in this report, there is trafficking of children into the UK for sexual purposes. There is also the use of the UK as a transit point for the traffickers, taking children through the UK, to be forced into sexual exploitation elsewhere in Europe. Estimates of the numbers involved are very difficult to make, if not impossible. One respondent from the Immigration Service stated that at least 85 children have gone missing from two Social Services Departments over the last few years. Another source of statistics has come from Operation Newbridge, the police investigation set up surrounding the children missing from care. This police operation became a National Crime Squad (NCS) enquiry in January 2000, but ended in April of the same year. In that time the Immigration Service was passed 120 referrals from Ports Immigration Officers. These referrals were with regard to unaccompanied children who fitted the 'at risk of trafficking' profile. Of these 'more than 25% of these were sufficiently suspicious, or obviously linked to the targeted traffickers, to be referred to the NCS team'⁶⁵. During this time, the Immigration Service identified nine individuals thought to be traffickers,

⁶⁵ Personal Communication (23 April 2001).

all of which were referred to the NCS. Additionally, statistical information is available from British Immigration officials overseas. In Lagos, after being briefed in August 1999 on the victim profile, 92 potential victims were stopped embarking at Lagos Airport in November 1999 alone.

As detailed in the report, children are being brought into the UK through two distinct channels. The first is the use of the asylum system and Social Services by the traffickers to look after the children and keep them in places known to the traffickers, without any expense. These children are then taken out of care and trafficked to Europe, especially Italy⁶⁶. This form of trafficking involves, mainly, West African girls.

These children are usually trafficked by their, or at their parents request, although some are abducted. It is thought a minority of the children know that they will be forced into sexual exploitation, but are unaware of the true extent of the situation. Additionally, some have hoped to escape the traffickers, and use the traffickers as a means to be smuggled into the UK. However, they are abducted and nevertheless forced into prostitution. Up until October 2000, 69 children had gone missing from West Sussex Social Services, the youngest being nine years old. Another 42 are thought to be 'at risk' and fit the profile of trafficked victims. Those documented as missing from care, are all missing from only one Social Services Department. Other Social Services are aware of missing unaccompanied asylum seekers, but they have not kept specific records of children possibly at risk of being trafficked.

The second form of trafficking is of predominantly Eastern European women. These women are being bought in, either by a 'boyfriend' (one to one) or by 'mafia' (lots of girls at once). The prevalence of children amongst this form of trafficking is unknown. HIV prevention programmes and the police believe that there are young people (aged 16-17 years old) being trafficked, although all the girls maintain they are 18 years or over. Many of these female children and adults are duped into prostitution. They are forced to work in flats or saunas (none are found working on the streets) and have very little control, if any, over their working conditions or money.

There are other areas of trafficking that have not been reported on as they are impossible to research in a limited amount of time. However, they could be possible entry points for a large number of trafficked children. For instance it is hard to investigate how many children enter the country with adults pretending to be their parents, or are smuggled in and therefore do not come into contact with any Social Services or other services. Children are also brought in under sponsorship. Furthermore, Immigration and other organisations state that there are between 5,000 and 10,000 unaccompanied children in the UK. These figures may contain a large number of children being sexually exploited. One respondent felt that, although the UK wasn't saturated yet with women and girls being trafficked, there would, in the near future, be problems and 'turf' wars would start between rival gangs. The difficulty in providing statistics, and information on the trafficking of children, and women, must be looked at in depth by those groups that will increasingly come into contact with females who have been trafficked. In most cases, service providers, police and Social Services will be unaware that the child has been trafficked, as very few are willing to testify, and even if they do, their traffickers will face weak sentences, as there is currently no law prohibiting the trafficking of humans. Additionally, those testifying cannot be provided with adequate protection, and in some cases, this has made the police turn down cases, as the long term protection of the victim and her family cannot be assured.

Recommendations

The above points all relate to the following recommendations that have come out of this research.

Primary research

This is essential if any more information on trafficking of children is to be found. Although few women or children will be willing to talk about their experiences, researchers working on the ground, such as

⁶⁶ West Sussex Social Services know that some of the girls are prostituted in London, but those that have gone missing, and are prostituted in the UK, could be taken onto mainland Europe at a later stage.

alongside HIV programmes, and other service providers, could obtain information through gaining trust and the confidence of the women and children. Additionally, providing information should not be connected to testifying or taking the case to the police.

Legislation

Adequate legislation relating to trafficking and the commercial sexual exploitation of children must be introduced, along with harsh sentences that reflect the seriousness of the crime. Additional changes to the Sex Offences Act 1956 must be introduced with regard to decreased gender differentiation, and the seriousness of crimes committed against children under 18 years of age.

Safe house

Currently, there are no organisations with sole responsibility for providing support to victims of trafficking, therefore an independently funded safe house should be established. Any cases in the UK that have been discovered have been reported to the police. If the only alternative a victim of trafficking has is to go to the police, then very few will take this avenue. For many, the police in their country of origin have contributed to the ease of their transportation, resulting in an inability to trust authority.

Alternatively, if a safe house was established, women and children can be referred to this house by service providers, or approach the house without any outside intervention. The home would then provide support through legal and emotional means, and also provide external support, such as psychological counselling for rape and torture victims. Belgium, Italy and The Netherlands all have varying provisions with regard to temporary and permanent visas, allowing victims to stay in the country whilst testifying and sometimes after the trial is over. In the UK, it would be necessary to provide protection, and permanent residency to victims of trafficking, where this is in the best interests of the child. Additionally, children must be given the choice about testifying, and if they choose not to testify, should be able to provide information to the organisation without fear of reprisals from the police. However, this point would need extensive discussion, as one police respondent believed that, in this case, women should only be admitted to the safe house on the grounds that they testify. This would stop a possible tidal wave of false claims. The interviewee further stated that there must not be a time limit on how long the victim is allowed to stay in the UK, which should be until they want to return home. It must also be assessed that it is safe to return home, if this is the decision they take. Additionally, they should have independent legal representation.

Children in care

Currently, under Section 31 (Children Act 1989) children older than 17 years of age, are not granted a care order by the Social Services. But, respondents in the research were aware of children aged 15 or 16 who were also without care orders. Without a care order, children in Social Services do not have a legal guardian. It was thought by a number of respondents (both officials and NGOs) that children deemed to be at risk of trafficking should be given guardians, to provide better protection against the traffickers.

On arrival

It is recommended that unaccompanied children (16 years and below) have their travel documents looked after by a member of the airline staff, and on arrival to the UK are escorted to Immigration. This would prevent unaccompanied children destroying their documents during the flight. The retention of a 17 year old's documents should be at the discretion of the Immigration Service in the port of departure.

Additionally, there should be monitoring of unaccompanied children who are picked up by people already suspected of trafficking. This could be a check at the home of the adults two weeks after the children are collected, by Social Services or the police. Resources would need to be made available to the organisation carrying out the monitoring.

Children arriving in the UK with a partner, or relatives, that are deemed suspicious by Immigration

officials, should be interviewed separately to ascertain the real situation.

Currently, children have been collected at the airport by legal representatives. However, Immigration officials are sometimes unsure about the status of the person, but are not allowed to stop the child leaving with the legal representative, as it is their right to have legal representation. It is therefore recommended that the Law Society establish an accredited panel of specialist lawyers, who could be called in to represent the children before they are taken away by other legal representative.

Awareness raising

Campaigns must be set up to raise the awareness of trafficking amongst various organisations and individuals. Currently, a lack of knowledge is evident amongst the police force, service providers, such as refugee programmes, and the Social Services. Although this is a generalisation as only a few of these programmes have been approached, it is evident from just this limited response, and from the answers from respondents, that very little is known on the issue.

Awareness amongst the general public is also necessary. The terms 'smuggling' and 'trafficking' are often interchanged, and although the boundaries are blurred, there is a need for more awareness of the differences. This awareness is also necessary for those believing that they are being smuggled, but will in fact be trafficked, as they will be sexually exploited.

Furthermore, it is essential that awareness raising and education campaigns are carried out in the country of origin, to warn children of the dangers of working abroad.

Communication and information exchange

It is evident from the respondents' answers, that there is very little information exchange and communication between organisations trying to work on the issue of trafficking. Denial of the situation is evident in many organisations, and all that is required to raise awareness is adequate information exchange and communication, even between groups such as the Social Services and Immigration. One respondent stated that they sometimes pass on information to Social Services about unaccompanied minors. For example, Immigration do not release a child to an adult who has presented themselves at Immigration, as Immigration are not convinced the adult is a relative, or friend. However, when the child is passed to the Social Services with the necessary note of caution, the child is still released to the same person. Errors of this kind can be rectified by organisations such as Social Services listening to the Immigration Service and respecting their mode of operation. This is not to say that Social Services are negligent, as evidence has shown that in some cases Social Services have provided care over and above the necessary requirements. However, this case reveals how a lack of communication can put a child at risk.

Implementation of good practice and training

As stated above, there have been cases when Social Services have shown commitment to children believed to be at risk of being trafficked. In West Sussex Social Services, safe houses have been established to house the children, with some degree of monitoring and staff the children can relate to. This level of supervision could be replicated in other Social Services who house children at risk, which requires increased resourcing.

Good practice can also be found in certain Immigration and police procedures, which should be replicated in other ports or forces around the country. Additionally, training provided by those in contact with trafficked children or women, or those who investigate cases, should be provided to other police forces, Immigration officials, Social Service workers, and other organisations who may, in the future, come into contact with the trafficked victims. Furthermore, Immigration and the police, along with Social Services have constructed a 'profile', which can be used to identify children thought to be at risk of trafficking. This profile should be used throughout all ports.

Pilot project

It is necessary to carry out funded pilot projects, to review the practices of Social Services near ports.

This review could be carried out in partnership with West Sussex Social Services who are currently implementing good practice with regards to children missing from care.

Overseas

Trafficking is often related to conditions of poverty, poor employment opportunities, and unstable countries. Therefore, it is vital that these areas are addressed. Although the reasons for the above causes are complicated and long-term problems, these areas must not be forgotten.

Additionally, many respondents cited corrupt officials as aiding the trafficking of children, therefore, anti-corruption drives are necessary in sending and transit countries.

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- Immigration and Asylum Act 1999
- Sexual Offences Act 1956

8. ANNEX

Annex 1

list of interviewed experts

Those interviewed were:

Officials

- Chief Immigration Officer, Heathrow Airport;
- Metropolitan Special Branch, Ports (Heathrow Airport);
- Detective Superintendent - Sussex Police;
- Inspector - Clubs and Vice Unit, Metropolitan Police;
- Detective - Desk Officer, INTERPOL;
- National Criminal Intelligence Service - Serious Sex Offender Unit;
- Inspector - West Midlands Police;
- Chief Inspector - Strathclyde Police (Glasgow);
- Constable (2 interviews) - Strathclyde Police (Glasgow).

Non-Governmental Organisations (NGOs)

- Children's Society (2 interviews);
- HIV prevention project for sex working men and women, Central London
- West Sussex Social Services;
- HIV prevention project for sex working women, South London;
- HIV prevention for sex working women, Birmingham;
- National Missing Persons Helpline;
- Refugee Council.

Observers

- Lawyer - Family Law;
- Professor - Applied Social Studies Unit, University;
- Researcher at a London University;
- BBC Journalist;
- Lawyer - International Law.

Annex 2

Sections from sexual offenses act 1956 relevant to the issue of trafficking of children

Section 2 and 3 It is an offence for a person to procure a woman, by threats or intimidation, or by

false pretences or false representation (S3), to have unlawful sexual intercourse in any part of the world. Both offenses carry a sentence of two years.

Section 5 and 6 (1) It is an offence for a man to have intercourse with a girl under the age of thirteen (S5), or a girl over 13 but under 16 years of age (S6). Maximum penalty is life imprisonment for Section 5, and two years' for Section 6.

Section 17 Abduction of a woman by force or for the sake of her property. Maximum penalty is 14 years imprisonment.

Section 19 It is an offence, subject to exceptions, for a person to take an unmarried girl under the age of 18 out of the possession of her parent or guardian against his will, if she is so taken with the intention that she shall have unlawful sexual intercourse with men or with a particular man. Maximum penalty of two years.

Section 20 Abduction of girl under 16 or under 18 from parent or guardian. Maximum penalty is two years imprisonment.

Section 22 It is an offence for a person

- (a) to procure a woman to become, in any part of the world, a common prostitute; or
- (b) to procure a woman to leave the United Kingdom, intending her to become an inmate of or frequent a brothel elsewhere; or
- (c) to procure a woman to leave her usual place of abode in the United Kingdom, intending her to become an inmate or frequent a brothel in any part of the world for the purposes of prostitution.

These offenses carry a maximum penalty of two years.

Section 23 It is an offence for a person to procure a girl under the age of 21 to have unlawful sexual intercourse in any part of the world with a third person. Maximum penalty of two years.

Section 24 It is an offence for a person to detain a woman against her will on any premises with the intention that she shall have unlawful sexual intercourse with men or with a particular man, or to detain a woman against her will in a brothel. Penalty of two years.

Section 25 It is an offence for an owner occupier or manager of a premises to knowingly permit the girls under 13 to have unlawful sexual intercourse. Max penalty is life imprisonment. Under Section 26 the same offence holds for a girl under 16 years, but the maximum penalty is only two years.

Section 28 It is an offence for a person to cause or encourage the prostitution of, intercourse with or indecent assault on a girl under 16. Maximum penalty is two years.

Section 30 It is an offence for a man knowingly to live wholly or in part on the earnings of prostitution. Penalty of seven years imprisonment.

Section 31 It is an offence for a woman for purposes of gain to exercise control, direction or influence over a prostitute's movements in a way which shows she is aiding, abetting or compelling her prostitution. Penalty of seven years imprisonment.