

Hello,

We have reached Week 6! Thank you to everyone who has engaged, shared feedback, and contributed to discussions on our MSCOS website. If this is the first newsletter you are receiving from us, welcome! You can access all previous weekly updates on our website [here](#).

See how the discussion is going on [Safety from Any Trafficker or Other Abuser](#) in our **Week 6 Round up** below. Do also keep reading to find out more about our first upcoming **online forum!**

Please do join in on our discussion forums – if you feel like you ‘will get to it soon’ just skip to the part where you get to it now 😊

[THIS WEEK'S FEATURE](#)



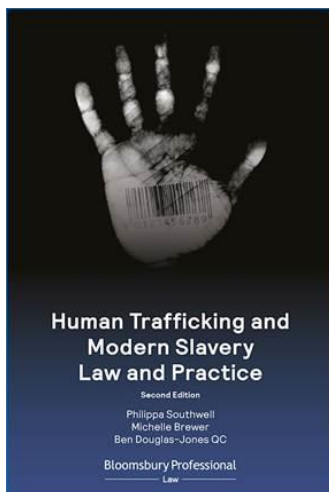
[Safety from Any Trafficker or Other Abuser](#)

This week, with our focus on [‘Safety from Any Trafficker or Other Abuser’](#) we consider the need for criminal justice and redress for survivors of trafficking, which must include protection from prosecution for the crimes of traffickers. As we know, many more victims of trafficking than traffickers are convicted and imprisoned in relation to trafficking crime, and in all countries, the prosecution and conviction rates are extremely low, with traffickers, ranging from organised criminal gangs to individual opportunists, enjoying long term impunity.

Key to changing this situation is a criminal justice system that is pro-actively survivor-centred and informed. This requires trafficking-trained and specialised professionals who can advocate for, and protect victims of trafficking wherever they appear in the criminal justice system, including lawyers who are knowledgeable about the **non-prosecution principle and statutory defence**. There are many situations in which victims have been provided with duty solicitors who are not aware, or confident about their right to avoid prosecution. In such cases victims may be advised to plead guilty for a lesser sentence.

The criminalisation and imprisonment of victims of trafficking inhibits other victims from coming forward and puts extremely vulnerable people in a frightening and isolating environment which only increases their vulnerability. It is known that traffickers may operate in detention settings and in prisons to control victims who are held within them. It is also the case that once a person comes out of prison with the burden of a criminal record, that vulnerability alone can lead to risks of re-trafficking.

Phillipa Southwell is the managing director of [Southwell and Partners](#), a law firm specialising in criminal, human rights and modern slavery law which defends victims of trafficking who have been forced into criminal activities. The firm has been involved in most of the significant cases in the UK in which wrongful prosecution of victims of trafficking has been successfully prevented. **She says that identification of victims is key:**



“In the UK, many victims continue to be prosecuted for crimes they have been compelled to commit as a result of their exploitation. This is despite the non-prosecution principle, statutory defence ([section 45 Modern Slavery Act](#)) and the [Crown Prosecution Guidance](#) which are in place to protect victims of trafficking.

Victims of trafficking rarely self-identify, and many are therefore overlooked and are not identified as victims by front line practitioners, including law enforcement/police, defence solicitors and prosecutors. It leads to many unsafe criminal convictions.

The training of frontline professionals should be adequately resourced and funded on an ongoing basis: it is key to ensuring early and correct victim identification and therefore access to safeguarding and protection. Training should be delivered by frontline practitioners and specifically tailored for each professional sector.”

Philippa Southwell is co-author of [Human Trafficking and Modern Slavery Law and Practice \(Bloomsbury\)](#), a key text for practitioners working in the modern slavery sector, which provides a comprehensive outline of many aspects of human trafficking and modern slavery law:



[Safety from any Trafficker or other Abuser](#)

MSCOS 6 WEEK ROUND-UP: [Safety from any Trafficker or Other Abuser](#)

Below are some practice suggestions from Community of Practice Members. They are taken from our discussion forums thus far, which you can view on each page in further detail.

If there is anything you think is missing, we may be including it in future updates OR we may need YOU to write in our discussion forums about it!! [Please do let us know what you think is needed...](#)

Public Awareness and safety of public premises

- Raising of public awareness so that modern slavery is not '*hidden in plain sight*' in our streets, shops, sites and businesses. Increasing public knowledge of the [Modern Slavery Helpline](#) and reporting modern slavery to police. Increasing public awareness of the existence of domestic trafficking of citizens and foreign nationals (within the borders of one country).
- Improving modern slavery inspections and standards in all public venues – these could run in parallel with existing health and safety standards and protocols.

Safety of NRM practices

- Low threshold identification, and widespread training for understanding of trafficking indicators, to avoid victims of trafficking being missed by professionals across sectors.
- There is strong support from our [Research Advisory Board](#) and other survivors for the **non-conditional NRM**, and the belief that this encourages victims to come forward and strengthens the probability of trafficking prosecutions and convictions.
- It is vital to ensure via appropriate and standardised practice and [long-term, consistent support](#), that adults and children who are referred into NRM whether they have the right to work, or not, are never re-trafficked.

Safe and supported access to police/law enforcement

- Expansion of the [Victim Navigators](#) pilot to apply to all police forces.
- Employment of Survivor Leaders: the Research Advisory Board agree that the professional employment of Survivor Leaders is key, both to the training of the police at all levels, and to working with Helplines and Victim Navigator Teams. In the view of the RAB, and other survivors involved in the MSCOS project, professional Survivor Leaders who are appropriately accredited and employed could offer a vital welcome into situations of safety after trafficking and reporting of crime for the many survivors who feel far too afraid to come forward.
- Ongoing training for police at all levels from recruitment upwards, with specific modules on [trauma-informed methods of working](#) with survivors; identification of victims of trafficking and also the wide range of traffickers and their associates (including private lawyers sent to represent victims).
- Training on and incorporation of the [SIPPS](#) across the criminal justice system
- Long-term, consistent support throughout criminal justice procedures for vulnerable victims and dependents. This should be connected to the individual support provided via the NRM and not restricted solely to [Victim Navigators](#) and police.
- Accountability of police forces for full follow up and provision of advice and support for victims whenever cases are closed or at regular intervals while cases remain open.

- Removal of an ‘immigration lens’ through which complainants to police can be viewed. This works for traffickers who can use a hostile reception from authorities to threaten victims and maintain their silence. It is useful to consider initiatives such as the **Firewall system in the Netherlands** which is featured in the [NRM Handbook](#) (p.293)

Equal access to criminal justice and redress

Systems should be in place, which enable victims of trafficking to report crimes without any fear of consequences from national authorities. This initial step forward for victims can provide law enforcement authorities with vital information for trafficking investigations. It can also lead to victims of trafficking receiving advice that can help them towards formal identification, protection and support, should they wish to take it at any time.



Netherlands: Firewall Protections and the ‘Free in, Free Out Policy’

Some localities in the Netherlands have developed what is known as ‘firewall protection’ policies which provide a clear separation between the provision of essential public services and immigration enforcement. This prevents law enforcement and service providers from sharing information about the immigration status of irregular migrants with immigration authorities when providing essential services.⁷⁷⁰ The ‘free in, free out’ policy allows irregular migrants who have been a victim or witness of crime to enter into a police station to report the crime, and be guaranteed to freely leave without being arrested or detained on account of their irregular status. The policy began as a local pilot project in the city of Amsterdam and was introduced nationally in 2015 alongside the implementation of the **EU Victims’ Directive**.⁷⁷¹

Multi-agency hub systems

Multi-agency Hub systems for effective responses to trafficking and protection for survivors across localised regions, for example the West Midlands Anti-Trafficking Network

Online safety

- **Swift exit buttons** and [online history removal](#) for victims of trafficking researching their escape.
- [QR Codes](#) in public ‘transit’ venues for victims who have smart phones.
- **Free courses** for maintaining online safety

ONLINE FORUM COMING SOON:

Finding purpose in life and self-actualisation was a strong outcome from participants with lived experience of modern slavery/human trafficking. A point made repeatedly was that it is personal for each survivor and cannot be dictated by systems or services on their behalf: It could be anything that is valuable to a person who has lived experience.

MSCOS study descriptor: *This outcome is about a feeling of optimism and fulfilment. The idea of being able to have hope to dream and desire to live is crucial, as is being able to tolerate good and bad days without fully losing this sense of hope. A key outcome feature is self-actualisation understood as the ability to follow passions in life and living life to the fullest. This could include, for example, using talents, setting goals for self-advancement, and articulating personal goals and dreams.*

We think this is the best focus for our first **MSCOS online expert forum**, so we will be sending out invitations to our **Research Advisory Board** and other survivors who are contributing to the **MSCOS** project.

We welcome contributions to this topic and would like to see discussions take place or information provided in our forum here. The discussion forum for Finding Purpose in Life and Self-Actualisation is for people with lived experience only (whereas the other forums are for everyone). All comments and information is moderated before it appears on the forum and so it is a safe space for all contributors. As explained, it is possible to comment anonymously, or with name where preferred.

Please forward MSCOS to any colleagues or network connections that you think may be interested in our work, and they can sign up to receive newsletter invites via our contact form [here](#), or by a direct email to mscos@kcl.ac.uk.



Finding Purpose in Life and Self-Actualisation



Working with core outcomes as a set



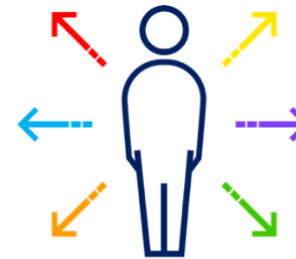
Safety from any trafficker or other abuser



Long-term, consistent support



Trauma-informed services



Finding purpose in life and self-actualisation



Access to education

The MSCOS Community of Practice content is designed and directed by Queenie Sit and Rachel Witkin.