



Eaves' Poppy Project requests you attend the Parliamentary debate on immigration detention to be held on 10 September 2015

Summary

Poppy has long argued that the use of the Detained Fast Track (DFT) may hinder effective identification of victims of trafficking. As a result of the expedited time-frame of the procedure, an individual's claim is dealt with on a 'fast track' basis, while they remain in detention. Detention limits disclosure from victims of trafficking and it plays into the hands of traffickers, by detaining and imprisoning victims who seek asylum. We are asking you to consider raising our concerns in the debate.

Background

The Eaves' Poppy Project works with female victims of human trafficking aged 14 and over and is the largest independently funded support service for women and girls. We are a First Responder within the National Referral Mechanism for the identification of victims of trafficking. To date, we have received over 2600 referrals and have accepted 42% of these to our services. We have supported 45 women in bringing their traffickers to justice resulting in a combined total of 423 years imprisonment.

The Poppy Project works with women in immigration and detention through a dedicated support worker. We intervened on the trafficking and equality cases *JM and Others* ([more information available here](#)) In the agreed reasons, the court found:

- (i) a failure to identify potential victims of trafficking and

- (ii) a failure to conduct further investigation into their cases.

In July 2014 a joint APPG Inquiry into the Use of Immigration Detention in the UK was launched by the APPG for Refugees and Migration. Members of the detention inquiry panel secured a parliamentary debate on the report of the inquiry scheduled for Thursday 10 September.

Concerns

As an organisation which supports women who are victims of trafficking, the primary concerns of the Poppy Project can be summarised as follows:

1. Potential victims are not identified by state actors (or their agents) prior to being detained, or once inside the detention estate;
2. Potential victims are not provided with sufficient healthcare, advice and support whilst inside detention, they have a right to these services once identified under the European Convention on Action Against Trafficking. In Human Beings. Identification failures deprives victims of this right ;
3. Potential victims may effectively feel barred from disclosure by the indefinite and intimidating nature of the detention process and conditions in general are not conducive to identification;
4. The immigration/ detained asylum process is inadequate when clear indicators of trafficking have been disclosed, and they are not acted upon quickly or sometimes even acted at all. The time-frame means that even where an initial identification is made, there is insufficient opportunity to investigate.

Below is a sample of case studies outlining and supporting our concerns which require attention at the upcoming debate.

Case Study D (2013-2014) – in the DFT for 25 days

D gave information which served as indicators that she had been trafficked. Home Office refused to remove case from the DFT despite these credible indicators and sufficient disclosure of trafficking at screening interview. In the

substantive asylum interview, further disclosure was made. Following Poppy's assessment D was referred into the NRM and later released only following acceptance of referral to the Helen Bamber Foundation.

Case Study R (2013-2014 case) – in the DFT for 13 weeks and immigration detention for 19 weeks.

The Home Office only made NRM referral after the substantive interview despite indicators of trafficking in the screening interview. R went through the whole DFT process before trafficking was properly identified and accepted by the NRM.

Recommendations

It is of utmost importance that any system in place ensures that the onus is on the state to identify potential victims of trafficking as per legal obligations, rather than requiring the potential victim to disclose. It is our view that access to comprehensive welfare support and healthcare with staff or agents who are adequately and independently trained in the identification of trafficking victims is essential. Additionally, more cost effective alternatives to detention are recommended, as the current immigration detention system incurs undue burden on the taxpayer. The Independent Anti-Slavery Commissioner has spoken on this topic, and has said that he does not believe detention is the best environment for disclosure.