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***PROTECTION, ASSISTANCE AND SOCIAL (RE) INTEGRATION OF HUMAN  
TRAFFICKING SURVIVORS: A COMPARATIVE ANALYSIS OF POLICY APPROACHES  
AND PRACTICES IN THE UK AND IN ITALY***

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## Working Paper Series

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The Centre for Social Justice and Change Working Paper Series is intended to aid the distribution of research findings, special lectures and work in progress by researchers and associates of the Centre. Papers aim to generate discussion among scholars, policymakers and practitioners. The views expressed in the papers are solely those of the author/s.

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**Summary**

*In recent years, human trafficking has become a significant international concern that affects most countries across the world. The ILO (2012) estimates that on a global level there currently are over 20 million people, trapped in highly abusive working and living conditions, often victims of sexual and/or labour exploitation. Most of them are migrants, who have been lured into trafficking with the false promise of a better life elsewhere.*

*In an attempt to respond to this global phenomenon, the international community has adopted numerous protocols and conventions aimed at effectively combating human trafficking. As a result of these endeavours, a victim-centred approach that recognises the importance of protecting the human rights of the victims has been promoted and to different extents enforced across the world, including in Europe.*

*The aim of this qualitative research was to compare the Italian and British models for assisting trafficking survivors, with a view to establish whether they are compliant with key international obligations and geared towards fostering the long-term social and financial reintegration of the victims. Overall, this study has recognised that many legal and practical steps have so far been taken in both countries to protect and assist trafficked persons. Nevertheless, more remains to be done to ensure that supporting victims, for as long as they need to fully regain control over their lives, is treated as a political priority and enforced beyond any immigration and law enforcement concerns.*

## **1. INTRODUCTION**

### **1.1. Context**

Trafficking in human beings has become a significant international concern in recent years, and one that affects many vulnerable people around the world, particularly migrants. It is a highly-organised, transnational crime which is fuelled by many factors. These include wealth inequalities between rich and poor countries, the surge in the global demand for cheap labour and sexual services and the adoption of stricter immigration policies by most western countries (e.g. Anderson and O'Connell Davidson, 2003; Jorge-Biroll, 2008).

The latest ILO estimates (2012, pp. 13-17) show that there are currently 20.9 million forced labourers in the world and 1.5 million of them are to be found in developed countries, including Europe. Kept in slavery-like conditions, forced labourers can be trapped in prostitution or other labour-intensive industries such as construction, agriculture, manufacturing and domestic work, and migration seems to play an important role in shaping their vulnerability to exploitation. Although it is not easy to assess the exact scope of human trafficking across Europe due to the lack of standardised data collection systems, studies indicate that all European countries are affected to some extent by this phenomenon (Eurostat, 2013). The UK and Italy are no exceptions.

Evidence suggests (e.g. CSJ, 2013) that in the UK context, people are trafficked both internally and internationally for the purpose of sexual exploitation, forced labour, domestic servitude and criminal activities, such as cannabis farming, street begging or pick-pocketing. Statistical data show that in 2012 the total number of potential victims who were encountered was just over two thousand, although only half of them were effectively referred to support (SOCA, 2013b, p. 5). The majority of them came from foreign countries - including Nigeria, Vietnam, Romania, Albania, China and other Eastern European countries - and the incidence of sexual exploitation, involving women in particular, was higher than other forms of exploitation accounting for 36% of cases. Nevertheless, figures indicate that in 2012 the number of detected victims of forced labour and criminal exploitation, which tend to affect mainly men and minors, was on the rise making up respectively 22% and 16% of cases (*Ibid.*, p. 9).

Italy, on the other hand, is mostly a destination and transit country for international trafficking, which is often carried out through the same channels used to smuggle irregular migrants into the

country (Associazione on the Road, 2011). The majority of women are exploited for sexual and domestic labour purposes whereas men and minors are mainly victims of labour and criminal exploitation, which are usually more difficult to detect. Statistical data show that in 2011 over two thousand victims were assisted. Around 70% of them were women, predominantly from Nigeria, Romania, Albania, Egypt, Northern Africa, China and Brazil (DPO, 2013).

Although, the numbers of victims who are effectively rescued and assisted remain relatively low, evidence suggests that only 5% of the total number of human trafficking cases is actually detected (Mattar and Van Slyke, 2010, p. 199). Therefore, what at a superficial glance could look like a marginal phenomenon, which affects a relative small population, is in fact the tip of the iceberg; trafficking is a much bigger, transnational problem that affects every country in the world, including the rich west. While a few people are rescued, many remain in the shadows and continue to be ruthlessly exploited with no prospects for regaining their independence.

Notwithstanding the adoption of crucial international protocols and conventions, which specifically encourage states to prioritise victims' rights and needs, it has been shown (e.g. Jorge-Biroll, 2008) that governments can nonetheless fall short of their international obligations to identify, assist and protect trafficked persons, as immigration and law-enforcement concerns often prevail to the detriment of the victims. Also, in cases where states are able to offer basic assistance, they might not always be equipped to provide long-term support that can help victims regain control over their lives and achieve full social and economic integration, either in the destination country or in the country of origin (e.g. Adams, 2011; IOM, 2013; Surtees, 2012).

This research will consider the UK and Italian models of assistance for adult survivors of trafficking, with an aim to establishing whether and how their human rights can be best safeguarded in accordance with key international protocols. By means of a comparative analysis between two different national approaches, this research will explore the interplay between policy and practice in order to shed light on successful examples of victims' support, empowerment and social (re) integration as well as identifying critical elements which prevent these protection mechanisms from working to their fullest potential.

## **1.2. Data collection**

The research I undertook for this study was qualitative in nature and was conducted between March and August 2013. The first phase was mainly literature-based, involving the review of a whole

range of primary sources - including legal and policy documents - as well as secondary sources, such as reports written by NGOs, international agencies, national think-thanks, and various human trafficking experts. The second part of the research was investigative in nature and involved a much deeper explorative and empirical process, consisting of a series of in-depth interviews carried out with 23 respondents - 10 in Italy and 13 in the UK. The selected research subjects were mainly anti-trafficking practitioners, chosen amongst representatives from NGOs, international organisations, local and central government as well as immigration and law enforcement agencies. In addition, in the UK a few interviews were carried out with a small sample of female trafficking survivors with a view to explore, through a combination of closed and open-ended questions, their opinions, impressions and feelings about the programmes of assistance they benefited from.

During the field work, I had to consider a range of ethical issues. In particular, when interviewing trafficking survivors, I was fully aware the impact of trauma and the risk of doing further harm. So, I endeavoured to build with the women I met a relationship of trust, constantly trying to listen carefully and understand their points of view while showing empathy, respect and unconditional acceptance (Bertrand, 2000; Miller, 2004). All the questions were agreed upon with their case workers in advance to the interviews, and all respondents were offered anonymity and confidentiality.

## **2. CONCEPTUAL FRAMEWORK**

The conceptual framework within which this study has been conducted consists of four interrelated bodies of literature: 1) trafficking and migration; 2) trafficking and human rights; 3) agency and empowerment of trafficking survivors; 4) social (re)integration of victims.

### **2.1. Understanding the phenomenon: the trafficking – migration nexus**

There seems to be an agreement amongst scholars and practitioners that there is a continuum between trafficking and migration, since many people end up in highly exploitative conditions as a result of a conscious decision to migrate in search for better life opportunities (Chuang, 2006; Gallagher *et al.*, 2002). A couple of decades ago, Ghosh (1998, p.35) introduced a useful distinction between categories of migrants, which can still be considered relevant. He talked about *opportunity-seeking migrants* and *survival migrants*. People who migrate to improve the quality of their lives usually belong to the first category and tend to be more resourceful and able to negotiate the best deal for themselves. On the other hand, those who are forced to leave home, in order to escape hardships, tend to fall within the second category and are more likely to take greater risks to

complete their migratory journey, including putting their lives in the hands of unscrupulous traffickers.

In the past ten years or so, there has been a proliferation of academic studies and reports which have attempted to summarise the causes of human trafficking and its linkages with migration (e.g. Chuang, 2006; Gallagher *et al.*, 2002; Kaye, 2003; Shelley, 2007). All these studies seem to agree on the fact that migration flows as well as human trafficking rates have increased dramatically over the past few decades. As Chuang (2006, p.138) put it ‘more often than not, trafficking is labour migration gone horribly wrong in our globalized economy’. According to these theories many migrants leave their home as a result of a combination of both ‘push’ and ‘pull’ factors; in most cases, they migrate to escape extreme levels of poverty, lack of employment and educational opportunities as well as socio-political instability at their place of origin. At the same time, a growing demand for cheap and flexible labour in receiving countries combined with improved communication technologies and transportations contribute as ‘pull’ factors to migration (Kaye, 2003). The more desperate migrants are to reach their final destination, the more vulnerable they are to abuse and exploitation (Gallagher *et al.*; Chuang, 2006). Moreover, the adoption of restrictive immigration policies can further increase migrants' vulnerability to abuse, making it hard for them to safely migrate using legal channels and, consequently, easier for transnational human trafficking networks to grow and prosper (e.g. Anderson and O’Connell Davidson, 2003; Andrijasevic, 2003; Shelley 2007).

The recognition of a nexus between human trafficking and migration, however, is one to be handled with cautiousness. First of all, it is important to acknowledge that not all trafficked people are migrants. Secondly, as some studies have warned (e.g. Adams, 2011; CSJ, 2013), we should be wary of any simplistic reduction of human trafficking to an immigration issue as this could result in underestimating the serious violations of human rights that many victims have to endure. Seemingly, the equally naïve association of trafficking with a modern-day form of slavery that needs to be stamped out, is also to be applied carefully since literature suggests (e.g. Anderson and Andrijasevic, 2008, p.135) that it can divert political attention from the structural causes which predispose migrants to exploitation, including the state’s approach to migration and employment.

## **2.2. A human rights-based approach to human trafficking**

According to the OHCHR, ‘a human rights approach to trafficking requires an acknowledgement that trafficking is, first and foremost, a violation of human rights’ (OHCHR, 2010, p.3). There are quite a few academic studies that specifically refer to the importance of adopting a human rights -



based approach to trafficking (e.g. Adams, 2011; Haddadin and Klímová-Alexander, 2013; Rijken and Koster, 2008). For instance, Rijken and Koster (2008, pp. 8-9) emphasise that when a case of human trafficking occurs a wide range of human rights are violated, including the right to physical integrity, the right to freedom and security, and the right not to be discriminated against.

An adequate response to the violation of these rights requires the adoption of a holistic and multi-disciplinary approach which places the protection of the victims' needs at the centre of any anti – trafficking measures, policy, and legislation. The international and European legal framework on human trafficking (UN, 2000; Council of Europe, 2005) seems to play a crucial role in promoting this approach. Nevertheless, relevant literature shows that its effectiveness can be in practice undermined by national immigration and criminal justice concerns, as a result of which victims are often criminalised rather than protected (Adams, 2011; Jorge-Biroll, 2008).

### **2.3. Agency and empowerment of victims**

Some scholars have crucially defined the concept of agency (e.g. Kabeer, 1999; Sen, 1985). For instance, Kabeer (1999, p.4) in her research about women's empowerment, suggests that agency 'refers to people's capacity to define their own life choices and to pursue their own goals, even in the face of opposition, dissent and resistance from others'. In the literature on human trafficking, victims are often referred to as strong risk – taking individuals who have consciously decided to migrate, even though the salience and impact of external constraints might have affected their ability to make the right choices rendering them vulnerable to abuse and exploitation (e.g. Chuang 2006; Gallagher *et al.*, 2002). Therefore, as Turton argues, it is ethically inappropriate to consider trafficked people as a 'homogeneous mass of needy and passive victims' (Turton, 2003, p.7).

Some literature suggests that there still is a tendency when assisting trafficked victims to 'infantilise program beneficiaries and potentially rob them of their agency and ability to dissent and negotiate within the program framework' (Brunovskis and Surtees, 2008, p.72). This approach, which underestimates the resourcefulness and resilience of people who have survived trafficking experiences, does not seem to be particularly conducive to them overcoming trauma and rebuilding a dignified, empowered and independent life (Van Dijk, 2006, p.3).

According to Maslow's theory of human development (1943), in order for human beings to fulfil their true potential and live a complete and satisfactory life, a wide range of needs must be satisfied. These needs can be visualised as a pyramid, which has at the bottom all basic and physiological

needs - including food, water, shelter, sleep, and warmth - while at the top more complex needs like safety and security, love and friendship, self-esteem and, at the very top, the actualisation of one's true potential. In order for individuals to develop their personalities and feel accomplished all these needs must be progressively met. Existing literature exploring the concept of empowerment in the context of international development seems to build upon this theory. *Inter alia*, Nussbaum's work that, inspired by the economist Sen (1984), introduced the idea of a *capability approach*. This theory is based on the assumption that there are several human capabilities that ought to be guaranteed for an individual to live a dignified existence. These include enjoying a long and healthy life as well as being able to make informed choices, to develop independent thoughts and opinions, to build meaningful personal and working relationships, to establish material security and finally to laugh, play and enjoy recreational activities (Nussbaum, 2000, pp. 78-80).

This concept of empowerment can, perhaps, facilitate our understanding of what sort of support victims need to rebuild their lives. According to some studies, in order to enable trafficking survivors to feel sufficiently confident to renegotiate a place in society and ward off the risk of being re-trafficked, programmes of assistance should not be conceived as short-term/emergency care. They should rather be designed to take into account the totality of victims' needs, providing for their basic necessities as well as their long-term goals and aspirations. They should, in other words, encourage them to tap into their resourcefulness and take all necessary steps to achieve economic independence and complete the (re)integration process, either in the country of destination or in the country of origin (e.g. Adams, 2011; Surtees, 2012).

#### **2.4. Social (re) integration: a complex process**

In order to clarify what a process of integration entails for foreign victims of trafficking, it might be useful to look at the work of Da Lomba (2010, pp. 417 - 418) who, in her study about refugees, suggests that social inclusion should be seen as a multidimensional, two-way process that comprises both a public and a private dimension and starts upon arrival. In order for migrants to successfully integrate in the host society, they need first of all to be legally entitled to remain in the country and able to access employment, housing, welfare, education and health care; secondly, they need to have some personal resources, including the willingness and ability to acquire the linguistic and cultural instruments required to actively participate in the community. This process which, as Korac (2003, p.52) puts it, 'affects both the established community and the new arrival, requiring their mutual adjustment and participation', should be facilitated by governments through the adoption and implementation of effective assistance measures.

IOM (2013) has recently published a comparative study about the integration of trafficking victims in different European countries, which clearly shows that the integration process for foreign victims of trafficking can be quite complex. Trafficked people need first of all to be rescued, identified and protected. Secondly, their primary needs, such as food, shelter and clothes, need to be met while they are supported to access their entitlements - including a reflection period and a resident permit as well as psychological, social, and legal support. Finally, they need to find a job and access educational opportunities or, alternatively, be supported to safely repatriate and rebuild their lives in their country of origin. Programmes of assistance should progressively encourage this process of social (re)integration, by supporting victims to regain autonomy and self-confidence, to achieve material security and overcome marginalisation (*Ibid*, pp. 64 -69).

Taking as a starting point Nussbaum's idea that genuine empowerment requires the full development of certain crucial human functions, and bearing in mind Maslow's theory of the hierarchy of needs, this research will analyse the programmes of assistance implemented in Italy and the UK to see whether they are survivor - centred and geared towards encouraging the long-term social (re)integration and empowerment of the victims.

### **3. COMBATING HUMAN TRAFFICKING: THE INTERNATIONAL AND EU LEGAL FRAMEWORK**

In 2000 the international community adopted the so-called 'Palermo Protocol', the first comprehensive, legislative attempt to address human trafficking worldwide (UN, 2000). The protocol defines trafficking in human being as the 'recruitment, transportation or receipt of persons by means of threat, coercion or deception...to achieve the consent of a person having control over another person, for the purpose of exploitation' (Art. 3). According to this definition, trafficking includes sexual exploitation, forced and bonded labour, domestic servitude and removal of organs. This protocol is particularly important because it introduces the concept of the '3P' paradigm of prevention, protection, and prosecution, which is essential to successfully combat modern-day slavery (Heinrich, 2010, p.2). It represents the first international attempt to introduce a victim-centred approach to trafficking.

The importance of adopting an effective human rights-based model has been reinforced by the European Convention on Action against Trafficking in Human Beings which was adopted in 2005. This Convention, in fact, sets out minimum standard requirements for victims' assistance and

protection, which States parties are obliged to implement without discriminating on any grounds. The Convention calls for a multi-agency approach to be jointly implemented by law enforcement agencies and support organisations to ensure the prompt identification and support of the victims. It also requires state members to grant all potential victims a reflection period of at least 30 days, during which they should be placed in safe accommodation and provided with medical, psychological and legal assistance. Depending on their personal circumstances and safety needs, they should also be provided with a temporary or permanent resident permit regardless their willingness to denounce their traffickers. Finally, they should be entitled to access compensation as well as vocational training and employment opportunities or, when repatriation is a viable option, be returned to their country of origin in a safe and dignified way (Council of Europe, 2005, Arts. 10 – 16).

More recently, the Council of Europe and the European Parliament have adopted the EU Directives on preventing and combating trafficking (2011/36/EU) which, according to the AIRE centre (2013), build on the Convention and strongly support the need for a victim-centred approach, making it more legally binding for States members to provide assistance and protection to victims. Under these directives, State parties are required to establish a national referral mechanism for the prompt identification of victims and obliged to offer them support for an adequate length of time (2011/36/EU, para.18, Arts. 11-12). Finally, the directives recognise the importance of monitoring the phenomenon through the establishment of a National Rapporteur or an equivalent mechanism, which should be tasked with assessing trends and measuring the impact of any anti-trafficking activities (2011/36/EU, Art.19). All states that have ratified these directives have a legal obligation to transpose its provisions into their national legislations (AIRE centre, no date/a).

The introduction of the new EU Directives has spread a positive message within the international anti-trafficking community, clearly stating that ‘preventing and combating trafficking in human beings is a priority for the Union and the Member States’ (2011/36/EU, para.1). However, despite the steps taken at the European level towards adopting an ‘*integrated, holistic and human rights approach to the fight against trafficking in human beings*’ (*Ibid.*, para.7), thus far not all European state members have ratified and implemented these directives. As we will see, the UK is amongst those countries that have opted into the directives and made some formal efforts to implement its provisions, whereas Italy has yet to ratify this important document, although it is informally complying with some of its key requirements.

#### **4. THE UK AND ITALIAN POLICIES AND PROGRAMMES OF ASSISTANCE FOR TRAFFICKING SURVIVORS**

The purpose of this section is to provide a detailed comparison between the British and Italian models of protection and assistance for adult victims of trafficking with a view to establish whether they are compliant with key international obligations.

##### **4.1. National anti-trafficking policies in UK and Italy**

The UK and Italy, as we have previously mentioned, have responded to the international obligations to protect victims of trafficking in different ways. It is, therefore, worth looking at their respective anti-trafficking policies.

Further to the adoption of the Palermo Protocol, the UK became progressively more concerned with human trafficking issues. In 2003 public funds were made available to support adult victims of sexual exploitation (House of Commons, 2013, p.9) and in 2006 the government established the UK Human Trafficking Centre (UKHTC) - a dedicated unit tasked with victims' identification and intelligence gathering (Home Affairs Committee, 2009, para. 11). It was only in 2007, however, that the UK government adopted a National Action Plan, which was an attempt to comply with the obligations set out by the Convention, including establishing a National Referral Mechanism as well as providing all victims, including those trafficked for labour exploitation, with a 45 day reflection period and a temporary residence permit (House of Commons, 2013, p.18).

Another step towards improving anti-trafficking measures was taken in 2011 when the UK government opted into the new EU Directives. A new human trafficking strategy was then adopted to promote 'prevention overseas, stronger borders at home, tougher actions on the perpetrators and better identification and care for the victims' (HM Government, 2011, p. 4). As part of this new strategy, the Government formed the Inter-Departmental Ministerial Group on Human Trafficking to act as the UK National Rapporteur. It also made an effort to improve victims' identification and support, by introducing a more flexible contracting model able to provide assistance based on the individual needs and personal circumstances of each victim (*Ibid.*, p.11).

Unlike the UK, the Italian government has not yet ratified the EU directives nor adopted a National Plan to combat human trafficking. Despite the lack of a coherent anti-trafficking strategy, however, Italy has been able to offer some best practices in terms of promoting an integrated and holistic

victim-centred approach to human trafficking that is in line with the spirit of the Convention. In fact, according to existing literature (e.g. Associazione on the Road, 2002; Mancini, 2010; Orfano, 2003; Palazzi, 2006), the Italian anti-trafficking system represents from a legal perspective a model of excellence in Europe, in terms of ensuring the protection and long-term social reintegration of the victims.

In Italy, the government's commitment to fight this evil practice and support victims dates back to 1998, well before the 'Palermo Protocol' was adopted in other countries. That was the time when Article 18 (Gazzetta Ufficiale, 1998) was introduced as part of a broader national immigration policy. Its aim was to provide foreign citizens, who were victims of severe sexual exploitation, with a residence permit and the opportunity to participate in long-term programmes of social assistance and reintegration to rebuild their lives in Italy (Caneppele and Mancuso, 2012, p. 5). Additionally, in 2003 another domestic law was introduced to provide both female and male victims of either sexual or labour exploitation with short-term, emergency assistance. This extra support would function as an informal reflection period to enable victims to recuperate and decide whether to cooperate with the police and enter a long-term protection scheme under Article 18 (Gazzetta Ufficiale, 2003).

Both legislative measures were adopted as a result of the work carried out by many NGOs and voluntary organisations which had been active in detecting the phenomenon and providing assistance to trafficked victims since the early 90s (Bonetti *et al.*, 2011, p.17).

#### **4.2. Victims' identification and the release of resident permits**

The Convention clearly states that 'in order to protect and assist trafficking victims it is of paramount importance to identify them correctly', which is the first step towards safeguarding their fundamental human rights (Council of Europe, 2005, Art.10, para.127). In order to facilitate this process, OSCE (2004, p. 15) recommends that all state members should introduce a National Referral Mechanism (hereafter referred to as 'NRM') to promote the human rights of all victims and formalise strategic partnership and cooperation between government agencies, civil society and other actors working in this field.

##### **4.2.1. The UK National Referral Mechanism and the work of the Competent Authorities**

In the UK the NRM was established in 2009. This identification system is coordinated by two Competent Authorities, respectively the UKHTC that is part of SOCA and the UKVI that is in

charge for borders and immigration controls. Potential victims of trafficking are initially identified and referred into this system by the so-called ‘first responders’ - authorised agencies, such as the police, immigration officers, labour inspectorates, local authorities and certain NGOs. The Competent Authorities are then in charge for completing the assessment.

According to the UKHTC, the threshold for referral into the NRM is initially quite low. The majority of people who are referred into the system receive within five days a positive reasonable grounds decision, which entitles them to a 45-day reflection period. During this time, they are placed in safe accommodation and provided with medical, psychological and legal support while they are expected to decide whether they want to cooperate with police investigation or return home. By the end of the reflection period the Competent Authorities should be able to decide whether there is conclusive evidence that trafficking has occurred. Data shows, that in 2012 the NRM received 1186 referrals of potential victims of trafficking, who were both female and male and came from 95 countries of origin (SOCA, 2012, p. 2). Out of the total number of potential victims, 778 received a reasonable grounds decision and only 402 were conclusively adjudged to have been trafficked (SOCA, 2013b, p. 5).

It is worth mentioning that the majority of referrals into the NRM tend to come from the police and the Home Office, neither of which are sufficiently trained nor do they have the resources or the capacity to deal with all cases of trafficking. As a result of this, some victims are not picked up by the system and end up being treated like irregular migrants, possibly detained and returned to their country of origin without a proper risk assessment. Also, looking at the statistics published by SOCA in relation to the referrals made to the NRM in the first quarter of 2013 (SOCA, 2013a, p.7), the number of EU nationals who were conclusively recognised as victims was comparatively higher than the number of non – EU nationals. As argued by the Anti-trafficking Monitoring Group argues (2010, p. 26), this raises concerns about the ability of this referral system to equally protect the rights of all victims regardless their immigration status. As a result of this, a number of potential victims identified by support organisations are not being referred into the NRM for fear that they might be removed from the UK (GRETA, 2012, p.7).

When potential victims have a pending asylum claim, the Home Office will need to interview them in order to establish whether they are entitled to be granted asylum on the basis that they have been trafficked. In order to be eligible for a leave to remain, victims will need to prove that there is a real threat that they could be re-trafficked should they return to their home country. According to the

Competent Authorities, the NRM is designed to be ‘*soft and robust*’, so that genuine victims can promptly be identified and assisted whilst bogus claims are firmly rejected (personal communication, 5 June 2013). According to the Centre for Social Justice, however, this approach can lead to a dangerous confusion between human trafficking and immigration concerns that puts at risk the human rights of victims (CSJ, 2013, p. 83). With regards to this, a service provider pointed out that:

*‘It is problematic how the NRM interacts with other immigration issues. The two are, somehow, conflated together because the decision making process is handled by the Home Office, which is in charge for immigration controls. In some cases, a decision on a trafficking claim reads word by word like an asylum decision, and victims have to prove they are victims when they are not supposed to* (personal communication, 17 May 2013).

Although the asylum route is the most common route used by non –EU national victims to remain in the UK, in some cases a temporary resident permit can be granted for one year and extended thereafter if they decide to cooperate with police investigations, or are deemed to be particularly vulnerable (GRETA, 2012, p.66). In any case, foreign victims are expected at some point to return to their countries of origin, and the Home Office will facilitate that process through programmes of Assisted Voluntary Return (Cherti and Balaram, 2013).

#### **4.2.2. The lack of a National Referral Mechanism in Italy and its implications**

As far as Italy is concerned, there is no formal National Referral Mechanism for the identification and assistance of victims of trafficking. This means that the way in which anti-trafficking legislation is applied across the country is often inconsistent, and varies from region to region. As we have seen, two legislative decrees were introduced over the past two decades to ensure that victims of trafficking could be identified, protected and assisted. Under Article 13, potential victims who are detected by the Competent Authorities - including police forces, local authorities, social services and accredited NGOs - can access a three month resident permit that can eventually be extended for further three months. During this time, which is informally regarded as a reflection period, they are entitled to safe accommodation as well as medical, psychological and legal assistance while they are expected to decide whether they wish to remain in Italy or return to their country of origin (Bonetti *et al.*, 2011, p.18).

If they choose to stay in Italy, they can be included in a long-term programme of assistance and social reintegration under Article 18. This can be accessed either through the ‘judicial path’, which



requires the victims to denounce their traffickers, or through the ‘social path’ that involves a risk assessment of the vulnerability of the victim and the submission of a statement by an accredited NGO or local authority. Both procedures can trigger the issuance of a temporary resident permit for social protection, which is granted initially for six months but can be renewed for another year and eventually converted into a working permit (Orfano, 2003, p.133).

The request for a residence permit is usually processed by the Police Commissioner (il ‘Questore’) of each municipality, and whether or not a favourable decision is granted depends on many factors. First of all, the trafficking indicators, including evidence of coercive and deceptive recruitment as well as signs of severe abuse, must be clearly recognisable; secondly, victims are usually expected to provide details of their traffickers in order for the police to be able to prosecute criminals. So, according to one NGO I interviewed in Rome:

*‘The chances for a victim to access programmes of assistance without cooperating with law enforcement agencies are almost non-existent and completely dependent upon the discretion of the police commissioner who is assessing the application. So, although the social path is provided for by law, in practice it is very difficult to access a resident permit that way, which means that victims are often left with no alternative but risking their lives by denouncing their traffickers.’*(personal communication, 18<sup>th</sup> June 2013)

This seems to suggest that instead of implementing a genuine victim-centred approach as prescribed by both the international and national legislation, the current system tends to see protection and assistance as a reward for victims’ cooperation with the criminal justice system. Moreover, in the absence of a National Referral Mechanism able to provide a unified and coherent framework within which each case of trafficking can be assessed, the law is applied differently in different regions or local municipalities, depending on the discretion of the officers involved.

Another problem which was highlighted by many of my research subjects and seems to contribute to the existing body of evidence (e.g. Bonetti *et al.*, 2011, p.103) is that, although Article 18 is on paper an advanced legal instrument to protect and assist victims, the recent adoption of more restrictive national immigration policies has in practice undermined its effectiveness. So, for instance, the introduction, under the Berlusconi’s government, of the so-called Bossi-Fini legislation and the security package have forced many migrants, who are victims of severe abuse, to choose between remaining exploited underground or facing the prospect of being criminalised and

put in detention centres because of their immigration status. So, in the words of a case workers I met in Rome:

*‘Article 18 has become like an oasis in the desert that cannot be easily reached within the context of the current repressive immigration policies.’* (personal communication, 18<sup>th</sup> June 2013)

Despite these alarming developments, the Italian victims’ identification system seems to be based, in line with the spirit of the Convention, on a genuinely collaborative and multi-agency approach which is applied, with some regional differences, across the whole country. Over the past fifteen years, police forces, local authorities and support organisations have been able to establish good practices in terms of working together to detect cases of trafficking and ensure victim’s assistance and protection (Bonetti *et al.*, p. 28 -29). Nonetheless, some of my respondents have raised concerns that in recent years there has been a loss of institutional interest in the fight against human trafficking, which is having an impact on the ability of the authorities to detect and assist victims. This seems to be due to the political instability and the economic crisis that the country is facing combined with a general cultural degradation that has, somehow, raised the level tolerability of this evil practice, especially of sexual exploitation. Also, the lack of adequate training for front-line officers, including local police forces and medical staff, seems to be an additional obstacle to victims’ identification.

Finally, it is worth mentioning here that the Italian government has not yet ratified the EU Directives. According to the Ministerial Department of Equal Opportunities, which is responsible for the coordination of all anti-trafficking activities in the country, the government was planning to ratify the document as part of its financial plans for 2011. After the government collapsed, however, the plan was put on hold and the current administration is now hoping to be able to implement it in the near future. This means that Italy will be expected to adopt a National Referral Mechanism, to nominate a National Rapporteur, and draft a coherent anti-trafficking plan that should improve the transparency, effectiveness and accessibility of the system (personal communication, 20 June 2013).

#### **4.3. Protection measures and assistance provisions**

As we have seen, the Convention and the EU directives on trafficking require state members to provide adequate assistance to victims to ensure that they are able to recover and escape their traffickers. This assistance should include a minimum set of measures, including access to residence

permits as well as legal, social and psychological support, that should be tailored to the victims' needs and provided for an adequate length of time (2011/36/EU, para.18). The UK and Italy have adopted two different models of assistance which will be discussed and compared in the next few paragraphs.

#### **4.3.1. The prime contractor model in the UK**

As far as the UK is concerned, the government funded its first programme of assistance for trafficked victims in 2003 when an intervention scheme, called the Poppy project, was piloted with a charity called Eaves. This programme was tailored mainly to the needs of women who had been trafficked for sexual exploitation. In 2010, however, the government decided to carry out a capacity tender exercise and engaged the third sector in order to identify a new, more effective way of providing assistance to trafficked victims in England and Wales<sup>1</sup>. The outcome of this consultative process was the prime contractor model that was identified as the best option to respond to the increasing number of detected victims while ensuring that a variety of needs could be adequately met. In 2011, the contract was awarded for three years to the Salvation Army, which assembled a supply chain of 12 independent sub-contractors able to offer a wide range of specialist services, in different parts of the country (House of Commons, 2013, pp. 9-11).

The contract, which is jointly funded by the Ministry of Justice and the Home Office, is currently underway and provides assistance to female and male adult victims, who have been trafficked for either sexual or labour exploitation. The prime contractor's role is to monitor and coordinate services provision, making sure that victims can access their entitlements under the Convention. So for instance, Salvation Army runs a 24/7 helpline to enable anybody who comes in contact with victims to make a referral. It is also responsible for ensuring that victims, who are referred into the NRM and receive a reasonable grounds decision, can access a 45-day recovery period, during which all their immediate needs are taken care of, including access to safe accommodation, food, clothes, medical care, psychological support, and legal advice.

In some circumstances, victims are allowed to remain under the care of Salvation Army for longer than 45 days, this is if their case is still pending or they are deemed to be extremely vulnerable. Usually, however, after 45 days the assistance cuts off and Salvation Army is expected, due to financial constraints, to move people on. At that point victims can either decide to return to their

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<sup>1</sup> It should be noted that this research is only focused on assistance provisions in England and Wales. Scotland and Northern Ireland, as devolved administrations, have developed different models for assisting victims, the analysis of which remain outside the scope of this research.

countries of origin or to remain in the UK, where they become the responsibility of the local authorities who are expected to provide them with housing and benefits. Alternatively, if they have a pending asylum claim they can access support through the National Asylum Support Service. In the first year of the contract, data shows that Salvation Army assisted 378 adult victims, 59% of which were women and 41% men (Salvation Army, 2012, p.4).

According to the Ministry of Justice the new contract has several strengths. First of all, it is envisaged to be as flexible as possible to ensure that support provision is tailored to the victims' needs; secondly, it is more transparent in the way it operates as regular progress reports are being published; thirdly, it is accessible to a bigger number of both female and male victims and, finally, it encourages innovation enabling the prime contractor to constantly think of new ways to provide services (personal communication, 12<sup>th</sup> June 2013). Yet, most of my respondents, particularly the sub-contractors, expressed serious concerns that this model of assistance, which provides excellent support but for 45 days only, does not take into account the long-term resettlement needs of the victims, including the possibility for them to access the labour market, vocational training and education opportunities as prescribed by the Convention. This was also highlighted as a concern in various reports, including those published by the Group of Experts on Action against Trafficking in Human Beings (GRETA, 2012, p. 7) and the Centre for Social Justice (CSJ, 2013, p. 170 -171).

Nonetheless, if we look at the Convention, the UK system seems to be ticking all the boxes in terms of complying with its key obligations, including the requirement of providing a reflection period for at least 30 days. Yet, the majority of the research participants seemed to agree that under the current system victims are likely to be exposed to re-trafficking after exiting the reflection period, as 45 days is not a realistic timeframe to help them overcome their vulnerability and equip them with the skills they need to rebuild their lives. This appears to contravene what is prescribed by the EU Directives that require States to provide assistance for a length of time that is adequate to ensure that victims can fully recover and escape their traffickers (2011/36/EU, para.18).

Despite these criticisms, the government seems to be taking seriously its commitment to improving assistance for victims. In fact, efforts are made to regularly engage the sector to ensure that services provision is as flexible and demand-led as possible, so that if the demand changes the approach can change as well. So, for instance, according to the Competent Authorities '*NRM referrals went up 35% in 2011, 25% in 2012 and they are expected to further increase during 2013*'(personal communication, 5<sup>th</sup>June 2013). As a result of the growing numbers of victims, the government has

recently increased the budget allocated to cover assistance provisions from £2 to £3 million a year. Moreover, the Salvation Army's contract is expected to come to an end in 2014, at which point a new tendering process will be launched in order to reassess the landscape and identify key issues which should be addressed in the new contract. So, there is some hope in the sector that there will be an opportunity, within that process, to renegotiate with government the need for after care support to ensure the long-term reintegration of victims. It is, however, possible that financial and political concerns might prevent any substantial change to the system.

#### **4.3.2. The territorial dimension of the Italian model**

According to Orfano and Bufo (2003, p. 1) a “*welfare mix*’ culture deeply permeates the Italian social policies and interventions system, which are thus based on a strong co-operation between the public and private non-profit sectors, and this also applies to anti-trafficking actions’. So, in Italy programmes of assistance for victims of trafficking are implemented at the regional and local level, through consolidated partnerships between the third sector and the local authorities, which every year jointly participate in a tendering process (called ‘Avviso’) to gain access to funding made available by the Ministerial Department for Equal Opportunities (DPO).

The government supports two different programmes of assistance, which have different modalities of implementation. Interventions under Article 13 are aimed at detecting the phenomenon and providing short-term assistance to potential victims, whereas interventions under Article 18 envisage the long-term support of victims and their social reintegration. Usually, victims are initially assisted under Article 13 and then, once they have been informed about all the phases of protection programmes, they are transferred to long-term assistance (Bonetti *et al.*, 2011, p. 18).

The Italian model is structured in several phases. First of all, social workers and police forces are involved in detecting the phenomenon through specific interventions carried out to identify potential victims. So, for instance, under Article 13 a series of activities are performed to establish contact with victims and inform them about their rights. This usually starts with the work of the so-called street units, which are conceived as mobile information help-desks, where victims of sexual exploitation can gather information about medical and social support. There are also drop –in centres that victims can visit in order to receive further assistance and start thinking about potential emancipation from their traffickers. In terms of trafficking for labour exploitation, the detection of the phenomenon is more complicated. In some parts of Italy, a series of initiatives are carried out by social workers in partnership with police forces and trade unions to detect victims who are exploited

in factories, farms, etc. However, the numbers of victims of forced labour accessing the services, of men especially, still remain low (DPO, 2013).

Some of the NGOs, which are involved in these programmes, also work in immigration detention centres ('CIE') where they run a drop-in service with an aim to identify potential victims of trafficking that might have been picked by the immigration system and erroneously detained. Moreover, there is a national helpline that enables victims to be quickly referred to assistance across the country. According to the DPO, in 2011 a total of 1650 victims were assisted under Article 18 and 971 under Article 13, around 70 % of whom were female adults, trafficked for sexual exploitation (DPO, 2013).

Once victims decide to enter a programme of protection, they are usually placed in safe accommodation and provided with social, medical and psychological support. The majority of the victims remain in shelters for at least one year after which they can either move on to semi-independent accommodation or be supported to find their own accommodations. During this time they are offered legal assistance to sort out their immigration documents, and counselling to be able to make sense of their experiences of abuse and start the recovery process. Moreover, social workers are there to support their social integration and empowerment by ensuring that they acquire the linguistic, cultural and social skills they need to participate in society. The programme usually ends when a victim finds a job and is able to live independently and move confidently within the Italian system.

According to my respondents, although Italy has not formally ratified the EU Directive, its model of assistance has several strengths that are in line with the victim-centred approach advocated by the international and European anti-trafficking legal framework. First of all, it can support victims' recovery for as long as they need to regain independence and reintegrate into society; secondly, the various actors who are involved in the delivery of these programmes have acquired over the years considerable experience and professionalism. Organisations providing assistance are either religious or non-religious groups and usually, depending on their history, tend to apply different methodologies that enrich the system. All in all, NGOs, faith groups, police forces, local authorities seem to be able to work collaboratively, implementing a multi-agency approach that enables victims to receive prompt and specialised support across the whole country.

However, this system, which since its inception has been able to assist and support over 25,000 victims (DPO, 2013), is now facing the prospect of downsizing due to the lack of financial resources. So, while in 2013 the DPO managed to earmark 8 million Euros to run these programmes: there is a concrete risk that the budget allocated for 2014 might be halved in accordance with national plans to reduce welfare spending. As one of my respondents pointed out:

*‘These budget cuts, which are part of the government spending review, will have an impact on the ability of many organisations working at the front line to support victims. Some of these organisations might even be forced to close down, which means that people who have been promised a better life could be kicked out and left with no further support’.* (personal communication, 20 June 2013)

Another weakness of this system seems to be that the tendering process for the allocation of funding is run on a yearly basis, which means that the organisations and local authorities involved in the programme implementation cannot plan their services on a long- term basis as it is not guaranteed that their projects will be funded again in the following year. Moreover, due to this financial uncertainty, which often involves severe payment delays, there is high turnover of front-line professionals with a loss of competences and skills which make it difficult to build long-term development plans with service users. Finally, there are fears in the sector that the government’s recent plans to redefine the roles and responsibilities of local government will have an impact on the ability of each region and district to keep human trafficking high on the political agenda, as more pressing issues will need to be addressed. As a respondent from local government pointed out:

*‘The third sector cannot do everything on its own. Central and local government play an important role in making sure that victims of trafficking can access the welfare system. For this reason, it is essential that a long-term plan of anti-trafficking interventions is put in place based on real needs, demands and priorities.’* (personal communication, 25 June 2013)

## **5. FROM EMERGENCY ASSISTANCE TO THE LONG-TERM (RE) INTEGRATION OF TRAFFICKING SURVIVORS**

### **5.1. A victim-centred approach: tailoring assistance to the victims' needs**

As we have seen, the international legal framework to combat trafficking require states to adopt and implement a victim-centred approach, which takes into account the needs of the victims when planning any anti – trafficking interventions. As Adams (2011) argues this is the only way to ensure that victims, whose human rights have been severely abused, can overcome their vulnerability and avoid the risk of being trafficked.

According to my informants in both countries, the needs of trafficked victims can vary depending on their sex and type of exploitation. Some people might present high-level needs, including severe distress and mental health difficulties; others might have lower-level needs. In any case, their needs tend to change depending on how far along they are on the process of recovery. So, for instance, once they have been rescued and identified, victims need first of all to be reassured that they are safe and that their basic needs, including shelter, food, clothes, etc. are met. Secondly, they might need medical assistance, psychological support to process the trauma and legal assistance to regularise their immigration status. As time progresses, their needs change and become more complex. In order to rebuild their self –confidence and start the process of social integration, they will need, as Da Lomba (2010) suggests, to access employment opportunities and acquire the cultural, linguistic and social competences they need to be able to support themselves, to live independently and to establish meaningful relationships within the host community.

According to Maslow's hierarchy of needs (1943), all these different necessities must be progressively met for a person to be able to live a fulfilled life. For this reason, it is crucial, in order to enable victims to complete the recovery process and renegotiate a place in society, that support is tailored to their needs and provided for an adequate length of time as prescribed by the EU Directives (2011/36/EU, Arts. 11-12).

### **5.2. The social and financial (re)integration of trafficking survivors**

Thinking back to the *capability approach* introduced by Nussbaum, which suggests that there are certain human capabilities which ought to be fulfilled for an individual to be able to live a dignified existence, this research argues that programmes of assistance should be conducive to the long-term social and financial (re) integration of victims to enable them to fully recover from abuse and



manifest their true potential within their community. This means that an empowering approach should be adopted when planning support activities, to ensure that victims can regain full control over their lives and avoid the risk of being re-trafficked (Jorge – Biroll, 2008). To this end, it is important that victims are accompanied throughout the recovery process and encouraged to overcome victimhood by tapping into their resourcefulness as survivors so that, as one of my respondents suggested, they can become navigators of their lives and build their future with confidence and hope.

In this sense, the Italian model seems to offer an example of best practice as the majority of victims are assisted for as long as they need to move on with their lives and regain independence. The UK, on the other hand, is able to support victims for 45 days only, which does not seem to be a realistic timeframe to meet their long-term resettlement needs.

#### **5.2.1. Promoting victims' empowerment in 45 days: a realistic timeframe?**

In the UK, specialised assistance is provided to victims of trafficking only during the reflection period. So, as one of my respondents put it:

*'While the 45 day reflection period should be the beginning of the recovery process, within the current system, once a person has been conclusively identified as a victim of trafficking the support cuts off, leaving her without any further assistance to overcome trauma and get on with her life'. (personal communication, 17 May 2013)*

According to Salvation Army, care providers are making an effort to ensure that victims are given, within the parameters set by government, the support they need to be able to successfully move on with their lives. So, for instance, an exit plan is developed as soon as victims enter the service so that all necessary steps can be taken to prepare them for independent living. Yet, one of the case workers I interviewed pointed out that:

*'Although we try our best, as subcontractors, to empower victims to rebuild their confidence, within 45 days this is simply not possible. In the majority of cases, it takes time for them to feel safe enough to open up and share their stories. By the time they have gained trust in us, they have to leave. It is like giving them the illusion that someone cares about them and then send them away'. (personal communication, 15 May 2013)*

During the reflection period, it is the caseworker's responsibility to ensure that the victims under their care have access to medical and psychological assistance and are assigned a good solicitor to help them sort out their immigration documents. However, in many cases they might not be able to complete, within 45 days, the medical treatments or counselling sessions they need and they might still be awaiting a decision on their immigration case. This means that, after they leave the safe house, they will need to learn how to navigate the system on their own, which for some people can be a daunting experience. According to Ariana, one of the survivors I met:

*'In the safe house you feel well looked after and relaxed. After you leave, however, everything becomes complicated and you need to confront reality. With no further support from your case worker, it is difficult to cope with daily life because nobody opens doors for you, especially within the NASS' system'.* (personal communication, 1 July, 2013).

The reflection period can, in exceptional circumstances, be extended. According to Salvation Army, during the first year of the contract the average length of stay in safe accommodations was in fact 69 days (Salvation Army, 2012, p.3). However, according to my respondents, sub-contractors are now under a lot of pressure to move people on as quickly as possible. After exiting the reflection period, those victims who are asylum seekers are usually placed in NASS' accommodations with no regards to their special needs as trafficking survivors. Also, many of them are dispersed in a different part of the country, where they have to find a new solicitor, a new counsellor and a new GP. Their case workers are not allowed to further support them because, under the government's contract, care providers are not meant to remain in contact with victims after they leave the service.

Those who are legally entitled to be in the country, after exiting the reflection period, are automatically placed under the responsibility of the local authorities, which provide them with housing and benefits. However, local authorities do not always appear to be equipped to deal with human trafficking victims and their special needs. So, for instance, no risk assessment is carried out to ensure safe provision of accommodations and it is not easy for victims to access community care, which is available to other vulnerable groups (Solace, 2009). Also, unlike Italy, where victims have no recourse to public funding after exiting a programme of assistance, in the UK victims can access the mainstream welfare system as long as it has been established that they are victims of trafficking. As a result of this, victims often end up living off the state's benefits rather than being encouraged to find a job and regain independence, which can have a negative impact upon their overall ability to regain confidence and a sense of self-worth. So, for instance, Dafina, one of the survivors I met,

felt that the scope of her life was really narrow as all she could do was *'breathing, eating, going out, nothing else'* while her aspirations to find a job and build meaningful relationships seemed to be unreachable (personal communication, 1 July, 2013).

Across the country, there are only a few small-scale projects that provide follow-on support to victims after the reflection period. Their aim is to help victims overcome isolation and hopelessness, making sure they are able to regain independence by managing their finance, making informed choices about their lives and accessing mainstream welfare services, education, and in some cases job opportunities. With regard to one of these programmes, a survivor named Luana noted that:

*'The case-workers are there for you all the time, whenever you need them. We try to sort out things ourselves, we do as much as we can but sometimes we cannot. We are very lucky to have them. It is really important for us. There should be more programmes like this across the country'*. (personal communication, 1 July, 2013).

In London, there is also an entrepreneurship scheme called Hera which specifically aims to give women who have been trafficked and want to move on with their lives an opportunity to develop a business idea and pursue financial empowerment. Moreover, the Salvation Army has a special victim care fund, which is specifically used to help people move on with their lives after the end of the reflection period. These after-care programmes, however, are typically independently funded and run by volunteers, which means that they can only support a limited number of people and cannot compensate for the lack of government- funded programmes for (re)integration.

Many of my respondents seemed concerned that, as a result of this system, which is not designed to provide dedicated support and assistance beyond the reflection period, victims instead of being adequately protected for as long as they need in order to feel recuperated and in control of their lives, are in practice left to their own devices and potentially at risk of being re-trafficked. The director of one of the NGOs I interviewed suggested that, in order to improve the system, the reflection period should be used as a period to identify needs, after which victims should be transitioned into a longer-term housing environment where they feel safe and empowered to acquire the skills they need to reintegrate into society - including literacy and linguistic skills, access to training, volunteering opportunities, mentoring schemes, etc. This means that provision of assistance should be need-led rather than budget-led. The government, in other words, should make available appropriate funding to ensure that victims are supported for at least a minimum of 9 to 12

months, during which they can regularise their legal position in the country and get ready for independent living. However, concerns were raised in the sector that the lack of government support for the long-term resettlement of victims could be the result of a political strategy aimed at keeping net migration down, by discouraging migrants, including victims of trafficking, from putting down roots in the country. If this was the case, achieving change could prove problematic.

### **5.2.2. Long-term assistance in Italy: a sustainable model?**

The Italian model seems to be designed to offer long-term assistance to trafficked victims in support of their social and financial reintegration. According to Bonetti *et al.* (2011, p. 28) and in line with what was highlighted by all my respondents, all programmes of assistance implemented in Italy aim to support the victim to regain control over their lives, by promoting tailored-made interventions which can provide them with the competences and skills they need to escape their traffickers and live an empowered and independent life. As we have previously mentioned, victims are initially supported for three months under Article 13 through a series of “first aid” measures that include access to temporary accommodations as well as medical, psychological and legal support. At the end of this period, an evaluation of their needs is carried out to establish whether they require more support, in which case they are transitioned to long-term programmes of assistance and reintegration, under Article 18. Both short-term and long-term assistance are funded by central government with a small contribution from local authorities, which are responsible for implementing those programmes at the local level in partnership with accredited NGOs.

The social and financial reintegration of the victims can require a long time as victims, who often are severely traumatised, might not have the basic skills and resources required for independent living. So, programmes of assistance are structured in such a way that during the first few months, beneficiaries are encouraged to acquire literacy and linguistic skills while they are psychologically supported to make sense of their experiences and empowered to overcome their perceived victimhood. Once, they receive their immigration papers and are ready to take a step forward in their lives, they are then given an opportunity to gain work experience through training courses and internships carried out in the hospitality and tourism industry, or in other businesses depending on their skills. Usually, it takes between 12 to 24 months for the majority of them to find a permanent job, which they need not only to be able to independently support themselves, but also to convert their temporary resident permit into a working permit. Once, they reach that point, they are usually helped to find their own accommodations and encouraged to move on. From then onwards, they are

on their own and they face all the barriers to social inclusion that any other migrants would face, including racism and discrimination.

Unlike the British model, the Italian system seems to be focused on promoting the empowerment and autonomy of the victims, which are encouraged to tap into their personal resources and develop the competences they need to renegotiate their place in society, overcoming trauma and rebuilding a dignified, empowered and independent life. However, as one of my respondents noted, a system like this, which crucially considers victims as agents of change, requires a huge investment of both personal and financial resources. On the one hand, beneficiaries are asked to commit to a different life style and to learn skills that they might struggle to master in a relatively short- space of time. On the other hand, in order to support this process of recovery and reintegration, a wide-range of professional expertise needs to be engaged with huge financial implications.

There are also other factors that can affect the well-functioning of this model. First of all, the application of the current model of assistance and its timeframe do not seem to be flexible enough to meet different needs. So, as one of the research participants pointed out, on the one hand you have victims of labour exploitation, with a well-defined migratory project and some professional skills, who wish find a new job as quickly as possible in order to earn their living and send remittances home. On the other hand, you have victims of sexual exploitations, who are currently being recruited amongst the most vulnerable and psychologically fragile segments of the sending country population, who will need more time to be ready for independent living. The current system does not seem to be designed to respond to these complexities because, as Canappele and Mancuso argue (2012, p.13), support measures are still based upon the human trafficking patterns of the 90s, when most of the victims were women, coming from non-EU countries and principally exploited in the sex trade. As a result of this, most support organisations across the country seem to be specialised in assisting female victims of sexual exploitation while they are not equipped to respond to the needs of male victims of forced labour.

Secondly, due to the financial crisis that the country is facing, it has become increasingly difficult for everybody, especially survivors of trafficking, to gain access to permanent jobs. Therefore, as one of my respondents suggested, in order to encourage the financial reintegration of victims, new strategies should be devised, including creating partnerships with the business sector and Ministry for Employment to ensure that a more cost-effective way of operating is adopted. Finally, the lack of effective national policies aimed at encouraging the social inclusion of migrants makes it more

difficult for trafficking survivors to complete the reintegration process, as building meaningful relationship with the host community remains problematic and requires a long time, especially during an economic recession when people tend to be more protective of their space and resources. In any case, it seems appropriate to conclude that the Italian model still represents to date one of the most progressive in Europe in terms of implementing a more compassionate approach which takes into account the long-term needs of victims and their aspirations to rebuild a dignified life. Sadly, however, the government's plans to cut funding available to implement support measures might seriously compromise the long-term sustainability of this model.

### **5.3. Return and reintegration in countries of origin**

According to international anti-trafficking legislation (e.g. Council of Europe, 2005), victims of trafficking with foreign nationalities should either be allowed to remain in the destination country, or be safely repatriated to their country of origin. In either case, studies show that some assistance is required to empower them to recover from abuse and become fully incorporated into society (e.g. Surtees, 2012).

Data show (Salvation Army, 2012, p.7) that the majority of the victims assisted by the Salvation Army, especially those who have been exposed to labour exploitation and come from Eastern Europe, usually decide to return home after exiting the reflection period. In Italy there seem to be no publicly available data about returns, however, some of my informants have pointed out that the number of victims returning home has recently increased. Both in Italy and in the UK, the repatriation of EU national victims is facilitated by the organisations that are looking after them, which arrange their travel and, in partnership with the Embassies, link them up with local support organisations to ensure they are safe upon return. As far as non- EU national victims are concerned, both the British and Italian government financially support, in conjunction with the EU commission, a programme of Assisted Voluntary Return (AVR).

In Italy, the organisation responsible for managing AVR programmes is the IOM, which provides support to all migrants who want to return, including victims of trafficking. Before Romania and Bulgaria joined the European Union in 2007, IOM used to facilitate the return of many victims to these countries and, therefore, the numbers of returnees was quite high. At present, only 15 to 20 victims per year are supported to return, mainly to Nigeria. Under this programme, victims of trafficking are eligible to receive 1500 Euros to arrange flights and settle back in the country of origin upon return. Before departure, IOM carries out a risk assessment to ensure that it is safe for

them to go back and once it has been established that they run no particular risks, they are put into the care of the IOM mission in the country of origin, which provides them with the initial financial and psychological support they need.

According to IOM, however, it is not always possible to measure the success of these programmes of assisted return because those people who fall prey of trafficking are usually extremely vulnerable and it is not easy to help them overcome this vulnerability. With regard to this, the AVR programme manager I met noted that:

*‘Our aim is to ensure that victims are returned to their country of origin with due regards to their rights, safety and dignity but we cannot talk about success stories. In most cases, returned victims will still struggle to survive and will remain vulnerable for the rest of their lives. Nonetheless, none of the people who have returned with us has so far been re-trafficked’*. (personal communication, 21 June 2013).

In the UK, the AVR programme is funded by the Home Office and run by Refugee Action. Under these programmes, victims of trafficking who have not claimed asylum are treated like irregular migrants. As a result, people return with no financial entitlement unless the Home Office agrees that they are extremely vulnerable, in which case they receive up to £1000. Refugee Action carries out a risk assessment with each trafficked returnee before departure to support individuals to identify the risks they may face on return, before deciding whether they will return, and if they decide to proceed, to try to take steps to mitigate these risks. Refugee Action also assists people to develop a reintegration plan, but without financial assistance for returnees it is challenging for returnees to access safe accommodation and to develop a source of income generation. There is also a lack of access to training pre-departure as the Home Office is hesitant to allow voluntary returnees to access training in the UK. For this reason, according to Refugee Action, the return package currently available does not seem to offer trafficking survivors a realistic prospect of sustainable return, especially if they are sent back with no financial support. In 2012 only 13 victims were assisted to return through these programmes. In order to improve the programme and maximise the chances of victims to successfully reintegrate in their country of origin, Refugee Action believes there is a need for funding to provide pre-departure training, although this is likely to meet resistance from the Home Office.

In any case, according to my respondents, whether or not the return and reintegration of victims of

trafficking is a viable solution seems to very much depend on the individual resources of each person and on the country they go back to. Those people who return with no source of income and without family support are more likely to be vulnerable to further victimisation. For this reason, as Surtees suggests (2012, p.3) a specific programme of reintegration should be devised before departure to ensure that victims can upon return access economic opportunities - whether a job or some form of income generation/micro business - so that they can support themselves and reintegrate in their communities. However, both in Italy and UK the resources available to support programmes of return are usually very limited and often insufficient to support the long-term reintegration of the victims.

## **6. CONCLUSIONS**

To the best of my knowledge, no academic studies have so far attempted to compare the British and Italian models of assistance for victims of trafficking. The discussion in this paper aimed to uncover the strengths and weaknesses of these two systems with a view to establish whether and how they are compliant with international legislation and geared towards ensuring the long-term empowerment and social (re)integration of victims. The findings of this study could be a beginning to improving current understanding of what is required to ensure that a human - rights based approach, which focuses on the real needs of victims, is successfully implemented. The comparative nature of this analysis might also open up a space for best practice sharing amongst different European countries.

This comparative analysis has highlighted how providing trafficked victims with the social and financial support they need to feel protected and empowered to move on with their lives is an important step towards ensuring that they can overcome their vulnerabilities and ward off the risk of being re-trafficked. A genuine process of empowerment requires that trafficking survivors, who have experienced severe abuse and have, as a result of this, lost confidence and self – esteem, are supported to regain control over their lives, to overcome marginalisation and move beyond their perceived victimhood. This is the only way they can fully recover and aspire, as Nussbaum suggests, to fulfil their human capabilities, including living a meaningful and dignified existence and manifesting their true potential within their communities.

Overall, it seems appropriate to conclude that both Italy and the UK have taken several measures over the past few years to protect and assist victims of trafficking in accordance with key international obligations. Nonetheless, the findings of this study have shown that more should be



done in both countries to ensure that the long-term reintegration of victims is adequately supported with full respect for their human rights and beyond any immigration and law enforcement concerns.

## **Appendix 1 - Human Trafficking Survivors interviewed in the UK**

1. Ariana - age 26, Albanian, university degree; she was trafficked into the UK for sexual exploitation. She had been in the country since December 2012. At the time of the interview she was single and pregnant and she was receiving NASS support while awaiting a decision on her asylum claim.
2. Dafina - age 25, Albanian, university degree; she was trafficked into the UK for sexual exploitation. She had been in the country since January 2013. At the time of the interview she was single and had just been granted indefinite leave to remain in the UK.
3. Luana - age 25, Albanian, university degree; she was trafficked into the UK for sexual exploitation. She had been in the country since October 2012. At the time of the interview she was single and pregnant and she was receiving NASS support while awaiting a decision on her asylum claim.

## **Appendix 2 - Contacts made with NGOs, International Organisations, Law Enforcement Agencies and Local/Central Government in the United Kingdom and in Italy**

### **2.1 United Kingdom**

- *City Hearts*  
Ms Lara Bundock, Case Worker (safe house) and Director the Snowdrop Project (after care programme)
- *Counter Human Trafficking Bureau*  
Mr Philip Ishola, Director
- *Eaves*  
Ms Sallie Montier, Poppy Project - Training and Capacity Building Worker
- *Hera*  
Ms Angela Smith-Morgan, Director (entrepreneurship scheme for trafficking survivors)
- *Hestia*  
Ms Sadia Wain, Case Worker (safe house)
- *Home Office*  
Mr Matthew Thorogood, Human Trafficking Senior Policy Advisor
- *Kalayaan*  
Ms Kate Roberts, Community Support Worker (Domestic workers)
- *Medaille Trust*  
Mr Mike Emberson, Director  
Ms Bernice Anderson, Service Manager London (safe house)  
Ms Jessica Geal, Service Manager South West (safe house)  
Ms Samantha Baxendale, Service Manager North West (safe house)

- *Ministry of Justice (MOJ)*  
Mr Hywel Thomas, Policy Manager - Victim and Witnesses Portfolio
- *Refugee Action*  
Ms Kat Lorenz, Choices Project Team Manager (AVR programmes)
- *Salvation Army*  
Mr Andrew Wileman, Assistant Anti-Human Trafficking Response Coordinator
- *Thames Reach*  
Ms Megan Stewart, Reconnections Manager
- *UKHTC*  
Mr James Behan, Head of Operations

## **2.2. Italy**

- *Associazione Penelope*  
Ms Concetta Restuccia, Anti-Trafficking Coordinator
- *Comune di Roma*  
Mr Stefano Giulioli, Executive Officer /Human Trafficking Expert (former Manager of the Roxanne Project, providing assistance to victims of sexual exploitation)
- *Comune di Venezia*  
Ms Elisa Bedin, Anti-Trafficking Coordinator
- *Cooperativa Be Free*  
Ms Francesca de Masi, Anti-Trafficking Coordinator  
Ms Oria Gargano, Director
- *Cooperativa Magliana 80*  
Ms Carmen Capria, Service Manager (safe house)
- *Cooperativa Parsec*  
Ms Carmela Morabito, Project Coordinator (Prohins project: support for victims of labour exploitation)  
Ms Federica Gaspari, Drop – in service Coordinator (Roxanne Project: support for victim of sexual exploitation)  
Mr Luca Scopetti, Street Unit Coordinator (Stardust Project: support for victim of sexual exploitation)  
Ms Maura Muneretto, Anti-trafficking Programme Manager
- *Differenza Donna*  
Ms Chiara Scipioni, Service Manager (safe house)
- *International Organisation for Migration (IOM)*  
Ms Emila Markgjonaj, AVR Programme Manager
- *Ministerial Department for Equal Opportunity (DPO)*  
Mr Corrado de Rosa, Human Trafficking Expert
- *Provincia di Roma*  
Ms Maria Laura Capitta, Anti-Trafficking Coordinator  
Ms Daniela Cardenia, Head of the Immigration and Social Policies Department

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