Re-trafficking: The current state of play

November 2021

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Foreword

"Over the last few years I have been surprised at the lack of emphasis on preventing re-trafficking. The wider criminological evidence about re-victimisation tells us that victims are at greater risk of experiencing further harm. Protecting victims is an obvious place to start preventative effort. But we do not have an agreed definition of re-trafficking and the evidence is largely anecdotal. I have found no reliable data and a request to the Home Office was made five months ago with no response.

In May this year I commissioned the University of Nottingham Rights Lab to undertake a rapid research project to understand the evidence, data and literature available on re-trafficking as well as hear from those in the sector about their experiences and the reality of re-trafficking in their work. The aim of this project was to identify knowledge and data gaps in relation to re-trafficking and its causes, and to make research and policy recommendations based on the evidence. This rapid research project is the second such project undertaken as part of a collaborative approach to research and innovation developed with the Rights Lab and I am grateful to the report author Kate Garbers, Research Fellow in Policy Evidence and Survivor Support at the Rights Lab, for her wisdom and expertise in producing this report.

As part of this project, we conducted a call for evidence inviting service providers, NGOs, community and survivor organisations and policymakers to submit views and evidence about the definition of re-trafficking, its causes and drivers, and prevention and mitigation. A rich set of case studies obtained through this call for evidence demonstrated that re-trafficking is occurring in a UK context and is affecting a diverse range of survivors regardless of gender, age, nationality and exploitation type. However, these crucial insights are not being translated into policy guidance or the UK's approach to supporting survivors. The report outlines three areas for further work to better understand re-trafficking: agreeing on a definition for re-trafficking in a UK context; collecting data on the prevalence of re-trafficking; and establishing dedicated reintegration pathways for survivors in the UK and for survivors returning to another country. The evidence is clear: if we ensure that survivors are socially included, economically empowered and have access to the employment market, the risk of re-trafficking reduces.

We also requested data from the Home Office on the data collected and held in relation to re-trafficking as part of the National Referral Mechanism and the Modern Slavery Victim Care Contract. This data request was made in June 2021 and my office has not received a formal response to the request. It is essential that agile research is supported by data sharing, transparency and openness to scrutiny so that policymakers and researchers can build the evidence base on modern slavery and apply new findings at speed to improve outcomes for victims and survivors. Much more is required to protect survivors from re-trafficking and my hope is that this report and the research it presents will be a useful tool for the sector in establishing practical responses to better understand, and respond to, the issue of re-trafficking."

Dame Sara Thornton DBE OPM

Independent
Anti-Slavery
Commissioner

Executive summary

This piece of research was conducted in partnership by the Office of the Independent Anti-Slavery Commissioner and the Rights Lab. The research sought to better understand the current evidence base in relation to re-trafficking. The research tested the hypothesis that there is no available data and guidance that specifically defines and addresses re-trafficking in a UK context. The research was developed for the purpose of providing a basis from which to begin discussions about the responses required to address re-trafficking.

Re-trafficking is generally understood as a situation where a survivor has experienced and left one episode of trafficking but later re-enters another exploitative situation. The International Organization for Migration describes re-trafficking as: a situation in which a person has been trafficked on one occasion as set forth in the definition provided in the United Nations Palermo Protocol; has then exited that trafficking situation by any means; and has then later re-entered another trafficking situation, again as stated in the United Nations definition.[1]

Re-trafficking is occurring within a UK context. However, whilst re-trafficking is a phenomenon recognised across the anti-slavery sector, it is not a term or a concept that has been clearly defined in domestic law, policy or guidance in a UK context. There is no clear strategy in place for how to address re-trafficking or prevent its occurrence nor is it an issue for which data is routinely available or collated.

Re-trafficking is an issue facing a diverse range of survivors. Regardless of gender, age, nationality or exploitation type, it appears that the circumstances an individual faces after their initial trafficking experience directly influence their vulnerability to re-trafficking. These circumstances may be influenced by structural, personal, economic and societal situations.

This report confirms that the evidence base relating to occurrences of re-trafficking – and how to effectively prevent it – is severely limited. The findings presented in this report have been predominantly captured from key informants (government agencies, law enforcement, the charity sector) and the observations and experiences of those who support survivors. To date it appears these experiences have not been translated into policy guidance or into the UK's approach to supporting survivors. Whilst the UK's response to re-trafficking is currently lacking this report has been able to identify protective factors thought to reduce and prevent re-trafficking if implemented.

This report does not propose overarching recommendations. Rather, it highlights three areas that need to be explored further if we are to better understand the current situation in relation to re-trafficking and develop appropriate responses to it. The three areas are as follows:

Definition: In a UK context the legislation, policy and guidance documents reviewed were devoid of a definition for re-trafficking. We need to consider the development of a re-trafficking definition and inclusion of this in all relevant modern slavery guidance.

Data: In a UK context, data is not centrally collected in relation to the prevalence of re-trafficking. If we are to have appropriate responses to re-trafficking we need to collate data and understand what it is telling us.

Support, reintegration and returns programmes: There is currently no dedicated reintegration pathway for survivors remaining in the UK nor is there a specific returns and reintegration package for survivors returning to another country. If an individual is socially included, economically empowered, has access to the employment market and has the social support they need, the risk of re-trafficking reduces.

The report proposes a range of next steps for each area that are priorities for further consideration:

1 For the government to develop a suitable definition for the phenomenon of 're-trafficking' based on the balance of available evidence and data, as established in this report and the current UK context, and for this definition to be clearly outlined in policy and guidance documentation.

2 Once a definition of re-trafficking has been established, the government needs to agree a standardised data set to be collated. Consideration needs to be given as to how this data can be collated and the MSVCC, duty to notify and National Referral Mechanism (NRM) processes, at a minimum, should be considered as options to facilitate data collection.

3 The government should commit to developing effective and appropriate pathways to integration and resettlement for identified survivors, both those who will remain in the UK and those returning to other countries. As recommended in previous research, reintegration programmes must be developed in conjunction with survivors, the sector and based on what the data shows.

This report is intended to act as a prompt and offers the chance to think again about re-trafficking and consider how we can better understand its impact, work together to secure the data required to build the evidence base, and design an effective response that both addresses and ultimately prevents re-trafficking. This is particularly important at the current time as the Home Office embarks on reviewing the Modern Slavery Strategy as part of the NRM transformation programme and as the government considers the Nationality and Borders Bill – both offering opportunities to ensure that the structures and support put in place for survivors of modern slavery effectively address the structural, social, economic and personal circumstances survivors may face, both in the UK or upon return to a home country.

All case studies included have been done so with the permission of the agency that provided them and names have been changed and identifiable information removed.

Overview of the research

Re-trafficking is a term regularly used in the anti-slavery sector. It is often referenced as a risk facing those who have experienced an episode of trafficking. However, re-trafficking is not something that is clearly defined within UK modern slavery policy or guidance, nor is there a clear strategy in place for preventing it.

Re-trafficking appears to be an issue facing a diverse range of survivors. Regardless of gender, age, nationality or exploitation type it appears to be the social, economic and cultural situations individuals face after their initial trafficking experience that influence their vulnerability to re-trafficking.

At the inception of this project, it was the researcher's understanding that there was a dearth of publicly available data and policy guidance addressing re-trafficking in a UK context. The report tests this theory as, without this information, context and data, the UK risks under or over emphasising the issue and the responses it requires.

This report uses the International Organization for Migration's (IOM) definition of re-trafficking that states:

> *'Re-trafficking shall mean a situation in which a person has been trafficked on one occasion as set forth in the definition provided in the United Nations Palermo Protocol; has then exited that trafficking situation by any means; and has then later re-entered another trafficking situation, again as stated in the United Nations definition'.*[2]

Re-trafficking, re-exploitation, re-victimisation, relapse and non-repetition are terms that are used interchangeably in literature in reference to an individual experiencing an additional trafficking experience. When re-trafficking occurs, it is not unusual for the destination and type of exploitation experienced to be different than those of the previous trafficking event.[3] For the purpose of this report all these terms have been categorised under the one label of re-trafficking.

This report confirms that the evidence base relating to occurrences of re-trafficking and how to effectively prevent it is severely limited. Awareness and understanding of re-trafficking have been predominantly captured from key informants (government agencies, law enforcement, the charity sector) and the observations and experiences of those who support survivors. To date it appears these experiences have not been translated into policy guidance or into the UK's approach to supporting survivors.

A lack of economic and social stability and a lack of support are often presented as underlying causal factors that enable both initial trafficking and re-trafficking to occur. The need for effective repatriation mechanisms is discussed in conjunction with re-trafficking and reintegration support is often proposed as a means of reducing the risk of re-trafficking.[4]

With the review of the cross-government Modern Slavery Strategy (a government initiative), the Nationalities and Borders Bill and previous research recommending the development of a specific survivor reintegration strategy, it appeared timely to investigate what we know about re-trafficking, how it occurs and what could be done to prevent it.

The objective of this report, therefore, was to better understand re-trafficking. The research is intended to be a launching point to contextualise re-trafficking from both available literature and those working in the anti-slavery sector and to provide a starting point from which wider conversations can be had in relation to the responses required to tackle this issue.

Research approach

The research for this report was conducted between April and July 2021. The research involved:

1. **Desk-based evidence and literature reviews of academic and grey literature.** Searches were conducted using the University of Nottingham's online library search tool and Google using search terms relating to re-trafficking and re-exploitation. From the literature review, material was coded into factors thought to cause or reduce re-trafficking.

2. **A call for evidence in the form of a survey. A re-trafficking survey was launched via the IASC website and via the Human Trafficking Foundation.** Permission was granted by the Salvation Army (primary contract holder for the Modern Slavery Victim Care Contract or MSVCC) to include sub-contracting agencies in the call for evidence.[5] The survey was managed via an online portal. A link was sent to sub-contractors by the Salvation Army on behalf of the researcher. The full list of questions included in the call for evidence can be found in Appendix 2. The questions were based on those used in research conducted by the IOM for 'The Causes and Consequences of Re-Trafficking'.[6] From the survey responses, key factors proposed to facilitate and prevent re-trafficking were identified. Responses from the survey were compared to the IOM's definition of re-trafficking, to identify similarities and differences. Questions with yes/no or numerical answers were used to calculate overall percentage figures.

3. **A data request to the Single Competent Authority (SCA) at the Home Office's Modern Slavery Unit.** The data request made of the SCA focussed on the data collated and held by the Authority in relation to re-trafficking as part of the National Referral Mechanism (NRM)[7] and MSVCC. A copy of the data request made of the SCA can be found in Appendix 3. A formal response to the request has not been received.

In total, 20 survey responses were received. Of the responses 19 were unique, with one organisation completing the online survey twice. Six of the responses were submitted via email, with the remaining 13 submitted via the online survey platform. Responses were received from a wide range of organisations and individuals. Five responses were received from outside of the UK (India, Italy, USA, and one organisation that works across Africa). The survey was completed by academics, independent consultants, partnership co-ordinators, policy managers, service managers providing direct support to survivors and survivors. Two organisations specifically worked with children.
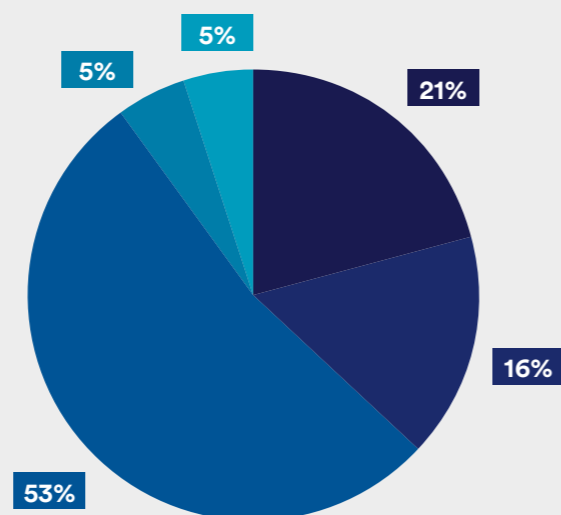
In the course of their work 12 of the 19 respondents stated they had direct experience of working with survivors who had experienced re-trafficking. All respondents based in the UK working directly with survivors reported they considered the risk of re-trafficking in their risk assessment processes when supporting survivors. All had case studies that showed instances of re-trafficking and 71% of organisations that responded to the call for evidence were able to provide case study examples of re-trafficking.

The literature review identified a range of publications in which re-trafficking was discussed, including sectoral reports, academic articles and governmental reports, including legislation and guidance. Some reports focused on specific countries (including Albania, Cambodia, Ghana, Laos, Thailand, the UK, the USA and Vietnam), whereas others considered the issue of re-trafficking more generally, identifying the risk of re-trafficking during their projects. Reports identified the causes, reasons and risks of re-trafficking based on previous literature, operational experience and direct reports from those who had experienced re-trafficking. Literature referred to when re-trafficking was likely to occur, proposing that survivors can be at risk of re-trafficking right from the moment of identification up until a time they have been supported (long-term) to recover from their experiences.[8] Some reports also considered and proposed ways to reduce survivors' vulnerability to re-trafficking. Whilst some of the literature focussed on specific nationalities, this report presents the causes, risks and ways to reduce vulnerabilities to re-trafficking and assumes they will be relevant to survivors of slavery, regardless of nationality.

The literature review identified 34 publications where re-trafficking was discussed. Of these, six were specifically written in relation to the topic of re-trafficking. The remainder of the publications referred to the phenomenon of re-trafficking rather than re-trafficking being the central purpose for the report or article.

Re-trafficking has been recognised by the UK government, anti-slavery non-governmental organisations (NGOs) in the UK and internationally and by academia, yet from the publications identified only six dealt with re-trafficking as the primary purpose of the document. Whilst many publications had dedicated sections and chapters on re-trafficking there is limited literature exclusively exploring the issues related to re-trafficking. Specifically there are limited studies that have been able to directly hear from survivors about their experience or collect accurate prevalence data sets.

Of the 34 publications, 24 were reports written by anti-trafficking organisations or were commissioned governmental reviews. Three were produced by organisations with international reach and 10 were produced by academic institutions. Of the academic articles included, four have been published in journals and two related directly to children. Ten of the publications involved direct interviews with survivors and 12 publications interviewed key-informants and support staff. Three publications used a survey or questionnaire to gather information. Seven publications analysed case file data, two of which had the express purpose of looking for cases of re-trafficking.

Survey respondents overview

- University/Education Centre/Institute
- Independent (consultant/survivor)
- Non-Governmental Organisation
- Law enforcement
- Unknown/not specified

21%
16%
53%
5%
5%

Review of the current situation

International obligations & guidance

Neither the UN Trafficking Protocol nor the Council of Europe Trafficking Convention directly refer to re-trafficking, but both include clauses obliging states to protect trafficked persons from re-victimisation (UN Trafficking Protocol Article 9 (b) and ECAT article 16.5) and ensure that any repatriation should occur with due safety for the individual being returned (UN Trafficking Protocol Article 8 and ECAT article 16.2).[9]

The EU Directive states that measures to support and assist integration are required (Article 11) as well as ensuring access to compensation (Article 17).[10] The Office of the High Commissioner for Human Rights (OHCHR) Guidelines on Human Rights and Human Trafficking proposes states need to consider how to prevent reprisals upon return, especially where re-trafficking is likely to occur.[11] Offering residency rather than returning trafficked persons is proposed as a route to reduce the risk of re-trafficking.[12]

All refer to the principle of non-refoulement* and the obligations of states to ensure this principle is adhered to in relation to those identified as victims of trafficking.[13]

The guidelines interpret the intention behind the legislation as states needing to guarantee the non-repetition of trafficking and show that they are taking the necessary measures to protect individuals from re-trafficking.[14]

The US State Department's Trafficking in Persons Report references re-trafficking in 21/180 country reports (12%).[15] It identifies poor identification processes, the criminalisation of victims, the deportation of victims, lack of reintegration services and gaps in victim support services as catalysts and causes of re-trafficking.[16]

Re-trafficking in UK legislation & policy

Whilst re-trafficking is referred to, it is not defined in the Modern Slavery Strategy, Modern Slavery Act, Statutory Guidance, Recovery Needs Assessment Guidance or National Referral Mechanism Guidance.[17]

The UK government's Modern Slavery Strategy acknowledges re-trafficking as an issue and proposes that, in order to reduce the risk of re-trafficking, Border Force officials must identify potential victims at the border, children should have access to independent advocates and survivors should have access to compensation, as this will work to assist psychological recovery, reintegration and economic empowerment.[18]

A recent report urged the Home Office to review victim return and repatriation policies and to ensure that these offered appropriate protection from re-victimisation and re-trafficking.[19]

The Modern Slavery Strategy also identifies the importance of in-country support for victims who are returned home, as this offers protection from re-trafficking.[20]

Statutory guidance produced by the Home Office references re-trafficking in the following ways: acknowledging that it is essential professionals recognise survivors may be at the risk of re-trafficking; that children who go missing from placements may return to traffickers and be re-trafficked; that Independent Child Trafficking Guardians (ICTGs) are part of the solution to reduce the risk of re-trafficking for children; that adults who don't consent to enter the NRM are at more risk of being re-trafficked; and that homelessness or the threat of homelessness increases the risk of re-trafficking.[21]

The Recovery Needs Assessment (RNA) process has been established to support survivors' recovery needs that have arisen as a direct result of having been trafficked and is intended to assist survivors in receipt of a positive conclusive grounds decision to rebuild their lives after the NRM. It has been established that re-trafficking is a risk facing those who are not effectively supported, however, surprisingly re-trafficking is absent from the Recovery Needs Assessment (RNA) Guidance.[22]

The annual reports on modern slavery produced by the Home Office reference re-trafficking and actions taken to reduce the risk of re-trafficking in the following ways:

2017 – Joint Border task Force and IOM: De-briefed 100 potential victims returning to Nigeria and safeguarded them to prevent re-trafficking.

2018 – Focus on reducing vulnerability of re-trafficking of children by training over 1,000 foster carers and funding the Children's Home Pilot. Noted key areas of research needed in relation to the link between rough sleeping and re-trafficking and increasing understanding of groups, locations and people vulnerable to re-trafficking.

2019 – Training of foster carers referred to again.

2020 – Acknowledgement of re-trafficking occurring via the inclusion of a case study involving re-trafficking.[23]

The Homelessness Code of Guidance for Local Authorities produced by the Department for Levelling Up, Housing and Communities (DLUHC) refers to survivors upon exit from the MSVCC being at risk of homelessness, acknowledging how this may lead to re-trafficking and that local authorities need to work with support providers to avoid homelessness. The Guidance also acknowledges that some survivors may need to be housed outside of the area in which they were identified if re-trafficking is a potential risk.[24]

'There is no specific guidance on this issue nor is there a statutory definition on what constitutes re-trafficking, but the theme is included in various pieces of guidance across government departments and devolved administrations.'

Respondent 17

Despite these limited acknowledgements in policy and practice that the potential for re-trafficking exists re-trafficking is not a concept that has been defined within policy, guidance or domestic law.

Research findings

Definitions, guidance and policy

In relation to survey responses, 13 of 19 survey respondents stated they didn't know of any governmental policy or guidance on re-trafficking in their own countries. Six respondents (all UK organisations) referred to the Modern Slavery Act, statutory guidance, NRM guidance, statutory guidance on care of unaccompanied migrant children and child victims of modern slavery for local authorities, and the homelessness code of guidance for local authorities as documents that they were aware of referring to re-trafficking. In addition to the documents identified, the Home Office's discretionary leave policy refers to the risk of re-trafficking when asking decision makers to consider the need for leave based upon personal circumstances identifying that leave may be needed if there is a risk of re-trafficking, but also stating that 'consideration should also be given as to whether the risk is greater in the UK or in the person's home country'.[25]

It should be noted that whilst respondents referred to the NRM guidance and statutory guidance on the care of unaccompanied migrant children neither of these documents specifically refer to re-trafficking.

All survey respondents concurred with the IOM definition for re-trafficking and referenced re-trafficking involving secondary, subsequent, additional episodes or incidents that occurred after an initial experience of trafficking or exploitation.

Understanding the prevalence of re-trafficking

Literature proposes the risk of re-trafficking increases if effective support is not received. Specifically, this has been reported in relation to survivors being returned home to another country without adequate risk assessments and support in place. However, it is proposed that this is also relevant to survivors who remain in the country to or in which they were originally trafficked.[26] However from the publications identified during this research very few offered information or prevalence data in relation to re-trafficking rates.

IOM identified 79 cases of re-trafficking from 14,000 case files over a 10-year period (<0.5%).[27] The cases showed those that those who appeared to be most vulnerable to re-trafficking were women, children and young adults and those who were initially trafficked under the age of 18.[28] IOM also identified that immediately after having exited a trafficking situation and enroute to assistance was when survivors were most at risk. Survivors were frequently re-trafficked within two years or less of having exited a trafficking situation and when re-trafficking occurs it was not uncommon for it to be to a different destination or for a different purpose of exploitation. The IOM database also showed that there was cross-over between international and internal trafficking.[29]

Aggregated data from countries in southeast Europe recorded re-trafficking occurrences in 4 – 29% of cases.[30] However, no country was able to provide a definitive data breakdown, therefore the percentage of re-trafficking occurrences is indicative and based only on the partial information available.

A review of UK case law identified the risk of re-trafficking increases based on traffickers' control techniques, including wage deductions, removal of documents and psychological and physical threats. Those who had experienced labour exploitation reported they had been trafficked two or three times previously via other countries before reaching their destination. Further reports from those who had experienced sexual exploitation showed the likelihood of re-trafficking increased when the practices of voodoo and juju or the provision of drugs had been involved in the initial trafficking experience.[31]

Data collated by the Poppy Project showed that 25 out of 118 (21%) women, supported in the UK between 2003 – 2007, disclosed having been re-trafficked. They reported being taken from their homes after returning from the UK and that in all cases this happened shortly after they had returned. One out of 25 had received support in their home country, four of the women had been re-trafficked by their original exploiters and four reported being trafficked by new people. All said that they experienced greater levels of violence the second time they were trafficked. For the remaining 93 cases there was no information about re-trafficking recorded.[32]

Data shared by Crisis identified 25 cases out of 331 of re-exploitation (7%). Of these cases 15 were not referred to the NRM at the point of their original exploitation, six declined NRM support and one had received a negative NRM decision. Another two had received positive conclusive grounds decisions but were still re-exploited whilst one survivor was recorded as having been re-exploited during their time in the NRM.[33]

Prevalence data was requested from the SCA and if provided would have acted as a way of comparing the percentages of re-trafficking identified in publications, allowing for contextualisation of the issue of re-trafficking within the UK.

The UK government does not monitor or collate any data in relation to re-trafficking or outcomes for victims.[34] Each year key data from the MSVCC is shared and whilst re-trafficking does not specifically feature*, data is captured about survivors leaving support.[35] Between 2016-2021 nearly 1,000 survivors have returned to another country, been reported as missing or had nothing in place at the end of MSVCC support. In one instance it is recorded that a survivor 'chose to return to their trafficker'.[36] These figures indicate that at a minimum we are unsighted on what has happened to at least 10% of survivors identified within the UK and supported initially via the NRM.[37]

Year	Missing or absconded from support	Returned (via government or NGO returns programme)	Nothing in place when leaving support (usually referred to homeless services)
2016	45	5	30
2017	92	106	56
2018	112	70	43
2019	114	42	56
2020	147	28	39
Total	510	251	224

Table created from data sourced from The Salvation Army Modern Slavery Annual Reports (2016-2021)
* From 2016-2021 the reports directly reference re-trafficking once in relation to a Home Office project funded in Nigeria and Philippines.

Prevalence data was not requested from survey respondents. However, the Modern Slavery and Exploitation Helpline was able to quantify the number of cases of re-trafficking and re-exploitation encountered. Between May 2017 and June 2021 7,027 cases were opened, assessed and classified as modern slavery situations. Of these there were 25 cases (<0.5% of total modern slavery cases) in which there were concerns that a potential victim was being re-trafficked, in 15 cases (<0.5% of total modern slavery cases) potential victims were known/reported to be re-trafficked and in one case (0.01% of modern slavery cases) a potential victim had already been re-trafficked and there were fears of a further re-trafficking situation. In addition, three cases (0.04% of modern slavery cases) of 're-exploitation' were reported where the exploitation hadn't ceased despite the potential victim engaging with interventions such as the NRM.

Survey respondents were able to comment on the patterns and profiles of survivors who had experienced re-trafficking, based on their experiences of directly supporting survivors and referred to individuals from specific nationalities they had interacted with. No respondents offered comments on the timeframes included in relation to an individual being re-trafficked and when this was most likely to occur but did comment on the nationalities, ages and types of exploitation they had seen when an individual had experienced being re-trafficked. Reported nationalities of those who had been re-trafficked included Romanian, Vietnamese, Chinese, Nigerian, Albanian, Bulgarian and Pakistani. Examples of re-trafficking shared referred to forced labour, criminal and sexual exploitation and domestic servitude with the recognition that the initial trafficking event may have been for a different form of trafficking. Respondents had come across men, women and children being re-trafficked and commented that mental health issues, past experiences with voodoo or juju, learning difficulties or not having the right to live and work in the UK were apparent patterns in the lives of survivors who had experienced re-trafficking.

Four respondents stated that they either had not seen any patterns in the profile of those who had been re-trafficked or that they did not personally have this information. It was clear that data relating to profiles and patterns of re-trafficking were not routinely collected and the patterns that were identified and reported were based on individual experiences.

From the respondents' answers this report is unable to comment on the actual prevalence of re-trafficking in relation to the nationalities, ages, genders, trafficking types or factors that respondents have presented in relation to re-trafficking. This is because the survey did not ask respondents for absolute numbers of survivors in each profile they presented.

Enablers of re-trafficking

The evidence indicates there are a range of factors that may facilitate re-trafficking. Factors identified during the research are linked to the circumstances survivors may find themselves in after an experience of trafficking and/or slavery. The factors identified as facilitating re-trafficking appear to be associated with the economic, societal and personal circumstances that a survivor faces.

> *'We would suggest that many of the driving socioeconomic factors of vulnerability to any exploitation (poverty and homelessness), if not addressed in a way that is appropriate and tailored to the individual, will continue to create the potential for re-exploitation. We see this most commonly for our clients who are experiencing insecure immigration status and homelessness'.*
>
> *Respondent 18*

This report identifies that some of the factors recognised refer to overarching approaches, structural procedures and established societal mechanisms, whilst some relate directly to individual survivors' life experiences and specific individual vulnerabilities. It was not within the scope of this report to articulate all the reasons why and how the factors identified may work to facilitate re-trafficking nor does it offer comment on if each fact will impact survivors in the same way. However, as a result, some of the factors identified may be applicable and relevant to a larger number of survivors whilst others may not be. For example, not every survivor will face the threat of deportation or removal to another country, and whilst forced removals and deportation are evidenced in literature to be factors related to re-trafficking, they will not be applicable to all survivors.

The current approach to supporting modern slavery survivors within the UK context may heighten the risk of re-trafficking occurring. Respondents identified issues with the systems and structures in place and these directly impact survivors in relation to re-trafficking. The lack of access to on-going support and employment; limited routes to regularise immigration status combined with low prosecution rates, which respondents proposed lead to traffickers acting with impunity; under-resourced policing that means potential victims are not identified nor are cases dealt with in an appropriate manner; and victims being viewed through an immigration lens all refer to structural, policy and legislative factors identified as enablers of re-trafficking.

> *'Vulnerability to trafficking is influenced by a constellation of overlapping and interconnected risk factors which cut across individual, household and family, community and structural levels and vary from country to country'.[38]*

Survey respondents were asked to comment on survivor profiles or patterns they had identified that may facilitate re-trafficking. Responses indicated that gender, nationality, age, trafficking type may all be relevant. Some respondents identified mental health issues, immigration status and the lack of a right to work as patterns in those they had supported who had experienced re-trafficking. However, in relation to this report there were no discernible patterns identified in the responses received and it appeared answers were very much dependent on the cohort respondents worked with and what had been shared during this time.

> *'Additionally, while equipping survivors with the tools to help manage their own risk and safety is important in recovery, we also acknowledge that many of the root causes of both exploitation and re-exploitation are structural and are beyond the ability of an individual survivor to overcome or mitigate'.*
>
> *Respondent 18*

Structural and systemic issues that may facilitate trafficking identified as part of this research are as follows:

- The state being unable to offer protection[39]
- Corrupt officials[40]
- Lack of effective identification as a victim[41]
- Gender inequalities[42], being a woman[43] or child[44]
- Lack of security systems in place for identified survivors[45]

Identifying the factors that facilitate re-trafficking, in relation to the circumstances survivors are facing, allows us to consider what needs to change in the systems being offered and who should be responsible for leading these changes. The factors that impact individual survivors appear to often be out of their control and instead a result of legislation and policy or societal context and approach.

It was noticeable that the following factors were consistently referred to throughout literature and in survey responses. They emerged from the research as the main factors that both facilitate re-trafficking in a UK context and need to be considered in any response to address the issue:

- A lack of stable accommodation and the risk of homelessness
- A lack of on-going support (resettlement and reintegration) and community networks
- A lack of regularised immigration status and the impact of this on an individual's ability to seek employment, stable and safe accommodation and other support, benefits and stability.

The links between immigration status, on-going support, stable accommodation and the ability to financially support oneself are topics that are extensively discussed across the UK anti-slavery sector. During the research for this report, they were repeatedly cited as factors that, if not available to survivors, lead to and facilitate re-trafficking. Without regularised immigration status, a survivor's ability to legally work and earn money is curtailed. As a result, their ability to access safe and suitable accommodation is impacted. This then curtails choice and impacts self-esteem and confidence. All of this may also be impacted should a survivor not have a community on which they can rely and an on-going support network to assist them as they navigate the UK's systems. Not effectively supporting survivors appears to increase the risk of re-trafficking. This is highlighted in the case study below: even with immigration status confirmed, the impact of previous experiences and the lack of a support network left the individual vulnerable to another episode of re-trafficking.

Case study

Name: Unknown male

Age: Unknown

Nationality: Unknown

Type of trafficking: Forced labour in a range of different sectors

General overview: Ahead of receiving immigration status and the right to work, this individual had been trafficked multiple times for different forms of labour exploitation. His English language skills were limited and he was traumatised by having been exploited. After receiving his status and the right to remain in the UK he was approached by a man who offered him work. He was then groomed by him – initially he was paid fairly for an ordinary job. He was then forced into criminal exploitation on a cannabis farm where he quickly realised that he was being trafficked by a network of traffickers and he could not leave them without putting himself at risk.

Factors referred to through the literature and the survey responses show the interconnected nature of the factors referenced. For example, an individual who is in debt because of their initial trafficking may still be or perceive themselves to be needing to pay this money back. If they don't have status in the UK they will be unable to access the labour market. Without being able to earn money to support themselves or pay back this debt they may find themselves in a precarious position that traffickers may identify and take advantage of again. It is not therefore the debt in isolation that would be the sole factor facilitating any subsequent exploitation for an individual in such a situation, rather a combination of the factors – some of which are out of the survivor's control to navigate or change.

General financial issues, proposed by respondents and throughout publications, as factors that facilitated re-trafficking included survivors not being able to access the labour market and this acting to drive them into situations where they may have to accept precarious and exploitative employment. Experiencing poverty, having financial obligations at home and needing to send money to support and provide for families, a lack of access to compensation and a lack of access to public funds also were identified as circumstances survivors face that may facilitate re-trafficking. Practically, without access to money survivors are unable to support themselves, and have a lack of security, agency and choice.

Being in debt as a result of the initial trafficking was referenced primarily in publications but was also noted in survey responses as a factor that may facilitate re-trafficking with survivors believing they are or their family are at risk if they don't return to their traffickers and pay off the debt. This is highlighted in the case of Stefan.

Case study

Name: Stefan

Age: Under 18

Nationality: Albanian

Type of trafficking: Forced Labour and criminal exploitation (Cannabis Farm)

General overview: Stefan has been re-trafficked three times and is currently held in prison on drug charges related to his exploitation and re-trafficking experience. Stefan has a positive reasonable grounds decision and is awaiting his conclusive grounds decision. Initially, an NRM referral was submitted for Stefan when he was identified after ending up in hospital following an assault. Placed in a safe house he went missing 3 months later. It transpired he had been re-trafficked by the same group of people. He described being found by his traffickers, who threatened his family and told Stefan he owed them £30,000 for his travel to the UK. When he was found again (by police) the NRM would not accept a re-referral for accommodation and he was housed in a local hotel – he went missing the following day and was re-trafficked. Located by police, in a different city a few months later he once again was housed in a hotel and once again was re-trafficked. Each occasion of re-trafficking was by the same group of people.

If survivors are not given the time and opportunity to rebuild their lives and develop resilience, the evidence suggests that re-trafficking becomes a risk. An individual's history of vulnerability and current level of vulnerability were raised as factors that may facilitate re-trafficking with examples of vulnerabilities recorded for survivors who had issues with alcohol and drugs and in some cases addiction issues, mental health problems, learning difficulties, a history of abuse, experiences of bereavement, having a low education level or experiencing language barriers, being fearful for family members and fearing direct retribution from traffickers.

In addition, isolation and loneliness, a lack of community and networks on which to rely for support, societal stigma, discrimination and marginalisation were cited by respondents and in literature as factors that may facilitate re-trafficking. The previous circumstances survivors have faced, their current vulnerabilities and the situations in which they find themselves after a period of support (in a UK context this would usually be via the NRM), may all culminate and result in further exploitation, as in the case of Bob.

Case study

Name: Bob

Age: Unknown

Nationality: Unknown

Type of trafficking: Forced Labour – in a range of different sectors

General overview: Bob entered the NRM after fleeing from a family that had been exploiting him since he was a child. He had grown up in a children's home and had learning difficulties. He was entered into the NRM, received positive RG and went to a safehouse. He absconded from the safehouse and went back to his traffickers. After a few months of forced labour, and no money, he returned to the homeless charity that had helped him in the first place. He was placed into a hotel whilst he waited for a safehouse to become available again under the MSVCC. **He was given a new phone and sim card but the traffickers managed to contact him using social media. They promised him things would be different this time and that they would pay him**. He was feeling lonely and said that being with the trafficking family was better than being alone and returned to them.

Re-trafficking is a risk survivors face, in the absence of long-term support. Without accessible and effective rehabilitation that includes access to housing, training, educational opportunities, counselling, employment, financial security, assistance to understand rights and entitlements and a route to effective resettlement and reintegration, either in the UK or another country, re-trafficking will continue to be a risk.

Specific factors in relation to children being re-trafficked were also identified by the two organisations who responded to the survey and worked directly with children. At least five of the publications reviewed specifically focussed on children and young people or had sections that referred to children. Children not being correctly identified as victims in the first instance, going missing from care and being subjected to age disputes were identified as factors that could facilitate re-trafficking in a UK context.

The potential for re-trafficking to occur was also linked to a child having uncertain immigration status, patchy support systems, going missing from placements and the Independent Child Trafficking Guardianship service stopping at 18.5[7] Additionally, children being returned to a home country who were not effectively supported, expected to return to their family who may have been involved implicitly or otherwise in their exploitation and being returned to their community had the potential to facilitate an instance of re-trafficking.[58] The case of Louis shows a young man who slipped between children and adult services and for whom the protections put in place were unable to prevent him from being re-exploited.

Factors related to lack of support and lack of immigration status that may facilitate re-trafficking:

- A lack of regularised immigration status (this means for many, no access to employment, benefits or accommodation)[46]
- The threat of removal, deportation and forced return[47] and in addition to this being wrongly deported or arrested[48]
- Not being able to access employment and the denial of right to work due to immigration status[49]
- Outcome of the NRM decision (at conclusive grounds stage) dictating access and availability of public funds and support[50]
- Threat of homelessness and the lack of suitable housing options and accommodation[51]
- Having to leave support (due to behaviour or addiction issues)[52]
- A lack of rehabilitation, accessible and long-term effective support[53]
- A lack of counselling[54]
- Not fully understanding rights and entitlements[55]
- Lack of access to training and education (post-trafficking experience)[56]

Case study

Name: Louis

Age: 16-17

Nationality: European

Type of trafficking: Forced labour and criminal exploitation (County Lines)

General overview: Louis became involved with a county lines gang. He received a positive conclusive grounds decision via the NRM based on exploitation that had occurred in the UK. **A court order was put in place to protect Louis and maintain distance from the location in which he had been exploited. This didn't work and Louis was found by the gang and was re-exploited.** As a result of his age and immigration status, it was difficult to find support for Louis. Even though he was being re-exploited, he was not entered into the NRM a second time.

The transition from childhood to adulthood, within a UK context, was reported as a time when re-trafficking risks was present, because transitions between child and adult services are not always swift or well-managed. Eight respondents felt that the factors that facilitated re-trafficking differed for adults and children, whilst two felt that causes were unrelated to age.

'There are specific risks with children such as being in care, fractured and poor resourcing in child protection systems which can amplify risks'

Respondent 19

Additionally, the circumstances facing an individual upon their return home were referred to in some of the literature. This was usually in reference to those identified victims who had been trafficked across international borders and post their support and/or identification were expected to return home or to a third country. Specific challenges were identified with the returns process, especially if return was forced and support was lacking upon return.

Other factors associated with re-trafficking upon return were linked to fear of reprisals, not being accepted by family or the community and the situation on return being similar to the situation someone was originally trafficked from, specifically in relation to there not being work available. Whilst these drivers can be predominantly associated with survivors returning to a different country, they also have relevance for individuals remaining in the UK should their situation after support not have altered. For example, a lack of reintegration programmes, on-going support, fear of reprisals, a lack of employment opportunities and social isolation can impact survivors and increase the risk of re-trafficking, regardless of if they are returning to their home nation, if the UK is their home nation or if they are eligible to remain within the UK.

Factors related to re-trafficking risk upon return to a home nation

- Challenges with the returns process including not understanding levels of risk to individuals returning[59]
- Adverse economic conditions and no work being available upon return[60]
- Lack of alternative livelihood options and feeling the need/pressure to have to accept work abroad again[61]
- Being returned to the same location from which the trafficking occurred and being relocated by traffickers[62]
- Fear of reprisals[63]
- Returns and repatriation programmes not being adequately resourced and a lack of rehabilitation programmes[64]
- Forced return without reintegration assistance[65]
- Social issues upon return including stigmatisation, community marginalisation, societal and family discrimination and difficulty reintegrating with family[66]
- Lack of effective tracking of outcomes for survivors[67]

Protective factors, reducing and preventing the risk of re-trafficking

Respondents identified a range of protective factors that they felt would reduce the likelihood of survivors being re-trafficked. Many of these protective factors concur with findings from the literature. They related to survivors being given the choice and agency to make decisions about their future and what they wanted this to look like. Regularisation of status, and safe stable accommodation were referred to as the building blocks that needed to be in place for survivors. Survivors being given access to 'good' employment and the freedom to change employer, knowing their rights and entitlements and being able to access support in relation to this, if needed, were offered as a protective factors that reduced the risk of re-trafficking. Respondents proposed that a support network comprising of both professionals and community (friends and family) would help to manage risks and issues as they arose as well as help survivors to integrate into the local community. In general, it was felt that better protection mechanisms should be in place for survivors. Access to mental health support, legal support, counselling, education, language and skills training were recognised as potential protective factors against re-trafficking that should be offered on a long-term basis. As one respondent noted;

'Protective factors are key to recovery. Access to work, accommodation and healthcare have always been considered key contributors to preventing recidivism'

Respondent 18

Respondents also commented on the speed of decision making, within the NRM and asylum systems proposing that speedier decisions would be likely to reduce the risk of re-trafficking.

Factors thought to reduce the risk of and vulnerability to re-trafficking

- Access to work[68]
- Empowered to meet financial debts[69]
- Giving survivors the opportunity to build resilience and confidence[70]
- Proper rehabilitation (including counselling)[71]
- Provision of alternative care arrangements for children (outside of the family)[72]
- Enrolling in school and the provision of vocational skills[73]
- Having a knowledge of labour rights[74]
- Being in an environment where an individual feels safe[75]
- Building a relationship with support team[76]
- Legal advice and representation[77]
- Securing a stable immigration status[78]
- Receiving compensation[79]
- Having adequately resourced returns and reintegration programmes[80]
- Consideration of health needs and vulnerabilities upon return[81]
- Improving economic wellbeing[82]
- Granting of a residence permit[83]

General improvements in systems available to those identified as trafficked were identified as overarching themes that would reduce instances of re-trafficking. These included access to safe housing, mental health support and the regularisation of immigration status (regardless of whether an individual is in the NRM or not) as well as effective multi-agency working. Respondents identified that perpetrators target individuals who are already vulnerable. If survivors are in situations where they have no-one to turn to, a lack of support and a lack of understanding of how the systems work, they are in a position where they are more likely to be controlled and manipulated. It was suggested that:

'Victims of trafficking are more likely have lost the ability to read the motivations of others or gauge the relationships that are in their best interests, and those that are not'

Respondent 16

Ensuring that survivors can rebuild their lives in a safe way is paramount if re-trafficking is to be prevented. It was proposed by respondents that the following would effectively work towards preventing re-trafficking and would provide protective factors: standardised access to support, longer term support, being granted leave to remain and entitlements, having better support protections, planned exits from support, supported repatriations and commitments to working in a multi-agency manner.

Most of these protective factors require structural changes, as they relate to the current parameters, as established in law, policy and guidance, that apply to those identified as survivors of modern slavery. For example, it has been shown that a lack of regularised immigration status increases the risk of re-trafficking. A pathway to seek automatic regularisation of status via the NRM process would therefore reduce the risk of re-trafficking. Of course, one action taken in isolation is unlikely to be effective. Survey respondents proposed that to reduce the risk of and ultimately prevent re-trafficking, the actions below should be considered. These responses can be classified as: providing access to support, status and entitlements (including provision of status and access to employment); improving support protections; and more effective multi-agency working.

Proposed support and actions required to prevent re-trafficking

Standardised access to support, status and entitlements	Easily accessible, long term, individualised support
	Legal support
	Employment and the right to work
	Stable immigration status (early in the NRM process)
	Safe accommodation
	Benefits and access to compensation
	Ongoing counselling and mental health support
Improved support protections	Effective government protection (upon recovery)
	Effective long-term support
	Effective support and protection to return home
	Effective support upon return home
Using a multi-agency approach	Engaging specialists
	Increasing awareness among frontline teams
	Multi-agency meetings
	Data sharing
	Cooperative safeguarding

Next steps

The purpose of this report was threefold:

- To better understand re-trafficking from available literature and the anti-slavery sector.
- To test the initial hypothesis that there is a dearth of available data and guidance that specifically addresses the issue of re-trafficking.
- To present findings that can begin discussions about the responses required to tackle the issue of re-trafficking.

In addressing the first purpose, our research discovered that it can be difficult to separate out the factors that facilitate re-trafficking from wider causal factors of trafficking generally. But it appears from literature, government guidance and those working on the frontline that problems securing accommodation, health care, employment, support services and legal remedies, coupled with a lack of rights and entitlements, may facilitate and increase the risk of re-trafficking, whilst debt and other financial obligations increase an individual's vulnerability to accepting or being forced to accept exploitative conditions in order to survive.

The factors that facilitate an individual's risk of re-trafficking and those that can work to prevent re-trafficking have been clearly articulated in a wide range of publications. There generally appears to be acknowledgement that re-trafficking occurs. There are, however, gaps in knowledge in the definition of trafficking, in data about how and when re-trafficking occurs, and in strategies (including designated responsibilities) on how to effectively prevent re-trafficking. The intersection between an initial and subsequent trafficking experience and a lack of support to gain independence, agency and empowerment is clear.

Regardless of nationality, type of trafficking, or if an individual is being returned to their home country or remaining in the country which they were identified, if they are not offered or able to access the opportunities to reach and maintain stability (socially, economically and personally), the risk of re-trafficking increases. A lack of support, insecure immigration status, ineffective re-integration assistance, the threat of homelessness, poverty and not having access to employment are some of the key factors identified in literature and from those working on the frontline as increasing the risk of re-trafficking. In addition, trauma, mental health issues, debt, drug and alcohol issues, age and cultural stigmatisation have been provided as examples of drivers seen by those working with survivors that are thought to contribute to the risk of re-trafficking.

In addressing the report's second purpose, the research confirmed there are a lot of unknowns in relation to re-trafficking. Those working with survivors are aware of the risk of re-trafficking and clearly identify the factors they consider to increase this risk. Complete data sets showing the number of incidents of re-trafficking and the causes of this are not currently available. But those on the frontline are reporting that re-trafficking is endemic.

In addressing the third purpose, the research concluded the factors that facilitate and increase the risk of re-trafficking need to be considered and addressed if we are to reduce its occurrence. The final section of this report therefore highlights three areas that the research reveals need further exploration, in order to understand and effectively respond to re-trafficking: the definition of re-trafficking, the data that we need to collect, and the support that survivors need.

Definitions and guidance

In a UK context the legislation, policy and guidance documents reviewed were devoid of a definition for re-trafficking.

Other than the definition offered by IOM, no other established definition for re-trafficking could be located. All responses from the survey indicated that although there was an awareness that re-trafficking was referenced within some government guidance documents this was not a concept that was clearly defined.

Without a definitive and clearly stated definition it is impossible to a) identify what classifies as re-trafficking, b) identify cases of re-trafficking and c) to know what data to collate that will enable better understanding to address and prevent this phenomenon.

The phenomenon is not defined in any governmental guidance in relation to modern slavery. Whilst referred to in the discretionary leave guidance, how the risk of re-trafficking will be assessed as a criterion for granting leave is not outlined.

In a UK context where language largely references modern slavery, the term re-trafficking may be problematic. Re-trafficking only addresses and refers to those identified as victims of trafficking which does not encompass the wider forms of modern slavery and exploitation; it also means those survivors who opt not to enter the NRM may not be able to have their experiences captured as re-trafficking. It is proposed that re-trafficking in not an appropriate term within a UK context and other words – such as re-victimisation, re-exploitation and repeat victimisation - should also be considered as alternatives.

Considerations for next steps: Definitions and guidance

1 The government should develop a suitable definition for the phenomenon of 're-trafficking' based on the balance of available evidence and data, as established in this report and the current UK context, and for this definition to be clearly outlined in policy and guidance documentation.

2 Discretionary Leave Guidance should acknowledge re-trafficking as a risk facing survivors and for the guidance to state how the risk of re-trafficking will be considered and addressed as part of the discretionary leave decision-making process.

3 The government should consider and discuss terminology, acknowledging that re-trafficking does not encompass all forms of victims identified in the UK. Consideration could be given to how re-exploitation fits with repeat victimisation and the crime statistics relating to modern slavery.

Data

In a UK context data is not centrally collected in relation to the prevalence of re-trafficking.

The lack of data on re-trafficking undermines effective identification and protection of individuals who may be at risk of or have already been subjected to trafficking and re-trafficking. The lack of data also undermines efforts to prevent, interrupt and reduce repeated exploitation. Without a clear definition it will always be hard to compare data sets and experiences of re-trafficking.

There are clear examples of re-trafficking shared in reports and survey responses but recent data in relation to re-trafficking was hard to come by. Prevalence figures found were dated and related to specific populations. Generally, it appears that quantitative research in relation to re-trafficking is lacking and the authors the studies referenced remained unconvinced that the numbers they presented truly captured the extent of re-trafficking.[84] Many articles and reports, whilst alluding to examples and experiences of re-trafficking were unable to identify the actual numbers of survivors impacted. The data provided by the Modern Slavery and Exploitation Helpline in relation to re-trafficking indicated that from the cases opened re-trafficking was recorded as a concern in less than 1% of cases. These handful of cases involved survivors who were trafficked as minors and re-targeted, recruited or exploited as adults. The low number of re-trafficking cases identified may be as a result of individuals who call the Helpline needing assistance in their current situation and not revealing this information during a call or that professionals seeking advice are unaware of previous trafficking events.

The request made of the SCA as part of this research endeavoured to understand the data held in relation to re-trafficking and the numbers of survivors who had entered support more than once and for whom re-trafficking had been identified as a risk. Without this data we are unable to comment on what data is held but note that the Department for Work and Pensions state that the government does not collate such data.[85]

The lack of available data prevents challenge and scrutiny of our current approach and responses to re-trafficking. If data is not routinely collated or publicly available in relation to re-trafficking for those entering the NRM, for those who sit outside this system of support even less is known. Accepting that we are unable to measure the number of cases of re-trafficking prevented via the support mechanisms we currently have in place, we still need to at least attempt to understand, at a minimum, the patterns and profile of re-trafficking in a UK context – the nationalities impacted, types of trafficking, as well as the general drivers that enable re-trafficking to occur.

This is important and necessary if we want to be able to provide effective support to prevent re-trafficking from occurring. Previous research conducted shows that this data capture can be achieved.[86] Data capture should not only be about the numbers, but there is also the need to look at the characteristics and typologies associated with re-trafficking and who it impacts if we are to better understand how this phenomenon works.

Regardless of the figures relating to re-trafficking, the literature and experiences from survivors and those supporting them indicate that re-trafficking is an issue that needs further investigation. IOM proposed this needed to happen over ten years ago and yet data is still lacking.[87]

Data capture is also important in recognition of the UK having left the European Union, with the scale of resulting impacts on survivors still unknown. As EU nationals, identified survivors no longer have the automatic right to remain that was inferred when the UK was part of the EU. A higher number of identified European survivors will be returned to their home countries. With an increase in the numbers returning, there is the risk of an increase in the numbers of survivors also being re-trafficked.

Considerations for next steps: Data

1 Once a definition of re-trafficking has been established, a standardised data set to be collated needs to be agreed. Consideration needs to be given as to how this data can be collated and the MSVCC, duty to notify and NRM processes, at a minimum, should be considered as options to facilitate data collection.

2 Data needs to be collated in relation to pre-trafficking experiences to understand the potential drivers that may prompt re-trafficking.

3 Consideration must be given to how data is collected directly from survivors and how best to achieve this.

4 Repeat NRM referrals for the same individual should be centrally flagged and support providers made aware.

5 Any data collected should be publicly available and shared via NRM and Home Office annual modern slavery reports and should inform the future approaches to re-trafficking.

6 A specific piece of research should be commissioned to understand the impact of re-trafficking in relation to European survivors now that the UK has left the EU.

Support, reintegration and returns programmes

There is currently no dedicated reintegration pathway for survivors remaining in the UK nor is there a specific returns and reintegration package for survivors returning to another country.

If the factors that made someone vulnerable to trafficking initially have not changed, re-trafficking needs to be considered as a potential risk. We know that re-trafficking is a risk faced by those who have already been trafficked, especially if they are not in receipt of support.

If an individual is socially included, economically empowered, has access to the employment market and has the social support they need, the risk of re-trafficking reduces. Therefore, sustainable re-integration strategies and pathways, that assist individuals to rebuild and re-establish their lives must be part of any policy approach to re-trafficking, regardless of whether reintegration and resettlement is occurring in the UK or in another country.

The drivers thought to increase the risk of re-trafficking are also the factors that, if effectively addressed, reduce an individual's vulnerability to re-trafficking. Time to process experiences in a supportive environment, regularised immigration status, having somewhere safe to live and access to employment, can all reduce the chances of individuals needing to take risks in relation to accepting future precarious job offers or journeys to seek employment and opportunity.

Returning to a situation where factors that increased vulnerability originally are still in place[88] does however mean that the risk of re-trafficking must be considered both for those survivors remaining in the UK and those being returned home.

Incidents of re-trafficking have been directly correlated with success rates of reintegration projects. Effective reintegration programmes are identified throughout literature as being a necessary element of support that assists to reduce the risk of and prevent re-trafficking, as are effective return programmes for those not eligible to stay in the UK. Arguably safe and supported reintegration is a principle that should be in place regardless of if a survivor is staying in the UK or returning to another country.[89]

Re-trafficking has specifically been identified as a challenge when facilitating returns, specifically if returns are not on a voluntary basis and when support is not offered. Research historically identifies the link between re-trafficking and return to another country yet the case studies shared by respondents also showed that re-trafficking can and does occur within a UK context for survivors who have the right to remain or who are British nationals.

This challenges the current narrative and research basis, as effective resettlement and reintegration is not just an issue facing those survivors being returned to a different country but also survivors who are UK nationals or who have the right to remain in the UK.

Considerations for next steps: Support, reintegration and returns programmes

1 A commitment is required from the government to develop effective and appropriate pathways to integration and resettlement for identified survivors, both those who will remain in the UK and those returning to other countries. As recommended in previous research, reintegration programmes must be developed in conjunction with survivors and the sector and based on what the data shows.[90]

2 In recognition of the social, economic, personal and structural drivers of re-trafficking currently at play in the UK government needs to actively look for ways to reduce the risk of re-trafficking. This should include reconsideration of previously proposed support for survivors including; access to work during and post the NRM, access to long-term support and stable accommodation and routes to access leave to remain.

3 The Home Office, government and those running the MSVCC need to consider what partnerships will be required to facilitate safe returns programmes to other nations, that specifically address the risks and needs associated with survivors of modern slavery. Programmes and pathways developed should follow good practice principles in relation to reintegration and returns.

4 The UK government needs to develop, in conjunction with the sector, survivors and other nations agreed principles, protocols and protection mechanisms for survivors upon return to their home nation. Being transparent and clearly defining, in line with international obligations, it should state where the UK responsibilities in this process begin and end. Ensuring status upon return is understood, that NRM decisions are accepted and reciprocal, that the needs of those we are returning understood and can be met.

5 RNA Guidance should acknowledge re-trafficking as a risk facing survivors and for the guidance and process to state how re-trafficking will be considered and addressed as part of the RNA decision-making process.

Conclusion

Much more is required to protect survivors from the risk of re-trafficking. The impact of a trafficking experience does not end at the point of someone being removed from a situation of exploitation. Many survivors will be coping with the impact and effects of their experience for years to come. The sector should use this report, the research it presents and the considerations offered as a basis to explore how best to respond to re-trafficking.

Re-trafficking is a challenging topic for the UK government. It challenges our current systems of support, asks if we truly apply our international obligations in the spirit in which they are intended, and challenges the rhetoric that the UK is world leading in our approach to tackling modern slavery.

Since 2009, the UK has been bound by the principles of the Council of Europe Convention on Action against Human Trafficking. Within the scope of the Convention, the UK has commitments to assist victims in their physical, psychological and social recovery, including taking account of their safety and protection needs. The UK also has obligations to have in place effective policies to prevent trafficking, identify those perpetrating this crime, offer compensation, offer protection from retaliation, ensure that any return is conducted with safety and dignity, that any repatriation avoids re-victimisation and that appropriate protection measures are put into place should an individual be at risk.

Literature and those working in the field can and have shared experiences that identify occurrences of re-trafficking. Yet there is a dearth of data on re-trafficking. There is an acceptance that re-trafficking occurs. But we do not understand its prevalence, have limited effective prevention and protection structures in place to reduce its risk and impact upon survivors, and have no agreed definition or policy guidance on how to approach the issue. The lack of standardised risk assessment before returning survivors to their home countries coupled with the lack of data collection on re-trafficking, undermines the UK's ability to assess its success in prevention activities.[91]

We currently lack the practical steps required to identify re-trafficking, to manage and reduce the risk it presents and to ultimately work to prevent it from occurring. The lack of definition and data makes it not only hard to understand this phenomenon but also directly impacts our ability to effectively identify when, where and how re-trafficking may occur. This restricts our ability to offer an effective, end-to-end support system for survivors. Our lack of shared understanding of re-trafficking risks undermining effective identification and protection of individuals who may be at risk of or may have already been subjected to re-trafficking. The lack of published guidance, approach and strategy to reintegration for survivors further hinders efforts to prevent, interrupt and reduce repeated exploitation.

The lack of concrete evidence of the occurrence of re-trafficking may also allow government to believe that it is not happening and that there is no need or urgency to develop and offer effective responses to this phenomenon. Understanding the prevalence of re-trafficking, how, when and why it occurred allows for sensible and proportionate responses to designing and delivering solutions to reduce it.

This report has identified the key factors that facilitate re-trafficking and those that—when implemented— appear to work towards preventing it from occurring. These factors overlap and concur with changes for which the sector has been calling for, including changes to our current approach to survivor support and care which may be inadvertently facilitating re-trafficking.

Appendix 1

Offline questionnaire: Re-trafficking

Privacy statement:

The report will include information from the survey.

Individual responses and direct quotes may appear in the final report but will not be attributed to individuals and organisations unless prior permission has been requested and given.

We appreciate some may wish to complete this survey anonymously, in respect of this Questions 1-6 are optional.

Overview:

This rapid research piece, commissioned by the Independent Anti-Slavery Commissioner, and conducted by the Rights Lab, aims to understand the evidence, data and literature available on re-trafficking as well as hear from those in the anti-trafficking sector and further afield about their experiences and the reality of re-trafficking in their work.

This will allow us to identify knowledge and data gaps in relation to re-trafficking and its causes.

The research also aims to identify any re-trafficking prevention strategies that have been implemented and make recommendations relevant to a UK context as appropriate.

Thank you for participating.

1 Name

2 Email

3 Organisation/s you are representing (if applicable)

4 Organisation/s Website (if applicable)

5 Your Role/s (if applicable)

6 Would you like us to let you know when the report is launched and available? YES/NO

7 How would you define re-trafficking? When do you consider someone to have been re-trafficked?

8 Who do you consider to be most risk of being re-trafficked?

9 What do you consider the main causes/factors and drivers of re-trafficking to be?

10 Which factors, in your opinion and/or experience, make it more/less likely that a person will be re-trafficked?

11 In your opinion and/or experience do the causes of re-trafficking differ for adults and children?

12 What action, in your opinion, should be taken to prevent re-trafficking?

13 Do your organisational policies reference re-trafficking? In what context/for what purpose?

14 Are you aware of any governmental policy or guidance on re-trafficking? YES/NO
If you selected yes, please specify or provide links to this information.

Please answer the following questions (15 -19) if you support survivors of modern slavery in any capacity.

Please note: If you are a sub-contractor within the MSVCC the personal data of those in the MSVCC must not be referenced in the responses provided unless authorised to do so by the Authority.

15   **Does your organisation have any direct experience of re-trafficking? (ie supporting people who have been re-trafficked) YES/NO If you selected yes please specify in what capacity you/your organisation have had direct experience of re-trafficking.**

16   **Does your organisation record instances of re-trafficking? If so, do you share this data with anyone outside of your organisation?**

17   **Is re-trafficking considered as part of any risk assessment processes you conduct? If so, how and what does this consist of?**

18   **Have you noticed any patterns or profiles to instances of re-trafficking? For example: Age, nationality, type of trafficking?**

19   **Can you share any experiences or case studies that provide examples of re-trafficking?**

Finally, please provide any further information in relation to:

■ Any links to external reports/policies you are aware of in relation to re-trafficking.

■ Any good practice, policies, strategies or legislation (in the UK or further afield) that successfully define re-trafficking.

■ Any good practice, policies, strategies that aim to reduce the risk of re-trafficking.

Thank you for taking the time to complete this survey – it is much appreciated.

Appendix 2

June 2021

Siobhan Jolliffe
Head of the Single Competent Authority
Home Office
2 Marsham Street
London
SW1P 4DF

Re: Data request for rapid research on re-trafficking

Dear Siobhan,

I am writing with regard to a data request to inform a rapid research project my office is conducting jointly with the University of Nottingham Rights Lab on re-trafficking. This project will help to build the evidence base on re-trafficking and provide research and policy recommendations based on the evidence.

The Data Sharing Protocol between the Office of the Independent Anti-Slavery Commissioner and the Home Office stipulates that in making a data request I set out the following information:

a) Why she considers that the information is necessary for the exercise of her functions as set out in the section 41(1) of the Act;

Section 41 (1) of the Modern Slavery Act 2015 requires the Independent Anti-Slavery Commissioner to encourage good practice in the identification of victims, including the provision of assistance and support to victims of slavery and human trafficking offences.

Section 41 (3) of the Act sets out the things the Independent Anti-Slavery Commissioner may do in pursuance of subsection (1) including— (c) undertaking or supporting (financially or otherwise) the carrying out of research.

Re-trafficking

Re-trafficking as a concept is not clearly defined and understanding of this phenomenon currently relies on individual narratives and anecdotal evidence. A lack of data on re-trafficking undermines effective identification and protection of individuals who may be at risk of, or have already been subjected to re-trafficking. This lack of data also undermines efforts to prevent, interrupt and reduce repeated exploitation.

About the research

This rapid research project aims to understand the evidence, data and literature available on re-trafficking as well as hear from those in the sector about their experiences and the reality of re-trafficking in their work. This will allow my Office to identify knowledge and data gaps in relation to re-trafficking and its causes. The research will aim to identify any re-trafficking prevention strategies that have been implemented and make recommendations relevant to a UK context as appropriate.

The methodology for this project comprises:

- Literature review (academic and grey literature sources)
- Questionnaire to the sector (opinions on definition and on what is being seen in relation to re-trafficking in UK context)
- Data request to the Single Competent Authority

b) What information is being requested;

Pre NRM support

- In the last five years how many referrals have been received by The Salvation Army?
- How many of these referrals have gone on to receive support?
- How many referrals, eligible for support, were unable to be contacted, so no support was received?

During NRM support

- In the last five years how many potential victims of modern slavery are recorded as having been in receipt of support via the Modern Slavery Victim Care Contract (MSVCC)?
- In the last five years how many potential victims of modern slavery, supported via the MSVCC, have been recorded as going missing from support?
- How many of these individuals have returned to support?
- In the last five years how many potential victims of modern slavery, supported via the MSVCC, are recorded as having left the NRM before receipt of a conclusive grounds decision?
- In the last five years how many potential victims of modern slavery, supported via the MSVCC, are recorded as having absconded from support services?
- How many of these individuals have returned to support?
- In the last five years for how many potential victims of modern slavery, supported via the MSVCC, has the risk of re-trafficking been identified and recorded?

Post NRM support

- In the last five years how many potential victims of modern slavery, supported via the MSVCC, have not had the right to remain in the UK upon exit from the NRM?
- In the last five years how many occurrences are there in the data you hold of re-trafficking?
- In the last five years how many potential victims have gone through the NRM more than once?
- In the last five years how many potential victims of modern slavery, supported via the MSVCC, have had exit plans completed?
- How many of these exit plans have identified the risk of re-trafficking? What support has been put in place to reduce the risk of re-trafficking?
- How does the MSVCC address the issue of re-trafficking and what are the expectations of support staff in relation to this?

c) The purpose for which it will be used;

This data will be used to inform the above outlined research project, and would be cited/referenced and published.

d) Whether she intends to publish the information;

This data would be published as part of the above outlined research project.

I would also like to note the commitment within the Data Sharing Agreement that the Home Office will as far as reasonably practicable comply with requests made to it, via this process and in the spirit of Section 43 of the Act.

I look forward to receiving your response. In the interests of transparency, I request that you respond in a way that enables me to publish your letter on my website and as an addendum to the research report itself.

Yours sincerely,

Independent Anti-Slavery Commissioner

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4 Lack of support in this instance refers to professional support, including counselling and health care as well as social networks and community-based support.

5 *The Modern Slavery Victim Care Contract (MSVCC)* is the mechanism by which potential victims of slavery are offered support. Further information about the support offered is available at: **https://www.salvationarmy.org.uk/modern-slavery/new-victim-care-contract**.

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