

Diocese of Cyprus and the Gulf



Safeguarding

Guidance on human trafficking and modern slavery

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Human trafficking - also known as modern slavery - is the exploitation of people through force, fraud, or coercion for the purpose of labour or commercial sex.

It involves manipulating or deceiving individuals, often with false promises of jobs, opportunities, or relationships, to control and profit from their actions.

Victims of human trafficking can be of any age, gender, race, or nationality.

It is a global crime that thrives in the shadows, often hidden and underreported, making it difficult to measure its full scale. <https://wearenotforsale.org>

[Modern slavery training: resource page - GOV.UK](#)

Human trafficking

Human trafficking is a form of modern slavery. To be considered a victim of human trafficking there must have been **action**, **means** and **purpose** of exploitation.

All three components must be present in an adult trafficking case. In child trafficking cases the 'means' component is not required as a child is not able to give informed consent.

1. Action

When the Single Competent Authority (SCA) is reviewing whether a case includes action, they will look for:

- recruitment
- transportation
- transfer
- harbouring
- receipt

Where there is the element of movement, this can include both within a country and across international borders.

It's important to understand that trafficking is a process comprising of a number of interrelated actions, rather than a single act at a given point in time.

2. Means

In cases of human trafficking, the actions are achieved by these means:

- threat or use of force
- coercion (physical and/or psychological)
- the giving or receiving of payments or benefits
- abduction

- fraud
- deception
- abuse of power
- position of vulnerability

The apparent consent of a victim to be controlled and exploited is **irrelevant** when one or more of these techniques have been used to get that consent.

There is no need for 'means' in Scottish legislation for an offence of human trafficking to be committed.

3. Purpose of exploitation

To be a victim, someone must have been **recruited, transported, transferred etc. for the purpose of 'exploitation'** which can take many forms, including:

- sexual exploitation
- forced labour and services
- slavery
- servitude
- forced criminality
- removal of organs

It is still regarded as trafficking if the exploitation is intended but has not yet occurred. It's the **purpose** that is key. Spotting the indicators of human trafficking before it happens means we can work to prevent the exploitation from occurring.

Slavery, servitude and forced or compulsory labour are all forms of modern slavery. While assessing cases the SCA will seek to understand if these have occurred.

Forced or compulsory labour may be present in trafficking cases. However, not every person who is exploited through forced or compulsory labour has been trafficked.

- The European Court of Human Rights held that for **forced labour**, there must be *work 'exacted under the menace of any penalty which is performed against the will of the person concerned, that is, for which the person has not offered themselves voluntarily'*.
- **Servitude** is an aggravated form of forced or compulsory labour in which the victim feels their situation is unlikely to ever change.
- The 1926 Slavery Convention defines **slavery as 'the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised'**. This concept of ownership is what makes slavery distinct, for example a situation where an individual was being controlled by another would not meet this

threshold, unless there was clear evidence the person was being used as a commodity. It is a form of servitude with the additional concept of ownership.

To be considered a victim of slavery, servitude or forced or compulsory labour there must have been both **service** and **threat of penalty**.

Service An individual is considered a victim of slavery, servitude or forced or compulsory labour if they are forced to provide a service for the benefit of their exploiter, for example:

- begging
- sexual services
- manual labour
- domestic service
- forced criminality

Threat of penalty Threat of penalty may include:

- threat or use of force
- coercion
- abduction
- fraud
- deception
- abuse of power
- position of vulnerability

Victim awareness

Victims of modern slavery may initially be unwilling to disclose details of their experience or identify themselves as a victim for a variety of reasons, including but not limited to:

- they may not be aware that they are being trafficked or exploited, and may not recognise themselves as a victim
- they may be in a situation of dependency
- they may fear reprisals against them, their children, families or friends
- they may feel they are dishonouring their family or community by not continuing in their situation
- they may fear being discovered as being in the UK illegally
- they may tolerate their situation because they see it as a stepping stone to a better future
- they may be distrustful of authorities

In assessing a situation, you should be mindful of this and consider the range of indicators other than victims self-identifying.

Domestic servitude

As well as the indicators involving documents and information being withheld, domestic servitude may involve a person working in a household where they are:

- ill treated
- humiliated
- subjected to exhausting working hours
- forced to live and work under unbearable conditions
- forced to work for little or no pay
- not allowed to eat with the rest of the family
- only given left over food to eat

Children who are educated at home may be more vulnerable to being subjected to domestic servitude.

Individuals held in domestic servitude may also experience other forms of exploitation, such as sexual or criminal.

Sexual exploitation can be identified through a number of sexual health issues, such as:

- concealed pregnancy
- forced termination of a pregnancy
- sexually transmitted diseases
- injuries of a sexual nature
- gynaecological symptoms such as urinary or vaginal infections, pelvic inflammation, pain or irregular bleeding
- anogenital symptoms such as anal fissures, fistulae, damage to genitals or persistent infection

Another identifier is individuals being escorted from where they live to where they work and back and appearing never to go out socially.

It is important to note that it is not just female victims who are at risk of sexual exploitation. Male and transgender victims may also suffer sexual exploitation.

Myths & Reality

- Reality: trafficking does not have to occur across borders. It can occur within a country.
- Reality: irrespective of cultural practices, modern slavery is a crime and a human rights violation.
- Reality: close relationships are often used to exploit and control others. There have been numerous incidents where 'boyfriends' have groomed women into sexual exploitation or family members have colluded, intentionally or unintentionally, in the exploitation. Many of these relationships will have indicators of domestic abuse as well.
- Reality: some people are willing to tolerate their situation because they may perceive it as a 'stepping stone' to a better future. They may also compare it more favourably to experiences at home. It doesn't mean they are not a victim of modern slavery.
- Reality: it is not uncommon for a victim to initially reject offers of assistance and help. This is not a situation unique to victims of these crimes, but is heightened due to the nature of modern slavery.
- Reality: a victim of modern slavery may also be an asylum seeker and fit the definition of a refugee under the particular social group category.

Exploitation that is not modern slavery

You may encounter some circumstances that involve **exploitation but do not amount to modern slavery. For example, an adult may choose to work for less than the national minimum wage, or in undesirable conditions, without being forced or deceived.** These cases should not be referred to the NRM but you may want to refer them to the police, the Gangmasters and Labour Abuse Authority (GLAA), or the HM Revenue and Customs National Minimum Wage Team.