

World Vision



# Migration, trafficking and your rights in the UK



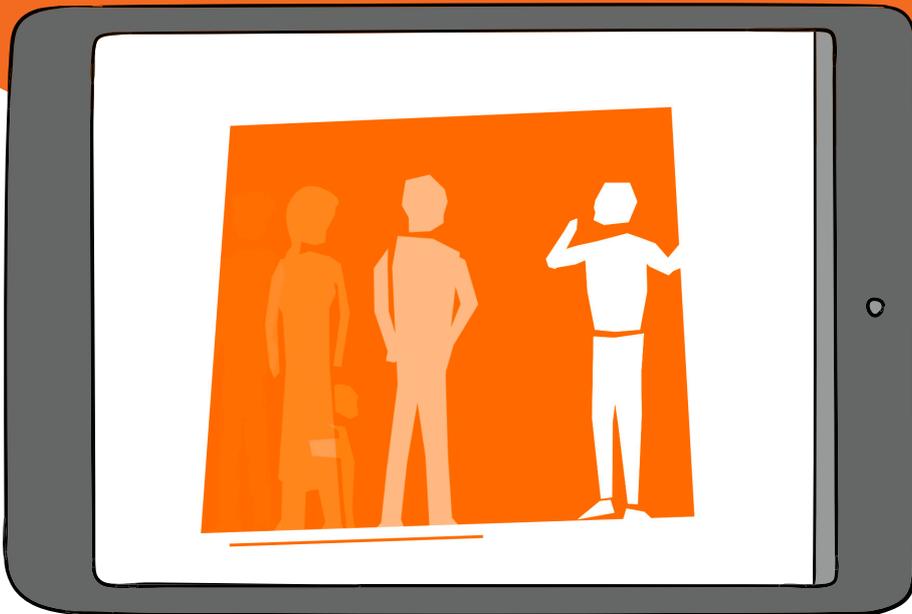


## **Tackling Modern Slavery in Vietnam (TMSV)**

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# What is trafficking and exploitation?



In the UK it is illegal for anyone to take advantage of you. This quick guide should help explain how others may exploit you and who you can go to for help if you are worried about yourself or anyone you know.

‘Trafficking’ is the name of a crime committed against you. A person who has been trafficked might be made to steal, beg, work for little or no pay, have their organs removed or made to take part in sexual acts for money.

If you have been lied to, deceived, you or your family have been threatened or you are being made to work to pay back a debt, you may be a victim of trafficking.

Human trafficking is a serious crime and abuse of your rights. You can tell the police or someone you trust what is happening and ask for help to protect yourself and others.

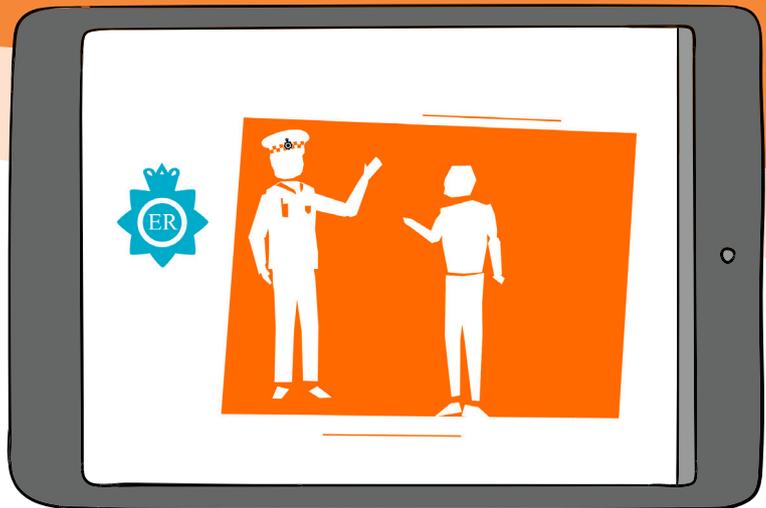


Here are some of the signs that may indicate trafficking and exploitation:

- ✓ You or your family have been threatened by the people you are with and/or
- ✓ You have experienced physical or sexual abuse and/or
- ✓ You or your family have been told you have a debt to pay and forced to do something and/or
- ✓ You are being forced to do something you don't want to do and/or
- ✓ You have to work for little or no pay and/or
- ✓ You have been told not to speak to or keep secrets from other people such as police officers and/or
- ✓ Your movement or communication is controlled and/or
- ✓ You never or rarely leave your accommodation for social reasons and/or
- ✓ You have or use false identity or travel documents or they have been taken from you

If you recognise any of these signs, even if your situation now is better than when you were in Vietnam, you could still be a victim of trafficking or exploitation and there are people who can help you.

To find out more about trafficking from **ECPAT UK** or the **NSPCC** click on the links.



### Coming into contact with the police

In the UK, you may come into contact with police. The police are there to help you if you are in trouble or need help.

If you are in public, the police may stop you on the street and ask you questions. They may ask you to account for what you are doing or they may want to search you.

They may search you for weapons, drugs or stolen goods if they have 'reasonable suspicion' you may have these. The police need to explain to you why they are searching you.

Sometimes areas have special rules called Section 60, which means that the police can search people without reasonable suspicion.

If the police search you in public, they are only allowed to search your outer clothing. If they want to do a more thorough search, they will take you to another location - this will usually be a police station.

The police or council officers may also inspect your place of work.

If the police are investigating whether you are a victim of trafficking, they may take you to a police station either under arrest or for your own protection.



### At the police station

If you are a victim of trafficking, you should be protected by the police and not treated like a criminal. However, they will ask you questions because they need to know what has happened.

If you have been arrested and taken to a police station, you will speak to the custody sergeant. They manage the police custody suite and they are responsible for your welfare. They should ask you about any health needs or any other needs you may have.

You also have the right to an interpreter to make sure you understand what is happening.

If you have been arrested, the police will arrange for a solicitor to be called. This is your legal representative who can advise you about how to respond to allegations made against you and communicate with the police on your behalf.

You will need a lawyer who understands that what has happened to you is trafficking or exploitation. Your lawyer should inform the police about this.

You can ask for a different solicitor if you are unhappy with who you have been

assigned or they are not experienced in representing victims of trafficking.

If you have been arrested for a drugs offence, the custody sergeant may authorise a further search of your body by police officers.

When you are not being spoken to, you will be held in a police cell. This can be unpleasant but if you are vulnerable because of your health, disability or learning difficulties, you can ask to speak to an appropriate adult, a healthcare worker or a member of custody staff when you are having your photograph and fingerprints taken, being read your rights and being interviewed, or if you have any needs. Their job is to look out for your best interests and make sure you are treated fairly.

The police will 'undertake disclosure' with your solicitor. This is when they share the evidence against you with your solicitor. After this, you and your solicitor decide how to respond when you are interviewed.

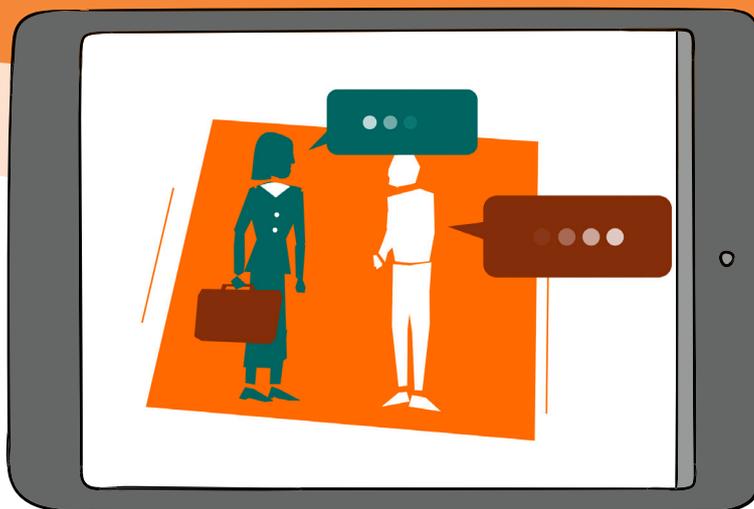
## What happens next?

The police may decide they have enough evidence that you have committed an offence and charge you. If the police do this, they need to make clear to you and your solicitor the criminal offence(s) you have been charged with. If they decide the offence is serious enough, that you will not comply with bail conditions or that you may not turn up to legal proceedings, the police may send you directly to court. They may also release you under investigation or release you on bail with a court date to attend in the future. If you miss this court date, they may issue a warrant for your arrest to bring you to court.

The police may 'release you under investigation', which means they have not yet decided if they will send you to court. They may also take 'no further action' in your case, which means they have stopped investigating the criminal offence.

## What happens at court?

If you are a vulnerable adult, you have the right to an appropriate adult to accompany you at court, just like at the police station. You have the right to be legally represented and to speak to your solicitor in private before any hearing. You also have the right to an interpreter. Make sure you ask questions if you do not understand what is happening.



Your solicitor will represent and advocate for you. Together you will decide in court whether to plead guilty or not guilty. If you have been exploited, your solicitor should advise you to plead not guilty to the offence.

If you plead guilty, it means you accept responsibility for the offence and the court will sentence you to a punishment. Sometimes you will be sentenced straight away, or sometimes they ask the probation service to do an assessment before they sentence you. You could be sentenced either to a community sentence or to custody.

If you plead not guilty, then another court date will be set and your case will go to trial and the court will decide whether to release you on bail or keep you in custody between your court hearings. If you are found not guilty, then you are free to go without any punishment, but if you are found guilty, you will be sentenced to a court order that could involve spending time in prison.

## Some of your most important rights in the UK

- ✓ You have the right to protection and care.
- ✓ You have the right to be treated with respect at all times and not to be hurt, including by the police. If you are not treated properly by the police, you have the right to make a complaint through your solicitor.
- ✓ If you have been trafficked or exploited, you should be referred into the National Referral Mechanism (NRM) which is the official process to determine whether what has happened to you is trafficking or exploitation. If you are accepted by the NRM as a potential victim of trafficking then you can access safe accommodation and support.
- ✓ You have the right to an interpreter to help you understand what is happening.
- ✓ If you are arrested, you have the right to independent legal advice. This will be provided through legal aid if you cannot afford it.
- ✓ If you have been arrested and you are vulnerable because of health, disability or learning difficulties, you have the right to have an appropriate adult present with you when you are having your photograph and fingerprints taken, when you are being read your rights and when you are interviewed. The appropriate adult's job is to look out for your best interests and make sure you are treated fairly.
- ✓ If you have been arrested, you can normally only be held in the police station for 24 hours before either being charged or released.



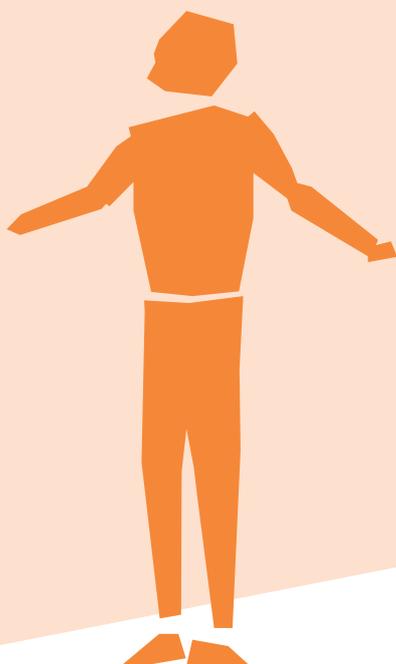
## What should you do?

If you find yourself in this situation, it is always best to cooperate with the authorities. You can make sure your rights are met through your lawyer and your interpreter. What's more, you may find helpful the support of a charity that

is experienced in supporting migrants from Vietnam. Please see the resources below for more information.

## Who can I talk to on my journey to the UK or in the UK?

Service provider available in Vietnamese	Contact	Working hours
<p><b>Vietnam National Hotline</b></p> 	<p>(+84) 111 (In-country) Free            (+84) 18001567 (Abroad)  <i>Check your mobile provider for call cost</i></p> <p>Zalo: Tổng đài 111</p> <p>Facebook:  <b>Tổng đài Quốc gia</b>  <i>Check your mobile provider for data usage cost</i></p>	<p>Open 24 hours a day,            Monday – Sunday</p>
<p><b>Hotline to protect Vietnamese people abroad</b></p>	<p>(+84) 46 284 4844  <i>Check your mobile provider for call cost</i></p>	<p>Open 24 hours a day,            Monday – Sunday</p>



## Who can I talk to in the UK?

Service provider	Contact	Working hours
<b>Available in Vietnamese</b>		
<b>Salvation Army helpline</b> <i>This number is the first port of call for any adult seeking help as it is the gateway to being referred to the National Referral Mechanism and receiving entitlements and the support The Salvation Army and its partners can provide.</i>	0800 808 3733 Free	Open 24 hours a day, Monday - Sunday
<b>Vietnamese Mental Health Services</b>	020 7234 0601 <i>Check your mobile provider for call cost</i>	9.30am – 12.30pm Monday - Sunday
<b>Vietnamese Embassy in London</b>	020 7937 1912 <i>Check your mobile provider for call cost</i>	9.30am – 12.30pm, Monday - Friday
<b>Modern Slavery &amp; Exploitation Helpline</b>	08000 121 700 Free	Open 24 hours a day, Monday - Sunday
<b>Available in English only</b>		
<b><u>Miniila app</u></b>	<u>Mobile app</u> <i>Check your mobile provider for data usage cost</i>	24 hours a day, Monday - Sunday

## Other resources

For more information on trafficking and exploitation and who can help you, **click here.**

The **Pacific Links Foundation** app is designed for migrants and provides information about working and exploitation.

Watch our video about migration, trafficking and your rights in the UK **here.**

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ECPAT UK is a UK registered charity number 1104948  
& company limited by guarantee number 5061385