

World Vision



# Migration, trafficking and your rights in the UK



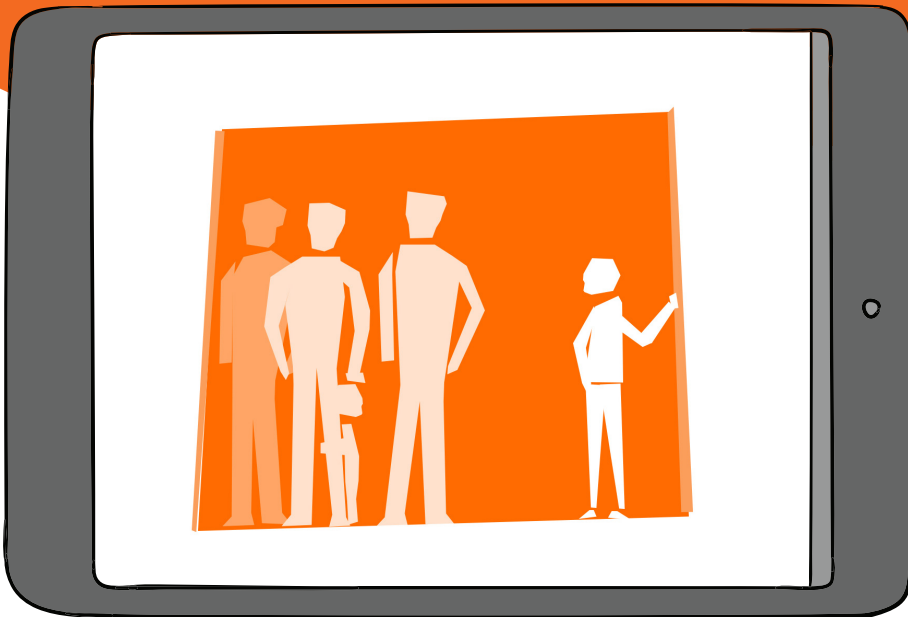


## **Tackling Modern Slavery in Vietnam (TMSV)**

This project is supported and funded by the UK Home Office

March 2021

# What is trafficking and exploitation?



In the UK it is illegal for anyone to take advantage of you. This quick guide explains 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 or commit any other crime. They may be made to work for little or no pay, including on cannabis farms or in nail bars. They may also be sexually abused or made to have unwanted sexual contact with others.

If you have been lied to, tricked, 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.

If you are under the age of 18, it doesn’t matter if you or your family agreed to do it, it is still trafficking.

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

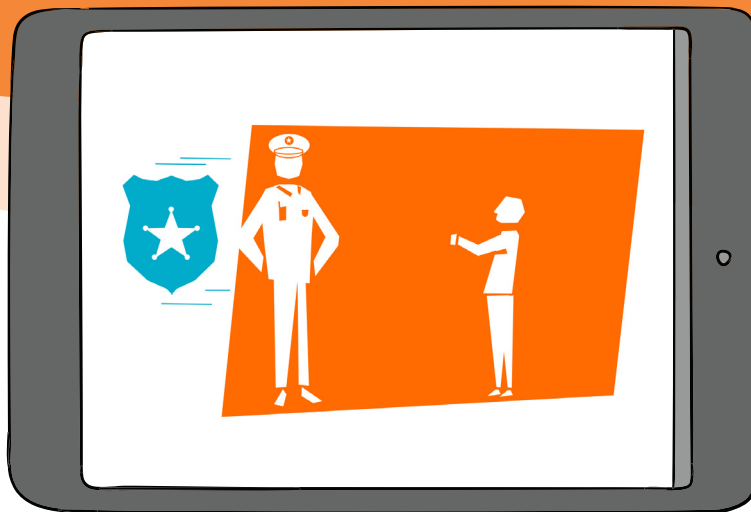


Here are some of the signs that may indicate trafficking and exploitation:

- ✓ 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/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 frightened, in trouble or need help.

If you are in public, the police may stop you and ask you questions. They may ask you to tell them what you are doing or they may want to search you.

They may search you for weapons, drugs, stolen goods or fireworks if they have 'reasonable suspicion' that 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 mean that 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 then they will take you to another location - this will usually be a police station.

The police or council officers may also make checks on 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 are responsible for your welfare and should ask you about any health needs or any other needs you have.

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

Whenever the police detain or interview a child or young person, they must inform an appropriate adult as soon as they can and ask them to attend. The appropriate adult's role is to protect your interests and rights and to ensure you understand your rights. They must be present when the police are requesting or carrying out any procedures such as fingerprinting, photographing, intimate and strip searches, to check the police are acting fairly, to help with communication, raise any concerns and think about other services you might need.



An appropriate adult can be a parent or carer or someone responsible for your care and welfare. If you are in the UK without your parents or any other family member, the police will call a social worker. **Click here** to find out more about these different people.

If you have been arrested the police will arrange for a type of lawyer called a solicitor to be called. This is your legal representative who can advise you about how to respond to allegations made against you and talk to 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, a police officer may carry out a further search of your body.

When you are not being spoken to, you will probably be held in a police cell. This can be unpleasant but you can ask to speak to your appropriate adult, a healthcare worker or a member of custody staff and an appropriate adult should be present 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.

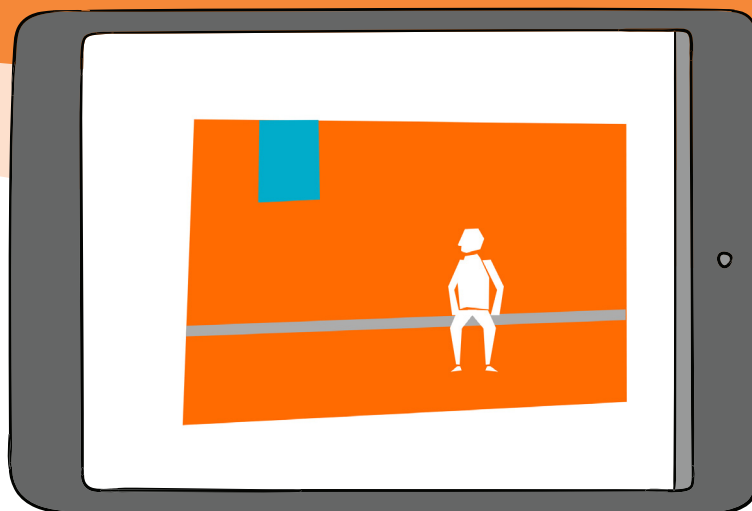
The police will 'undertake disclosure' with your solicitor. This is when they share the evidence against you with your solicitor. After this, you and your solicitor decide how to respond when you are interviewed by the police.

### 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.

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

They may send you to court straight away, or they may send you to some sort of secure accommodation or they may release you 'on bail' and give you a later



date to go to court. If you are released on bail, there will usually be some conditions attached. You need to make sure you attend court, because if you miss this court hearing the police may issue a warrant for your arrest to bring you to court.

### What happens at court?

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 you 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.

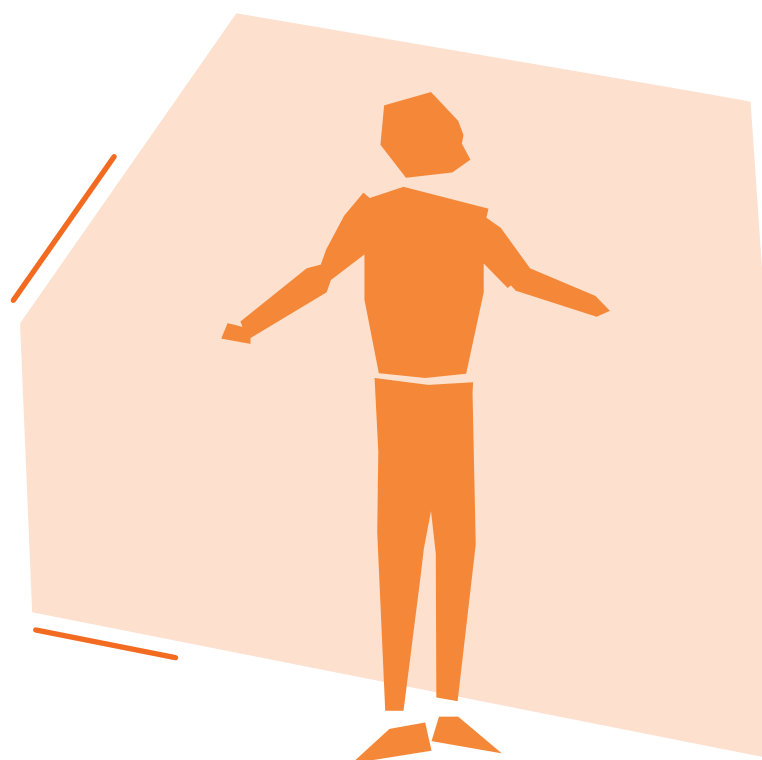
If you plead guilty, it means you accept responsibility for the offence and the court will sentence you to a punishment.

If you plead not guilty, then another court date will be set and your case will go to trial. If you are found not guilty, then you are free without any punishment, but if you are found guilty, you will be sentenced to a punishment which for more serious offences, could include spending time in youth custody. This will usually be a Young Offenders Institute, which is a type of prison for young people, but you could also be placed in a secure children's home or secure training centre.

If the offence is not too serious, they will sentence you immediately to a community order. This means that instead of spending time in prison, you will be required to carry out duties in the community and you may be monitored by the authorities during this time.



At all stages of the process the local youth offending team should be involved to make assessments of your needs and to support you. If you plead guilty or are found guilty, the youth offending service will stay involved with you. They may also ask for an assessment to be carried out, where it is possible that you will be sent to a Young Offenders Institute.

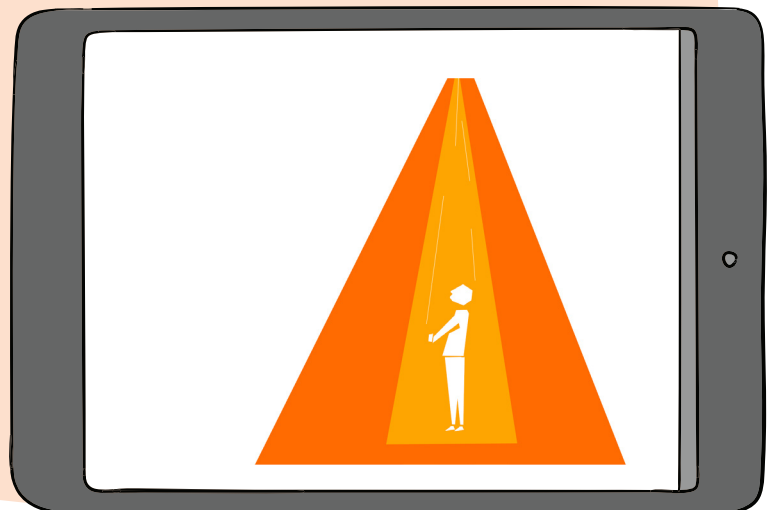


## Some of your most important rights in the UK

- ✓ You have the right to protection and care from the police, social workers and healthcare workers like doctors and nurses. If you are in the UK on your own, you will be assigned a social worker and you will be looked after. To find out more about social workers and other professionals who may help to care for you, [click here](#).
- ✓ 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 lawyer.
- ✓ You have the right to an interpreter to help you understand what is happening.
- ✓ You have the right to free independent legal advice.
- ✓ At the police station, you have the right to have an appropriate adult present with you when you are having your photograph and fingerprints taken, you are being read your rights or you are being asked questions by the police. The appropriate adult's job is to look out for

your best interests and make sure you are treated fairly. **Find more information about appropriate adults here**. If you have been arrested, you are normally only allowed to be kept in detention for 24 hours before being released or charged and sent to court. If you have been trafficked or exploited, you should be referred into the National Referral Mechanism (NRM) which is the official process used to decide whether what has happened to you is exploitation.

- ✓ Depending on where you are in the UK, you may receive support from an Independent Child Trafficking Guardian, who will help you by working with professionals from the different services you come into contact with, including the police and social workers.






## 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 as well as through your appropriate adult, social worker and youth offending team.

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



## Who can I talk to in the UK?

Service provider	Contact	Working hours
<b>Available in Vietnamese</b>		
<b>The Refugee Council's Children's Advice Project</b>	0207 346 1134 <i>Check your mobile provider for call cost</i>	9am – 5pm, Monday – Friday
<b>Barnardo's Independent Child Trafficking Guardianship Service</b>	0800 043 4303 <i>Free</i>	Open 24 hours a day, 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 <i>Free</i>	Open 24 hours a day, Monday – Sunday
<b>Available in English only</b>		
<b>Childline</b>	0800 1111 <i>Free</i>	7.30am – 3.30am, Monday – Friday
<b>Just For Kids Law Emergency 24-hour Crime Contact Line</b>	0203 174 2279	9am – 5pm, Monday to Friday
	07886 755321 <i>Check your mobile provider for call cost</i>	24 hours a day, Monday - Sunday
<b>Miniila app</b>	<u>Mobile app</u> <i>Check your mobile provider for data usage cost</i>	24 hours a day, Monday – Sunday

In addition to these organisations, there may be someone else you trust to help you - like a health worker, a teacher or a friend. They may be able to help you get in contact with the right organisations so you can get the support you need.

## Other resources

ECPAT UK's **Secret Gardeners** video tells the story of a young person's experience of being trafficked into the UK.

ECPAT UK's **ReACT leaflet** explains about trafficking, your rights and who can help you.

The Migrant & Refugee Children's Legal Unit's **'Who's who' information leaflet** explains who are the different workers you may come across, as well as explaining your rights.

The International Organization for Migration's **information leaflet** provides more information on what it is like being in local authority care.

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

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