

**Diasporic connectivity and patriarchal formations in the sex trafficking of
women**

by

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Abstract

This thesis explores diasporic connectivities and formations of patriarchy in the cross-border sex trafficking of women in the United Kingdom. The function of heteronormativity in the trafficking process is also a key concern. This is a multi-methods study, drawing on interviews with experts in the field of trafficking, and on data extracted from completed Crown Prosecution Service trafficking case files. Interviews with national and international experts were undertaken to explore the extent of the knowledge base on crime groups engaged in the sex trafficking of women into and within the UK by reference to their structure, composition, modus operandi, and to the role of diasporas in the trafficking process. Additionally, through data extracted from Crown Prosecution Service trafficking files, defendants are profiled and groups are allocated to models in a typology hypothesizing four possible intersections between traffickers and their respective diasporas in the UK. The role of diasporas and the function of heteronormativity are similarly explored through the data during each phase of recruitment, movement and exploitation, and with particular focus on women as traffickers. The thesis shows the methods of recruitment employed in source countries to ensure the supply of women, and the forms of control exercised by traffickers in the UK. In examining the business of exploitation, it further shows how the commodification of women is central to the hegemonic masculinity project.

Chapter One

Introduction

This thesis explores intersections between criminal networks involved in the sex trafficking of women into and within the United Kingdom (UK) and their respective diasporas throughout the trafficking chain. It presents a typology which hypothesizes four possible primary diasporic intersections with trafficking groups and provides a framework for the collection, collation and analysis of data. Utilizing this framework, it documents a number of the ways in which those engaged in trafficking organize the recruitment and movement of women into and within the country, as well as their sexual exploitation, considering whether – and if so, in what manner and to what extent – traffickers draw on their respective diaspora communities.

In focusing on the sex trafficking of women into the UK's prostitution markets, the thesis further examines formations of patriarchy in the different phases of trafficking, not just from the perspective of gender, but also considering normative constructions of heterosexuality within the context of hetero-patriarchal gender orders. This is a multi-methods qualitative study which draws on in-depth interviews with experts and data derived from an analysis of completed Crown Prosecution Service (CPS) trafficking case files.

This chapter provides an overview of historical international responses to trafficking, current international and regional law and standards, as well as UK law and policy approaches to combating trafficking in persons. It also discusses the rationale underlying the focus of the research. Section 1.1 considers the context of the research, the increased interest in trafficking at international level, and the role of diasporas in the global economy. Sections 1.2 and 1.3 focus on the international regime to contextualize the legal changes which have impacted on how the social problem of trafficking has come to be understood among scholars, practitioners and lawyers, as well as influencing the direction and provisions of domestic law, the subject matter of Section 1.4. Section 1.5 discusses the gap in the knowledge base with respect to traffickers and diasporic connectivities, and considers the function of heteronormativity, as particularly under-theorized themes in the literature. Section 1.6 then details the aims and objectives of this study, while section 1.7 outlines the structure of the thesis.

1.1 The research context

Human trafficking is not a new phenomenon. While in its contemporary forms it is increasingly complex, it nonetheless shares much in common with the slave trade of previous centuries (Picarelli 2007; 2009). Then, like now, slave traders and traffickers were and are characterized by their diversity. Hence, contemporary perpetrators of trafficking operations range from small-scale ad hoc criminals and groups to sophisticated organized crime networks (Picarelli 2009; Aronowitz 2009). Similarly, modern day trafficking, like the one-time slave trade, is advanced by movement. This is specified in current international law (see section 1.3 below) to involve the recruitment and transportation of victims to - sometimes distant, sometimes nearby - destination points for various exploitative purposes. Hence, people are trafficked domestically and internationally to work, for example, in agriculture, in meat packing factories, on cannabis farms and in the construction industry. There is also a considerable market for organs, tissue and body parts (Scheper-Hughes 2001). This research had originally intended to incorporate all forms of trafficking in persons. However, for the reasons set out in Chapter Three, the focus is exclusively the cross-border trafficking of women for the purposes of sexual exploitation.

The traffic in women is a very old form of trade (see, for example, Jeffreys 1997). It is also one which has attracted increasing attention over the past several decades at national and international level, so much so that it has been transformed from a 'poorly funded NGO women's issue in the early 1980s' into 'the global agenda of high politics' (Wong 2005: 69). Despite this increased attention, however, in the media, among policy- and law-makers, and in the academy, the knowledge base remains weak (The United Nations Global Initiative to Fight Human Trafficking 2008). While contemporary traffickers are said to take advantage of the new infrastructures and communications technologies associated with globalization, relatively little is known of who they are, how they organize their trafficking activities and who assists them (*ibid*). Scholars and practitioners frequently refer to trafficking groups by reference to their national origins (see for example, Shelley 2003, 2010; Kapur and McHale 2005; Monzini 2005; Kara 2009), but few examine potential intersections between them and their respective diasporas in transit and destination countries. For Shelley (2003, 2007, 2010), in particular, the growth of trafficking and transnational organized crime has gone hand in hand with the spread of globalization and yet, as she notes, the *modus operandi* of trafficking groups remain rooted in the traditional patterns of trade associated with their regions of origin. Bales (2000, 2005) also observes that one of the enduring features of human trafficking is the extent to which it remains

embedded in different cultural and historical contexts. These are important observations. However, notions of 'culture' have to be problematized in the context of the sex trafficking of women as too frequently culture and, in this context diasporas, are discussed without reference to hetero-patriarchal gender orders within which both are similarly embedded. This is discussed further in Chapter Two.

However, it is the close association between traffickers, trafficking *modus operandi* and countries or regions of origin which led Kelly (2002, 2005b) to reflect on the potential role of diasporas in the trafficking process. Members of diaspora communities are already recognized as facilitating legitimate commerce between home- and host countries, for example, in generating demand for home-country products, while the networks they establish can form the basis of new international business connections (Kapur and McHale 2005). Moreover, their special attributes – the ability to switch codes (Woodward 1997), or 'their language skills, familiarity with other cultures and contacts in other countries' (Cohen 1997: 168) - may give them an edge in the global economy. These same attributes, however, may also serve the interests of international crime groups. As Kapur and McHale (2005) have noted, '[m]uch like any international industry, many criminal networks rely on expatriated populations to help facilitate their activities abroad' (*ibid*: 129). The sex traffic in women is certainly an international industry, fuelled by global demand, as some have argued (see, for example, Kara 2009). Thus, in her research on trafficking in the Central Asian Republics, Kelly (2005b) found overlaps in the sex trafficking of women to locations with large numbers of (co-national) male migrant workers. While, as she suggests, 'in some instances the connections amount to little more than proximity, in others diasporas and ethnicity are under-explored aspects' (*ibid*: 101).

This research, then, investigates those under-explored aspects. It seeks to establish what, if any, role diasporic connections play in the activities of crime groups engaged in the sex trafficking of women into the UK. The task is hampered somewhat by the absence in the literature of a uniform definition of diaspora. This is discussed further in Chapter Two, along with consideration of other transnational formations, particularly relevant in this age of globalization, while the following section outlines historical responses of the international regime to the problem of trafficking.

1.2 Historical international responses to trafficking

The United Nations (UN), formerly the League of Nations, is the lead international body to introduce laws against trafficking. Once drafted, the law opens for signature by member states

and enters into force on receipt of a specified number of signatories. It becomes binding on those member states which go on to ratify the law, being incorporated or taking precedence over domestic law under the terms of the country's constitution or by enactment of new, or amendment of existing, domestic law with a view to compliance.

Early international efforts to combat and regulate trafficking targeted what became known as the 'white slave trade'. This dates back to late nineteenth and early twentieth century concerns about the movement of young women and girls, including UK nationals, across national borders or state boundaries and into European or other far-away brothels, such as those in the Western colonies, to engage in prostitution (Monzini 2005). The then League of Nations was galvanized into action and produced two instruments in rapid succession. The first, the International Agreement for the Suppression of the White Slave Trade 1904 defined trafficking as the procurement through coercion or fraud of women or girls abroad for immoral purposes (Rijken 2003). Given the colonial reach of many states, however, the term 'abroad' was open to interpretation, hence the definition was expanded to include internal trafficking under the provisions of the second international instrument, the 1910 International Convention for the Suppression of White Slave Traffic. During the next several decades, a number of other laws were enacted, including the 1921 International Convention for the Suppression of the Traffic in Women and Children, which dispensed with reference to white slavery, and the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (the 1949 Convention), which signified a shift from the gender-specific to the gender-neutral. This, arguably, came in the wake of an evolving human rights discourse, however, it did retain the focus on prostitution, deemed to be '[a]n urgent social problem which can only be solved successfully through social measures' (UN Doc. E/CN.5/14 1947:4). Hence, the best way to combat trafficking 'would be the abolition of tolerated prostitution together with steps to reduce the demand for prostitutes' (UN Doc. E/CN.5/14 1947:13).

1.2.1 Voluntary and forced prostitution

In historical debates, the nature and extent of the white slave trade is contested. Some contend it is unsubstantiated, stemming from a 'racialized social panic' (Kempadoo 2005: x) about women's increased mobility, but in fact based on little evidence, at least in the UK, of the 'involuntary prostitution of British girls at home or abroad' (Walkowitz 1980: 247). Others, however, point to documented evidence of the recruitment of young British women through deceptive newspaper advertisements promising, for example, employment as domestic servants only to be taken instead to brothels in the Netherlands, France and Belgium and forced into prostitution (Barry

1979). Similarly, Butterwek (1999, cited in Monzini 2005) refers to thousands of young Czech women, known as 'harp players', who were trafficked into prostitution markets in the Far East.

At the centre of these debates are the dual themes of women's migration and women's sexuality, issues which are as current – and as contested – today as they were then. They are also key themes in this research. The end of the nineteenth and early twentieth century saw rapid socio-economic change. The so-called second industrial revolution forced many thousands of people to migrate to the major cities or abroad in order to find work (Monzini 2005), among them many women. Similarly, in this current era of globalization, social, political and economic upheaval, thousands more people are forced from their homes in search of sustainable livelihoods or in pursuit of better life chances for themselves and their families, among them – again - significant numbers of women (International Labour Organization (ILO) 2004; Monzini 2005), arguably a 'female diaspora' (Brazier and Mannur 2003), many of whom end up in the global sex industry.

However, the contested issues of consent and individual agency in prostitution have migrated into debates on trafficking. Some authors seek to distinguish between 'voluntary' migrant sex work and 'forced' trafficking (Doezema 2000, 2002; Sullivan 2003). Others, by contrast, reject the notion of 'voluntary' prostitution and, hence, voluntary migrant sex work, on the basis that all prostitution is the result of patriarchal oppression and constitutes violence against women (Barry 1995; Jeffreys 1999). These issues are further discussed in Chapter Two. However, it is worth noting that in the drafting of current international law, the principle underpinning the 1949 Convention, that prostitution is 'incompatible with the dignity and worth of the human person' (United Nations Division for the Advancement of Women (UNDAW) 2002: 2), has been abandoned.

1.3 Current international law

The 1949 Convention was an important piece of legislation but was nonetheless critiqued, in particular, for its failure to offer sufficient protection to victims. The need for new law became increasingly urgent during the 1990s as the sex trafficking of women re-emerged as a significant issue in parts of war-torn Europe, fueled by the presence of UN peacekeepers in the region (Limanowska 2002). The UN established an Ad Hoc Committee tasked with drafting the new legislation. During the course of consultations with member states and civil society, controversies about migrant women and prostitution were re-ignited. Some advocated a narrow definition based only on force or coercion to maintain the distinction between voluntary migration for sex work and

forced trafficking (Doezema 2000), while others sought a broader definition which would protect all migrants, as opposed only to those who could prove they had been forced (Raymond and Hughes 2001). After lengthy deliberations, the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol) was finally agreed, and subsequently entered into force in December 2003.

1.3.1 The Trafficking Protocol

This new legislation represents current international law. It aims to combat and prevent trafficking, to provide measures for the protection of and assistance to victims – although these are non-binding (Lee 2011) - and to promote international cooperation between states to achieve these objectives. The definition finally put forward is considered to be a compromise (Gallagher 2001; O'Connell Davidson and Anderson 2006). Thus, Article 3 provides as follows:

- (a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall, at a minimum, mean the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) shall be irrelevant where any of the means set forth in subparagraph (a) have been used.
- (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article.
- (d) "Child" shall mean any person under eighteen years of age.'

While the offence is envisaged as a process, its constituent elements comprise the *act* – recruitment, transportation, transfer, harbouring or receipt of a person; the *means* - threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person; and the *motive, purpose or outcome* –

exploitation. The effect of using any of the means specified is to negate the consent of a person to the act or the outcome of the act, save in the case of a child – defined as any person under the age of eighteen where two elements, namely act plus purpose/outcome, suffice to constitute trafficking irrespective of whether any of the aforementioned means have also been used.

The achievement of arriving at an international agreement on the definition of trafficking was significant. The definition eventually agreed was, however - as indicated above - a compromise in which neither side of the prostitution argument secured a clear victory (Gallagher 2001; Doezema 2002). On the one hand, the 'means' element has been extended beyond force and coercion while, on the other hand, in setting out the circumstances which negate consent (Trafficking Protocol, Article 3b), the Trafficking Protocol implicitly acknowledges a distinction between involuntary and voluntary, consensual prostitution. Moreover, it does not further define what is meant by 'exploitation', and specifically what is meant by 'sexual exploitation'. Of particular note, for these purposes, is also its all-inclusive approach. It singles out women and children as 'especially' vulnerable, while also including the trafficking of men. Women and children, however, are not synonymous, they do not share the same needs, rights or agency, and they do not require the same protections. Putting the two together in such fashion infantilises women and fails to afford children the recognition they need, both as children and as gendered beings. Moreover, although this is rarely commented on in the literature, it will be argued here that the nature of sex trafficking – and, indeed, the traffic in women more generally – sets it apart from the trafficking of men, such that an approach which seeks to address both in fact serves the interests of neither.

On a pragmatic level, however, this approach and the definition finally adopted has allowed states with different domestic prostitution regimes to support it and, as Gallagher suggests (2001), to re-focus on 'the greater goal of maintaining the integrity of the distinction between trafficking and migrant smuggling' (ibid: 986). This goal was achieved by drafting a separate Protocol on smuggling (Smuggling Protocol¹), although whether the integrity of that distinction is capable of being maintained in practice is a matter of continuing debate. Neither Protocol, however, is a stand-alone instrument. Each instead supplements the UN Convention Against Transnational

¹ Protocol Against the Smuggling of Migrants by Land, Sea and Air 2000. Article 3(a) provides the following definition:

'Smuggling of migrants shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.'

Organized Crime (CTOC)², and both are to be 'interpreted together with the Convention' (Trafficking Protocol: Article 1; Smuggling Protocol: Article 1). So far as trafficking is concerned, this approach has been critiqued because of its assumption that smuggling and trafficking are discrete processes (see, for example, Skeldon 2000; Piper 2005; Kelly 2005b; Lee 2011), and on the grounds that it applies 'to the "prevention, investigation and prosecution" of protocol offenses, but only where these are "transnational in nature" and involve an "organized criminal group", as those terms are defined by the Convention' (Bales 2005: 129). The overlap between smuggling and trafficking processes is further discussed below and, again, in Chapter Two, while the following section provides an overview of the relevant provisions of CTOC.

1.3.2 The UN Convention on Transnational Organized Crime and trafficking

CTOC was introduced in the face of the perceived growth of transnational organized crime, associated with the spread of globalization and the resulting 'decline of nation states and border controls' (Shelley 2007: 116).

Article 2 sets out what is meant by organized crime. It provides as follows:

For the purposes of this Convention:

- (a) "Organized criminal group" shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit;
- (b) "Serious crime" shall mean conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty;
- (c) "Structured group" shall mean a group that is not randomly formed for the immediate commission of an offence and that does not need to have formally defined roles for its members, continuity of its membership or a developed structure.

The relative simplicity of this definition, however, finds little resonance in academic discourse. Even among scholars whose dominant conception of trafficking locates it within a crime framework there is an absence of consensus that the crime and those who perpetrate it can be

² The UN Convention Against Transnational Organised Crime entered into force in September 2003. The Trafficking Protocol came into force shortly thereafter in December 2003.

described as 'organized'. In part this is due to the diversity of trafficking operations and in part it is due to contested notions of what constitutes *organized* crime (see, for example, Finckenauer 2001b; Shelley et al 2003). However, there is also debate among scholars as to whether crime groups can be described as *transnational*. Again, the definition set out at Article 3(2) of CTOC, arguably, appears straightforward enough:

2. For the purpose of paragraph 1 of this article, an offence is transnational in nature if:

(a) It is committed in more than one State; or

(b) It is committed in one State but a substantial part of its preparation, planning, direction or control takes place in another State; or

(c) It is committed in one State but involves an organized criminal group that engages in criminal activities in more than one State; or

(d) It is committed in one State but has substantial effects in another State.

The above definition covers an *offence* which is transnational in nature. However, when read together with Article 2 above, it is clear the offence must have been committed by a 'transnational organized crime group'. While some criminologists generally critique the use of the term 'transnational' as misrepresenting what in jurisdictional terms are in fact local or national crime groups (Van Duyne 1996), others commentators suggest that the concept itself is a construct, the primary purpose of which is to provide justification for the actions of individual states and their law enforcement agencies, as well as the actions of the international community (Woodiwiss 2003).

Thus, Andrijasevic (2010) suggests that in appending the Trafficking Protocol to CTOC, the overriding imperative is the development of 'a new international legal regime geared towards strengthening state cooperation in combating transnational organised crime' (ibid: 7), of which human trafficking is deemed a paradigmatic activity and cross-border traffickers paradigmatic transnational actors. The logical outcome of this is to focus efforts to combat trafficking on preventing illicit border crossing. Indeed, this is an explicit strategy of the UK government (Home Office and Scottish Executive 2007) and is discussed below and in Chapter Two. However, this approach is not unproblematic. O'Connell Davidson (2006: 10), for example, points to potential conflicts in tasking the same personnel with detecting both illegal immigrants and victims of trafficking while she, and other scholars (see also Gallagher 2001; Webb and Burrows 2009; Lee

2011) have drawn attention to the practical difficulties of maintaining a distinction between smuggling and trafficking. While, as indicated above, smuggling is defined separately under international law, the two processes – smuggling and trafficking – often overlap. Both involve the movement of individuals from what are variously referred to as sending, source or countries of origin where the journey begins – often the birth country of the trafficked or smuggled person – through transit countries, where the journey to the intended end point involves passage through the territory of another state - to receiving, destination or 'demand countries' (Aronowitz 2009), where the journey ends. Hence, (Webb and Burrows 2009) suggest that 'the overall market can be presented as a continuum between these two extremes' (ibid: iii) of smuggling and trafficking. However, there have also been other developments in Europe which have changed the landscape with respect to both trafficking and smuggling. This is the expansion of the European Union (EU) and the consequent re-configuration of borders. This has undoubtedly impacted the modus operandi of traffickers, as well as the formation of diaspora communities and other forms of transnational mobility (see Chapters Two and Six).

With respect to trafficking, however, the international regime, while making important advances in achieving international consensus on the definition of the term 'trafficking in persons' and facilitating inter-state cooperation, nonetheless has its limitations. The failure to further define the meaning of 'sexual exploitation' may have been pragmatic, but it has also left open the way for states to engage in different, even oppositional approaches to combating trafficking. Thus, Sweden, for example, has criminalized the buying of sex as a means, *inter alia*, of creating an environment hostile to traffickers (Ekberg 2004), while others argue that legalizing prostitution will make it less likely that men will buy sex from trafficked women (Bureau of the Dutch National Rapporteur on Trafficking 2005; Segrave et al 2009). Whichever approach is adopted, however, in maintaining the distinction between forced and voluntary prostitution, the Trafficking Protocol has arguably sent a message to every corner of the world, assuring men everywhere that their privileged sexual access to the bodies of female strangers remains intact. Further, while the distinction between smuggling and trafficking is important with the two UN Protocols providing for different protection and support measures, in practice, the boundaries between these processes are blurred. And while focus on transnational organized crime may serve the interests of the international community, the state and law enforcement agencies with respect to much international crime, this thesis explores whether this approach might be problematic when it comes to addressing the complexities of human trafficking, especially the trafficking of women for the purposes of sexual exploitation (see below and Chapter Two).

1.3.3 Regional law and standards

Some of these limitations have been addressed at regional level by the Council of Europe Convention on Action Against Trafficking in Human Beings (European Trafficking Convention)³. It specifically extends its application to all forms of trafficking, national or cross-border, and irrespective of any connection with organized crime (Article 2). From a prosecutorial perspective, these are particularly important provisions in removing potential obstacles to the prosecution of traffickers whose membership of a 'structured group' as defined by CTOC cannot be proved, or whose activities cannot be proved to be transnational in nature, again, as defined by CTOC. Further, the European Trafficking Convention adopts the same definition as the Trafficking Protocol but adds a definition of 'victim' as being 'any natural person who is subject to trafficking in human beings' (Article 4(e)). With respect to victims and in contrast with the Trafficking Protocol, its provisions for protection and assistance are mandatory for ratifying states and go beyond the minimum standards set out in the Trafficking Protocol. Thus, for example, they include the requirement to provide a procedure or mechanism for the identification of victims, a recovery and reflection period of at least 30 days, and compensation and legal redress with the additional provision of free legal aid (Articles 10-15).

These are vitally important provisions. However, where the crime of trafficking is concerned, the unambiguous language of Article 2 of the European Trafficking Convention has not laid to rest scholarly disputes as to whether organized crime – however it is defined and irrespective of whether it is transnational in nature – plays a significant, or indeed any, role in trafficking and this remains a moot point. Among the many issues which divide scholars is whether trafficking groups share the characteristics of large transnational criminal syndicates such as those associated with the Italian or Russian Mafia (Ebbe 2008), or whether they are more typically looser, smaller groups of criminal entrepreneurs and corrupt public officials (Finckenauer and Schroeck 2003; Finckenauer 2001; Bruinsma and Meershoek 1999). These debates continue to be important with implications well beyond the academy in that they impact policy, resource allocation and law enforcement activity (Lee 2011).

The European Trafficking Convention, then, does overcome many of the difficulties associated with the Trafficking Protocol as supplementary to CTOC in removing the requirement to demonstrate a link with organized crime, and by clearly including internal trafficking within its remit. It has also established itself as more of a human rights instrument in its binding support

³ The CoE Convention entered into force in February 2008. As at December 2012, it had been ratified by 38 of the 47 member states, including the UK where it came into force in April 2009.

and protection measures to victims which go beyond the minimum standards of the Trafficking Protocol. It has not, however, displaced the dominance of international law or its legacy, where efforts to combat trafficking remain firmly focused on transnational organized crime, and embedded in migration management and border control regimes. While some scholars favour this approach as an effective means of combating trafficking (see, for example, Rijkman 2003; Stoecker and Shelley 2005), others caution that it in fact drives illicit migratory processes (see, for example, Beare 1999; Jordan 2002; Ould 2004) in creating markets for assisted border-crossing (Kelly 2005a). The effect of this, in turn, may be to drive women in particular – as more vulnerable to trafficking – into the hands of traffickers (Kelly 2005b). This is discussed further in Chapter Two and again in Chapter Six. Nonetheless, like other governments, the UK's interest in trafficking continues to revolve around concerns with irregular migration and (transnational) organized crime.

1.4 UK law and policy

The 'trafficking-as-organized immigration-crime' approach is reflected in UK policy which specifically requires 'that measures to address it [trafficking] are mainstreamed into the UK's immigration system' (Home Office and Scottish Executive 2007). More recent attention to cases of internal trafficking (see, for example, First Annual Report of the Inter-Departmental Ministerial Group on Human Trafficking 2012) has done little to dislodge this dominant paradigm, which has been further reinforced by the government's removal of trafficking from its 'Call to end violence against women and girls' (Home Office 2010). This is a significant policy shift from the approach of the previous administration, which integrated trafficking in its action plan on all forms of violence against women.

However, both previous and current governments approach trafficking primarily as an issue of organized immigration crime. This is reflected in UK legislation on trafficking, the main provisions of which were, at least initially, to be found in immigration and asylum legislation, namely, the Nationality, Immigration and Asylum Act 2002 (the relevant provisions are now set out in the Sexual Offences Act (SOA) 2003) and the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004. The SOA 2003 is used to prosecute trafficking for the purposes of sexual exploitation, while the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 criminalizes trafficking for all other forms of exploitation. More recently, section 71 of the Coroners and Justice Act 2009 makes it an offence to hold a person in conditions of slavery or servitude or to require performance of forced or compulsory labour. None of the relevant laws require traffickers to operate as organized crime groups or, indeed, transnationally, however, the legislative framework

is deemed to be complex and lacking a specific definition of trafficking in persons, as was noted in a recent Issue Paper (UN Office on Drugs and Crime (UNODC) 2012a: 71). Webb and Burrows (2009) assert that the UK uses the Trafficking Protocol definition, whereas the authors of the UNODC Issue Paper (2012a) suggest that CPS uses a definition which is only similar to that of the Trafficking Protocol. In fact, the latest guidance from CPS⁴ indicates use of the following definition:

Trafficking involves the transportation of persons in the UK in order to exploit them by the use of force, violence, deception, intimidation or coercion. The form of exploitation includes commercial sexual and bonded labour exploitation. The persons who are trafficked have little choice in what happens to them and usually suffer abuse due to the threats and use of violence against them and/or their family.

Simultaneously, however, the same guidance refers to use of the Trafficking Protocol definition elsewhere in relation to victims, specifying:

There is no definitive definition of a trafficked victim. Trafficked victims are identified as those persons who are exploited at the hands of their traffickers and victims of the criminality as defined by the Palermo Protocol⁵. This definition is reflected in UK legislation.

The UK has ratified the Trafficking Protocol and the European Trafficking Convention. Under the terms of the latter instrument, a recovery and reflection period of 45 days has been introduced during which victims can access support and assistance services, pending a final determination of their status. The process established for the identification of victims is known as the National Referral Mechanism (NRM), and is overseen and implemented by the nominated 'competent' bodies. One of these is the UK Human Trafficking Centre (UKHTC). This is a formerly independent body, located in Sheffield and with a wide remit. It is now subsumed within the Serious Organised Crime Agency (SOCA) and located in London. The second competent body is the UK Border Agency (UKBA) which deals with immigration-related referrals, while UKHTC receives referrals from police, non-governmental organizations (NGOs) and local authorities, for example, social services. Initial enquiries establish whether there are reasonable grounds to suspect an individual is a victim of trafficking, while subsequent investigations confirm or reject the initial findings. Those who are confirmed as victims may, on occasion, be permitted to remain

⁴ CPS Legal Guidance, Human Trafficking and Smuggling. Available at: http://www.cps.gov.uk/legal/h to k/human_trafficking_and_smuggling/#a19. Last accessed 12 January 2013.

⁵ This is reference to the Trafficking Protocol, also known as the Palermo Protocol, as it was in Palermo, Italy, that the law opened for signature.

in the UK but are more usually repatriated to countries of origin. Those whose status is unconfirmed face prosecution and/or deportation if they lack rights of residence in the country.

Although the UK is a party to international and regional law, however, prosecutions are not brought under their provisions but, as indicated above, under the terms of the relevant UK legislation, notably the SOA 2003 and the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004. For the purposes of this research, the focus is on the SOA 2003 as none of the CPS cases reviewed involved prosecutions under the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, or the Coroners and Justice Act 2009.

The preceding sections, then, provided an overview of the relevant international, regional and national legal and policy contexts. The following section now sets out the focus of the research, and the gaps in the knowledge base which it seeks to address.

1.5 Focus of the research

The focus of this research is the exploration of intersections between traffickers and their respective diasporas in the context of formations of patriarchy.

The Experts Group on Trafficking in Human Beings (2004) noted that prior to the Trafficking Protocol, 'one of the fundamental problems in responding to trafficking in human beings has been the lack of international consensus on the definition of trafficking. Moreover, there has been persistent confusion about the distinction between trafficking, smuggling and illegal migration' (ibid: 47). However, although the Trafficking Protocol definition is now the most widely used definition, it has not in fact resolved the issue of precisely what trafficking is, which consequently remains an 'imprecise' and 'highly contested' term (Lee 2011: 148). Similarly, the creation of two separate Protocols has not laid to rest 'confusion' – or perhaps more accurately, the blurred boundaries – between trafficking and other forms of irregular migration (see section 1.2.2 above); nor has it provided a strong basis for determining 'what should be the focus of research on the subject' (Laczko 2005: 10).

One of the difficulties undoubtedly lies in the fact that research on trafficking can be methodologically challenging involving, as it does, so-called 'hidden populations', the parameters of which cannot be known (Di Nicola 2007). While other areas of research provide their own methodological challenges, with respect to trafficking this has meant that much of the research

has tended to focus on victims, rather than perpetrators. Victims, particularly those in support and assistance programmes are deemed, relatively speaking, at least potentially more accessible, leaving a dearth of knowledge on traffickers. More recently, a number of scholars have sought to address this gap (see, for example, Shelley 2003, 2010; Aronowitz 2003, 2009; Levenkron 2007; and Englund *et al* 2008). The UN also commissioned a pilot survey of a range of selected organized crime groups across a number of countries (UNODC 2002), focused on their structure and composition. The survey was not exclusive to, but did include, groups engaged in human trafficking. Others again have documented different arrangements in trafficking operations from the perspective of 'business' models' (Shelley 2003), or in identifying different levels of operation from 'amateur' to 'international' organizations (Schloenhardt 1999), and the multiplicity of people/roles required throughout the trafficking chain (Graycar 2002: 34). Picarelli (2009) has produced a 'network model' (ibid: 128) which can be employed to examine different trafficking operations. Nevertheless, as has been noted, '[t]he gap in knowledge, globally, of traffickers and their methods of operation contributes to the widespread failure to identify traffickers and those who assist them' (The Vienna Forum to fight Human Trafficking 2008: 2). Hence, it is a key aim of this study to contribute to that limited knowledge base, in drawing on such prior work, but also in addressing another hitherto under-explored theme in the literature: the role of diasporas in the cross-border trafficking of women for the purposes of sexual exploitation (Kelly 2002, 2005b; Turner and Kelly 2009).

In a globalized world, as indicated in above, international connectivity is the key to all manner of trade, connectivity which can often be provided by diasporas, for example, to boost imports and exports between homelands and host countries (Gould 1994; Head and Reis 1998; Kapur and McHale 2005). However, that connectivity may also facilitate the activities of international crime groups (Kapur and McHale 2005). Sex trafficking is an international trade – engaged in the import and export of women for sexual exploitation. Hence, this raises the question as to whether diasporas also 'help facilitate' any aspect of this trade. Others authors, for example, have already noted the importance of ethnic connections at the recruitment stage (Shelley 2003, 2007, 2010; Monzini 2005). The process is facilitated by a shared language and culture, more easily creating a basis for trust. Once recruited, women are transported abroad, sometimes to locations in which other members of their ethnic communities have settled. Thus, for example, so-called 'ethnically niched prostitution' was observed, 'in which men import women from their own country to be sold within their own ethnic group in exile' (Englund *et al* 2008: 122-3). The report acknowledges, however, the difficulties in researching 'these ethnic trafficking organisations' (ibid). Nonetheless, these diasporic linkages suggest important supply and demand side connections.

Other scholars also discuss the racialization of sex industries (Monzini 2005; Hughes 2005; Dahinden 2012). This is discussed further in Chapter Two but it suggests, again, that members of diaspora communities may play some role in facilitating the supply of women, while also perhaps acting as a pull factor (Europol 2004). However, despite these observations and analyses in other research, no study has yet undertaken a systematic analysis of diasporic connections across the trafficking chain.

This, then, constitutes a potentially significant gap in the knowledge base on traffickers and their trafficking *modus operandi*, and sets the agenda for a more detailed investigation and analysis of the role of diasporas in the trafficking process. In undertaking that investigation and analysis, this thesis seeks to address the gap by a number of means. Firstly, a typology was developed comprising four models and hypothesizing four possible primary diasporic intersections with trafficking groups, ranging from closed, fully integrated networks to fully open networks in which connections of ethnicity/nationality are entirely incidental and play no part in the groups' *modus operandi* (see Chapter Three). The typology is intended to facilitate empirical study of such connections by providing a framework for the collection, collation and analysis of data obtained from a sample of completed CPS trafficking files (see below).

Secondly, semi-structured interviews with experts in the field – academic, police and representatives of non-governmental organizations (NGOs) – were conducted with a view to exploring the current knowledge base in the UK: for example, which groups are known or believed to be involved in trafficking into the UK, and any available information on their structure, composition and *modus operandi*.

Thirdly, a document and content analysis of a sample of completed CPS trafficking case files was undertaken, using pre-prepared data sheets to ensure consistency (see Appendix 3). These files were mined for data on defendants - for example, their personal characteristics such as nationality and sex – and the nature of any relationships with other defendants. Similar details were recorded of any associated parties (in the UK and elsewhere), that is, persons connected to the defendants but not charged in the proceedings, as well as details of victims. Although there were some limitations, particularly with respect to transit countries, the files proved to be a rich source of information which enabled the production of an overview of defendant groups, victims and diasporic connections, and a more detailed qualitative analysis of recruitment, movement and

exploitation, in addition to addressing the role of gender and the function of heteronormativity in the trafficking process.

This latter line of enquiry – the function of heteronormativity - emerged during the data collection phase of reviewing and analyzing CPS files. However, discussions of this issue in the literature were most notable by their absence. A number of writers do variously address gender (see, for example, Kelly 2002, 2005, 2007; Sassen 2002; Erez et al 2012), contested views on prostitution/trafficking as violence against women (Barry 1995; Jeffreys 1999; Kapur 2002; Chapkis 2003; Kempadoo 2005), as well as touching on issues of masculinity, particularly as related to ethnicity (Kelly 2005b; Monzini 2005; Turner and Kelly 2009). Mai (2009) and Andrijasevic (2010) each consider aspects of masculinity, femininity and sexuality within women's 'migratory projects' but, as yet, none directly address their function as potentially integral to the process of trafficking women for the purposes of sexual exploitation within the context of formations of patriarchy.

Hence, the further pursuit of these themes provides another dimension to the focus of this thesis – the unremarkable 'everyday practices' of heterosexuality (Jackson and Scott 2010: 85) as they are played out in the male trafficker-female victim relationship, as well as in the broader systems and structures through which exploitative practices are normalized.

In addressing these gaps in the literature, the thesis also engages with wider current debates, in particular controversial issues surrounding the violence against women agenda. It seeks to unpack and explore some of the assumptions underlying dominant discourses on trafficking, how these are shaped by international law and the implications for the sex trafficking of women, as well as for anti-trafficking measures at national level, especially in the United Kingdom.

1.6 Aims and objectives

This research comprises a multi-methods qualitative study which explores the role of diasporas in the trafficking process through the use of a typology, semi-structured interviews with experts and an analysis of completed CPS trafficking case files.

It aims to contribute to the still limited knowledge base on traffickers and their modus operandi - particularly with respect to gender and race - and has the specific objectives of investigating hitherto under-explored themes in the literature: intersections between sex traffickers and their

respective diasporas, and formations of patriarchy - within which heteronormativity is located - in all aspects of the sex trafficking process.

1.7 Structure of the thesis

The above sets out the central themes which provide the contexts for this research: the international and national legal frameworks; the specificities of the trafficking of women for the purposes of sexual exploitation; diasporic connections across the trafficking chain, and intersections of gender, race and heteronormativity.

Chapter Two provides an in-depth review of key empirical and theoretical literature. It begins with a discussion of the estimated scale of trafficking, the direction of trafficking flows and what are commonly referred to as the 'root causes' of trafficking. These are then contextualised within discussions of trafficking as a manifestation of 'unequal gender orders' (Connell 1987; 2009), with implications for discussions and analyses of diaspora and heteronormativity within formations of patriarchy. A more in-depth discussion of the literature on diasporas and other transnational formations in the global economy follows on, with particular attention to issues of women's international mobility and hetero-patriarchal connectivities across global prostitution industries. Subsequent sections focus on the phases of recruitment, movement and exploitation, picking up on the contested issue of deception as a means of recruitment, as well as notions of victimhood, and the increasingly racialized male demand for sexual access to the bodies of female strangers. The final section then draws together these various themes to underpin the focus of the research and the contribution to the knowledge base this study seeks to make.

Chapter Three discusses the methodological issues relevant to this research and the philosophical underpinnings which inform the approach to, and direction of, the study. It presents a typology hypothesizing four possible intersections between traffickers and their respective diaspora in transit countries and the UK. It addresses some of the challenges confronting research in the field of trafficking and discusses the methods employed to undertake the research, namely interviews with experts and a document and content analysis of completed Crown Prosecution Service (CPS) trafficking cases.

Chapter Four presents and discusses the findings of the semi-structured expert interviews. It notes the still limited knowledge base with respect to trafficking groups involved in trafficking into, and within, the UK, particularly with respect to their composition and modus operandi.

Chapters Five, Six and Seven then present and discuss the findings of the review and analysis of data obtained from CPS completed case files on trafficking. Chapter Five provides an overview of the data and concludes with a discussion of which groups meet the diasporic intersections hypothesized in the typology. Chapter Six then provides a more detailed analysis of recruitment and movement of women from countries of origin to the UK. It also discusses the function of heteronormativity in recruitment and considers the role of women as traffickers, as well as the importance of transnational mobility in trafficking *modus operandi*. Chapter Seven continues with a detailed analysis of exploitation, the methods of control which traffickers in this study were found to employ to keep women in 'conditions of confinement' (O'Connell Davidson 1998), and the role of diasporas in this phase of the trafficking process.

Chapter Eight then provides a summary of the key findings of the study with respect to the aims and objectives of the research. It underscores the hetero-patriarchal contexts in which women are trafficked into prostitution markets across the world, and concludes with a number of recommendations for future policy and research.

Chapter Two

Literature Review

2.1 Introduction

This chapter seeks to weave together the apparently disparate threads in the bodies of literature on sex trafficking – understood here as a gendered process and within which heteronormativity is situated - and diasporas. As indicated in Chapter One, a number of scholars have commented on, or queried, the actual or potential role of diasporas in facilitating trafficking operations, but this rarely goes beyond a brief mention. Similarly, while gender does feature in discourse on trafficking, it is mostly taken to mean only women including, on the rare occasions when it is mentioned at all, in references to sexuality, where the focus is invariably on women's sexuality. With respect to diasporas, however, discussions of gender and/or sexuality are less common. Nevertheless, this thesis will argue that sex trafficking and diasporas are linked through patriarchal formations, and by the processes of globalization, their impact on changing rates and patterns of migration and on the spread of sex industries across the world.

The chapter is divided into a number of further sections. Section 2.2 discusses the scale of trafficking, the direction of trafficking flows and what are commonly considered to be the root causes of trafficking. Section 2.3 addresses patriarchal gender orders. Here, an alternative view to that in the literature is introduced with a discussion of the impact on sex trafficking of what Connell (1987, 2009) calls 'unequal gender orders', and consideration of the function of heteronormativity in the sex trafficking process. Section 2.4 then turns to a discussion of globalization as among the driving forces of trafficking, and as a trigger for renewed scholarly interest in diasporas and other transnational formations. Section 2.5 follows with a discussion of diasporas, transnationalism and sex trafficking. It focuses on group composition and modus operandi, and examines diasporic continuities and discontinuities while section 2.6 addresses trafficking as a migration issue, with specific reference to women's international mobility and hetero-patriarchal connectivities across global prostitution industries. Section 2.7 examines in more detail the phases of trafficking – recruitment, movement and exploitation. It discusses the issue of deception as a means of recruitment, as well as notions of victimhood, women as sex traffickers, and the racialized male demand for sexual access to the bodies of female strangers.

Section 2.8 then draws together these various themes to sharpen the focus of the research and the contribution to the knowledge base this study seeks to make.

2.2 The scale of trafficking

As with all issues associated with trafficking, the scale of the problem worldwide and within Europe is contested. Critics assert that estimates are often based on 'slippery statistics' (Murray 1998) and 'sliding definitions' (Chapkis 2003). In a review by van Dijk (2005), a wide range of figures were found in research reports from around the world, many of which were contradictory and disseminated without reference to the criteria employed to reach the estimates, hence casting doubt on their credibility. Di Nicola (2007), however, points to a small number of studies which have sought 'to remedy the situation and recover the credibility' (ibid: 61) of this field of research and these are among the studies discussed below.

2.2.1 Global estimates

According to the United Nations Office on Drugs and Crime (UNODC), trafficking is a phenomenon which is occurring and increasing worldwide (UNODC 2009a). No country is unaffected, whether as a source country, a transit country or a destination country; some are said to be all three (UNODC 2006a). However, despite growing international and national attention, media and academic focus, accurate estimates of the magnitude of the problem remain few and far between. Two frequently quoted sources for global estimates are the United States (U.S.) government and the International Labour Organization (ILO). The U.S. Department of State Trafficking in Persons Report (2004) has estimated that between 600,000 and 800,000 people are trafficked annually across international borders. Eighty per cent of the estimated numbers are women, and 70 per cent of those are said to be trafficked for the purposes of sexual exploitation. While the methodology used to arrive at these figures is said to be improved compared with earlier estimates, it is nonetheless critiqued for lacking transparency (Di Nicola 2007). The ILO, on the other hand, estimates that at least of 2.45 million people are trafficked annually worldwide, both internally and across borders. Of these, 43 per cent are believed to be trafficked for commercial sexual exploitation, 32 per cent for other forced labour purposes, with the remaining 25 per cent trafficked for a combination of sexual and other forced labour exploitation or for unknown purposes (ILO 2005; Belser et al 2005). Both the U.S. State Department and the ILO estimates rely on a range of sources, including the data bases of UNODC and the International Organization for Migration (IOM) which assists with repatriation of victims, as well as reports from other NGOs and reported victim numbers. Further consideration of the methodologies employed by each is beyond the scope of this thesis (for an overview see Kutnick et al 2007), however, only

the ILO is considered to have been fully transparent about its methods and their limitations and, hence, is regarded as a well-grounded and innovative study (Di Nicola 2007).

2.2.2 Trafficking in Europe

In Europe, the scale of human trafficking is also much debated. Some studies take the number of victim witnesses in judicial proceedings and those assisted by NGOs and determine the ratio⁶ between them and those who come into contact with neither police nor NGOs to arrive at an estimate for a given period of time. Recent research for the EU Parliament estimated the number of women and children trafficked for sexual exploitation in 11 selected countries (Austria, Belgium, Czech Republic, France, Germany, Italy, Lithuania, Poland, Spain, Sweden and the Netherlands) to be between 44,000 and 88,000 in the year 2000, rising to between 50,000 and 100,000 in the year 2002 (Di Nicola et al 2005). In the UK, the annual scale of trafficking in women into and within the UK has been estimated at between 142 and 1,420 (Kelly and Regan 2000). This estimate was updated in a report for the Association of Chief Police Officers Project Acumen which calculated that of the 17,000 migrant women involved in the UK's off street prostitution sector, 2600 are victims of trafficking, with a further 9,200 considered to be vulnerable, that is, possibly but not conclusively victims of trafficking (Jackson et al 2010). These figures suggest an increasing trend, in the UK and in Europe more generally, in the latter instance from the tens of thousands, possibly to the hundreds of thousands.

2.2.3 Sex trafficking

Unlike the U.S. State Department and ILO estimates, the focus of the aforementioned European studies is exclusively the sex trafficking of women. However, whether global, regional or national, many of the difficulties involved in researching and estimating the scale of trafficking are similar to those found in studies of other areas of crime insofar as they are concerned, inter alia, with hidden populations, the size and characteristics of which cannot be known (Di Nicola 2007). However, where the sex trafficking of women is concerned, these difficulties can be compounded, not only by the stigma which attaches to women in the sex industry and which may result in victims' non-cooperation, or cause them to provide misleading information in order to protect themselves (Tyldum and Brunovskis 2005); the difficulties may be further exacerbated by official responses which cast women from outside of the EU as illegal immigrants, or as economic (sex) migrants if they originate from within the EU (see Chapter Seven), since official decisions have been found to be influenced by racial and gender stereotyping in the identification of victims of trafficking (Segrave et al 2009). This adds an extra layer of complexity to studies seeking to

⁶ The ratio is calculated, inter alia, by reference, for example, to the results of victimization surveys.

estimate the scale of trafficking generally, and particularly the scale of trafficking in women for sexual exploitation. Thus, while much research points to trafficking as a growing phenomenon in which the majority of trafficking victims are women and girls forced into prostitution or other sex work (UNODC 2006a, 2009a; ILO 2005; U.S. State Department 2004), some studies suggest the numbers are exaggerated. So as far as the UK is concerned, recent research asserts that only a minority of migrant workers in the sex industry are trafficked (Mai 2009), findings which have also been noted in Italy where Andrijasevic (2010) discusses the process instead in terms of 'third party-facilitated migration' and 'third party-controlled street prostitution'.

This demonstrates, then, that reliable estimates of the scale of trafficking are hard to come by and this study, while providing a range of descriptive statistics (see Chapter Five), does not in fact seek to estimate the scale of the problem in England and Wales. However, differing estimates of the magnitude of sex trafficking, here and elsewhere in Europe, are associated with contested views on prostitution discussed below. Nevertheless, obtaining reliable estimates of scale is important. The more robust an estimate is, the better law enforcement resources can be allocated and the more effectively counter-trafficking measures can be assessed. The allocation of resources, however, is not only a question of numbers. The ways in which resources are targeted and the nature of interventions will also be impacted by how trafficking is predominantly conceived (Lee 2011).

2.2.4 The direction of trafficking flows

As with other migratory flows, trafficking tends to take place from poorer to wealthier countries and regions, although there can be overlaps among countries. UNODC (2006a) identifies key countries of origin by region, as well as key destination countries. Thus, in the Commonwealth of Independent States (CIS), they include the Republic of Moldova, the Russian Federation and Ukraine; in Europe, the main source countries are said to be in Central and South Eastern Europe (SEE), namely, Albania, Bulgaria, Lithuania and Romania. In West Africa, Nigeria is similarly deemed a key country of origin, as are China and Thailand in Asia. In contrast, key countries of destination in Western Europe have been identified as Belgium, Germany, Greece, Italy and the Netherlands – although the UK has also more recently been added to the list (Lee 2011). Israel, Japan, Turkey and Thailand are the main destination countries in Asia; and, in the global North, the United States of America is a key receiving country (UNODC 2006a). There is no mention of Malaysia, however, in her research on significant flows of (illegal) migration to West Malaysia from neighbouring countries, Wong (2005) found the presence of family and friendship networks among people already resident and working in the country to be an influential survival

factor in the lives of new migrants. She contrasts this with the deceptive recruitment practices of Malaysian-based 'entertainment' companies with links to 'employment agencies' and other middlemen who arrange the importation of Filipina women 'into the vice industry in the frontier state of Sabah, East Malaysia, a state which shares a porous maritime border with the Philippines' (ibid: 87). Hence, she suggests, the key distinction to be made 'is one based on the agency of the migrant and the conditions under which the migration project is undertaken' (ibid). However, while Wong (2005) clearly identifies the victims of trafficking to which she refers as women, she does not make a similarly gendered distinction between (illegal) migrants. This leaves unaddressed the question of the different factors, including diasporic connectivity, impacting women's international mobility, irrespective of whether the means of migration are regular or irregular (see section 2.6.2 below and also Chapter Six).

With respect to the overlap between countries indicated above, Thailand provides an example in that it serves as both a destination point for women trafficked from nearby countries such as Cambodia, Laos and Myanmar, as well as serving as a source country for women trafficked, for example, to Japan and Taiwan (Lee 2011). The status of a country may also vary and change over time with changing social and economic conditions. The Republic of Serbia is a case in point in SEE. During the 1980s Serbia, as part of the Socialist Federal Republic of Yugoslavia (SFRY), is said to have enjoyed higher standards of living than those found elsewhere in much of Eastern Europe and was consequently primarily a country of destination in the region (Anti-Trafficking Action (ASTRA) 2011). This changed during the 1990s as the economy collapsed and conflicts erupted, and Serbia became both a country of origin and transit for women trafficked to Kosovo and Macedonia, Western Europe and Asia (ibid).

Shelley (2002) suggests that changes in patterns of trafficking flows, such as those identified above, indicate that traffickers are attuned to waxing and waning social and economic fortunes and can respond quickly and vary their trafficking operations accordingly. However, traffickers also respond to conditions in destination countries. Goodey (2003) points out that women are trafficked into the EU not only to meet demand, but also because they provide cheaper services and work in conditions which would not be tolerated by EU women engaged in prostitution. Demand for sexual services has also been identified by Cameron and Newman (2008) as among the 'structural factors' which, they argue, intersect with 'proximate factors' (ibid: 21) such as weak legal regimes, poor law enforcement and corruption to determine patterns of trafficking flows. Other 'structural factors' include the diverse impacts of globalization, conflicts and attitudes to women which operate to create strong migratory pressures and can open the door to traffickers

where opportunities for legal migration are inadequate and/or pre-existing migration networks fail to overcome immigration restrictions in destination countries (Dinan 2008).

Smuggling and trafficking flows and patterns, then, are by no means stable or static. While the direction of flows will invariably 'tend to follow the money' (Turner 2012: 38), Wong's (2005) findings - that pre-existing family or friendship networks are important to illegal or smuggled migrants but do not impact the *modus operandi* of sex traffickers - suggest that intersections between structural and proximate factors might have differing effects on smuggling and trafficking operations. While for illegal migrants 'who are in active control of their own migration project' (ibid: 87), connections of proximity and/or the presence of a pre-existing diaspora might serve as a source of support and survival, this may be less influential in the decisions of those engaged in the sex trafficking of women to pre-determined destination points, and/or diasporic connectivity might be less beneficial to women. This is addressed further below and in Chapters Six and Seven. The following section discusses the root causes of trafficking.

2.3 The root causes of trafficking

The preceding section has already identified a number of the factors held to be among the root causes of trafficking – so-called emigration 'push' factors in source countries and corresponding immigration 'pull' factors in countries of destination. These factors are primarily drivers of migration, that is, they are not specific to trafficking, hence the frequent difficulties encountered in distinguishing between smuggling and trafficking discussed in Chapter One. The impact of these different factors varies from region to region depending on prevailing cultural and socio-economic conditions, however, on the push side certain commonalities emerge, summarized by UNODC (2006b) as 'economic hardship, conflict, crime and social violence, natural disasters and similar pressures...[as well as]...gender-based discrimination' (ibid: xviii). Other factors deemed to facilitate trafficking, some of which could fall on either push or pull side, include '[p]orous borders, corrupt government officials, involvement of international organized criminal groups or networks, limited capacity of or commitment by immigration and law enforcement officers to control the borders, lack of adequate legislation and political will and commitment to enforce existing legislation or mandates' (ibid). To this list might also be added, as factors specific to destination points, opportunity (real or perceived), unmet labour needs and demand for cheap goods and services. These various factors are not, of course, discrete, hence they are also referred to as the 'fertile field' (Kelly 2005b). In whatever combination, however, they 'tend to impact differently and

disproportionately on groups that already lack power and status in society, including women, children, migrants, refugees and the internally displaced' (UNODC 2012a: 18).

However, as Shelley (2010: 37) suggests, none of these conditions are recent and they cannot therefore explain what is perceived to be the rapid growth in trafficking since the mid-1980s. In common with a range of others authors, she cites the 'criminogenic effects of globalization' as a significant driving force (see also Passas 2000; Findley 2008), as well as the political instability which followed the collapse of the former Soviet Union, widespread conflicts and the reconfiguration of borders across the region. Other factors include the complicity of legitimate businesses (Salt and Stein 1997; Kyle and Siracusa 2005), combined with demand for cheap goods and services. This does not imply demand for the labour of *trafficked* persons per se, however, as Anderson and O'Connell Davidson (2002) suggest, the evidence indicates that purchasers of cheap labour and services tend to 'seek out members of groups that not only lack social protection but that are also socially stereotyped as "naturally" servile or otherwise "naturally" suited to working in poor conditions for little recompense' (ibid: 25). Here, demand can be framed as a key driver in the global economy. However, while all of these factors undoubtedly play their part in the rise and spread of the sex trafficking of women and, indeed, a number of them also account for significant population movements (albeit that not all result in diasporization), considerably less attention is paid to another, arguably *the* root cause, of trafficking. This is not 'gender' in the sense in which it tends to be discussed in the literature. It is instead gender as located within what Connell (1987, 2009) calls patriarchal 'gender orders'.

2.3.1 Patriarchal gender orders

This section draws on Connell's (1987, 2009) concepts of 'gender orders', 'gender regimes' and 'gender relations'. Gender orders comprise 'overarching hierarchical social arrangements and patterns' (Coy 2012: 4) of gender inequality. 'Gender regimes' refer to the ways in which gender is organized in the institutions of a society, while 'gender relations' are concerned with interactions at an individual level. In the literature on trafficking, and at UN level, gender means women. The relevance of focusing on the *gender order* in particular, however, rather than simply on gender, is that the other side of the gender equation is factored back in: men and masculinity as locations of power. As Connell (2009) suggests, the dominant feature, and harm, of the current gender order 'is first and foremost [...] the system of inequality in which women and girls are exploited, discredited and made vulnerable to abuse and attack. The still massive incidence of domestic violence, rape and child sexual abuse (mainly, although not exclusively, of girl children)

is an easily recognized marker of power and vulnerability' (ibid: 143). To that list of violences trafficking may also be added.

Sex trafficking as violence against women does not feature in any of the dominant paradigms of trafficking identified in the literature by Maggie Lee (2011). These are variously said to be trafficking as a human rights challenge, as a problem of transnational organized crime – in keeping with the framework provided by the UN Convention Against Transnational Organized Crime (CTOC) – or as an exemplar of the globalization of crime, as modern day slavery, as synonymous with prostitution, or as a migration issue. Nowhere is trafficking conceived as violence against women save, controversially so, in the context of trafficking and prostitution and, to some extent, in the context of trafficking and human rights. However, as Lee (2011) also notes, while the aforementioned conceptualizations are not necessarily mutually exclusive, 'the approaches which are chosen will shape the strategies used to address the trafficking problem' (ibid: 11). Hence, how trafficking is primarily understood is not merely a matter of academic debate but impacts in the real world of policy and action. The approach taken in this study, therefore, is to conceive of trafficking, first and foremost, as 'an easily recognized marker of power and vulnerability' and, hence, as violence against women. This does exclude any of the other dominant approaches or, indeed, refer only to the violences to which trafficked women are subjected within the trafficking process, though these certainly do occur (see Chapter Seven). It is instead to understand trafficking as violence against women in the sense promulgated by the Committee for the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in General Recommendation No. 19 (1992). While the definition of discrimination in CEDAW makes no mention of violence, the Committee commented that it is nonetheless included insofar as gender-based violence is 'violence directed against a woman because she is a woman or that affects women disproportionately'. Since trafficking is now a global problem in which, according to most estimates, the majority of victims are women trafficked into prostitution industries the world over (see section 2.2 above), sex trafficking can be framed as gender-based discrimination and as a practice involving violence directed against women because they are women, as well as violence which disproportionately affects women. However, even this approach is insufficient where the focus is primarily, or solely, on those who are discriminated against, rather than also incorporating a perspective on those who do the discriminating.

Widespread violence against women is a feature of all societies and is, therefore, a feature of the 'global gender order' (Connell 2009: 127). While emphasizing that gender is not the same across

all cultures and communities, Connell nonetheless posits that 'it is not a long stretch [...] to think about gender as a structure of world society', in which '[a]ll we need to assume is that significant linkages do exist, and are being created' (ibid: 126). Some of the linkages, arguably, are being created by diasporic connectivities. Thus, for example, so-called 'traditional cultural practices', such as forced marriage, honour-based violence and female genital mutilation, are not generally deemed to be indigenous to many European cultures. While this is certainly arguable, at least with respect to forced marriage and honour-based violence, it is more typically held that such practices have been brought in by populations from other regions and countries, now living in diaspora throughout the EU. Hence, a number of EU countries now have specific criminal, civil or hybrid laws to tackle these problems (EU Feasibility Study 2010).

As a structure of world society, however, there is more to gender than is immediately apparent, as the following section now discusses.

2.3.2 Patriarchy, gender and sexuality

Gender is not a stand-alone global structure and patriarchal gender orders (Connell 2009), in their many variations, are more than systems of gender inequality which privilege men and enforce the subordination of women. They also privilege heteronormative behaviours and enforce heterosexuality in the sense that this is both 'publicly institutionalized yet a personal relationship, maintained through everyday practices yet so routinely that it appears unremarkable' (Jackson and Scott 2010: 85-86). Ingraham (1994) argues that it is difficult to make heterosexuality visible because it 'circulates as taken for granted, naturally occurring, and unquestioned' (ibid 204), and thereby disguises the ways in which it operates to structure gender. She points to social constructions of 'women' and 'men' through a process of 'socialization' in which they attain 'opposite and distinct traits' (ibid: 215), but which conceal the heterosexual ends to which the gender divide is directed. Drawing on the work of Althusser (1971), Ingraham analyzes 'the heterosexual imaginary' (ibid: 203) as an ideological device which masks the ways in which gender is invariably defined from a heteronormative perspective and concludes that normative heterosexuality is *the* overarching institution which organizes gender. This view is rejected by Jackson and Scott (2010) who do not afford it such primacy, but do accept normative heterosexuality as *an* organizing institution of gender.

Holland et al (1998) similarly reject the notion of masculinity and femininity as 'oppositional categories'. They, too, acknowledge the difficulties of making heterosexuality visible, but suggest that 'we pass, as it were, through the looking glass that reflects our conventional visions of

gender' (ibid: 11). In doing so, what emerges is not femininity and masculinity as opposites. Instead, femininity emerges as 'constructed from within heterosexuality and on male territory' (ibid). Viewed in this light, heterosexuality can be seen as key site of male power and privilege as well as a key site of intersection between gender and sexuality.

This is particularly relevant to analyses of sex trafficking. While gender is not the same everywhere, and always intersects with other factors such as race (Crenshaw 1991), Connell (2009) nonetheless comments that '[t]here are significant features of the gender order which cannot be understood locally, which *require* analysis on a global scale' (ibid: 126) (emphasis in original).

Sex trafficking is just such a significant feature and is inadequately captured – as is the tendency in much of the literature - by reference only to the vulnerability of women in general, as well as the vulnerability of particular groups of women. Instead, sex trafficking is better understood by reference to patriarchal gender orders predicated on women's subordination to men, albeit as this manifests itself within different social and cultural contexts. This shifts debate from its conventional axis focusing on vulnerability, and allows the conventions of power to emerge as situated overwhelmingly with men. And since those with power have the power to define (Rao 1995), masculinity and femininity emerge as firmly rooted in normative – male-defined – constructions of gender (Holland et al 1998), that is, constructions of gender premised on dominance and subordination. This approach also makes visible the ways in which sex trafficking is an outcome not only of masculine constructions of gender, but also of masculine constructions of (hetero)sexuality which are, therefore, similarly premised on dominance and subordination. This is particularly evident in the trafficking of women into global prostitution industries. O'Connell Davidson (1998) refers to prostitution 'as an institution which allows certain powers of command over one person's body to be exercised by another' (ibid: 9). While acknowledging that prostitution features among gay and transgendered people, it nevertheless 'disproportionately involves men buying access to women's bodies' (Coy 2012: 5) and, hence, is a practice of heterosexuality *par excellence*. As such, prostitution can be seen as a cornerstone of hetero-patriarchy, and as an 'intersectional gender regime', in the sense that 'it reflects and reproduces unequal gender orders even though there may be variation at the level of everyday gender relations between women who sell, and men who buy, sex' (ibid: 4).

Part of that variation can be seen in the racialization of global sex industries (Monzini 2005; Dahinden 2010), and which informs the *modus operandi* of trafficking groups. Thus, some studies

have found that women are trafficked to particular destinations to meet the demand of their (male) co-nationals living in diaspora (Kelly 2002; Monzini 2005; Englund et al 2008); conversely, sex buyers may prefer the 'exotic other' (Coy et al 2007). In this sense, gender and ethnicity are always inextricably intertwined and, prostitution – of co-nationals or the exotic other - is premised on male demand for sexual access to the bodies of female strangers and which derives from a sense of 'male privilege' (Durchslag and Goswami 2008), commensurate with the power vested in men. Since the trafficking of women into prostitution is arguably a key 'delivery and distribution system for prostitution industries across the world' (Turner 2012: 48), prostitution and trafficking cannot be de-coupled as some scholars wish (see Chapter One).

Patriarchy, then, 'is not only andronormative; it is also heteronormative' (Ingraham 1994: 210). Sex trafficking can be framed as violence against women because it is premised on conventions of male power, privilege and domination. Patriarchal gender orders operate to normalize women's subordination and the exchange of women between men, while heteronormativity functions, at least in the context of sex trafficking, to normalize predatory and exploitative practices founded in gendered assumptions about male and female sexualities. And insofar as traffickers are said to take advantage of the 'new social and technological infrastructures in an increasingly globalised world' (Lee 2007: 1), so it is conceivable that what Radcliffe et al (2004) call the 'transnationalization of gender' is circulating through diasporic and transnational networks and into the hetero-patriarchal gender regimes of local prostitution markets.

2.4 Globalization, diasporas and transnationalism

The growth of commercial sex industries across the world and the rise in transnational organized crime are linked to the uneven impacts of globalization which generate the migratory push and pull factors discussed in section 2.3 above, and which account for accelerated rates, and changes in patterns, of migration. Changing migratory trends have also revitalised scholarly interest in diasporas (Cohen 1997) and fueled debate on emerging forms of transnationalism (Vertovec and Cohen 1999). However, as the sections below discuss, few of these notions are uniformly understood.

2.4.1 Globalization

Connell (2009) observes that '[i]t has become commonplace to talk about 'globalization', i.e. about social organization at a planetary level, though the question is still poorly understood' (ibid: 126). Thus, there is no agreed upon definition of globalization. Instead, it is a highly complex and

contested concept which has attracted many different meanings and interpretations. Kelly et al (2005) suggest it 'may be roughly defined as the emergence of a variety of systems or activities of economic or commercial production, trade and services that are worldwide rather than national or regional in scope and that are generally not controllable by nation states' (ibid: 1). Shelley (2007) similarly notes that the escalation of transnational organized crime and the associated rise in international trafficking is by-product of globalization and the consequent 'decline of nation states and border controls' (ibid: 116). Giddens (1990), by contrast – like Connell (2009) - focuses on the 'social' and reciprocal connectedness over time and space. Thus, globalization refers to 'the intensification of worldwide social relations which link distant localities in such a way that local happenings are shaped by events occurring many miles away and vice versa' (Giddens 1990: 64). This is a particularly useful definition in the context of this study, however, it lacks the perspective provided by Connell's account of unequal 'gender orders' (Connell 1987, 2009). And, in the context of the sex trafficking of women, as was suggested above, 'the intensification of worldwide social relations' might more appropriately be characterized as the intensification of worldwide patriarchal relations which link distant and local patriarchal gender orders in ways which shape the contours of local and global sex industries. Hence, to the extent that elements of this definition also bear a striking resemblance to the internal networks which are said to link populations in diaspora (Butler 2001), this begs the question as to whether these linkages may likewise be deemed to be primarily of a patriarchal nature, and which facilitate the sex trafficking of women. This is among the issues examined in the following sections which address diasporic and other transnational formations linked to globalization.

2.4.2 Globalization and diasporas

There is similarly no agreed upon definition of a diaspora. Diasporas studies, however, have flourished over the last couple of decades during which time the term has acquired new, different and contested uses and meanings. Thus, Faist (2010) refers to 'old' and 'new' notions of diaspora. Whereas older notions associate the term with exilic populations forcibly expelled from ancestral lands by a traumatic event (Muentz and Ohliger 2003), Sheffer (2003a) argues that it is now widely accepted that diasporas are made and unmade by both voluntary and involuntary migration. A significant contributory factor to these processes is globalization. This appears contradictory: whereas globalization is primarily associated with flows of capital, goods and persons which transcend boundaries, diasporas are conventionally associated with boundary maintenance (Vertovec and Cohen 1999). However, as indicated above, recent decades have witnessed changes in migratory trends and patterns. Thus, on the one hand, in making use of the special attributes of present day diasporas, the global economy encourages the establishment of

new diasporas (Cohen 1997). On the other hand, however, liberalization and economic growth in homelands may also encourage return (Kotkin 2002; Sheffer 2003a), or so-called 'counterdiasporic migration', representing 'the logical closing of the diasporic cycle' (King & Christou 2010: 171).

Similarly, Sheffer (2003b) disputes Butler's (2001) assertion that there is sufficient scholarly consensus to support the view that migration to a 'minimum of two destinations' is a 'necessary precondition for the formulation of links between the various populations in diaspora' (ibid: 192). For Sheffer (2003b), while not all populations residing outside their country of national origin will constitute a diaspora, and not all movements of people will result in diasporization, migration to one other country is sufficient provided settlement in the host country is permanent – what Butler (2001) refers to as an 'emigration diaspora'. Others, however, posit that contemporary migratory flows may more typically involve 'a to-ing and fro-ing across national boundaries' (Turner and Kelly 2009: 191), which 'could easily yield a diasporan community with a unique level of continuity with the homeland' (Butler 2001: 195), and which might also yield unique opportunities for traffickers. The importance of connections of ethnicity has already been noted, particularly at the recruitment stage (Kelly 2002, 2005b; Shelley 2003, 2007, 2010; UNODC 2006a). As Shelley (2007) suggests, '[t]rust is more easily established with someone from one's ethnic, language or cultural group' (ibid: 126). However, one of the key questions in this research is to consider whether and, if so, to what extent such intersections persist across the trafficking chain to facilitate the trafficking process. This is addressed in section 2.5 and 2.7 below and, again, in Chapters Six and Seven, while the following sections discuss other transnational formations and intersections with diasporas.

2.4.3 Globalization and transnationalism

Globalization and its impact is also much debated in the context of migratory movements and emergent forms of transnationalism. Increasing numbers of people now reside and work outside their countries of origin (Monzini 2005). Globally, at any given moment, significant numbers of individuals are on the move to escape conflict and wars or in search of sustainable livelihoods, so much so that we are now said to live in a 'world in motion' (Inda and Rosaldo 2002). This perpetual movement has brought about changes in the nature of social relations which span borders. Unlike diasporas, however, traditionally characterized by boundary maintenance, these different transnational relations are said to transcend the boundaries of nation states. Here, transnationalism can be understood, at least in part, in terms of a re-structuring of 'place' or

'locality' in which borders are crossed (however infrequently) rather than maintained (Vertovec and Cohen 1999); it implies 'a weakening, or at least a limitation, of the role played by nation-states at a time when globalisation has become a dominant process' (Bruneau 2010: 26).

However, while a diaspora may be understood as a community rooted in a particular place or locality, Smith and Guarnizo (1998) caution that transnationalism should not be understood as suggesting a disconnectedness from the local. Instead, they argue, the social construction of place 'is still a process of local meaning making, territorial specificity, juridical control and economic development, however complexly articulated the localities become in transnational economic, political and cultural flows' (ibid: 12). As discussed above and in previous sections, however, such 'flows' are not gender-neutral. They are articulated and given meaning through patri-local gender orders which facilitate the sex trafficking of women, irrespective of other (apparent) cultural constraints. Thus, for example, in writing of Albanian traffickers, Monzini (2005) observes:

In the early years, at least, it cannot have been easy for Albanian men to exploit [Albanian] women in this way, if only because it conflicts with the usual code of honour in their society and with some values typical of Mediterranean 'masculinity'. On the other hand, the whole apparatus of violence used to persuade women to work as regular prostitutes – an apparatus involving threats, beating, burning, blows on the back and ice-cold showers in the middle of the night – seems to be at least in part culturally acceptable by virtue of the subaltern role of women. Pimping is based on a close and ambiguous male-female relationship, which includes physical violence and is psychologically and socially facilitated by the woman's subject position (ibid: 98).

Given the pervasiveness of violence against women, it is debateable that the 'close and ambiguous' heterosexual relationship described above is limited to 'pimping' or, indeed, that it does conflict with 'the usual code of honour' or 'some values typical of Mediterranean 'masculinity'.' However, Monzini (ibid) goes on to note that once settled, in this case in Italy, Albanian traffickers encourage their male relatives to join them, bringing with them other women to exploit in that country's prostitution markets. 'Gradually a solid chain makes it possible to expand the business, increasing the number of girls exploited by each man' (ibid: 99).

This is similar to what Kapur and McHale (2005) refer to as 'chain migration' to explain why 'ethnic groups with very small numbers in the overall population concentrate spatially and in occupations and trades' (ibid: 125). While writing of the practice of 'referring' co-nationals to legal

employers to increase reliability and reduce search costs, a similar process can be seen to facilitate the expansion of sex trafficking networks.

2.4.4 Diasporas and transnationalism

A number of authors critique the conflation in the literature of diasporas and other forms of transnationalism (see, for example, Tölölyan (1991; Cohen 2008). However, Tölölyan (1991) arguably captured something of the *Zeitgeist* in his comment that contemporary diasporas are 'the exemplary communities of the transnational moment' (ibid: 5). Hence, scholarly understanding of the term has undergone and continues to undergo considerable changes. It is being made, unmade and re-made very much as diasporas themselves are. Globalization clearly plays a significant role in these processes. However, there are also other factors, particularly the reconfiguration of boundaries within Europe and elsewhere, which have generated both opportunities and restrictions on global mobility, as well as new forms of transnational mobility. These are reflected in Dahinden's (2010) notion of '*diasporic transnationalism*'. In developing a typology, she identifies four ideal types of transnationalism. Firstly, '*localised diasporic transnational formations*' are characterized by low physical mobility and a high degree of local ties'. Here, groups of people have typically settled in destination countries and are socially and economically integrated as citizens. They rarely return to countries of origin. Secondly, '*localised mobile transnational formations*' combine 'high physical mobility and high locality'. Such groups are also settled in the host country but maintain strong, usually family ties, with the sending country to which they regularly return. The third type, '*transnational mobiles*', characterizes people 'who are highly mobile but have a low degree of local anchorage'. They are typically skilled professionals who are constantly on the move. Finally, '*transnational outsiders*' are said to have 'both low mobility and low degree of local anchorage' (ibid: 52) (emphases in original). This ideal type includes asylum seekers and those who lack rights of permanent residence and access to regular employment. Their immigration status precludes regular, and sometimes any prospects of, return to countries of origin. As Dahinden suggests, '[w]e might speak in this case of weak transnational arrangements, mainly related to the fact that the migrants have no legal right to reside in the immigration country or else only a precarious one' (ibid: 59).

The analyses, in Chapters Six and Seven, of the phases of sex trafficking draw on Dahinden's (2010) typology as a useful tool in the examination of the modus operandi of traffickers and of the position of trafficked women. These are also among the issues now discussed in the section below which additionally considers the composition of trafficking groups.

2.5 Diasporas, transnationalism and sex trafficking

It was noted in section 2.3.1 that Lee (2011) has identified six dominant conceptualizations of trafficking. In contrast, Shelley (2003) suggests that three perspectives on trafficking have emerged in the literature, namely, 'the gender perspective⁷, the human rights perspective and the market perspective' (ibid: 119), of which the market perspective is the most under-represented. While noting that other perspectives have made valuable contributions to the knowledge base, she argues that greater focus on the market perspective would shed more light on the composition of these groups and their trafficking modus operandi. Hence, she characterizes trafficking groups as different business types or criminal enterprises and analyzes six 'business models of Chinese, post-Soviet, Balkan, American, Hispanic and Nigerian groups' (Shelley 2010: 114). The composition and modus operandi of these trafficking groups reflect the modes of trade characteristic of the regions from which they emanate. Thus, '[t]raditional patterns of trade and investment shape the trade in human beings as they do the trade in 'other commodities'' (Shelley 2007: 123).

For example, the 'Trade and Development Model' is associated with Chinese modes of business, in that the trafficking chain is integrated and diasporically closed up to, and including, exploitation: 'young girls are controlled from recruitment to assignment to a brothel in businesses controlled by the Chinese diaspora community'. Similar observations have been made of Nigerian traffickers (the 'Traditional Slavery with Modern Technology' Model) where, she asserts, '[m]embers of the Nigerian diaspora community facilitate the trade, especially in Italy, which has the largest Nigerian immigrant community and the greatest number of enslaved women in Europe of Nigerian nationality' (ibid: 129). Monzini (2005) also highlights significant flows of trafficking from Nigeria to Italy (and other European destinations). She suggests that less restrictive immigration regimes in the 1990s originally allowed for women to be flown direct from Lagos to the destination point. However, as border controls were tightened, 'intermediary groups of traffickers' stepped in, 'to handle nothing other than the long trip from Nigeria to Europe', which groups are comprised solely of 'Nigerian men and women' (ibid: 118).

Liz Kelly (2005b), as noted in Chapter One, has similarly drawn attention to the existence of a Russian diaspora in Israel and queries whether their presence there might facilitate the trade in women. This increased significantly in the post-Soviet years, as formal gender equality declined, along with women's access to vital resources. Among the consequences of this was a rise in the

⁷ This is gender as discussed in most of the literature, that is, as meaning women.

numbers of prostituted women which was higher 'than at any time in living memory' (Kelly 2007: 84), aided no doubt by the growth and spread of Russian organized groups. There, too, diasporic connections have been observed. According to Monzini (2005), the United States and Canada are among the main destination countries of choice for traffickers engaged in the sex trafficking of Russian women. Once they arrive there, they are placed in 'closed immigrant communities, socially isolated and stigmatised' (ibid: 109). This suggests one potential way in which traffickers might use their diaspora communities instrumentally (see Chapter Three) in ensuring that women remain marginalized, unable to access support and, hence, 'mistrustful of the authorities and unlikely to denounce their traffickers' (ibid). These 'closed immigrant communities' may comprise an older diaspora, whereas the traffickers will, arguably, resemble the *transnational mobiles* of Dahinden's (2010) typology. This is suggestive of some overlap between newer forms of international connectivity and older notions of diaspora, possibly in what Faist (2010: 13) refers to as 'some kind of cultural distinctiveness vis-à-vis other groups'. That distinctiveness continues to imply boundary maintenance – not just by the diaspora community but also by the majority group in the host country in discriminating against its members. Hence, if a diaspora were to become fully integrated or assimilated, it would cease to be a diaspora (Faist 2010). Indeed, this is one of the characteristics that lead Kapur and MacHale (2005), to assert that '[d]iasporas have been a boon to international crime' (ibid: 128). They point to the Italian and Russian mafias, Chinese triads, Nigerian criminal gangs and ethnic Albanian crime groups all of which are said to have strong connections with their co-nationals living abroad, forming global networks through which they are able to expand their criminal activities, *particularly where the 'expatriated populations' or 'immigrant groups are not fully integrated into their host societies'* (ibid: 129) (emphasis added). While full integration, therefore, may result in the demise of diasporas, Kelly *et al* (2005) suggest that where they remain marginalized, discriminated against and excluded, ethnic communities may provide recruitment opportunities, cover and support for criminal operations, including trafficking operations. Again, however, this assertion would have to be put to the gender test, a caveat which applies generally to dominant discourse on diasporas and, indeed, other transnational formations. However, the apparent unwillingness of Russian diasporas in the United States to offer help to trafficked women may well be part and parcel of the more general resurgence of 'a militant patriarchy' (Connell 2009) in Russia itself - spread through diasporic networks – and, with it, a more rigid policing and enforcement of heteronormative standards. As Seidman (2005) suggests, normative heterosexuality 'not only establishes a heterosexual/homosexual hierarchy but also creates hierarchies among heterosexualities', between 'hegemonic and subordinate forms of heterosexuality', (ibid: 40) with monogamous (for women at least) marriage at one end, and women in prostitution at the other.

2.5.1 Diasporic continuities and discontinuities

In adopting a market perspective, Shelley (2003, 2010) emphasizes that there is no single model of trafficking. Instead, the composition and modus operandi of groups engaged in cross-border trafficking vary from region to region. Picarelli (2009) similarly notes that traffickers are 'a diverse set of actors' (ibid: 115). He does not, however, distinguish trafficking groups by region. Rather than focusing on trafficking exclusively as a form of criminal organization, he suggests an alternative approach which 'deconstructs the roles that individuals or groups fulfil to conduct trafficking' (ibid: 128). Accordingly, the complexity of human trafficking is best captured in the 'model transactional network' (ibid: 129). The model comprises roles and transactions. Roles are two-fold: firstly, '*required roles*' are indispensable and entail recruitment, movement and exploitation. Secondly, '*ancillary roles*' may, but need not, be present; they include experts in document forgery, money laundering, and agents to provide security or bribe officials. The final part of the model is identified as '*transactions*' (ibid: 128) (emphasis in original). In this analysis, the roles are the 'nodes of the networks', while transactions are the '[f]lows that connect the nodes of the network. For example, one can represent the recruitment of victims in one country and their movement into enslavement in a second country as three roles (i.e. recruitment, movement and enslavement) connected by the flow of one or more victims' (ibid: 129). In focusing on the market and how human and other commodities, such as information or money, are moved into them, this approach is able to address the ways in which trafficking is organized and may be undertaken by individuals, or by small or formal organized crime groups. Thus, he concludes that three types of trafficking networks emerge: entrepreneurial trafficking organizations, transnational networks and hybrid groups. Entrepreneurial groups are often small and traffic their own nationals from 'source countries they are familiar with through prior citizenship or ethnic heritage [to] a destination state that they reside in' (Picarelli 2009: 130). Here, diasporic connectivities are sustained, at least to the point of exploitation as women are not specifically trafficked into 'niched prostitution' (Englund et al 2008). In contrast, transnational networks tend to comprise large groups which control all aspects of the trafficking process. Unlike Shelley's (2003, 2010) 'trade and development' model of Chinese traffickers, however, these groups are not necessarily ethnically homogeneous and may traffic women of different nationalities. The third category – hybrid groups – combine entrepreneurs and crime groups that work collaboratively, with individuals performing different roles 'based on the most efficient use of their resources' (Picarelli 2009: 133). Again, they need not be ethnically homogeneous and may traffic women of a range of nationalities.

Picarelli's (2009) focus on roles and transactions arguably facilitates a process of 'profiling the trafficker' (The Vienna Forum to fight Human Trafficking 2008) in which the different phases of trafficking – recruitment, movement and exploitation – can be analyzed by reference to the actors engaged at each stage, including by reference to diasporic connections or, indeed, to diasporic discontinuities. Graycar (2002) similarly identifies a 'spectrum of traffickers' and distinguishes different roles necessary for the purposes of migrant smuggling or trafficking. These range from 'arrangers/investors' at one end of the spectrum, who finance and oversee the operations, to money movers at the other end, who launder the proceeds of the operation.

Unlike Shelley (2003; 2010) or Monzini (2005), there is no suggestion in Graycar's (2002) analysis that any of the individuals performing these various roles are linked in diaspora. Hence, both diasporic continuities and discontinuities are to be found in the trafficking literature. However, it is also important to note that diasporic and transnational formations are not, in any event, fixed or static. Instead, 'migrants can and often do change their transnational ways of being over the course of time: mobile migrants can settle down or vice versa, and these changes affect the ways in which they are transnational' (Dahinden 2010: 52). This is particularly important in the context of EU enlargement, where mobility is mediated through a complex set of regulations and degrees and phases of EU membership (Andrijasevic 2010). Contrary to Bruneau's (2010) assertion that globalization has weakened, or at least limited, the role of the state, the reconfiguration of borders in Europe is a timely reminder that the dynamics of diaspora formation and the 'dynamics of transnationality are always intimately related to the migration policies of European states' (Dahinden 2010: 59). Hence, whether trafficking is conceived in terms of 'business models', a 'model transactional network' or as 'a spectrum of traffickers', characterized by the presence or absence of diasporic and/or transnational connections, key to all cross-border trafficking operations is the transnational mobility of at least some of the actors involved in the process. It is also an important consideration with respect to the victims of trafficking, in particular women, who are less likely to have access to regular modes of migration. This is now among the issues discussed in the following section.

2.6 Migration, mobility and sex trafficking

Trafficking and migration often share the same root causes or push and pull factors. Hence, cross-border trafficking intersects with other forms of transnational mobility, while transnational mobility itself – including its absence - affects the mechanisms of the trade. As citizens or migrants, having settled immigration status, restricted or unfettered mobility is likely to determine,

in varying degrees, recruitment, transit and exploitation strategies up to, and beyond, state borders. These, in turn, impact on how the business of trafficking is organized and on the modus operandi of traffickers.

2.6.1 Trafficking as a migration issue

As noted in section 2.3.1 above, trafficking as a migration issue is among the dominant conceptualizations of trafficking in the literature identified by Lee (2011). It is also linked through CTOC to transnational organized crime, particularly at government and inter-government level. This is epitomized in the UK by the popular media perspective that we are being 'swamped not just by aliens but overtaken by the mafia' (Anderson and O'Connell Davidson 2002: 6). Elsewhere in the region it is represented in the term 'Fortress Europe', the 'cultivation of a hegemonic European character built on principles of exclusion' (Green and Grewcock 2002: 99). The approach to trafficking as a particular mode of (illegal) migration and, hence, the location of it in the crime control and prevention bracket, enables governments to adopt restrictive immigration practices under the rubric of state security and national sovereignty (Aradau 2008). Some authors suggest this has proved not only counter-productive in the fight against trafficking generally, but that it in fact strengthens conditions conducive to human trafficking and smuggling (ILO 2002; Friman and Reich 2007; Lee 2011). Underlying these arguments is the notion that individuals who are forced to migrate because of poverty, conflict or persecution (see section 2.3 above) may have no option but to resort to illicit modes of travel and border crossing (Bauman 1998).

Within the European context, however, EU enlargement has paved the way for more nuanced migratory movements that reflect the transformation of borders and challenge the characterization of 'Fortress Europe' as comprising simply inclusion and exclusion zones (Andrijasevic 2010). This was perhaps in any event always more accurately termed 'Fortress *Western* Europe', however, the expansion of the EU in recent years has blurred the distinction between those who are 'inside' and those who remain 'outside' (Mezzadra and Neilson 2008). Increasingly, cross-border travel and rights of residence are mediated by degrees of EU membership, such that 'we are witnessing the differentiation and stratification of legal statuses and citizenship in the EU' (Andrijasevic 2010: 9), whereby the status 'of illegality is just one among many statuses that migrants hold over time' (ibid: 16). This clearly has implications for the mobility of individuals across the region, including traffickers and their victims. From the perspective of the UK government, however, the policy of making anti-trafficking measures an 'integral part of the new Border and Immigration Agency's business' (Home Office and Scottish Executive 2007), will, arguably, prove largely ineffective with

respect to regional trafficking within the EU. Here, those with the appropriate level of EU citizenship can cross borders unimpeded, including traffickers and their victims.

Moreover, the conflation of counter-trafficking measures with immigration control may not only create an ineffective strategy for apprehending EU traffickers at the border. It is also a strategy which is riven with conflicts. As O'Connell Davidson (2006) points out, it means that those border and law enforcement personnel tasked with catching illegal border crossers are, at the same time, tasked with 'catching' trafficking victims (ibid: 10). Trafficking, however, is not a discrete process but, as noted in Chapter One, is instead often part of a continuum of migration and smuggling. Other scholars have identified a 'migration-trafficking nexus' (Piper 2005), or refer to a 'continuum of facilitation' (Skeldon 2000) in regular and irregular migratory flows. Thus, Anderson and O'Connell Davidson (2002) posit, 'it is naive to assume that migrants can be neatly separated into two distinct groups – those who are involuntarily trafficked into the informal sector and those who legally and voluntarily migrate into the happy and protected world of the formal economy' (ibid: 12). Irregularities can and do creep into otherwise legal migratory processes, such as the payment of extra fees to public officials to speed up the processing of passport and visa applications; conversely, women may enter a country legally only to discover after entry that they have fallen victim to traffickers.

Migration, therefore, may be a survival strategy to escape economic, political or social distress or it may be part of a planned labour migration to seek better, or more sustainable, opportunities elsewhere. The direction of these migratory flows tends to be from poorer to more prosperous regions, as was noted above. How easy – or difficult – it is to migrate will, in turn, depend on a number of other factors, including border regimes in countries of destination and 'politically motivated restrictions on migration' (ILO 2005: 46), not only with respect to international migratory flows from the global South to the global North, but also with respect to migration regimes within the global South (Bindhulakshmi 2010). This in turn creates opportunities for traffickers. As Kelly notes (2005a) '[g]lobal trafficking flows echo patterns of the globalisation of labour migration, albeit in contexts where increasingly strong immigration controls create irregular migration and through this the markets for facilitation and smuggling' (ibid: 240). Viewed in this light, human trafficking may be more accurately described as 'migrant trafficking' (Ghosh 1998: 21). Hence, a number of scholars consider what has become known as the 'feminization of (ir)regular migration' to be perhaps the most significant phenomenon of recent decades (Castles and Miller 1998; Kofman et al 2000; Sassen 2002). It is driven, in particular, by the uneven impacts of globalization but, where denied access to regular modes of migration, women's trajectories can be transformed

from planned labour migrations into 'journeys of jeopardy' (Kelly 2002). This is considered further below.

2.6.2 The 'fertile field' and women's international mobility

The European Commission's Expert Group on Human Trafficking (2004) posited that 'women's inability to access regulated migration and their propensity to work in unregulated unskilled sectors leaves them more vulnerable to trafficking and exploitation' (ibid: 147). As noted in the preceding section, a number of scholars have highlighted the significance of the 'feminization' of (ir)regular migration, analyzed by Sassen (2002) by reference to the 'counter-geographies of globalisation', which have driven women into 'survival circuits'. In some instances, such women may be described as *transnational mobiles*, however, as Dahinden (2010) found, more typically they are likely to be *transnational outsiders*.

Yet the report of the European Commission's Expert Group (2004) continues the tradition of a very one-sided debate. It implicitly acknowledges gender-based discrimination (in access to regular forms of migration and work) as among the root causes – or 'fertile field' (Kelly 2005b) – conducive to trafficking but does so without reference to patriarchal gender orders. While one of the staples of the fertile field is the subaltern position of women in most communities and societies throughout the world, women occupy that position in relation to men in whom power and resources are concentrated at both individual and government levels. Thus, while Sassen (2002) argues that governments are among the dependents⁸ of women's exploitation, Coomaraswamy (2000) attributes it to government failures:

The failure of the State to guarantee women's rights leads to sexual and economic exploitation of women in both the home and the community and within the local, national and global economies. Economic, political and social structures and the models of development that arise from such structures have failed women. They have failed in their attempts to provide basic economic and social rights to all people, particularly to women, and have further entrenched sex-based divisions of education, labour and migration. Basic rights, such as to food, shelter, education, employment, a sustainable living and peace have been denied to a large percentage of the world's population, of which women comprise a large portion (ibid: 20).

Arguably, however, these apparently contradictory views are two sides of the same coin. This can also be seen with respect to the countries of the former Soviet Union and Eastern bloc – so-called

⁸ This refers to the remittances women send to families back home and which therefore offer essential income in countries with weak welfare provisions.

economies in transition – where the re-distribution of resources through privatization of one-time state assets has mainly, and adversely, affected women, as Shelley (2000) notes:

In that period of transition, the resources of the state were privatized primarily to men. After the initial privatization, which was handled so improperly that it brought almost no resources to the state, no revenues were being paid and nothing was being done to provide social services to women, education for children, summer schools, and so forth. So a simultaneous impoverishment of women occurred, not only in their salaries and their access to property but also to social services (ibid: 6).

Hence, government policies and actions are pursued without regard for their impact on women and therefore play a significant role in forcing women into 'survival circuits' (Sassen 2002). When combined with restrictions on legal migration, markets for assistance are created. This, in turn, increases the risks to women of falling victim to sex traffickers.

These failings, however, are not solely the responsibility of individual governments. They can also be attributed to international policy, such as the structural adjustment policies mandated, for example, by the International Monetary Fund (IMF) and the World Bank (WB). There, loans are made on conditions that require governments – especially those of developing countries – to open their markets to further financial and trade flows and to undertake austerity measures which disproportionately impact the poor, particularly women (Kara 2009). Hence, they are also among the push factors which drive women into irregular migration circuits, deprived of access to the hetero-patriarchal connectivities which facilitate male migration.

2.6.3 Hetero-patriarchal connectivities

Gender-based-discrimination against women, then, is only one side of the gender divide. In imposing measures which disproportionately deprive women of resources and of access to resources, law and policy-makers are effectively adding to the cumulative surplus concentrated in the hands of men, a surplus Connell (2009) calls the '*patriarchal dividend*: the advantage to men as a group of maintaining an unequal gender order' (ibid: 142) (emphasis in original). This is taken to mean not only money income, but includes other benefits such as 'authority', 'respect', 'access to institutional power', and 'control over one's life' (ibid). Another category of advantage may also be added. In an era of globalization, transnational mobility and access to the means of mobility are likewise important benefits of the patriarchal dividend. However, in remaining steadfastly focused on the discrimination which renders women more vulnerable to trafficking, the international community and, indeed, much of the scholarship, thereby neglects to take sufficient,

or any, account of the ways in which unequal gender orders promote patterns of international mobility which systematically privilege men. Thus men, as the top executives in multinational corporations, media empires and politicians on the world stage, are the archetypal *transnational mobiles* of Dahinden's (2010) typology. As Connell (2009) notes, 'these corporations typically have a marked, though complex, division of labour in their workforce [...] and a strongly masculinized management culture' (ibid: 129) That same masculinized culture may similarly be found among media barons, bankers and global politicians. They do not so much rely on diasporic or other transnational connectivities as they do on the hetero-patriarchal linkages and reciprocal connectedness which smooth their entry into the world of the global citizen. However, where transnational mobility does draw on diasporic or other transnational connectivities – to borrow a phrase from Connell (2009) - 'it is not a long stretch' (ibid: 126) - to think of those ties as also embedded in masculinized networks which facilitate male migration, and modes of trade and commerce. These include the myriad of networks, organizations and groups engaged in the cross-border trafficking of women and which, in turn, facilitate recruitment, movement and exploitation, discussed in the following sections.

2.7 The phases of trafficking

The United Nations Global Initiative to Fight Human Trafficking (2008) notes that 'surprisingly little is known about human traffickers – those who enable or partake in the trade and exploitation of individual human beings' (ibid: 2). This is no doubt in part because of the diversity of trafficking operations and the heterogeneity of traffickers (Picarelli 2009) involved in the different phases of trafficking and commencing with the recruitment of women.

2.7.1 Recruitment

Recruitment is the process by which traffickers coerce or deceive women into leaving their homes to travel abroad for marriage or work. While coercion does feature in some cases, Aronowitz (2009) suggests that 'the nature of victimization can best be understood when it is viewed on a continuum ranging from complete coercion to lesser forms of deception (ibid: 2). It is a process rooted in the 'fertile field' (Kelly 2005b) insofar as traffickers take advantage of women's need or desire to migrate in search of security or more sustainable livelihoods for themselves and/or their families. It is also a process rooted in heterosexual practices in which men exploit heteronormative conventions to lure women into prostitution (see Chapter Six). This is said to characterize Shelley's (2003) 'American pimp' model, in which 'U.S.-born traffickers operating in loose but mutually supportive networks' (Shelley 2010: 123), target vulnerable girls and young

women and recruit them through false promises of love and affection. A similar *modus operandi* has been noted in the Netherlands and is described as the '*loverboys* phenomenon. Dutch girls are exploited by their older 'boyfriends' who, abusing their psychological power and leverage, coerce these girls into prostitution. Similar methods cannot be excluded in other parts of Europe' (UNODC 2009b: 10). In the case of cross-border trafficking, men similarly lure women with deceptive promises. However, in this case, it is to persuade them to travel abroad with them, where they then sell or force the women into prostitution (see Chapter Six).

Aronowitz (2001), as indicated above, discusses methods of recruitment by reference to different levels of 'victimization', ranging from complete coercion to deception as to the conditions of work, control and exploitation. However, it is not only victims who are deceived by traffickers. A number of studies also point to the involvement of family members in the recruitment of daughters and/or wives (Monzini 2005; UNODC 2006b; Kara 2009). In some instances this is because women are expected to assume the burden of providing for families. Indeed, Kara (2009: 155) observes that '[i]n Thai society, the duty of caring for parents falls to the youngest unmarried daughter, and the allure of lucrative sex work pressures many rural teenagers into a lifestyle they might not otherwise choose'. Thus, as Monzini (2005) notes, a whole family may benefit from the prostitution of a daughter, while 'the negative consequences [fall] entirely on the girl's shoulders' (ibid: 119). And, with respect to Thai teenagers, once in the bars of Bangkok they, too, are at risk of being trafficked abroad (Maltzahn 2008). Thus, Braziel and Mannur (2003) refer to 'diasporic sex workers [who] support their families at home, creating a diasporic-economic context in which these women are trapped by the pressures of family, nation and economic necessity. This form of sexual-economic migration defines only one of the economic situations of diasporic zones within the mixed zones of global capitalism' (ibid: 11). An alternative view might also place these women in the mixed zones of global, gendered prostitution regimes, in which their families' complicity in their recruitment and entrapment in the sex industry reflects and reproduces localized hetero-patriarchal gender orders. Recruiters are finely attuned to local gender regimes and the ways in which these operate 'to structure power relations and to create and remove layers of vulnerability and protection' (Turner 2013: 62). They use that knowledge to draw families into their deceptions such that, even where they are willing to sacrifice a daughter, 'they do not have a clear idea of the kind of exploitation that the girls will encounter'. Instead, they remain ignorant of 'the system of blackmail and psychological coercion underpinning the whole business' (Monzini 2005: 120).

Given the tensions in discourse with respect to coercion and agency in relation to selling sex, however, it is perhaps unsurprising that when it comes to the sex trafficking of women, the notion of deception is at its most controversial.

2.7.1.1 Deception: contested terrain

Several authors (McDonald et al 2000; Gülçür and İlkaracan 2002; Orfano 2003) suggest that a considerable proportion of migrant women are aware that they will be working in the sex industry prior to departure from countries of origin, but are unaware of the working conditions and exploitation they will face. Hence, Anderson and O'Connell Davidson (2002) ask just how much deception is needed for the process to qualify as trafficking?

Andrijasevic (2010) argues that the problem lies with the 'vagueness of the notion of deception' which, when taken 'together with force, coercion and exploitation as distinctive components of trafficking [...] establish an oversimplified and ultimately erroneous demarcation between voluntary and involuntary processes of migration' (ibid: 38). She found that in the accounts of thirty – mainly Ukrainian and Moldovan - migrant women, 'recruitment' meant 'meeting the right people', and 'negotiating' terms of agreement with 'third parties' who could assist with their 'migratory projects' (ibid: 37). Such projects are driven primarily by women's desires for better lives, and which include escaping poverty and sometimes 'intra-family violence' (Kofman et al: 2000). Indeed, Andrijasevic (2010) found that a number of her respondents were engaged in such 'projects of autonomy from the family' (ibid: 31).

These findings raise interesting questions with respect to diasporas and modes of diasporization. To the extent to which diasporas are still viewed as forcibly expelled by a traumatic event, typically characterized as slavery, famine or genocide, an often overlooked factor may be violence against women – rape, domestic violence, the sexual abuse of girls – at home and in the community, as well as widespread discrimination against women, for example, in access to health, education and employment. These hidden expulsion factors may be contributing to women's forced migrations. However, with respect to potential diasporization, and given that 'such conditions may be said, in varying degrees, to characterize the lot of women everywhere', this begs the question of 'where in the world [they] might go escape them' (Turner and Kelly 2009: 193). The answer, it seems, is into global prostitution markets as 'diasporic sex workers' or, as it might alternatively be understood, into a female diaspora of trafficked women, trapped in the 'diasporic zones' (Brazier and Mannur 2003) of hetero-patriarchal prostitution regimes. These are

the end points of women's journeys. Once recruited, however, they first have to move from origin to destination.

2.7.2 Movement

This is the second phase of the trafficking process. Once traffickers have recruited women, they must be transported, sometimes through transit countries, to 'centres of exploitation' (Kara 2009) in destination or 'demand' countries (Aronowitz 2009). Journeys can be short and direct involving, for example, a flight from one European city to another, or they may be long, arduous and dangerous. Women may also be subjected to high levels of violence during transit, although Andrijasevic (2010) suggests the risks of violence are greater where women are undocumented. However, as Monzini (2005: 96) notes, in particular of longer journeys, the traffickers 'who plan the trips have to be capable of acting at two levels: they must both coordinate the transport and guarantee a secure system of exploitation'. Thus, according to Shelley (2010), traffickers are 'logistics specialists' who 'require a military-like intelligence capacity' (ibid: 92) to avoid law enforcement activities, find accommodation and, sometimes, document forgers; hence, the routes they take may not always be the most direct ones. They evolve and change according to knowledge of local landscapes and the availability of services.

Access to such knowledge and services may be achieved in a number of ways. It might be provided to a crime group, for example, by locating members along the trafficking routes, as Schloenhardt (1999) has suggested, or they may be provided by locals to the area in question with whom traffickers have forged links. Kapur and McHale (2005) argue that key to the success of transnational organized crime, are diasporic connectivities which help facilitate the activities of these networks abroad. Traffickers are paradigmatically transnational actors for whom 'diasporas have been a boon' (ibid: 128), in which crime groups are said to forge strong connections with their co-nationals living abroad, forming global networks through which they are able to expand their criminal activities, particularly where such communities are not fully integrated in their host societies (Kelly et al 2005).

Traffickers, therefore, may involve members of their respective diaspora communities directly in their criminal activities, or they may use them instrumentally as safe havens en route to final destinations. Thus, Glenny (2008) noted a change in route to Western Europe by Chinese traffickers to take advantage of the presence of Chinese co-nationals who had settled in Belgrade after the Serbian government had (temporarily) lifted visa restrictions in the early 1990s. Consequently, '[t]he Serbian capital witnessed the fastest growth of any Chinatown during the

late 1990s' (ibid: 369). This influx of immigrants was able to provide traffickers with the familiar comforts of home in terms of food and accommodation. This suggests, then, that those living in diaspora – even a diaspora in the making - are potentially uniquely placed to connect 'roots and routes' (Clifford 1994), so much so that, in this instance, Belgrade quickly became a convenient staging post for onward journeys to Western Europe.

Diasporic connectivities, however, need not always facilitate the movement of women. Shelley (2010) asserts that, while 'human smugglers and traffickers often operate through diaspora communities' (ibid: 94), this *modus operandi* more typically characterizes African, Chinese and Latin American crime groups, than it does groups of Slavic origin. Thus, Ukrainian and Russian traffickers have not been found to rely on diasporic connections in transit countries (Monzini 2005). Here, women 'are accompanied for short stretches by intermediaries of various nationalities' (ibid: 103; see also Chapter Six), who sell the women on completion of each stage – usually a border-crossing. When they reach a country which is the 'launching pad' – typically Slovenia or Albania - for the final stage of the journey to Western Europe, women are again sold successively to a number of 'owners'. These transactions are frequently accompanied by high levels of violence against women. 'At each handover, the girl suffers violence even if she behaves 'well', for she must learn again who is boss, who has command over her. To prevent her from escaping, each new trafficker has to reinforce her subjugation and demonstrate his own strength' (ibid: 104). Such violence is not unique to Ukrainian and Russian traffickers, nor is it unique to the transit phase. It also occurs after arrival in a destination country and arguably characterizes emphasized hetero-patriarchal gender relations of domination and subjugation, compounded by the assertion of 'ownership' (see Chapter Seven). It is a means of asserting 'hegemonic masculinity' (Connell 2009) and of seasoning women to facilitate their control in countries of destination.

2.7.3 Exploitation

Exploitation, in the context of this research, means the exploitation of women in on or off street prostitution. However, the ramifications of the compromise reached in the definition of trafficking in international law have led to diverse interpretations. Sex trafficking, in particular, means different things in different locations, from 'outright force or bodily coercion [...] to independent and voluntary prostitution' (Ditmore 2002: 23). These different interpretations or controversies persist in the literature with respect to women who migrate/are trafficked into prostitution.

2.7.3.1 *Women in prostitution: a contested debate*

The sex trafficking of women has become part of the divided and divisive prostitution debate which underpinned NGO interventions during the drafting of the Trafficking Protocol, noted in Chapter One. There, pro-sex work advocates argued that a distinction must be made between 'voluntary' and 'forced' prostitution whereby only the latter can be said to constitute trafficking in that a woman's agency has been negated by means of force or deception and she is required to work in situations of slavery or servitude (Doezema 2001). The concern of pro-sex work scholars was that trafficking would become the vehicle for a reinvigorated 'moral crusade' (Weitzer: 2004) in which the use of 'images of bodies in pain' (Aradau 2004) would permit 'the framing of prostitution-as-sex trafficking as an 'unqualified evil'', thereby serving 'to alarm the public and policy makers and to justify draconian solutions' (Weitzer 2007: 448). Hence, the solution advocated by this scholarship is the legalization/decriminalization of prostitution accompanied by state regulation, for example, through employment laws. This, it is argued, would begin the process of de-stigmatizing women in prostitution and enable safer working practices.

This stance stands in contrast to the feminist abolitionist position in the views promulgated by Kathleen Barry (1995), founder of the Coalition Against Trafficking in Women (CATW):

I am taking prostitution as the model, the most extreme and most crystallized form of all sexual exploitation. Sexual exploitation is a political position, the foundation of women's subordination and the base from which discrimination against women is constructed and enhanced (ibid: 11).

Viewed in this light, prostitution is gender-based violence against women. It is inherently coercive rendering 'choice' irrelevant or non-existent. From this perspective, the definition of trafficking should not be predicated on the (spurious) notion of consent. The solution is the eventual abolition of prostitution, starting with the Swedish model which criminalizes the buyers (but not the sellers) of sex (see Ekberg 2004 for an overview), accompanied by adequately resourced support and assistance services to enable women to exit the trade. This would, it is argued, also have the effect of quashing demand and of creating an environment hostile to sex traffickers.

Another important strand of the abolitionist argument was that in removing the need to demonstrate the absence of consent, the legal burden of proof would be displaced from the victim to the trafficker, and the controversial territory of deserving and undeserving victims would thereby be avoided (Raymond 2002). Yet the Trafficking Protocol has placed the notion of

consent at the centre of its definition in setting out the circumstances which negate a woman's consent including and, in particular, coercion or deception in the migration process. Those who prove, to the satisfaction of investigators, that they were coerced or, more probably, deceived as to nature of the work in particular, are more likely to be recognized as victims of trafficking. Thus, conceptualizations of victimhood remain central, not just in philosophical debates on sex trafficking but, also, in the identification of victims and, hence, their access to justice and redress.

2.7.3.2 *Notions of victimhood*

As indicated, a key issue in the sex trafficking of women revolves around who is, and who is not, identified as a victim. In the UK, the mechanism for identification is the NRM through a process which determines whether a decision that there are reasonable grounds to suspect an individual is a victim of trafficking translates into confirmation of that status (see Chapter One, section 1.2.4). These decision-making processes are not generally transparent, but where they have been investigated by researchers, the evidence suggests that they are influenced by dominant stereotypes of how a victim should 'look' and 'behave'. These stereotypes are embedded in a highly gendered and racialized standard of 'the 'ideal' image of innocent and passive victim, subject to extremely exploitative conditions' (Segrave *et al* 2009: 51). These findings resonate with those of research in other areas of violence against women, notably domestic and sexual violence (see, for example, Jordan 2004; Kelly *et al* 2005), in which a 'hierarchy of victimhood' (Christie 1986) has been noted. Doezenia (2000) refers to the 'complete victimisation' of a woman – 'the more violence, the more helpless and truly victim she is' (*ibid*: 35). Similarly, Segrave *et al* (2009) suggest that the 'ideal' trafficking victim is 'the naïve, young, impoverished and disadvantaged woman from a developing country' (*ibid*: 10). Women who do not fit this gendered and racialized paradigm of 'real' victimhood, especially women from outside the EU, risk instead being perceived as 'smuggled accomplices' (Green and Grewcock 2002), and face prosecution or summary deportation. This is a particularly high risk where counter-trafficking strategies are conflated with migration control, a conflation which has been noted to have contributed to the 'criminalisation of migrants' generally (Welsh 2003; Melossi 2003, 2005). In the context of trafficking, it is particularly problematic in that 'a migrant's degree of volition is set up as the determining factor that distinguishes trafficked victims worthy of support as opposed to 'voluntary' smuggled migrants, who are excluded' (Lee 2011: 69).

For women forced into prostitution, it is also particularly problematic. While campaigners were successful in broadening the definition of trafficking beyond force and coercion during the draft stages of the Trafficking Protocol, the introduction of 'deception' into the trafficking process has

defeated abolitionist hopes of ensuring that the legal burden of proof is not displaced onto victims. In many instances, women now have to prove this element in the migration-trafficking process in order to qualify for victim status (Anderson and O'Connell Davidson 2002). This is not a requirement under the provisions of the Sexual Offences Act (SOA) 2003. However, while its absence is to be welcomed – and UK law is accordingly considered to have gone further than current international law (Goodey 2008) – it still remains a relevant consideration in the identification of a woman's victim status and in the assessment of her credibility as a witness in proceedings. There remains a risk, therefore, that gendered and racialized stereotypes of the 'ideal' victim will contaminate the NRM decision-making processes (see also Chapters Five and Seven). As Lee (2011) suggests:

Within this context 'ideal' trafficked victims are those who are willing to cooperate and participate in the criminal justice process and whose profile and experience of exploitation fit in with the stereotypes of worthy and appropriately gendered victims in terms of legality and morality of action, with no prior involvement in the sex industry or illegal migration. On the other hand, trafficked persons who do not trust the authorities or service providers, who are angry about what has happened to them or who refuse to cooperate with criminal justice agencies, are labelled as unsuitable and difficult 'cases' within the adversarial criminal justice system (ibid: 69-70).

Thus, there is a risk that a number of women will not be recognized as victims of trafficking. However, there is also another important point to note with respect to the operation of the NRM. Where women fail to be identified as victims of sex trafficking, it is not only those individuals who may be denied access to justice. Their traffickers are similarly more likely to evade prosecution under sections 57 and 58 SOA 2003. While they may be prosecuted for other offences, such as managing a brothel, many of these trafficking-related offences (see Chapter Five) are less serious and carry substantially lower sentences.

2.7.3.3 *Prostitution, victimhood and unequal gender orders*

Gendered and racialized stereotypes of the 'ideal' (female) victim are rooted in masculine constructions of femininity and formations of patriarchy. This perspective is absent from much discourse on victimhood, sex trafficking and prostitution. Hence, pro-sex work arguments, in particular, tend to be framed 'as if unequal gender orders did not exist' (Turner 2012: 41). Here, 'the stigmatization of prostitutes – rather than the structure of the practice itself – becomes the basic injustice to be redressed' (Miriam 2005: 7), and notions of victimhood among prostituted women are rejected in favour of their agency and free choice. However, as Kelly (2007) has argued, to understand women's victimization is in no way to equate it with passivity or inaction. It

is instead to recognize and acknowledge the constraints within which women are often required to operate and which are not of their choosing. As she goes on to suggest, 'this is a far cry from the freedom and autonomy that feminists view as the foundation of gender equality' (ibid: 89).

For women trafficked into prostitution, such constraints are even greater and their choices even more circumscribed. The harms of prostitution have been well-documented (for an overview see Coy 2012). In advocating legalization or regulation of the industry, pro-sex work feminists argue this would lead to a reduction in harms, create safer working conditions and allow for sex workers' collective organizing. While the validity of such arguments are challenged by other feminist scholars (see, for example, Sullivan 2012), this approach also disregards prostitution as a patriarchal institution predicated on gender inequality, and which no amount of legalization, collective organizing or regulation will dislodge. The pro-sex work approach implicitly accepts prostitution as an enduring mainstay of gender relations and, hence, accepts gender inequality as immutable.

2.7.3.4 Women as sex traffickers

According to Shelley (2007), 'trafficking and smuggling are the only areas of transnational crime where women assume an active and prominent position' (ibid: 121). Liz Kelly (2005b) questions whether they might be part of a 'second wave' of formerly trafficked women 'who have been offered, or perhaps taken, the option of recruitment rather than continued sexual exploitation' (ibid: 46). This draws attention to a potentially important difference which tends to be obscured by the predominantly masculine conceptualizations in much of the crime literature (Gelsthorpe and Morris 1990), namely that women's pathways into crime tend to be distinct from men's entry into a criminal world. This may be the result of economic dependence (Fawcett Society 2004) or as a means of exiting situations of physical and sexual violence (Chesney-Lind 1986; Browne 1987; Gilfus 2006). Thus, trafficked women are often forced to violate other laws by their traffickers (Bureau National Rapporteur Mensenhandel [BNRM] 2009), including the recruitment of other victims (Aronowitz 2009). This may sometimes be a means of obtaining their own release, as Kelly (2005b) has suggested, and/or it may enable women to escape the worst excesses of exploitation.

Whatever women's pathways into the sex trafficking of other women, however, another perspective links it more directly with unequal gender orders. It has already been noted above how, in many instances, the consequences of national and international policies and actions operate to displace resources from women and to further concentrate them in the hands of men,

thereby adding to the surplus which Connell (2009) calls the patriarchal dividend. However, while this gives some measure of the advantage to men from maintaining an unequal gender order, she notes that '[s]ome women also participate in the patriarchal dividend, generally *by being married to wealthy men*' (ibid: 142) (emphasis added).

In the world of sex trafficking, the outlook for women is particularly bleak. This is, arguably, a world in which militant hetero-patriarchal gender orders prevail - in which men seek to impose the maximum subjugation of women. Brutality and violence are commonplace, as are high levels of debt where women are required to re-pay their traffickers' 'investments' – for example, the costs of travel, bribes and visas – at extortionate interest rates, and the petty fines which are levied 'for the slightest offence or shortcoming' (Monzini 2005: 126). Traffickers may also prevent women from forming supportive relationships among themselves (Andrijasevic 2009; see also Chapter Seven), thereby maximizing their control and minimizing women's control over their own lives (a key benefit of the patriarchal dividend). This may offer an explanation for the 'special relationships' some women have been found to seek to develop with their traffickers (Mai 2009). The trafficker holds the key, not only to a woman's survival but, also, potentially, to her exit, at least from the most exploitative practices and the harshest violence. Here, contrary to Connell's (2009) supposition that some women participate in the patriarchal benefit 'generally by being married to wealthy men' (ibid: 142), the men who are consistently available to a trafficked woman, and those through whom she can participate in the patriarchal dividend, are traffickers. Such relationships can eventually form into partnerships, as women increasingly assume roles, for example, in the recruitment and control of other women, such that some, at least, may eventually come to occupy prominent positions within trafficking groups and networks. In short, participation in crime is the only way of at least potentially participating in the patriarchal dividend, in accessing resources and increasing the chances of survival.

It is not, however, women who generate demand for sexual access to the bodies of female strangers. Here, too, unequal gender orders must be factored back in, not only with respect to heteronormativity, but also with respect to the racialization of sex industries.

2.7.3.5 Male demand

Kara (2009) advocates measures for quashing demand as one of two key themes at the heart of his 'framework for abolition' of sex trafficking, which he calls slavery (see also Miers 2003; Ould 2004; Bales 2005; Smith 2007). His analysis directly addresses gender issues, but his primary critique is of the role of global capitalism. 'Sex trafficking is one of the ugliest contemporary

actualizations of global capitalism because it was directly produced by the harmful inequalities spread by the process of economic globalization' (ibid: 4). It is within this process that women, minorities and lower castes are discriminated against, disempowered and disenfranchised and, therefore, more vulnerable to 'enslavement'. Hence, 'short-term counter-trafficking tactics should be aimed at reducing the 'aggregate demand of consumers and slave-owners'' (ibid: 200), while longer term strategies should be geared towards addressing the root causes of trafficking which he describes as 'poverty and the destructive asymmetries of economic globalization' (ibid: 201).

However, aggregate (male) demand for sexual access to the bodies of female strangers (prostituted women) is very different in nature to demand for other products, in that it involves women selling a particular kind of sex which is premised on gender inequality (Jeffreys 1997). Demand itself, therefore, can be framed as a root cause of trafficking. From this perspective, Kara's (2009) account omits analysis of other 'destructive asymmetries', an omission which is also evident in much of the literature on trafficking and, indeed, on diasporas and associated forms of transnationalism. These other 'destructive asymmetries' are hetero-patriarchal gender orders, which pre-date economic globalization, as much as they are reproduced and exacerbated by globalizing processes, and as much as they are reflected and reproduced in diasporic and other transnational formations.

Thus, Dahinden (2010) discusses 'the ethnicised and 'racialised'' nature of gender representations which create demand for women with particular 'looks' and which 'form part of the transnational character' (ibid: 60-61) of the global sex business. Another study by Englund et al (2008) of sex trafficking in Estonia, Finland and Sweden similarly noted that, while '[c]lient preferences are perhaps the most recurrent theme [...] sex buyers also have more specific demands. They want the women to wear certain clothes. They want blondes and young girls' (ibid: 121). The same study also noted the presence of what the authors call 'ethnically niched prostitution' (ibid: 122) in which women are imported to meet the demands of their male co-nationals living in diaspora.

Other researchers also discuss the racialization of sex industries. Monzini (2005) suggests this may be a consequence of changing patterns of demand which has created hierarchies in which African, Asian, Balkan and other non-EU women work in lower paid sectors of the sex industry compared to their white EU counterparts. Hughes (2005) likewise notes that trafficked women often belong to the same national or ethnic group as their clients, while research conducted in London suggests that men who express a preference for women of a specific ethnic or racial

background tend to fall into one of two categories: those seeking the 'exotic other', or those who prefer women of the same ethnic background (Coy et al: 2007: 17). Monzini (2005), again, has observed that 'in some contexts with a strong ethnic mix, prostitution circuits have taken place for clients of a particular ethnicity: many places in New York's Chinatown, for example, make prostitutes available only to Chinese customers' (ibid: 38). She emphasizes, however, that such ethnically exclusive prostitution circuits are relatively uncommon, hence, 'most foreign women work in the market intended for men originating in the country in question' (ibid: 38), and whose preference is either sexual access to the bodies of the 'exotic other', or simply to foreign women as a sometimes cheaper alternative. Demand, then, is a key driver in the sex trafficking of women. It shows no signs of abating (Monzini 2005), despite obligations imposed on governments to take steps to discourage it in the Trafficking Protocol (Article 9(5)) and the European Trafficking Convention (Article 6). Instead, the global sex industry has flourished and continues to expand.

2.8 Summary: interwoven themes

This chapter has located the trafficking of women for sexual exploitation within the 'global gender order' (Connell 2009), thereby factoring back in the other side of the gender equation. Here, sex trafficking, diasporas and other transnational formations are all inter-woven through globalization and formations of patriarchy. These are also the interwoven themes of this research and are explored through interviews with expert respondents and through a document and content analysis of completed Crown Prosecution Service (CPS) trafficking files. In doing so, the study aims to expand the knowledge base on traffickers and their modus operandi, to investigate in more detail the under-explored themes of intersections between traffickers and their respective diasporas, formations of patriarchy and the role of heteronormativity in all aspects of the sex trafficking process. In conceptualizing diaspora, the analyses in Chapters Six and Seven draw, in particular, on the work of Dahinden (2010). Hence diasporas, for the purposes of this study, are understood as existing on a continuum of transnational mobility. At one end of the continuum are groups which may more typically be characterized as 'emigration diasporas' (Butler 2001), that is, as 'settled' here in the UK – although not necessarily permanently so. At the other end are individuals for whom to-ing and fro-ing across borders is a way of life, while noting that migrants can, and often do, change their transnational ways of being (Dahinden 2010).

These themes are taken up in later chapters while Chapter Three now discusses the philosophical underpinnings of, and the methodology employed to undertake, this research. It

elaborates, in particular, on the typology constructed to facilitate empirical study of possible intersections between trafficking groups and their respective diasporas.

Chapter Three

The Research Undertaking

3.1 Introduction

This chapter sets out the methodological approach used in this thesis. Chapter Two discussed the rise and spread of sex trafficking linked to the uneven impacts of the processes of globalization, processes which have also seen the emergence of new diasporic and other transnational formations. It was argued that while intersections between crime groups and their respective diasporas are noted in some parts of the trafficking literature, this is an under-explored theme, and the knowledge base on traffickers and their wider networks remains weak. More specifically, while discussions of gender are, to a greater or lesser extent present, neither body of literature takes adequate, or any, account of the 'other side' of the gender equation, and the unequal gender orders in which both trafficking and diasporas are embedded. Hence, what is also absent is an analysis of patriarchal constructions of femininity and masculinity and, therefore, the role of heteronormativity – a key site of intersection between gender and sexuality - in facilitating sex trafficking.

This research, then, aims to address these under-explored themes and gaps in the knowledge base to increase understanding of the contexts and the ways in which traffickers operate and organize the trade in women. In order to fulfil the aims and objectives of this study, a multi-methods design was adopted comprising, firstly, a series of expert interviews and, secondly, a document and content analysis of Crown Prosecution Service (CPS) completed trafficking cases. Both were guided by the prior construction of a typology hypothesizing four possible intersections between crime groups and their respective diasporas. Neither of these methods involved direct contact with traffickers (or their victims), thus minimising any element of potential risk to research participants or to myself.

The chapter is divided into a number of further sections. Section 3.2 discusses the conceptualization and design of the study and elaborates on the four possible intersections between traffickers and diasporas hypothesized in the typology. Section 3.3 addresses the epistemological framework and methodology noting, in particular, that the approach adopted is broadly characterized as a feminist standpoint. Section 3.4 discusses the research methods employed and the rationale for the selection of those methods while section 3.5 considers the

recruitment and conduct of interviews with expert respondents, as well as the analysis of interview data. Section 3.6 then discusses the processes of accessing CPS case files and some of the difficulties which arose. With respect to the analysis of CPS data, in particular, it addresses new ethical dilemmas which were encountered. Section 3.7 discusses some of the limitations of research involving secondary data as well as the significance of the continuing role of CPS as gatekeeper. Finally, section 3.8 reflects on the research process and briefly addresses how the data are drawn on in the chapters which follow.

3.2 Conceptualization and design

This research project was conceived during a series of meetings in the summer of 2006 with Professor Liz Kelly and other members of the Child and Woman Abuse Studies Unit at London Metropolitan University. A brief literature review at that time indicated actual or possible diasporic connections across the trafficking chain (Kelly 2000, 2005; Shelley 2003; Kapur and McHale 2005; Kelly et al 2005), while also confirming that the role of diasporas remained an under-explored theme. A further series of meetings took place, during which the typology was constructed as a tool to facilitate empirical study (see section 3.2.1), and consideration was given to the methods which might be used to undertake the research (see section 3.4).

During the early stages of research, the focus was on the trafficking of both men and women for sexual exploitation and other forced labour purposes. For practical reasons, set out below, the focus changed to become only the trafficking of women for the purposes of sexual exploitation. Even at the outset, however, my understanding of trafficking was informed by a feminist perspective which conceived of the trade in women as gender-based discrimination and, hence, as a form of violence against women rooted in deeply unequal power relations. The process of trafficking is complex. There are constantly shifting boundaries – between the illicit and the licit, between perpetrator and victim, between agency and victimhood, and between perceptions and realities. As a form of violence against women many aspects of the process are hidden, wrapped up in convention and gender-bound notions of masculinities and femininities, criminality, law and justice, appropriate victim attributes, and the nature of crime. This understanding of trafficking deepened as the study progressed.

The project was initially conceived in very broad terms, with a focus on traffickers and their associates rather than their victims. That said, research into any aspect of human trafficking is fraught with difficulty and, potentially, with danger, but more so possibly when the focus is

traffickers themselves. As Di Nicola (2007: 55) suggests: '[r]isks may be particularly high in research on human traffickers because organized groups involved are prone to violence and ready to use it to defend their businesses'. Furthermore, trafficking is criminalized in much of the world, hence those involved – traffickers, victims, pimps, brothel owners and managers, and the 'clients' of trafficked women – often form part of so-called 'hidden populations' (ibid: 53). They rarely comprise readily accessible groups with clearly defined boundaries; nor are many likely to be willing research participants (Tyldum and Brunovskis 2005). Hence, quantitative methods, such as surveys, were ruled out at an early stage in favour of the qualitative methods referred to above, while interviews with traffickers were also ruled out for the reasons discussed in section 3.4.1.

3.2.1 Construction of the typology

The construction of a typology, comprising four primary models, was intended as a tool to facilitate enquiries into the first objective – the exploration of intersections between traffickers and their respective diasporas (Turner and Kelly 2009). These models are, like the business models devised by Shelley (2003: 114), 'ideal types'. Hence, each was originally envisaged as follows:

The first comprises a fully diasporic closed criminal network across the entire trafficking chain, linked by ethnicity and/or family/kinship connections, which engages in the trafficking of co-nationals only and which profits from their exploitation.

Secondly, the partially integrated diasporic model represents a similarly fully diasporic closed criminal network, but here the group's activities are limited to delivery of trafficked persons to the country of destination and/or the group also traffics foreign country nationals.

The instrumental diasporic model is a partially open criminal network which operates in collaboration with other indigenous/foreign crime groups, trafficking and/or exploiting individuals of varying nationality. The group need not be ethnically homogeneous but it uses the diaspora of at least one of its members instrumentally to, for example, render the group's activities less visible, provide a market for trafficked persons, or to provide the means of laundering the proceeds of trafficking operations.

The fourth and final model comprises a fully open criminal group engaged in human trafficking and/or exploitation of trafficked persons, but in which any diasporic links are purely incidental and form no part of the group's composition or *modus operandi*.

It was anticipated that each model would be further interrogated with a view to ascertaining the sex composition of the trafficking chain, and the forms of exploitation engaged in. Thus, for instance, a group may be single sex⁹ and engage in the trafficking of both men and women for multiple exploitative purposes. Alternatively, it may be of a mixed sex composition but traffic only women for sexual exploitation. The intention here was to make the presence and functions of both men and women more visible within the trafficking process to allow for a more critical and nuanced approach, particularly with respect to further intersections between gender and ethnicity in the context of the systemic and structural inequalities which are among the causes and consequences of human trafficking (see Chapter Two).

As indicated in section 3.4, however, the sole focus of the research became the trafficking of women for the purposes of sexual exploitation. Hence, this ruled out comparison with other studies with respect to linkages between the sex composition of a group and the sex of their victims (see, for example, UNODC 2006a). However, it did lead to the formulation of the second objective of this thesis, namely, an exploration of the role of heteronormativity in facilitating all aspects of the trafficking of women for the purposes of sexual exploitation.

3.3 Epistemological Framework and Methodology

As discussed in preceding chapters, how trafficking is understood is not confined to academic discourse. It directly impacts on policy decisions and law enforcement measures to combat the trade. Hence, epistemological concerns address 'which version of truth will prevail and shape thought and action' (Collins 2000: 203).

Stanley and Wise (1993) suggest that:

An 'epistemology' is a framework or theory for specifying the constitution and generation of knowledge about the social world; that is, it concerns how to understand the nature of 'reality'. A given epistemological framework specifies not only what 'knowledge' is and how to recognise it, but who are the 'knowers' and by what means someone becomes one, and also the means by which competing knowledge-claims are adjudicated and some rejected in favour of another/others (ibid 188).

⁹ While acknowledging that sex is a contested category, it is used here as a simple binary to distinguish male and female, while the term gender is used to denote a social construct within unequal gender orders.

The 'nature' of the reality of trafficking, specifically of the traffic in women has, for the purposes of this study, been identified as violence against women. Some of the complexities of trafficking in persons have similarly already been referred to. These complexities arise in part because the term itself remains highly contested (Lee 2011). The Trafficking Protocol may have provided a common language, describing the processes and outcomes of trafficking but, as a social phenomenon, as the preceding chapters have elaborated, it is far from uniformly understood and conceptualized, and is approached from a variety of perspectives and standpoints. The approach adopted here, as previously indicated, is a broadly feminist standpoint. This is not to suggest that there is only one feminist standpoint or that feminists are a homogeneous group. However, it is predicated on the assumption that gender – and the ways in which it intersects with other factors such as race and ethnicity – 'is a key organizer of social life' (Sprague 2005: 3). As Skeggs (1994) suggests, 'feminist research begins from the premise that the nature of reality in western society is unequal and hierarchical' (ibid: 77).

As Chapter Two set out, underlying much of the research on trafficking is a particular approach in which trafficking is variously understood, for example, as a modern form of slavery, as synonymous with prostitution or as a migration problem (Lee 2007, 2011). In adopting a feminist epistemology, my purpose is not to 'adjudicate' between these competing conceptualizations. I take the view that any or all of these approaches may apply to any or all forms of trafficking. This may seem inherently contradictory: since an epistemology is a theory of knowing, it serves as a guide in choosing one conceptualization of a phenomenon in preference to another or others (Alcoff 1989). However, the nature of trafficking is such that it defies easy categorization. It cannot be characterised in terms of the dualisms or dichotomies favoured by positivist epistemological frameworks, and in which 'truth comes from eliminating subjective judgements and interpretations' (Sprague 2005: 32). Indeed, key to understanding the phenomenon of human trafficking is a rejection of any 'either/or' position and the adoption, instead, of a 'both/and' approach (Kelly 2005b: 75) which allows for a focus on connectivity. In making explicit the research approach – ontological or epistemological – these are openly revealed rather than remaining hidden assumptions. Viewed as violence against women, the connections between trafficking and other forms of gender-based violence also become more apparent, and enable their location within the deep-seated inequalities of global and local 'gender orders' (Connell 1987, 2009). Hence, in adopting a feminist epistemology, specifically one that 'chooses' an overarching conceptualization of trafficking as violence against women, it is possible to acknowledge other conceptualizations as more or less applicable to specific instances of trafficking. It is also to take (and extend) the point made by Patricia Hill Collins (2000) with

respect to (the invalidation of) black women's knowledge. Here, how trafficking is understood by the 'existing community of experts' (ibid: 203-4) – the UN, criminologists, migration and trafficking scholars – is a political process of epistemological gatekeeping. The validation of knowledge is influenced by the standpoint of those respective communities as well as by the way in which the larger culture defines certain groups as more credible than others. However, conceiving of trafficking as violence against women clarifies how it is better understood as a continuum, whether as a continuum of sexual violence (Kelly 1988) or, for instance, as a migration-smuggling-trafficking continuum (Aronowitz 2009; Turner and Kelly 2009). Thus, prostitution will involve issues of agency and coercion, while migration will often entail licit and illicit processes. In short, however trafficking is conceived, each of these conceptualizations are 'points on some form of continuum' (Sprague 2005: 13), and each continuum will intersect with others at different points of the trafficking process. This not only reflects my own preferred way of 'knowing' the realities of trafficking, as indicated above, it locates trafficking within the hetero-patriarchal gendered structures and processes which prevail across all of its various 'other' conceptualizations (see Chapter Two). It also locates discussions of diaspora and other transnational transformations within that same overarching framework, thereby factoring back in the reality of 'unequal gender orders' (Connell 1987, 2009). As such, it provides the philosophical underpinnings of this study, and provides the basis for the methodology and an approach to data analysis that focuses on how the complex and diverse elements which make up the process of trafficking in persons are inter-connected. As Letherby (2003: 5) suggests, '[t]hinking methodologically is theorizing about how we find things out; it is about the relationship between the process and the product of research.'

3.4 Research Methods

As previously indicated, the research encompasses a multi-methods qualitative approach comprising, in the first instance, a series of semi-structured interviews with experts in the field and, secondly, a document and content analysis of CPS files on completed trafficking cases in the UK.

Semi-structured interviews with experts were conducted to address three objectives:

- to explore the extent of the knowledge base in the UK
- to identify the main criminal groups involved in trafficking into the UK;

- to further develop and refine the proposed typology.

This data is then extended and complimented by data from selected completed CPS trafficking case files through which a more in-depth exploration is undertaken of:

- the composition and modus operandi of trafficking networks engaged in trafficking women into the UK;
- whether – and if so, in what manner and to what extent – trafficking groups draw on their respective diaspora communities in the recruitment and movement of women into and within the UK, as well their exploitation;
- the role of gender and the function of heteronormativity throughout the trafficking process.

3.4.1 The rationale behind the methods

Interviews are a common method of data collection in qualitative research (Silverman 2005). The purpose of conducting interviews with experts was to explore the extent of the knowledge base with respect to trafficking groups operating into and within the UK. Interviews with victims were ruled out as it was anticipated that such information they might have had about their traffickers would already have been provided to police and prosecutors in the form of witness statements. Moreover, unlike, for instance, the research on Chinese (illegal) immigrants in the UK carried out by Hsiao-Hung Pai (2008), I would not share the national origins or languages of any of the respondents I might be interviewing. This may, therefore, have necessitated the use of interpreters and, hence, involved considerable costs. Interviews with traffickers were also ruled out. As previously indicated, they are part of a hidden population (Di Nicola 2007). Furthermore, it is a hidden population involved in the commission of illegal acts. While other researchers have conducted research on organized crime ‘in the field’ (see, for example, Ianni and Ianni 1972; Pai 2008), this was held to be too high risk as well as impractical. Placing advertisements in local papers, for example, was likely to be an ineffective and potentially dangerous strategy and would, in any event, have been be-set by geographical difficulties and possibly, as in the case of interviews with victims, language barriers. For similar reasons, interviews with convicted traffickers were ruled out. The practical difficulties involved in identifying such prisoners, gaining individual permissions and the potential cost of multiple interpreters would have been prohibitive,

particularly when balanced against factors which could not be properly assessed in advance, such as the knowledge of the inmate of the trafficking chain or the credibility of his or her account. Hence, conducting interviews with experts was the method selected for the purposes of the study.

Semi-structured interviews were deemed to be the most appropriate approach as questions could be grouped around the key themes of the study while flexibility would also allow for divergence and/or elaboration by both parties, that is, by interviewer and respondent.

Similar reasons underlie the rationale for undertaking a review and analysis of completed CPS case files. This method would, again, involve no contact with traffickers or their victims and, thus, would minimize the potential risks, in particular, to victims. It was also more likely to yield a geographic spread of cases over a number of years and would have the added benefit of avoiding prohibitively expensive interpretation costs. Hence, despite the anticipated limitations of CPS files (see section 3.7 below), this was deemed to be the safest and most practical approach to data collection.

3.5 Expert interviews

In conducting interviews with experts in the field, the purpose was not so much to obtain data leading to findings capable of generalization. Instead, the purpose was to get a sense of what was known. The previous chapter noted a number of authors and studies referring to the role – or potential role – of diasporas in the trafficking process and it was these references which were to be explored more deeply. The hope was also that the knowledge and expertise of the respondents could be used to refine the typology set out in section 3.2.1 above, and to assist in the identification of crime groups particularly relevant to the UK.

3.5.1 Semi-structured Interviews

The purpose of the interviews was to investigate the extent of the current knowledge base, to consider any appropriate modification of the typology and to identify trafficking networks active in the UK.

An interview guide was constructed comprising questions grouped around the themes to be explored as set out above (Appendix 2). This was intended to be combined with a flexible approach during the interviews to enable the experts to explore the extent of their knowledge.

Consideration was also given whether to conduct solo interviews, joint or even group 'interviews' as a potential means for teasing out more information but this was ruled out early on. The diversity I was seeking together with the possibility of some experts being located outside of the UK rendered this impractical.

3.5.2 Recruiting participants

The first objective of the research was to explore intersections between crime groups engaged in trafficking and their respective diasporas across the trafficking chain.

The recruitment criteria were straightforward. This was a purposive sample in that experts were sought from a range of backgrounds – academic, professional (for example, non-governmental organizations (NGOs)) and operational (national/international police organizations) with experience and knowledge of trafficking. Such an inter-disciplinary approach was deemed important to get the range and spread of expertise deriving from the different perspectives, and knowledge bases, on the problem of trafficking and traffickers in particular. Selection could not be a random process due, for example, to constraints of language. Hence, the experts could be based within or outside of the UK but each had to have a good command of the English language.

A list was drawn up of those experts known through personal contacts, through relevant English-language publications and/or relevant institutions known to have English as a common language. They comprised respectively other academic researchers, representatives of national and international NGOs, and police. A total of fifteen were identified by these means and all were contacted by e mail, setting out the purpose of the research and which areas an interview would cover (Appendix 1).

Many were reluctant to take part. Their reluctance stemmed not from concerns that their engagement may compromise the personal safety or professional integrity of themselves, colleagues or on-going investigations. All were given undertakings that they would not be personally identified in the research but only in terms of their status, for example, as academics. Instead, many – indeed most (including others who were contacted beyond the original fifteen and who had been additionally selected using the same criteria) – declined on the grounds that they lacked sufficient expertise to assist with the research questions. In the event, only five expert interviews were concluded. Each of these respondents has been assigned a pseudonym and is identified by reference to professional or institutional background (see Chapter Four).

3.5.3 Structure of the interview

Three of the interviews were conducted in person, and two were conducted by telephone. Each was structured around key themes pertaining to the ethnicity and sex composition of trafficking groups known to traffic victims into the UK, the ethnicity and sex of their victims, and diasporic connections across the trafficking chain; additional questions sought to identify which groups were believed to be homogeneous in terms of their own composition, the ethnicity of their victims and those of intermediaries or facilitators, alternatively, which groups were heterogeneous. The duration of interviews ranged from between 30 minutes to one and a half hours. All interviews were digitally recorded with permission of participants.

The recordings of the interviews were transferred to a computer, where the files were encryption protected. The recordings were transcribed and all personal data was then anonymized and transferred to other files, identified as 'Interview 1 – academic', 'Interview 2 – operational', and so on. A list cross-referencing each respondent to the anonymized file was stored separately in an encrypted file.

3.5.4 Analysis of interview data

As indicated above, all interviews were recorded and fully transcribed. Given the small number, the interviews were coded manually, using a framework based around the key interview themes: the identification of groups involved in trafficking into the UK, the structure and composition of those groups, and their modus operandi with specific reference to connections of ethnicity across the trafficking chain. All quotations were collated and grouped into theme tables which had been constructed and through which commonalities and divergences could be explored and analyzed (Appendix 4).

3.5.5 Reflections on the expert interviews

The small number of interviews was undoubtedly disappointing. Boswell et al (2011) suggest that such problems are 'familiar ones of scale that often preoccupy the social sciences and all too frequently are used to undermine qualitative methodologies' (ibid: 771). They pose the question, '[h]ow many interviews would suffice?' While in their research they were seeking to access the victims of trafficking and, hence, had to approach potential interviewees through 'gatekeepers' (see 3.7.1 below), the question is also relevant to this research. I did not have to approach prospective interviewees through gatekeepers. Instead, I was able to approach them directly. However, as indicated above, most experts declined to participate almost exclusively on the

grounds that they lacked sufficient expertise and knowledge of the particular focus of my research. This is typified by one who commented: 'we simply don't know but we'll be interested in anything you find out'. This prompted me to reflect on these omissions in my research, and to consider the view of Letherby (2003) that '[s]ilences are as important as noise in research and the interpretation of silence is as important as the interpretation of what is being said' (ibid: 109). Hence, the small number of interviewees reflects less a flaw in the sampling strategy and is, instead, more indicative of the little that is known of this aspect of the trafficking process. It confirmed that this thesis is addressing a gap in the knowledge base.

Of the respondents who did agree to participate, none claimed to have any special expertise in my field of research, however, they were willing to share their thoughts and reflections. In fact, all did have considerable knowledge and offered valuable insights (see Chapter Four). Specifically, questions directed to ascertain the ethnicity of crime groups engaged in trafficking into the UK were addressed, as well as the ethnicity of their victims, the composition and organizational structure of the groups, and aspects of the groups' modus operandi. This data was then used, not to refine the typology, but to inform the development of pro formas (see below and Appendix 3) intended to facilitate consistent and systematic data collection from CPS files so that the two data sets would be linked to draw as full and complete a picture as possible.

3.6 Crown Prosecution Service case files

CPS is the body tasked with undertaking the majority of criminal prosecutions in England and Wales. The equivalent body in Scotland is the Crown Office and Procurator Fiscal Service and, in Northern Ireland, the Public Prosecution Service. I decided early on to only seek access to CPS files. Both Scotland and Northern Ireland have criminal justice systems which differ from each other as well as from their counterpart in England and Wales and I was concerned that those differences would result in unnecessarily complex data collection, collation and analyses. Furthermore, as a lawyer myself, with nearly twenty years' experience of private practice in England, this was the system with which I was most familiar. I also decided early on in the research undertaking to limit my enquiries to the UK as potential safety issues and language problems rendered research in an/other EU or non-EU country or countries wholly impractical.

3.6.1 Negotiating access and sampling

At the outset, it was first necessary to obtain the authority and cooperation of CPS. This entailed a formal application for research assistance to the CPS Policy Directorate in London, which had

to state the purposes of the research, its benefit to CPS and the number of files to which access was sought. At the time – November 2008 - and based on information made available by the United Kingdom Human Trafficking Centre in Sheffield (UKHTC), there had been a total of 256 individuals prosecuted in the UK between 2005 (when the UKHTC data base was set up) and 2008, with a number of cases still pending at that time. This list of cases had restricted access but UKHTC obtained authorisation to release it for the purpose of this research. This comprised the sampling frame. All were cases which had been prosecuted in England and Wales, and all involved trafficking for the purposes of sexual exploitation¹⁰. In short, at that stage there had been no completed case involving trafficking for other forced labour exploitation. Hence, that form of trafficking had to be ruled out and the research focus shifted to exclusively investigate trafficking for sexual exploitation.

The UKHTC list provided details, *inter alia*, of the names of defendants, their national origins and sex, the relevant CPS area where the prosecution had taken place, charges, convictions and sentences. The sampling strategy was to select every third case on the list until a total of 70 had been reached, or just under a quarter of all cases prosecuted. The original application, therefore, contained a request for access to seventy completed files. However, the application was initially declined. The project was deemed to be too large and of insufficient benefit to CPS to warrant the time and cost, nor was it considered likely that the files would contain the data sought.

This was a potentially fatal start to this stage of the study. While, as Miller and Bell (2005) note, '[t]he need to rethink routes and modes of access both at the outset *and* once a study is underway is clearly necessary in research that explores groups who may be difficult to access for a whole range of reasons' (ibid: 61) (emphasis in original), obtaining access to CPS files remained a priority. Hence, a further period of negotiation ensued and, following the intervention of Glynn Rankin of UKHTC, and Professor Liz Kelly of the Child and Woman Abuse Studies Unit at London Metropolitan University, through whom a sponsor was found in CPS, the project was authorised. Even so, a number of precautions were deemed necessary. I was required to sign the Official Secrets Act, as well as giving an undertaking not to use or publish any material deriving from the data to which I had gained access through CPS files without their prior authorization. Furthermore, access would be granted to only 30 completed prosecution cases. In short, CPS was not only in a position to act as gatekeeper (see section 3.7.1 below), but also to exert some

¹⁰ This is unsurprising given that the majority of estimates of the scale of trafficking suggest that most trafficking is of women for the purposes of sexual exploitation. Whether this is because other forms of trafficking are unreported is a moot point, however, it is likely that all reported cases in any event represent only the 'tip of the iceberg' (Di Nicola 2007; see Chapter Two).

influence on methodology and editorial decisions. On this basis, however, the contract was signed and agreed to be executed over a three-month period from January to March 2009. In the event, the final files were not made available until May 2010, and then access was cut off at 22 case files from eight CPS areas in England, and one in Wales.

3.6.2 Accessing files

The original 70 cases were sampled, as previously indicated, from the list provided by UKHTC. However, given the significantly smaller number of files I was now able to access, I decided to proactively ensure a more even spread on a year by year basis to avoid the risk of ending up with a skewed sample in which a particular year might be over-represented. From the UKHTC list it could be seen that there had been 42 prosecutions in 2005, 91 in 2006, 84 in 2007, and 39 to November 2008, with a further 79 prosecutions still pending at that time. My (second) sampling strategy was to select seven prosecutions for each year from 2005 to 2007, and nine from 2008 by sampling every third name as it appeared on the list. The decision to select nine cases from 2008 was a pragmatic one. There could not be a completely even distribution across the four years and, in discussions with UKHTC, it was thought that more recent cases would be more readily accessible. Further, given the aims and objectives of the research, the year of prosecution was less relevant than to simply get a spread of prosecuted cases over the period in question. This list was then submitted to CPS. However, further difficulties arose. UKHTC used the police computer number (CPN) to identify cases, whereas CPS required their own unique prosecutorial reference number (URN) to request retrieval of the files from storage in the different CPS areas. Initially, CPS were able to track a total of 21 of the cases on their Case Management System; among the remaining nine, a couple of cases were duplicates, possibly because of multiple defendants, and another three were still 'live', indicating ongoing or further enquiries, and hence were unavailable. This therefore required further sampling from the remaining available cases – by repeatedly selecting every tenth name each year until, eventually, the final list of 30 cases was established. This comprised those which could both be tracked by CPS, and those which they also deemed likely to be made available. Even then, as noted, only 22 cases were in fact made available over the 17 months of data collection, including two cases from 2004. The shortfall and substitutions were indicated to be for a variety of reasons, for instance, because of pending appeals or because cases, again, went 'live' during the period CPS was hosting the research; one CPS area declined to retrieve the files from storage and send them to London, as the files were particularly large and hence did not warrant the resources and costs involved. Nonetheless, it must be said that once CPS agreed to host the research they were very helpful and accommodating, requesting files from the different area offices and providing me with access to a

room at their London headquarters. This was the only place in which it was possible to work with the files. Given the sensitive nature of many of the materials they contained, they could not be taken off the premises. Hence, the files were retrieved in batches and were kept in locked storage facilities for my use following which they were returned to the respective area offices and the next batch requested.

3.6.3 Data extraction

Following the interviews with expert respondents and prior to commencing data extraction, I developed a number of pro formas (Appendix 3) designed to ensure consistent and systematic investigation of the themes central to my research questions, and to facilitate data analysis. These variously addressed:

- the size of the trafficking group;
- the composition of the group in terms of nationality and sex;
- the nationality of the group's victims; and
- the modus operandi of the group in countries of origin, transit and destination, that is, during recruitment, transportation and exploitation, and any identifiable links between group members and other persons in transit and destination countries by reference to their nationality and/or family/kinship ties.

Additionally, individual defendant, victim and 'other actor' pro formas allowed for the recording of details of nationality, age, sex and antecedents for each individual, and for relationships within the group; details of the charges brought, convictions and sentences, alongside details of any connections with persons outside of the trafficking group, such as taxi-drivers, landlords, estate agents, money transfer clerks, pimps and brothel owners/managers and family members. These pro formas were piloted during a review of the first three CPS files, following which some amendments were made, specifically for case tracking and identification purposes. Finally, an 'other data' sheet was added to record any additional information of note and any relevant quotations. In addition to the data set out above, each pro forma, therefore, also set out the year of the case, the region in which the prosecution took place, and the CPS unique reference number. The information recorded was then stored in encrypted files, following which separate files were created, identifiable only as 'Case 1', 'Case 2', and so on, and into which the

anonymized data was then transferred. A list referencing each anonymized case to its unique CPS reference number is kept in a separate encrypted file.

3.6.4 Working with the case files

As a lawyer, I was fortunate to have some familiarity with the documents in CPS files. These typically comprised the following:

- charge sheets and custody records: the latter contained details such as the name, nationality and/or ethnicity of the person arrested, reasons for the arrest and personal items removed for safekeeping; the former set out the details of the charges formally read to the accused person by the custody officer and any response by the individual charged;
- transcripts of police interviews with victims, witnesses and defendants with details of any known antecedents, such as family background;
- indictments and amended indictments, that is, the formal charges prepared for court;
- email and other correspondence internally and with relevant outside parties, such as defence solicitors;
- statements of police and forensic investigators, for example, of surveillance or undercover work undertaken by police officers and statements pertaining to any forensic evidence and money transfers/laundrying;
- communications with police in other countries, and with Europol and Interpol;
- instructions and briefs to Counsel together with any other documentary or photographic evidence pertaining to the case and any Written Advice provided by Counsel;
- defence documents, such as the formal defence filed on behalf of a defendant, and
- notes of hearings and outcomes and, on conviction, sentence details.

In most instances, where a file was particularly large or bulky, this could be attributed to – sometimes multiple copies of – trial bundles, these being the sets of paginated documents prosecutors are obliged to prepare for the judge and for other relevant parties in the trial, and which frequently run to hundreds of pages.

Before undertaking a detailed content analysis (drawn on in Chapters Six and Seven), basic data had to be extracted and organized according to the variables identified in the pro formas with respect to each 'party' – defendant, victim, 'other actor', then built up to enable analysis of the trafficking group, its methods of recruitment, modes of transportation, and exploitation. This apparently straightforward task proved to be considerably more difficult than I had anticipated. One of the first challenges was how to deal with missing and unreliable data, and with the question of ethnicity.

3.6.5 Missing and unreliable data

The problems of working with secondary data, in this case, with information prepared for the purposes of legal proceedings rather than research, are discussed in section 3.7 below. However, it was quickly apparent, just as CPS had warned, that some of the pro forma information would not be found in their case files. This was especially problematic with respect to transit countries. This relates to several issues discussed in Chapter Two. Firstly, in terms of 'transnational' offences, these are not tried by supra-national bodies. Generally, prosecutions take place within the jurisdiction in which a person is arrested and charged by national bodies such as CPS. Even there, in many instances, there will be at least some reliance on the witness statements of victims. Where victims have been transported through transit countries by persons other than defendants, they will rarely know sufficient details of the transporters to enable, for example, the issue of a European arrest warrant. Furthermore, those individuals, like the recruiters in source countries, more often deliver their human cargo and leave, thereby minimizing the risks of apprehension by the authorities here. Secondly, where transport through a transit country has been clandestine, there will be no records of entry to and exit from a country, all of which matters create potentially formidable evidential problems for investigators and prosecutors. Thirdly, although UK law does not require proof of trafficking by an organized crime group or, indeed, any 'group', establishing connections and identifying the nature of those connections is no easy task.

This is not to say that there was no information on transit country actors in CPS files. There was and, as indicated, it was most typically to be found in the witness statements of victims. They often identified basic characteristics such as sex and approximate age, and provided indications

of nationality by reference to the languages spoken. Similarly, the functions and roles of these individuals were identified – for example, as hoteliers, drivers and/or document forgers. However, particularly with respect to nationality, the information was often insufficiently reliable to be able to point, with any degree of confidence, to the presence or absence of diasporic connections with other actors in the trafficking chain. It was decided, therefore, to omit this aspect of the research from the analysis in Chapter Five of the typology, which has been modified to exclude reference to transit countries. Where sufficient, it has been included in the qualitative data analysis in Chapter Six. That this was anticipated, certainly by the conclusion of the data collection stage, did not render it any the less disappointing. However, by then other themes were emerging, most notably with respect to normative constructions of heterosexuality and the role such heteronormativity appeared to play in the trafficking process and it was, therefore, at this stage that the second of the study's aims and objectives was formulated (see Chapters One, Six and Seven).

Data analysis also required a decision to dispense with the variable of 'ethnicity'. This was because in most cases, the information was either inconsistently recorded in CPS files or because there was reference only to nationality. That 'nationality' would prove to be an unreliable substitute had already been recognized since, for example, a few defendants appeared to be naturalized UK citizens but, again, this could not always be determined with certainty. Hence, the concept of 'national origin/s' was adopted to indicate the country of origin of each defendant, victim or other actor. This information was consistently available, at least with respect to all defendants and victims, although not always with respect to other parties, especially in transit countries. With respect to the typology, the adoption of the term 'national origin/s' led to the first of two modifications, with the latter phrase replacing ethnicity in the four ideal types hypothesized.

3.6.6 The boundaries of a trafficking group

If the issue of missing and unreliable data gave me pause for thought and a little disappointment, what proved to be unexpectedly problematic was determining the boundaries of the trafficking group, quite simply, who belonged where. The four models within the typology presuppose the existence of an identifiable group across the trafficking chain, but the immediate difficulty was in identifying which individuals constituted the 'group'. Existing literature has documented the diversity of trafficking operations and contested notions of organized crime as well as its role in the trade in human beings (see Chapter Two). However, initial attempts to collate and analyze the data across the trafficking chain brought that diversity vividly to life and illustrated just how difficult it was to establish the parameters of a group for these purposes. Thus, for example, in some

instances, there were regular recruiters and suppliers from source countries who recruited women, delivered them to the UK and sold them on arrival or shortly thereafter to others. Here, the recruiters often did not share the national origins of the buyers (see Chapter Five). Could those suppliers and buyers be said to belong to the same group, or did they constitute two separate groups working collaboratively or opportunistically with one another? Even adopting the relatively straightforward definition set out at Article 2 of the UN Convention Against Transnational Organized Crime (CTOC) failed to shed sufficient light. There, sub-paragraph a) provides that an organized crime group is 'a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes [...] in order to obtain, directly or indirectly, a financial or other material benefit'. Similarly, under the terms of sub-paragraph c) a structured group is defined as 'a group that is not randomly formed for the immediate commission of an offence and that does not need to have formally defined roles for its members, continuity of its membership or a developed structure'. There was evidence in CPS files that certain individual recruiters worked together in source countries and with defendants in the UK but, usually for the reasons outlined above, they rarely featured among those arrested and prosecuted in the UK. Hence, it could not be established with certainty that they were part of the same, or a different, group.

3.6.7 Re-definitions

After returning to existing literature and working with the case files, the core unit of analysis came to be the 'defendant group'. However, this is an unsatisfactory compromise in several respects. Firstly, not all defendants were tried as part of a group. Among the 22 cases reviewed, four featured sole defendants. In reviewing those cases, it was apparent that each of these individuals was connected to any number of others, but without any explanation within the files as to why one or more of those others had not also been charged and prosecuted in the same proceedings. Secondly, even where defendants were tried together as a group, the evidence on occasion suggested that not all co-defendants in fact operated together as a 'group'. In short, they could be taken as individuals connected together in a prosecution case by virtue of the victim/s rather than their membership of a criminal group. Issues such as these are among the uncertainties of conducting research with secondary data (see below, section 3.7). However, they nonetheless required decisions to be made and, therefore, for the purposes of the analysis of the data in this research, the following definitions were devised:

Defendant:	an individual charged and prosecuted in England or Wales in connection with trafficking or trafficking related offences.
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Defendant group:	two or more individuals charged and prosecuted in the same case in England or Wales for trafficking or trafficking related offences.
Trafficking network:	an indeterminate number of individuals connected to a defendant or a defendant group by the supply and purchase of women and/or their exploitation in the UK.
Victim:	any person who is subjected to human trafficking as defined in the Council of Europe Convention on Action Against Trafficking in Human Beings.
Associated party:	any person identified during the course of police investigations as connected, in whatever manner, with a defendant or a victim.

It should be noted, however, that while these definitions are used to identify and distinguish the various actors encountered in this research, the categories themselves are not necessarily discrete. For example, a person identified as an 'associated party' might also appear as a defendant in another case. However, in adopting these definitions, a consistent and systematic analysis of the case file data became possible.

Finally, these re-definitions also led to the second modification to the typology. Given the numbers of defendant groups not involved in the recruitment stages but only in the procurement of women on their delivery to the UK, the second partially integrated diasporic model was extended to include groups in which members share the same national origins and who procure co-nationals or women of different national origins on, or shortly after, their arrival in the country.

3.6.8 Analyzing CPS data

As with the expert interviews, the data extracted from CPS files was coded manually and with the use of Excel spreadsheets. A list was prepared, identifying the CPS area office and all cases emanating from that area, indicating the year of the case and its unique reference number. The defendants were then grouped according to national origins, sex and age to provide a simple statistical overview. A similar process was undertaken with respect to victims and, to the extent possible, associated parties. Each defendant group was then analyzed separately through the

use of a set of tables constructed for these purposes (Appendix 5). The first table identified each defendant in the group by reference to national origins, sex, any relationships of kinship among the defendants, the role of each defendant and, finally, the national origins of the groups' victims.

The second and third tables repeated this process with respect to UK and transit country associated parties, with the roles of the associated parties indicating criminal or non-criminal involvement. The final table then showed connections of national origins and by sex across the trafficking chain and enabled each group to be allocated to its corresponding model in the typology (see Chapter Five).

The more in-depth analysis was approached in similar fashion to the expert interviews. Relevant data, including quotations from the transcripts of police interviews with defendants, witness and victim statements, was grouped together under the themes of recruitment, transportation and exploitation, and in which individuals were identified as defendants, victims or associated parties in countries of origin, transit and in the UK. Additionally, their roles were identified, for example, as recruiters or exploiters. The data so collated then provided the framework for the analyses in Chapters Six and Seven, but it was here that new ethical dilemmas were encountered in relation to the victims of trafficking.

3.6.8.1 Consent and the sufficiency of anonymity

Expert witnesses were approached directly and gave explicit consent to participation. This was not the case with respect to the CPS files; here, it was not possible to obtain the consent of those whose lives filled the pages of each of the cases. Furthermore, while CPS had granted access, I was minded of Miller and Bell's (2002) cautionary note that 'gate-keepers may in effect (unknowingly) imply and authorise consent where they provide access to less powerful groups' (ibid: 61).

I had always anticipated drawing on women's accounts of trafficking processes as part of tracing sources and points of connectivity across the trafficking chain simply because, as previously indicated, many prosecutions rely on women's statements/testimonies. However, it was in the course of reading and contemplating those statements and testimonies that I formulated my second objective as one possible way of illuminating certain aspects of sex trafficking and the mechanisms underlying engagement between the various actors and the women themselves. It was also at this point that I realized that women's accounts of their experiences could sometimes be better conveyed in their own words than anything I might write.

However, in relating their experiences to police and prosecutors - how they journeyed from country of origin to destination, who controlled them and by what means, who sold and bought them, and how they came into contact with the UK authorities - none of these women gave their consent to that information being accessed outside of the judicial process for alternative purposes, nor does any one of them have any control over how the data extracted is then used. In providing statements to law enforcement authorities, the women were at least aware that the information was intended for use in legal proceedings, the objective of which was to secure convictions against those who had trafficked and exploited them. Here, however, for practical purposes, it was not possible to seek their consent. Many women were likely to have returned or have been repatriated to countries of origin. Tracing them and, indeed, any women who might still have been in the UK, was likely to be very difficult, while contact might in fact have exposed them to potential risks as well as perhaps serving as an unwelcome reminder of past experiences.

When I had previously anticipated drawing on women's accounts and, indeed, the accounts of other actors in the trafficking chain, I felt the ethical dilemmas would be resolved by preserving their anonymity. I was not concerned with preserving the anonymity of individuals whose identities were already in the public domain – for example, published in the media following conviction – but I decided nonetheless to use pseudonyms only on the ground that disclosure of their identities, even partial identities, might lead to the identification of victims and other witnesses. However, I was less convinced that anonymity was in fact a sufficient substitute for consent with respect to victims. I felt uncertain as to whether I had the right to draw directly on women's experiences and words or, indeed, whether in not doing so, I would be denying women their voice and their rights to be heard.

3.6.8.2 *Routes to resolution*

Formulating the dilemma in terms of 'rights', as I have done above, immediately revealed my initial frame of reference. This is perhaps unsurprising given my background as a lawyer and my interests as a human rights scholar. However, I also very quickly realized that this was not a quest for 'justice' which could be achieved by the application of 'universal principles' and a set of rules. I have previously critiqued this approach, particularly within the international human rights regime (Turner 2012). On the other hand, I am not entirely comfortable with a feminist 'ethics of care' (Gilligan 1982), even as this has been extended into the field of social research by Denzin (1997), who suggests that the researcher should 'step into the shoes of the persons being studied' (ibid: 273). Like Iris Young (1997), I do not consider this possible or desirable. Certainly, I

would not presume any ability on my part 'to step into the shoes' of women trafficked into the UK from countries in which local 'gender orders' and 'gender regimes' (Connell 2009) operate and impact very differently to those within my own range of experience. This is not to suggest that no commonalities exist. However, whatever commonalities there are must be informed by the situational specificities of their lives and my own. Nevertheless, after much consideration, I decided to draw on the experiences of trafficked women as documented in their statements and elsewhere in CPS files to inform this research – and, hopefully a wider audience - and, where appropriate to use their own words. In doing so, I fully acknowledge my part in 'power-based knowledge construction processes' (Code and Burt 1995: 14) but follow the approach advocated by Doucet and Mauthner (2002) in adopting what they describe as:

a 'robust' concept of reflexivity that goes beyond the usual calls for researcher location. This is a reflexivity that includes reflecting on the social as well as political and institutional locations but also involves transparency and accountability about the theoretical, epistemological, and ontological assumptions that inform and influence our knowledge construction (ibid: 139).

Such reflexivity does not, and cannot, resolve fully the ethical dilemmas of trespassing into another's domain. However, in founding this research within a feminist epistemological framework, my aim is to make transparent the assumptions underlying not only the conceptualization and design of my research, but also those underlying my data collection, analysis and interpretation and, in this way, to make a 'responsible' contribution to the knowledge base and the processes which lead trafficked women into conditions of exploitation. In doing so, and in keeping with feminist traditions, I further hope that such knowledge will play some part in efforts to combat trafficking and contribute to the process of eliminating this form of violence against women.

3.7 Working with secondary data

The problems outlined above highlight the difficulties of working with secondary data. CPS case files are prepared for the purposes of criminal prosecution. Information is collected, collated and analyzed with a view, for example, to assessing and strengthening the prospects of securing a conviction, and not for the purposes of research generally, or with a view to addressing specific research questions (see, for example, Rosenfeld et al 1999). This problem is by no means unique to research on trafficking, but it is illustrative of the many difficulties confronting researchers in this field, and calls for rigour and transparency throughout all stages of the research to maximize

reliability and to avoid making unsupported claims. Indeed, trafficking research has been criticized 'for saying little about the methods used to collect and analyse data' (Laczko 2005: 5-6). Much research has also tended to focus on studying victims rather than traffickers (The Vienna Forum to Fight Human Trafficking 2008). A notable exception is the study by Levenkron (2007) who, in undertaking to profile Israeli traffickers, also undertook a review of existing literature to locate other work which addressed any aspects of traffickers rather than just their victims. She found only two other such studies. The first was a report by the Dutch National Rapporteur (Korvinus 2005) which identified that most traffickers were men, half of whom had Dutch citizenship although an unspecified number originated elsewhere, such as Albania, Russia and Turkey. The second study by Denisova (undated, cited in Levenkron 2007) noted, among other things, that of the traffickers active in Ukraine, many originated from elsewhere. Specifically, however, the study identified three characteristics which all traffickers shared in common: 'First, they did not engage in trafficking by themselves, but rather always operated as part of some group. Second, after entering the trafficking business, with a few exceptions they did not return to normative occupations. Lastly, all had connections abroad that simplified their criminal activities' (ibid: 18). Interestingly, both Denikova's undated study and that of Levenkron (2007) included in their methods a review of court files although neither comments further, for example, on the use of such secondary sources or how they went about extracting data from the files, or collecting, collating and analyzing the data. However, a prior study had in fact been undertaken by Monzini et al (2004) which also used police files and interrogation statements to investigate smuggling and trafficking operations across Italy's north-east border. Here, Sciortino (2004) notes '[i]t is possible to extract much useful information about the journey immigrants make by looking at these interrogations, even if the analysis of the data must take into account the situation in which this information was obtained' (ibid: 14). More recently still, researchers on behalf of the Organization for Security and Cooperation in Europe (OSCE)/ Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (2010) undertook a study of selected trafficking cases in a number of the member states of OSCE, examining trafficking, trafficking groups and their *modus operandi*. This included six cases from the UK, five of which were concerned with commercial sexual exploitation, with data obtained from published materials and court documents made available through UKHTC. This was supplemented by interviews with in-country experts and, like this study, included interviews with five UK-based experts. However, the researchers in that study highlighted the difficulties in obtaining access to completed police/prosecution files and, hence, the limitations in relying on extracts and published material which often contained insufficient information.

For the purposes of this study, the difficulties and limitations of using secondary CPS data have been noted above, however, interestingly, the aforementioned study also found the presence of apparent 'soloists', or lone traffickers (see above and Chapter Five). On the other hand, where groups were identified, their composition was predominantly ethnically homogeneous, some of which extended into other European countries. This, then, - like a number of the studies discussed in Chapter Two - also points to potentially important diasporic links in facilitating trafficking operations.

It is not known whether any of the aforementioned researchers had to address continuing gatekeeping functions, after obtaining access to extracts from files and court documents from their various sources. However, this was, and is, a consideration in this study.

3.7.1 Gatekeeping in research

Boswell et al (2011) have written of the methodological barriers they experienced in seeking to undertake a small research project which required access to trafficked women, access which was available only through 'institutional gatekeepers'. At this stage in my research I was not, of course, seeking access to live individuals – victims or traffickers - but to the contents of prosecution files. Nevertheless access to those files was mediated by CPS and CPS retains some control over disclosure and publication. This raises a number of specific and wider questions.

As Boswell et al (ibid: 775) suggest, 'questions about the utility of academic research [...] are not new'. In the context of this research, 'utility' was not the only issue. It is clear that the original ambitions of the project - to review a total of 70 cases - were hopelessly misaligned with what CPS could realistically assist with. However, utility was a factor which had to be weighed in the balance. Hosting this research was but one of a number of projects with which CPS was engaged, resources were limited, and there were logistical restraints. The respective costs and the potential benefits had to be carefully weighed. Fortunately, the balance came to favour allowing access to the files. Nevertheless, additional factors must continue to be weighed in the balance.

3.7.2 Institutional interests and the continuing duty of care

In many instances, when the empirical work has been completed and researchers 'leave the field' (Letherby 2003: 116), the researcher has control over the data obtained and has the power of editorship. As Stacey (1991) notes:

With very rare exceptions, it is the researcher who narrates, who 'authors' the ethnography. In the last instance, [a research account] is a written document structured primarily by a researcher's purposes, offering a researcher's interpretations, registered in a researcher's voice (ibid 114).

In this case, however, while the research is 'narrated' and 'authored' by me, CPS retains certain editorship rights. Hence, this is arguably one of the 'rare exceptions'. CPS have a continuing role as gatekeeper, albeit it not to 'interview subjects' as the term is more frequently applied in sociological research (Burgess 1984), but to the data derived from their files. However, this has not been as problematic as it might appear. Firstly, the dealings were between lawyers. I had confidence in their judgements and in myself not to make reckless disclosures. Secondly, institutional interests do not always coincide with research interests; CPS plays a valid and vital continuing role in protecting a range of individuals and other interests. Trafficking cases can be distinguished from many, although by no means all, other types of criminal prosecutions in a number of respects: the prosecution of one case may be linked to continuing investigations of another, victims and witnesses may be held in protective custody, details of which cannot be disclosed. The location of certain properties – such as safe houses - and the identities of a number of police officers and/or witnesses must be kept confidential. It is plain, therefore, that disclosure of certain information may jeopardize ongoing operations or place police and other persons at risk. In this sense, CPS are not only the gatekeepers to information about perpetrators and victims, but to a range of other individuals and institutions to whom they owe a continuing duty of care.

In light of the above and as a researcher, it is necessary to be and remain acutely aware of the sensitive and confidential nature of the material to which access is granted, to the risks research might pose to the safety of others, as well as the range of interests which might be compromised. Simultaneously, the purpose is to obtain and analyze the data to further the aims of the research project and to publish to as wide an audience as possible. These are among the tensions which must therefore be managed within the research process.

3.8 Final Reflections

In reflecting on what has been a protracted and, at times, difficult and disappointing process, a number of issues emerge. The respondents, despite their reservations, in fact provided valuable insights from a variety of different perspectives. The CPS files, while not always containing the data sought, nonetheless contained much that was directly relevant to the research questions, and where sections of the pro formas remained 'blank', the 'other data' section compensated in many, and frequently, unexpected ways.

Prosecution files are, of course, compiled for prosecution and not for research purposes and this inevitably led, at times, to a sense of frustration. However, the data proved to have a sometimes surprisingly rich quality and provided reassurance that the research questions could be addressed. Further, that in doing so, this study would add to the knowledge base and shed more, and new light, on the complexity of trafficking operations.

That task now begins in the following chapters. Chapter Four draws on the interview data to present the views and reflections of the expert respondents, while Chapter Five presents an overview of the findings from CPS data. It profiles both traffickers and victims and discusses the findings of the study with respect to group composition and modus operandi of traffickers operating into and within the UK. It concludes with the findings relating to diasporic links, and the allocation of groups to one of the four models hypothesized in the typology. The following two chapters then draw further on the interview and CPS data to present the findings of more in-depth analyses of the recruitment and movement of women and their exploitation in the UK's sex industries, with attention not just to the presence or absence of diasporic intersections, but also to the function of heteronormativity in facilitating the processes of trafficking. The analyses are also located within the wider literature and discourses on trafficking, diasporas and other transnational formations.

Chapter Four

Exploring the knowledge base

4.1 Introduction

The previous chapter set out the methods used in this study. It discussed the typology constructed to facilitate the research and which hypothesized four possible primary diasporic intersections with trafficking groups. This chapter now presents the findings from the interviews conducted with experts. While small in number, each of these experts had experience of trafficking from a different perspective and working environment: academic, international non-governmental organizations (INGO) and national and international law enforcement. They had experience of overseeing, commissioning and/or undertaking trafficking and trafficking-related research, and of undertaking, overseeing and/or advising on trafficking and trafficking-related criminal investigations.

It is important to bear in mind that the interviews were not intended to establish, for example, the extent of trafficking into or within the UK. Instead, the intention was to explore the knowledge base around a number of key themes:

- the main trafficking groups believed to be involved in organizing trafficking into and within the UK;
- the structure and composition of those groups;
- their modus operandi; and, with respect to each of these themes,
- connections of national origin between traffickers and victims, within the trafficking groups and across the trafficking chain.

None of the experts who agreed to participate claimed to have specialist knowledge of this field of research. Indeed, many of the experts who responded to my initial contact and request for interviews were quick to point to the lack of prior research and the consequent dearth of knowledge with respect to all of the lines of enquiry outlined above.

The interviews were conducted on the understanding that the experts would remain anonymous. All respondents have, therefore, been allocated pseudonyms, and are identified only by reference

to their professional or institutional background. It must also be emphasized that the views expressed by the respondents, while deriving from knowledge and expertise gained by virtue of their respective professions, are nonetheless personal opinions. It will be seen that the views expressed are diverse but that, in some instances, some commonalities emerge. Bearing in mind the little research that has been carried out to investigate any of the lines of enquiry outlined above, there are limited other studies to draw on or to compare this research with. However, where appropriate, reference will be made to such other studies as relate to the subject matter of these enquiries.

The chapter is organized into a number of sections. Section 4.2 briefly discusses trends in organized crime in the context of groups operating within the UK. Trafficking is very much an evolving area of criminality and Chapter Two discussed a number of studies which suggested diasporic intersections among some trafficking networks, while others noted an increased preparedness among some groups to cooperate with other groups. The intention, then, was to explore with the respondents whether this reflected their understanding of developments in groups operating into and within the UK, as this would have implications for all other lines of enquiry. Section 4.3 then considers the structure and composition of the various groups, for example, whether they are more or less hierarchical, or the extent to which they are heterogeneous with respect to national origins and sex. Section 4.4 addresses the modus operandi of the different groups - methods of recruitment, modes of transportation and forms of exploitation. Connections of national origin, including between traffickers and victims, and/or diasporic connections in all phases in the trafficking process are explored throughout. However, for the reasons set out in the previous chapter, while reference is made to forced labour trafficking, the focus is on the trade in women for sexual exploitation. The final section then draws together the key findings from the interviews.

4.2 Trends in organized crime

In undertaking a pilot survey of forty selected crime groups in sixteen countries, UNODC (2002)¹¹ noted the importance of collecting data on criminal groups as critical to the implementation and monitoring of the UN Convention Against Transnational Organized Crime (CTOC), and in assessing trends in organized crime. Further, that in providing standard definitions of organized crime and trafficking in CTOC and the Trafficking Protocol, a baseline had effectively been

¹¹ It should be noted that the focus of the survey was on 'organized crime groups' and not groups only engaged in human trafficking which, in fact, represented only a very small proportion of the groups surveyed.

established for future research and analysis. However, as the preceding chapter has already demonstrated and as subsequent chapters will show, this is far from straightforward with respect to researching groups engaged in transnational trafficking. Research on individual traffickers remains in its infancy while establishing the parameters of crime groups that operate cross-border is particularly challenging. Two respondents, however, were prepared to offer an opinion on what was perceived to be an emerging trend.

This [identifying new trends] is not as easy as it sounds. There are the Albanians, or the various West African groups, for example, but different countries have criminal groups of different origins. I'd be wary of saying anything too definitive but I think what's important is that whereas in the past you'd have one nationality managing the whole process, now you'll have more than one and it's quite informal. I wouldn't say that's always so or that it's so in the majority of cases but it's definitely a trend (David, INGO: interview 4).

I think that's changing now. It doesn't matter. As long as you can sell off and get your money, then it doesn't matter who you're working with and it's the same with all organized crime, or criminal networks, they work with – they might be a little bit safer with their own people who they know and perhaps trust a little bit more – but it's changing and I think, again, not from my experience, I was speaking to somebody, and perhaps even the Chinese are widening, because they tend to stick to their own group as do, I think, the Vietnamese, but even there it's changing (Anne, academic: interview 1).

The trend indicated refers to a change in the organization of trafficking from its end-to-end management by a single (national) group to greater, albeit informal, cooperation between different trafficking groups. Such cooperation has also been noted by Shelley (2010), for example, at least with respect to some aspects of the process, namely, 'along the routes'. Leman and Janssens (2008) likewise point to significant changes among some Balkan groups and developments towards multi-ethnic joint ventures. However, other than identifying this trend, it is clear that one respondent at least is reluctant to say anything 'too definitive' or that such cooperation is 'always so', or even 'that it's so in a majority of cases'. The second respondent was clearer that this is a change to previous patterns but was still hesitant with respect to particular groups. And, as indicated, none of the other respondents felt able to offer a view. Hence, this would appear to suggest a weak knowledge base generally, and specifically with respect to the UK. Moreover, given that the present study represents a 'snapshot' in time, rather than taking a longitudinal perspective, the point remains moot.

4.2.1 Groups engaged in trafficking into the UK

Here, all respondents identified or presumed Eastern European traffickers to be active in the UK. These typically included groups from countries such as Albania, Bulgaria, Romania, Lithuania, and Latvia. Three respondents also referred to Russia, South East Asia, Thailand and West Africa as countries or regions from which groups active in the UK emanated. However, in the context, particularly of Russian and West African organized crime, UNODC (2002) caution against the conflation of crime groups with what they refer to as 'clusters'. They suggest that the primary entity is the group, while 'clusters are not defined criminal entities with clearly delineated boundaries, but are often complex associations of criminal organizations and individual actors'. These clusters are 'conglomerations of similar criminal groups', and share 'many similarities in structure and organization among the various groups that constitute them [but they] are not on their own definable criminal groups' (ibid: 8).

The layered approach to the study of organized crime recommended by the UNODC survey (ibid) is to first collect and analyze data with respect to crime groups, then to turn to the various clusters of criminal groups and, finally, to undertake an analysis of the markets which characterize the activities of organized crime, such as people trafficking and smuggling, protection, or the trade in illicit narcotics, taking account throughout of geographic localities and regional markets (see also Shelley 2003). This research project does not incorporate any analysis of 'clusters'. The focus instead is on groups and 'networks', (see Chapter Three) and any analysis of the market is peripheral to the focus on types and levels of connectivity within groups and across their wider networks, including and, in particular, their diasporic networks.

It should also be noted that the term 'cluster' was not used by any of the respondents in this research. Furthermore, given the difficulties, discussed in Chapter Three and indicated above, of identifying the parameters of a 'group', it is certainly possible to speculate that those difficulties would be even greater in seeking to ascertain the parameters of a 'cluster'. Research of that nature would require different research methods to those employed here and would, arguably, have to be tailored to the specificities of cross-border human trafficking operations, particularly since the report (UNODC 2002) itself points to 'the paucity of information' (ibid: 16) on transnational activity.

Hence, there appears to be agreement among respondents that European and particularly Eastern European groups predominate in the UK. This is confirmed by data provided by UKHTC

(Personal Communication 2008) and, indeed, by the groups represented in the case files (see Chapters Five, Six and Seven). However, whether this is because those groups do in fact predominate or whether there might be another, perhaps less obvious, reason is touched on in section 4.3 below and is further discussed in the chapters which follow.

4.3 Group structure and composition

It will be noted that, of the groups specified by the respondents as engaged in trafficking into and/or within the UK, all are identified by reference to the country or region from which they are deemed to originate, for example, Albania, Lithuania and South East Asia. Shelley (2003; 2007, 2010) emphasizes that regional differences produce very different models of trafficking. Thus, for example, Chinese traffickers are deemed to operate as a closed fully diasporic network within a 'trade and development' model (see Chapter Two). Hence, questions as to group structure and composition were directed to explore how different groups were organized internally, and how they were constituted by reference to national origins and sex with a view to exploring the potential effect of these factors on the groups' modus operandi. Here, responses varied considerably. Thus, speaking of Albanian and Romanian traffickers and other traffickers from Eastern European countries, the respondents made a number of observations:

They [Albanians] tend to work on a chaotic type structure. They'll come within networks but they're not particularly as organized, perhaps, as some other networks. They might be acting alone or in two's, and it's all rather chaotic. But in the other groups, like the Romanians...you've obviously got somebody recruiting within that country, or a number of people recruiting, and a couple may remain there, then you've got a couple of them perhaps bringing the girls over, so you've got them coming from the source country right through to the destination country and carrying on, whereas in other circumstances, you might have a group working there who might be responsible for bringing the girls here, and then it's an immediate sell when they get here, perhaps to the Albanians or Lithuanians or whatever. So, again, the structure varies, there's nothing...but there's nothing that stands out to say, right, this is how the Lithuanians work, this is how the Romanians work. It's again, you know, that will come with time and experience (Ali, national police: interview 3).

On the other hand, another respondent suggested that:

They're [Albanians] better organized than some other groups but they'll do anything. I mean, they might traffic women one day but then the next time, they'll be smuggling cigarettes or something

else. But then I think...well, I think, I don't know if you'll find a hierarchy, I think you'll find both [hierarchical and non-hierarchical structures] (Anne, academic: interview 1).

None of the other respondents, however, felt able to comment in concrete terms on the structure or composition of specific groups but, instead, chose to make more general observations:

This is a whole issue of outsourcing, sub-contracting, complex chains of sub-contracting and intermediaries in order to deliberately cheat the vulnerable workers from the poorest countries. And even though you can have trafficking within national borders, this system is much more likely to operate across national borders because the vulnerability is much greater (Brian, INGO: interview 2).

In the foregoing quotation, the focus is trafficking for forced labour purposes with an emphasis on the overlap between the formal and informal, the licit and illicit in establishing cross-border systems designed to target the most vulnerable. Picarelli (2009) makes a similar point. In taking a historical perspective he suggests that, like in the past, contemporary forms of trafficking are very diverse, involving a range of specialist actors who need not be members of the crime groups themselves, but invariably involving overlaps between 'upper' and underworlds. 'Today, small groups of perpetrators operate among and with large transnational criminal organisations. Criminal entrepreneurs provide specialist services, such as money laundering and document fraud to traffickers. And in keeping with the past, the contemporary trade in human beings spans the "upperworld" and the underworld (ibid: 116).

Another respondent, however, suggested different functions are not necessarily outsourced. Instead, membership is fluid with some groups – 'core function organizations' – sustaining for longer than other, smaller networks. Nationality is not deemed to be a key feature in their composition.

Organized crime networks involved in trafficking for sexual exploitation contain core function organizations: they have different roles for different members and operate for longer. Some do recruitment, others forge documents, and the like. There are also other smaller criminal networks that take care of the whole line but you can't identify any by nationality. Sometimes members of the same network share the same nationality, they work together for some time, but then it changes. There's no information on how the connections are made. They just have a way of communicating (Evelyn, international police: interview 5).

Ali suggests that the 'way of communicating' is a matter of 'contacts', at least between groups of different national origins, but could similarly offer no further information as to how connections were established:

Yes, yes. So that's where I'm saying the links between the different nationalities go. They're obviously linking in with each other through their contacts. Yeah, there must be some sort of contact network that works in order to ensure that, because that, you might have Lithuanians bringing in girls to sell to the Albanians and you've got to have contacts in order for that transaction to take place, yeah? So there's mixing between the two. Or, the ones that keep it within themselves, it's obviously straightforward. They've got the girls and are taking them to brothels, selling them, whatever (national police: interview 3).

This illustrates the range of individuals and organizations involved in sex trafficking which may vary from larger to smaller scale operations and which may also involve inter-group co-operation although little is known about how contacts are established between groups. Junninen (2006), for example, found a preponderance of small-scale organizations operating in Finland. In that case, however, they were found to comprise sometimes only one or two people who managed the business end-to-end pointing, again, to the complexity and diversity of trafficking operations. This emerged clearly from the expert interviews in which respondents repeatedly 'qualified' their opinions, stressing the limits of the knowledge base or their lack of specific expertise within my field of enquiry. More specifically with respect to ethnic connections within groups, there was considerable ambivalence and/or respondents simply did not know. One respondent thought there might be differences between forced labour and sexual exploitation:

But there [forced labour], you go way beyond ethnicity and tribalism because you're going into quite severe though largely undocumented structures of exploitation where we're no longer in the black economy, we're no longer in the informal economy...but this is a very different matter to the profits made by the Albanians, the groups, the Bosnians and criminal gangs [involved in trafficking for sexual exploitation]. Here, I think there's much more evidence that you've got a very deliberate system of organized crime from, more or less, the original recruiters right through to the brothel keepers and the minders in the place of destination (Brian, INGO: interview 2).

The above respondent raises an interesting and potentially key point of difference or intersection between labour exploitation and exploitation in sex industries: the extent to which the *form* of trafficking enables or hinders traffickers from operating as homogeneously constituted groups across the trafficking chain, particularly with respect to national origins. The suggestion here is

that forced labour trafficking is more likely to involve contact with indigenous employers, whereas sex businesses such as brothels can more easily be kept 'in-house'. However, research undertaken in the UK among Chinese (illegal) labourers found they were subjected to exploitative conditions both in Chinese run businesses as well as businesses, such as fruit farms, run by indigenous British people (Pai 2008). Nevertheless, both instances (Chinese and British run businesses) involve intersections with the formal economy which might impact less on group structure and composition and more on modus operandi (see below).

Another respondent thought the form of trafficking might affect the group's composition in terms of sex but that ethnicity was unlikely to be a key factor, save possibly with respect to entry to a country where the presence of a diaspora community may be useful:

Well I think that when you're trafficking men [for forced labour] you'll find more men among the traffickers but if you're trafficking women, you'll find both men and women. [With respect to ethnicity], I think it could certainly make it easier but I wouldn't want to stigmatize any ethnic group. But if you already have a large ethnic community somewhere, there might be established methods of getting people into the country (David, INGO: interview 4).

David's reluctance to stigmatize any particular ethnic group is a point well-made. Other writers have commented that discrimination and marginalization creates a conducive context which traffickers exploit by drawing on members of their diasporic communities in host countries to facilitate or directly engage in trafficking (and other criminal) activities (Kelly et al 2005; Kapur and MacHale 2005). These, therefore, are important factors to bear in mind while also noting that diaspora populations are not homogeneous (see Chapter Two). There will be internal differences and divisions along class or caste lines, for example, and each group or population will be characterized by its own unequal 'gender regime, i.e. the pattern of gender relations that structures the gender practices of its participants' (Connell 2011: 26).

Hence, with respect to structure and composition, respondents expressed diverse and sometimes contradictory views but with little concrete discussion of specific groups, despite the continued use of ethnic or national labels, particularly with respect to Eastern European trafficking groups or networks operating in the UK. The difficulty here, however, as mentioned in the preceding section, is whether these groups do in fact predominate or whether the *perception* that they do is more a reflection of who is identified as a *victim* of trafficking or who is, instead, deemed an illegal immigrant. This is particularly important in light of the expansion of the EU and the consequent changes in immigration rules (see Chapters Two, Five and Six). With respect to sex, again, no

respondent felt able to comment on this aspect of the composition of any particular group, although two respondents did variously identify sex and/or nationality as salient factors depending on the form of trafficking, while one respondent commented, albeit reluctantly, that the presence of a large ethnic community (in a destination country) might make entry to that country easier. This suggests that a pre-existing diaspora population in a transit or destination country might act as a pull factor (see, for example, Europol 2004; Glenny 2008) and/or impact on a group's modus operandi with respect to who is recruited, preferred routes of transit and the form of trafficking which is prioritized. These issues are further explored in the following section.

4.4 Modus operandi

The modus operandi refers to the ways in which trafficking operations are organized and executed – the end-to-end management of recruitment, transportation and exploitation. The intention here was to explore any differences or similarities among groups in any or all of these phases, but particularly by reference to the four models hypothesized in the typology (see Chapter Three).

4.4.1 Recruitment and transportation

Recruitment is one part of the action component in the definition of trafficking as set out in the Trafficking Protocol. Once recruited, the mode of transportation is the means by which an individual is moved within and beyond the borders of a country to a pre-determined point of destination. None of the respondents had observations or comments with respect to the modes of transportation employed by any particular group. With respect to recruitment Brian (see below) considered it probable that there would be an 'ethnic connection at some stage'. Another respondent commented:

Generally you will find the nationality of the country of origin of the victim, somebody from that country will be involved somewhere but, after recruitment, I don't really know (David, INGO: interview 4).

Ali, however, was more certain of connections of ethnicity at the recruitment stage:

The original recruiters? Yes, I mean, often the people doing the recruiting are known to the families, you know, coming from the same villages, associates, that often happens. They'll start with the same nationality but then it might change to another, as in the sale. There might be, say

for example, Bulgarian recruiters or traffickers who might find the women, they'll bring them up to the borders and then sell them on. Or, in some cases, they might see it all the way through and be part of the trafficking within the UK as well. It's difficult. I mean, we haven't got enough to go on yet so I can't say this group has done that, and another group has sold at the border, you know, until we know more (national police, interview 3).

With respect to methods of recruitment, some respondents tended to be more forthcoming, focusing on the presence of women among recruiters and/or on degrees of deception although, again, none could be specific about the practices of a given group or network.

'You get these intermediaries who are...and there's probably some ethnic connections at some stage in recruitment but they are...they have the system where the contracted worker has to pay between 700, not sure whether that's pounds or dollars...but the figure we were getting elsewhere was around \$3,000. And they put a bond up front and then you get this cycle of trickery leading to severe exploitation and debt bondage...but, there, it's about whether the offence of trafficking can be made out at the time of the prosecution' (Brian, INGO: interview 2).

This is an interesting observation concerning the relationship between deception ('trickery') and exploitation and how much of the former is required in relation to the latter for a practice to fall within the definition of human trafficking. The Trafficking Protocol sets out the means of recruitment as ranging from deception to coercion, although the latter method is deemed to be relatively rare, certainly in the European context (Englund *et al* 2008; Aronowitz 2001, 2003). Hence, questions arise as to the degree of deception and the point at which it occurs, particularly in the context of migration (see Chapter Two) where human trafficking may perhaps be better characterized as 'migrant trafficking' (Ghosh 1998: 21). Maggie Lee (2011) notes the problem as one in which 'a migrant's degree of volition is set up as the determining factor that distinguishes trafficked victims worthy of support as opposed to 'voluntary' smuggled migrants, who are excluded' (ibid: 69). This is also the point made by O'Connell Davidson (2006: 9) when she suggests that 'the Trafficking Protocol is problematic from a human and migrants' rights perspective because it attaches special significance to situations in which abuses at the point of destination are linked to the use of force or deception within the migration process'. It is also, however, problematic from a gender perspective. Migration itself is a 'gendered' process in which, among other restrictions, women are less likely to have access to regular forms of migration (Castles and Miller 1998; Sassen 2002). Hence, they are more likely to be dependent on a range of intermediaries, including traffickers although this may not become apparent until later stages (Lee 2011). For women trafficked into prostitution, even those who choose to migrate to work in

the sex industries of a foreign country, exiting conditions of exploitation through identification as a victim of trafficking may prove particularly difficult unless, as Segrave *et al* (2009: 51) suggest, they also meet gendered and racialized stereotypes of the 'ideal' image of passive and innocent victim (see Chapter Two).

Therefore, degrees of deception and the point at which it occurs and/or becomes apparent are relevant to both forced labour and trafficking for sexual exploitation. However, arguably the deception of women is woven into the fabric of localized, heteronormative 'gender regimes' (Connell 2009) which transfers to the heteronormative 'glocalised gender regime' of 'prostitution' (Coy 2012: 4) in the destination country. The 'grooming' (recruitment) of women is hidden in normative patterns of gendered behaviour, while their exploitation is normalized as a natural function of male privilege (Durchslag and Goswami 2008) or entitlement (Coy *et al* 2007) to sexual access to the bodies of female strangers. Such grooming is implicit but secondary to the degree of the deception in Evelyn's observation:

During the recruitment phase we see that many start out with contact with a boyfriend or someone else they know – less than five per cent are forced or kidnapped. One third of them know they will work in the sex industry but think they'll make lots of money. The rest believe they will work as caterers, housekeepers – they're really deceived (international police: interview 5).

Another respondent similarly focused on the degree of deception as well as women's prior knowledge that they would be working in prostitution:

You will get the girls one hundred percent duped into believing they're coming here to be ice cream girls, working in the summer, young girls, all that sort of thing, and suddenly they're forced into prostitution. And, I think now, a lot of the girls actually know they're coming here for prostitution. However, when they come here, terms and conditions are not what they thought, they either have to pay off a debt, they're being controlled, still being exploited within a trafficking definition, but they know, they were perhaps prostitutes in their own country, then they're coming here and they're carrying on but conditions are different (Ali, national police: interview 3).

Here, Ali is describing what Aronowitz (2001) identifies as the second and fourth of four levels of deceit or 'victimisation' in recruitment into forced prostitution. The first level is complete coercion in which the individual is abducted. At the second level, recruiters make false promises of jobs in the formal economy, however, on arrival in a destination country, the victim is forced to work in the sex industry. The third level is where victims know they will be working in the sex industry but

are led to believe it will only involve waitressing in bars or dancing in clubs. Again, on arrival, they are forced into prostitution. The fourth, and final level, occurs when women are aware that they will be working in prostitution but are deceived as to the conditions of work – the extent to which they are controlled, the appropriation of most or all of their earnings, and so on. According to Aronowitz (ibid), levels two and three are the most common, level four less so while level one, as previously indicated, is rare.

While Ali's observation suggests that 'level four' may not be as uncommon as previously thought, the use of terms such as 'victimization' is controversial in the context of women trafficked into prostitution (see, for example, Lee 2011; Segrave *et al* 2009; see also Chapter Two). Andrijasevic (2010), in particular, posits that women instead engage in 'migratory projects'. In her study of Moldovan and Ukrainian women who migrated to Italy to work in prostitution, she noted one incident of complete coercion among the women she interviewed but most, far from being victimized in the recruitment process, were found to have actively engaged and negotiated (successfully or not) terms of travel and work. Drawing on the work of Anderson and O'Connell Davidson (2003), Andrijasevic (2010: 38) argues that

[t]he fact that the definition of trafficking presupposes an interrelation between deception and subsequent exploitation of migrants on the part of 'traffickers' conflates the range of interests third parties might have in supplying vague information concerning the working contract. Third parties might profit from migrants' recruitment or travel rather than from their labour. The vagueness of the notion of deception, together with force, coercion and exploitation as distinctive components of trafficking then establish an oversimplified and ultimately erroneous demarcation between voluntary and involuntary processes of migration.

Therefore, Andrijasevic (2010) argues, among the factors central to discourse on women, prostitution and trafficking is the role of state-controlled and mediated immigration regimes and their impact on women's freedom to travel without reliance on intermediaries (see Chapter Six).

However, while the controversy over victimization tends to focus on issues of consent and agency, the analysis offered by Aronowitz (2001) importantly focuses attention on the ways in which traffickers deceive women, that is, it directs attention to those who 'do' the victimizing. And, particularly within recruitment processes, it cannot be assumed that recruiters are invariably male. Given the under-representation of women in most criminality, especially organized criminality, there has been debate among some scholars as to the reasons for the presence of women among recruiters. Shelley (2010), for example, suggests that in some instances women actively

set about 'learning the complex skills needed to be successful traffickers' in order to move from prostitution into the trafficking business 'because they can earn more money than in the legitimate economy' (ibid: 88). Other scholars see the move into recruitment as a possible avenue of escape from continued exploitation. Thus, reporting from Latin America, Cordero and Facio (2001) discuss the ways in which formerly trafficked women go on to become recruiters for their traffickers, what Kelly (2005b: 44) refers to as the 'second wave' of formerly trafficked women (Kelly 2007: 77). This view is echoed in the comment of one respondent who observed:

Often the women [...] are girls who've been exploited themselves in the first instance, and they've been promoted. I suppose, when you get an option, I don't have to do this, I have to be involved and I have to encourage other girls to do it but I'm going up the ladder and I'm going to get more money, but I don't have to be involved in prostitution itself, you can see how people can easily get on that track (Ali, national police: interview 3).

The presence of women as traffickers is discussed in Chapters Five and Six, however, in light of the above, recruitment can be seen as a complex and controversial stage in trafficking. Of the respondents who commented, Ali was in little doubt that connections of ethnicity played their part with respect to trafficking from some countries within Eastern Europe, while two other respondents also considered ethnicity was probably relevant to the recruitment process but did not refer to any particular groups. Sex was deemed relevant by one respondent with respect to forms of trafficking while Anne, in particular, noted the presence of women among recruiters. Degrees of deception emerged as an important theme for several respondents with some observations reflecting the findings of other studies.

4.4.2 Exploitation

The Trafficking Protocol does not offer a definition of exploitation. Instead, it sets out a non-exhaustive list of forms of exploitation such as 'exploitation of the prostitution of others', 'forced labour or services', or 'slavery or practices akin to slavery' (Article 3a). As indicated, all are deemed to be forms of exploitation, however, Brian was again interested in exploring potential differences between those engaged in forced labour exploitation and those involved in trafficking for the purposes of sexual exploitation:

This is where you may need to distinguish between labour and sex markets in the UK because from what I've seen, it clearly is an ethnically-based prostitution racket which is partly based on trafficking and that's very clearly the case in Soho with the Albanians, and perhaps the Turks and

others but it's different when you get into some of these industries, the at risk industries (involved in other forced labour), and they could even be public sector industries (INGO: interview 1).

In the foregoing quotation, Brian is picking up earlier themes in looking at linkages between 'upperworlds' and underworlds in trafficking into 'at risk' industries, which might include the public sector. Here, ethnic connections take second place to the demand for 'cheap labour' whereas, in his experience, a 'prostitution racket' is run by homogeneous (national) groups – the Albanians, or the Turks, and so on. There is some evidence that 'cheap' is a determining factor elsewhere. Anderson and O'Connell Davidson (2002), for example, suggest that employers will generally be indifferent as to how workers end up in exploitative conditions since they are looking precisely for the cheapest labour where race and ethnicity may well play a part. Hence, while those organizing and supplying forced labour to employers may in some respects be distinguished from those groups engaged in trafficking women for sexual exploitation, intersections of race and ethnicity occur in both.

Another respondent commented that it was a matter of criminality among men and making money, while noting that language (and, hence, presumably ethnicity/nationality) might be a factor with respect to trafficking women into forced prostitution.

No, you see, that's just in terms of the patterns of criminality amongst men and the patterns of criminality among Eastern European criminals, and groups which have connections with indigenous, with white criminal groups on this side of the world. And there may be some specialists but, again, because we don't know enough about them, but if you're interested in making money, you can certainly make a lot of money if you're running the sex industry, the sex business as well, as opposed to just providing women. If you're just providing women, you could be providing cigarettes and alcohol. It doesn't matter. If you're actually managing and controlling the sex industry, that's another thing, or a part of the sex industry that's connected with those women that speak that particular language. My guess is, and again this is only speculation, that they would be servicing men of a similar language. Therefore they need to bring in different women from different regions to service these different kinds of men. And it would be, what I don't know is whether they would purposively put, mix up the language barrier or service men with the same language. I don't know the answer to that, because I haven't been that close to it. But I think it's a very good question. I think there'll be some who do both, depending on whether or not you wanted to make sure the women couldn't talk to the men, or, and that one I don't know. I would think there'd be choice (Anne, academic: interview 1).

Anne's comments resonate in part with the findings of Englund et al (2008) who refer to 'ethnically niched prostitution' (ibid: 122-3), although whether this is for reasons of language or other preference is not specified. However, the findings of research in the UK indicate that some men also prefer the 'exotic other' (Coy et al 2007) (see Chapter Two).

Anne goes on to suggest that there may be other reasons for a diasporic link which has less to do with meeting 'client' demands and more to do with traffickers' historical connections, control of women, modes of doing business and enforcing contracts as between themselves:

A lot of it is done in cash, or property or goods, and you have to deliver what you say you're going to deliver, I mean, you know, or there are going to be repercussions and the repercussions are that they won't do business with you again or they'll hurt you. And that has special implications if you're talking about a diaspora because the hurting is extended into the country of origin, and/or your language community. And history is important, the Kosovo war, Croatia, Montenegro, even Latvia, there's a historical context there which is not necessarily known by law enforcement. We don't understand how deep those tentacles reach throughout Eastern Europe, for example, Romanian, there's no such thing as Romanian, they are all little groups, it's about how they control women, how they understand the law (academic: interview 1).

Picarelli (2009) similarly stresses the importance of a historical perspective, as does Shelley (2010), particularly with respect to colonial histories and diaspora communities. 'Facilitating this movement (trafficking) are the ties of those once colonized to their former colonizers, the presence of diaspora communities in affluent destination countries, and the international links of the recently emerged organized crime groups' (ibid: 268).

Conversely, in the quotation by Anne, above, she is of course referring to more recent history, particularly the conflicts and wars among several of the post-Soviet regimes, the reconfiguration of borders and the impact of economies in transition. Here, groups and sometimes whole populations were uprooted internally, to neighbouring countries or even further afield which might potentially have laid the foundations for diasporic and other transnational connections and which traffickers may draw on to form the 'international links' in the trafficking chain.

Brian similarly focuses on the role of ethnicity and ethnic connections but distinguishes as between industries:

A couple of months ago, as I was saying, for the first time it was brought to my attention that European organized crime was also moving Central European workers over but I don't know how large-scale it is. It was one of those things that opened my eyes to the complexity and extent of this, and it's incredible how little is known about it but I'd say you've got ethnic communities here, and here you have networks, you've got information lines, informal information lines. So, if I arrive, I'll have two or three people, connections to get you something. This is slightly similar to what's going on with the exploitation of the Chinese in Norfolk, for example, because again, there's a...there's always somebody in the know, who's got contacts. But I think in the end that this is where it changes very much, industry to industry, context to context and, em, labour market to labour market, because it's very interesting that finally the GLA, the Gangmaster's Licensing Authority, did you see, they've removed the licence from these Bulgarians, absolutely classic, this is ethnically-based exploitation (INGO: interview 2).

All of the preceding quotations, then, point to connections of language and/or ethnicity in both sexual and other forced labour exploitation and, potentially, the role of diaspora populations. Kapur and MacHale (2005) go even further to suggest that 'diasporas have been a boon to international crime', in particular with respect to 'enforcement mechanisms' (ibid: 128). This is also reflected in Anne's comments above that a failure to deliver means the crime group 'won't do business with you again or they'll hurt you', or indeed family members back home. Hence, those ethnic connections or connections of national origin appear to play an important role in control and enforcement among group members or associates and facilitate the smooth running of their exploitative operations.

Ali discusses ethnicity somewhat differently by reference to trafficked women and their culture:

I'm talking about Asian women, where they're involved and where they would probably rather die than tell us certain things. And, again, maybe because of their cultural background and, em, we've used all sorts of agencies to try and break through and we didn't, couldn't get anywhere, which is really sad (national police: interview 3).

Here, Ali is discussing women who have exited conditions of exploitation but feel restrained in talking about their exploitation on 'cultural' grounds. However, as discussed in Chapters One and Two, the notion of 'culture' is problematic from the perspective of women since it more frequently represents local patriarchal gender orders, while assigning to women the role of cultural guardianship (Rao 1995). Hence, while '[p]rostitution is a gendered practice, par excellence' which itself is more aptly defined (in the language of human rights) as 'a harmful cultural practice'

(Jeffreys 2012: 80), it is women who are constrained in verbalizing their exploitation. However, while this might be the result of a very real fear – of the authorities, of (further) stigmatization and/or of the consequences on their return home – women's silence may also be viewed as one of 'multiple social positions' through which they negotiate the tensions and contradictions 'produced by the discursive and juridical regimes that regulate their lives' (Andrijasevic 2010: 96) and the 'dominant and prescriptive model of femininity' (ibid: 122). However, as indicated above and as discussed further in Chapter Seven, this should not, and does not, obviate the necessity of interrogating heteronormative constructions of masculinity within 'patriarchal gender orders' and localized 'gender regimes' (Connell 2009) which might also play a significant part in 'silencing' women.

4.5 Conclusion

The most immediate and obvious conclusion to be drawn is that the knowledge base among the expert respondents is weak with respect to all lines of enquiry outlined in the introduction to this chapter. This is unsurprising as none claimed to have particular expertise directly pertaining to the research topic at hand. Nevertheless, a number of threads emerge which, although limited, tentative and sometimes contradictory, raise interesting and important issues. According to some of the expert respondents, trafficking is an evolving form of criminality which may involve large organized crime networks or smaller groups. Both may manage the process end-to-end although larger groups are more likely to engage the services of 'specialists'. This is consistent with sections the literature (see Chapter Two) but it is a moot point as to whether groups operating in the UK cooperate with other foreign or indigenous groups, although two respondents identified this as a likely trend (see also Chapter Six). Similarly, while respondents felt reluctant or unable to point to the relevance of connections of ethnic or national origin with respect to specific trafficking groups or networks, some did suggest it might play some role in recruitment and/or exploitation. With respect to recruitment, in particular, deception was identified as a key concern both in trafficking for sexual exploitation and for other forced labour exploitation. However, it was the degree of deception which was highlighted as instrumental in determining the status of a migrant as 'trafficked' or 'illegal'. This is particularly important in the context of EU enlargement, the maintenance of 'zones of exclusion' (Green and Grewcock 2002) within Europe, and the operation of border controls for those from further afield. This is discussed further in Chapters Five, Six and Seven. Interestingly, while most respondents discussed trafficking for sexual exploitation, few commented on the relevance of sex and only one respondent noted that it was about 'criminality among men'.

These and other themes are explored further in the following and subsequent chapters. Chapters Six and Seven in particular explore the implications of the limited knowledge base with respect to trafficked women, traffickers and, indeed, for the ways in which trafficking has come to be understood, while the following chapter provides an overview of the findings from CPS files.

Chapter Five

Exploring the intersections of diasporas and traffickers through CPS case files

5.1 Introduction

Prosecution is a cornerstone of international and national efforts to combat the traffic in human beings. It is among the four key areas¹² set out in the UK National Action Plan on Tackling Human Trafficking (Home Office and Scottish Government 2007), subsequently updated in 2008, 2009 and again in 2011, following ratification and entry into force of the European Convention on Action Against Trafficking in Human Beings (European Trafficking Convention). As with other treaties and instruments, the UK has not incorporated the European Trafficking Convention into domestic law. Instead, existing laws have been amended or overhauled with a view to ensuring compliance with the provisions and obligations of the European Convention. Most of these changes were introduced between 2003 and 2007. Of particular relevance, for the purposes of this research, is the Sexual Offences Act (SOA) 2003 which entered into force on 1 May 2004. Sections 57-59 create broad offences of trafficking for sexual exploitation – into, within, and out of the UK. A range of other statutory and common law provisions enable CPS to prosecute traffickers for other trafficking or related offences, such as forced labour, controlling prostitution and offences of violence, many of which also featured among the 22 cases reviewed.

The purpose of this chapter is to provide an overview of the main findings from those 22 CPS case files before undertaking the more detailed qualitative analyses in subsequent chapters. However, a number of preliminary points need to be made. Firstly, it is worth noting at the outset that while this is in essence an exploratory study with an apparently small sample size, the 22 cases cover a four to five year period (2004/5-2008) and nine regions of England and Wales, as represented by the different CPS area offices in which prosecutions took place. In fact, the reach of traffickers in the sale and distribution of their victims extended beyond those nine regions, and even into Scotland and Ireland; that said, none of the sample cases originated from those parts of the UK as the research was hosted by CPS for England and Wales. Furthermore, the seemingly small sample size is belied by the number of persons prosecuted across the 22 cases: a total of 64 defendants. Given that data provided through UKHTC (Personal Communication: 2008) show

¹² The other three areas were originally prevention, victim support and child trafficking. The 2011 update revised the four areas to improved victim care arrangements; enhanced ability to act early, before the harm reaches the UK; smarter multi-agency action at the border; and, better coordination of law enforcement efforts within the UK.

that throughout England and Wales some 256 individuals were prosecuted for trafficking and trafficking-related offences over the same period, the data in this study derives from just under a quarter of all persons prosecuted in England and Wales over the period in question.

Secondly, in addition to the 64 Defendants, a further total of 170 individuals were implicated across the trafficking chain. These are referred to as 'associated parties' in that they comprised individuals identified by police and CPS in the course of their investigations as having connections with each defendant group or with victims. The investigations themselves were triggered by a variety of events. In some instances, members of the public or journalists made complaints to police or provided tip-offs that private residential properties – houses and flats – were being used as brothels; on other occasions police engaged in covert surveillance or undercover operations, or victims escaped and brought their plight to the attention of the authorities. Alternatively, border personnel apprehended individuals attempting to enter the UK using false identity papers. Invariably therefore, in whatever manner a case came to light, the victims associated with it were those identified as such by investigating officers and, more particularly, those willing to cooperate with prosecuting authorities. Similarly with respect to defendants, the individuals charged and finally prosecuted were also those identified during the course of police investigations: those found accompanying victims across the border; those present in properties when they were raided; those identified by victims as among their traffickers; or simply those against whom sufficient reliable evidence could be amassed to make a conviction more likely than not.

On the one hand, therefore, the individuals comprising both defendants and victims in a particular case may be said to represent only a snapshot at a given moment in time of a particular trafficking operation. On the other hand, however, data on the significant number of associated parties referred to above paint a much larger picture, illustrative of the fluidity of trafficking networks. The individuals who fell under the investigative spotlight of the authorities were temporarily foregrounded and became the focus of attention. Others nonetheless continued to move in the background, at and beyond the margins of the frame. While those who were suspected of criminal involvement no doubt remained of interest to investigators, for the purposes of this research, all associated parties identified across the 22 sample cases, and their respective functions or roles, are highly significant, not just in terms of the organization of the trafficking process but also in the analysis of the four models hypothesized in the typology. Some of these individuals were described as being located in source and transit countries but most were found to be in the UK (n=126) at the time of the defendants' arrest. Overall, a significant majority

(n=115) were identified by national origins, and for many (n=92), their roles within the trafficking operation – criminal or otherwise - were also apparent, for example, as described in the statements of victims, other witnesses, or those of investigating officers.

Thirdly, it is also important to note the overall context. Trafficking prosecutions worldwide remain low in number. In the first global assessment of the scope of human trafficking and steps taken to combat it (UNODC 2009a), data gathered from 155 countries show that while there is an increase in trafficking convictions, in two out of every five countries covered by the report no convictions at all are recorded. Moreover, during the period in question, from 2003 to 2007, the report further notes decreasing trends in Western and Central European countries in the number of criminal proceedings for human trafficking (*ibid*: p. 37). This research does not support those findings in relation to the UK since the entry into force of dedicated (sex) trafficking legislation in May 2004. Across the time period represented here - 2004-2008 - there were two prosecution cases¹³ in 2004, 22 in 2005, 15 in 2006, 20 in 2007 and 14 to the middle of 2008 (UKHTC Personal Communication: 2008), indicating fluctuating rather than decreasing prosecution rates, although there is a drop from the peak in 2005.

The chapter is divided into a number of further sections. Section 5.2 profiles the traffickers in terms of national origins¹⁴, sex and age, as well as indicating a range of the most common offences charged, including by sex, and the outcome. It briefly addresses the particular circumstances of female defendants in terms of past and/or continuing involvement in prostitution, and those known to have been formerly trafficked. Section 5.3 addresses the composition of the various defendant groups by reference to national origins and sex, and details connections of family and kinship within the groups. Section 5.4 then similarly profiles the victims; however, as all were female, the focus is on their national origins. Finally, section 5.5 sets out the main findings with respect to the typology and the four possible diasporic intersections originally hypothesized. It details connections between defendants and the UK-based associated parties referred to above. Diaspora connections in transit countries are addressed separately in Chapter Six because the small numbers involved and the relative paucity of the data which could be extracted from CPS files lend themselves better to a more in-depth qualitative analysis. References in this chapter to 'group' are references to the defendant group, which is the central unit of analysis for the reasons set out in Chapter Three.

¹³ Reference here is to the number of prosecution cases, rather than the number of individuals prosecuted, bearing in mind that a case may involve several defendants.

¹⁴ This term is adopted in favour of the terms 'nationality' or 'ethnicity' for the reasons set out in Chapter Three.

Finally, it should be further noted that while trafficking in persons is a complex process, involving multiple stages from pre-departure to repatriation (The Vienna Forum to Fight Human Trafficking 2008), for this study, the simplified process is adopted involving recruitment, transportation and exploitation.

5.2 Defendant profiles

As previously indicated, the number of defendants across the 22 cases totaled 64, with a range of between one and eight individuals in each case. The section below identifies the national origins of defendants, and provides details of characteristics pertaining to age and sex. Subsequent sections provide analyses of the offences charged and convictions obtained.

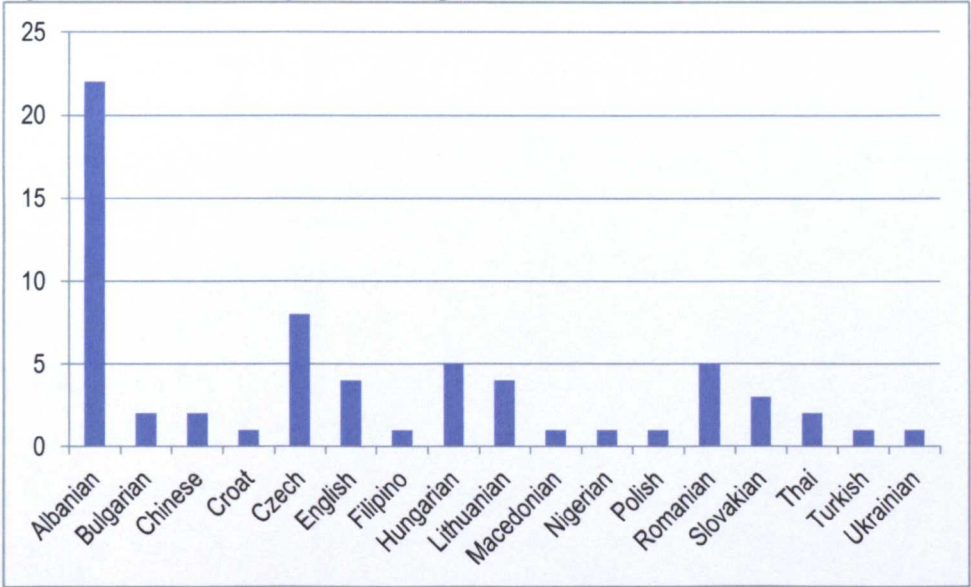
5.2.1 National origins of defendants

All countries are now implicated in human trafficking - as source, transit or destination countries and sometimes as all three (UNODC 2006a). Knowledge of the national origins of traffickers as well as the countries in which they operate may shed light on their modus operandi and the different roles they play in the trafficking process. National origins, however, cannot be equated with citizenship. Thus, for example, while in Holland half of all traffickers were found to be Dutch citizens, in a number of cases they in fact originated from other countries, including Albania, Morocco, Turkey, Bulgaria and Ukraine (Korvinus 2005). Similarly, previous research in Ukraine also identified Ukrainian citizens as among traffickers operating there, however, other traffickers included citizens from a considerable number of different countries, such as Azerbaijan, Greece, Russia, Italy, Syria and the Czech Republic (Krivosheev et al: 2001).

In this UK-based study, a total of 17 countries were identified as being the countries of national origin among the defendants. As indicated, these do not necessarily represent the nationality of defendants. While all were prosecuted in the UK, evidence of the immigration status of those from outside the EU was not always available; in other instances, defendants were naturalized UK citizens, usually by marriage. Figure 5.1 below shows the national origins of the defendants. It should be noted, however, that the national origins of four individual defendants are variously described in CPS files as Kosovan and Albanian, that is, in one document the national origins are indicated to be Kosovan, while in another they appear as Albanian. In each of these four cases, the co-defendant is identified as Albanian and, in two of the cases, the defendants are believed to be kin to one another.

The history of Kosovo is complex and beyond the scope of this thesis. In geographical terms, however, Kosovo is situated in the South of Serbia, bordering Macedonia and Albania. The ethnic composition of its population is said to be 92 percent Albanian¹⁵. For these and the reasons indicated above and for the purposes of the following analysis, these individuals are taken to be of Albanian national origin. Throughout this chapter, the figures on the vertical axis are raw numbers.

Figure 5.1: Defendants by national origins



N = 64 defendants

It is clear that Albania is the country of national origin for the greatest number of defendants, representing approximately one third (n=22), followed by the Czech Republic, Hungary and Romania. The latter three countries are EU member states, while Albania is not. Of the remaining countries, five are also EU member states, namely, Bulgaria, Lithuania, Poland, Slovakia and the UK itself. Hence, just over half of all countries of national origin for defendants across the 22 cases are outside of the European Union. There are therefore restrictions on entry to and residence within the UK for individuals coming from those countries¹⁶. This is particularly relevant in the context of trafficking modus operandi and where victims are also trafficked into the UK from

¹⁵ In 2008, the Kosovo Assembly declared Kosovo an independent state. An advisory opinion of the International Court of Justice released in 2010 found that the declaration did not violate the principles of international law. Serbia does not accept Kosovo's independence but both countries are engaged in EU-facilitated dialogue with a view to normalizing relations. The source of this information is the United States Criminal Intelligence Agency World Fact Book available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/kv.html>; accessed 27 April 2012.

¹⁶ As relative latecomers to the EU, some restrictions continue to apply to citizens of Bulgaria and Romania. This is addressed in subsequent chapters.

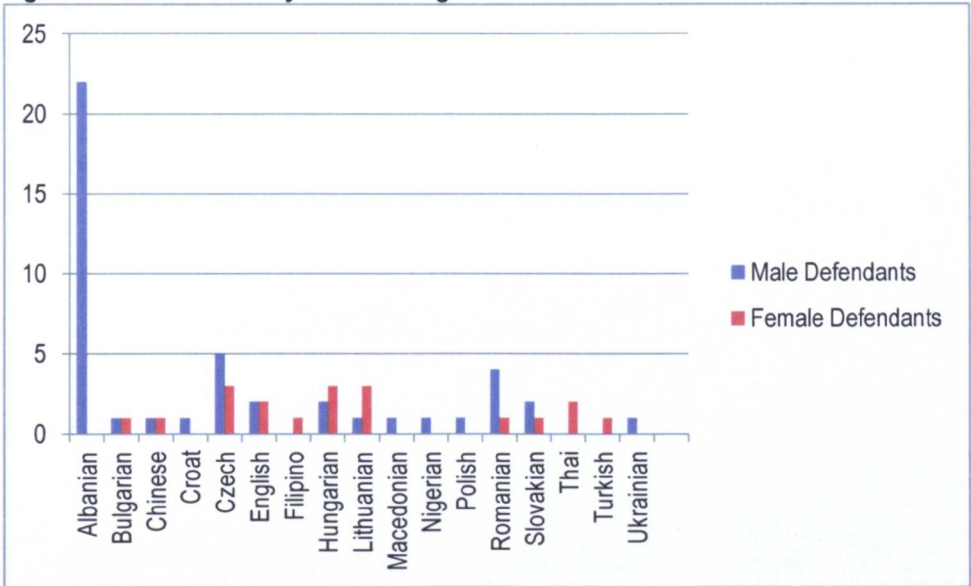
non-EU countries. Again, this is a theme which is further explored in Chapter Six but is also touched on in the section below.

5.2.2 National origins and sex of defendants

Of the 64 defendants, 70 per cent (n=45) were male while 30 per cent (n=19) were female. The respective roles of female defendants within the different groups and within the different trafficking operations are discussed further in Chapters Six and Seven, and in section 5.2.4 addressing charges and convictions. With respect to national origins, however, female defendants originated from 11 different countries, six of them, excluding the UK, being EU member states. Of the remaining countries comprising those of their national origins, one Filipina and two Thai female defendants were naturalized UK citizens, leaving only the immigration status of one female Turkish defendant and one female Chinese defendant unclear. The male defendants originated from 14 different countries, six of which, again excluding the UK, were non-EU member states, namely Albania, China, Croatia, Macedonia, Nigeria and Ukraine. Unlike the female defendants however, only the Nigerian, and two Albanian defendants, were found to be naturalized UK citizens, although another Albanian defendant was also known to be married to a UK citizen and, hence, possibly naturalized. In the majority of cases, therefore, the immigration status of non-EU male defendants was either unclear or they were confirmed as illegal immigrants or overstayers. The relevance of this is further discussed in Chapter Six.

However, the immigration status of traffickers is likely to affect the trafficking modus operandi. Where individuals are free to leave and re-enter the UK, as will be the case with respect to citizens of EU member states, trafficking operations can be organized differently than in the case of nationals of non-EU member states and, in particular, where traffickers reside illegally in the UK. This was undoubtedly a factor in the modus operandi of the Albanian defendants in this study where they were reliant on others, from within the EU, to recruit and bring women into the country. Figure 5.2 below identifies defendants by national origins and sex.

Figure 5.2: Defendants by national origins and sex



N = 45 male defendants

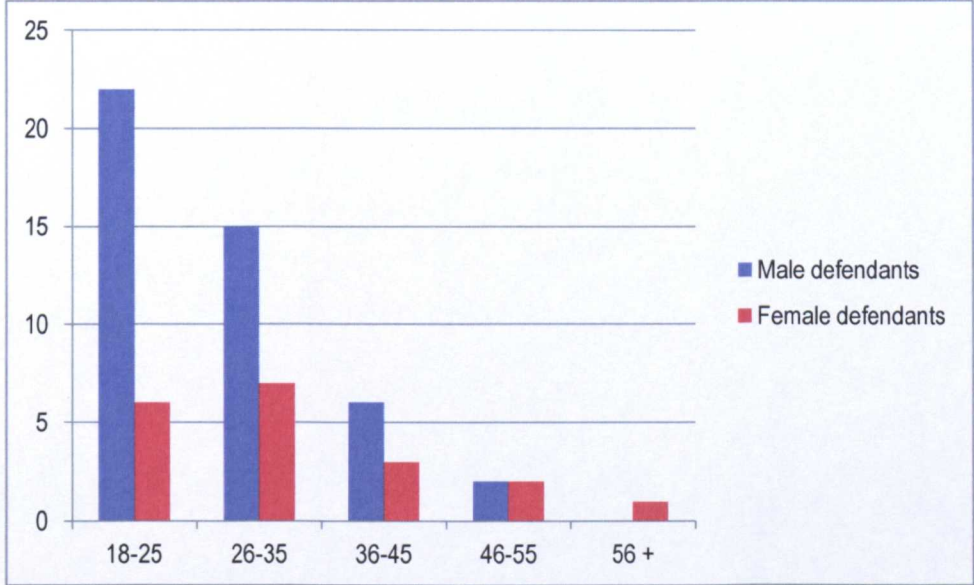
N = 19 female defendants

What is immediately striking from Figure 5.2 is that, among the largest single category of defendants, namely individuals of Albanian national origin, none is female. This may be a function of the fact, noted in section 5.4.1 below, that no Albanian women were identified as being among the victims in any of the 22 cases. While earlier indications point to significant numbers of Albanian women and girls being trafficked into the sex markets of Western Europe, it has been noted that by ‘the late 1990s, [...] the supply of Albanian girls was drying up’ (Monzini 2005: 101). This, in turn, may have led to the depletion of formerly trafficked victims able to assume more active roles within the trafficking group, such as recruitment, to ease their way out of exploitative conditions and, hence, account for their absence among the defendants. However, this would not adequately explain why such women did not go on to assume ever-more central and key roles among such groups, suggesting that other factors are also likely to be at play. These factors include the gendered nature of both migration to, and mobility within, a foreign country, particularly as an illegal immigrant or overstayer. In brief, it is conceivable that men have greater transnational mobility and are better able to remain hidden among diaspora communities, including among other criminal associates, and therefore more easily avoid detection by the authorities (see Chapter Two). These are issues which are further discussed in Chapters Six and Seven.

5.2.3 Age of Defendants

The age of defendants ranged from 18 to 59 years old, however, about half (n=22) of male defendants were no more than 25 years of age, with a further significant number (n=15) being aged between 26 and 35 years. Not all of these defendants were among the recruiters of victims, however, some studies have investigated the age of traffickers relative to their victims and suggest that in many cases recruiters tend to be older than their victims because it is easier for older persons to influence and manipulate younger persons (The Vienna Forum 2008).

Figure 5.3: Age range of defendants by sex



N = 45 male defendants

N = 19 female defendants

This study does not fully support those prior findings with respect to the age of recruiters and victims. Although recruiters were frequently among the associated parties in source countries and hence more limited information about them was contained in CPS files, where sources did indicate personal characteristics of recruiters, in 40 per cent of cases (n=9) they were similar in age to their victims (see section 5.4 below). The implications of these findings are discussed further in Chapter Six with respect to recruitment, in particular in the context of the function of heteronormativity in recruitment processes.

5.2.4 Offences Charged and Convictions

While UK law complies with the provisions of the Trafficking Protocol, defendants are charged and prosecuted under applicable domestic law. Hence, details of the offences of trafficking for the purposes of sexual exploitation are set out in sections 57, 58 and 59 of the SOA 2003. These

sections respectively cover trafficking into, within and out of the UK. Among the sample cases, however, no defendant was charged under section 59, that is, trafficking out of the UK. Instead, all trafficking offences were concerned with the arrangement or facilitation of entry into, and movement within, the UK for the purposes of sexual exploitation. Where there was evidence of other offences, these were charged separately under a variety of different statutory and common law provisions.

Table 5.1: Offences charged and outcome

Offences	Total	Guilty	Not Guilty	Discontinued/ NFA*	Lie on file	Unknown	Success rate
s57	40	26	2	5	5	2	65%
s58	33	23	2	5	0	3	70%
Control Prostitution	25	23	0	0	0	2	92%
Cause/incite Prostitution	14	7	0	0	3	4	50%
Rape	13	8	2	1	0	2	62%
Kidnap/ False Imprisonment	12	4	1	4	0	3	33%
Keep/manage Brothel	11	7	1	0	0	3	64%
Total/Average	148	98	8	15	8	19	66%

*No further action

Table 5.1 sets out the number of sections 57 and 58 SOA 2003 offences, together with the other main offences charged and the outcome. A full table of the offences charged by year is available at Appendix 6. However, this needs to be read with the caveat that some CPS files contained incomplete information and/or indictments were amended, sometimes on more than one occasion, such that it could not always be determined which offences had been charged and/or proceeded with. So far as Table 5.2 is concerned, it must also be borne in mind that reference is to the offence only and not to the number of charges under a given offence. Percentages have been rounded up or down to the nearest whole number.

Table 5.1 shows that a total of 148 offences were prosecuted across all cases, with the largest single category of offence being section 57 SOA 2003 although, when added together, the number of non-trafficking offences exceeds the offences prosecuted under sections 57 and 58 SOA. The average conviction rate overall is 66 per cent. For section 57 SOA 2003 offences, this falls slightly to 65 per cent, but increases to 70 per cent for offences under section 58 SOA 2003. It should be noted that this is significantly higher than the average success rate across all prosecutions in England and Wales for trafficking offences charged under SOA 2003. Here, data provided by UKHTC (Personal Communication 2008) indicate an average conviction rate of 34 per cent for the period 2004-2008, although the conviction rate with respect to Albanian

defendants is shown to be just over 91 per cent (ibid). Hence, it is possible that average conviction rates in this study are skewed by the disproportionate number of Albanian defendants among the sample cases.

5.2.4.1 Offences and Convictions by Sex

Table 5.2 cross-tabulates offences and convictions by sex. It should be read *across* with respect to percentages as well as *down* with respect to raw numbers.

Table 5.2: Offences and convictions by sex

Offences	Male Defendants (N = 45)		*G	Success rate	Female Defendants (N = 19)		*G	Success rate
	N	% all male	N	% all male	N	% all female	N	% all female
s57	25	56	18	72	15	79	8	53
s58	26	58	19	73	7	37	4	57
Control Prostitution	18	40	16	89	7	37	7	100
Cause/incite Prostitution	8	18	4	50	6	32	3	50
Rape	13	29	8	62	0	n/a	n/a	n/a
Kidnap/False Imprisonment	10	22	3	30	2	10	1	50
Keep/manage Brothel	4	9	1	25	7	37	6	86
Total	104	n/a	69	n/a	44	n/a	29	n/a

*Guilty

N = 104 offences charged against male defendants

N = 44 offences against female defendants

So far as dedicated trafficking legislation is concerned, the data show that while women were more likely than men to be charged with trafficking other women into the UK, they were less likely to be convicted. The conviction rate for men charged under section 57 SOA 2003 is just over 70 per cent, whereas for women it is 53 per cent. Conversely, women were less likely to be charged with trafficking within the UK. When charged, however, they were again less likely than their male counterparts to be convicted. There are no immediately apparent reasons for these discrepancies, and further investigations would be required to ascertain whether they in fact represent trends. With regard to offences other than sections 57 and 58 SOA 2003, the numbers are too small to support firm conclusions and these gendered differences would need to be tested against much larger sample sizes.

5.2.5 Female Defendants

Human trafficking and smuggling are said to be the only areas of transnational crime in which women feature, not just routinely, but also in more prominent positions compared to other areas of crime (Shelley 2007; 2010). This assertion is partly borne out in this study insofar as the majority of cases comprised mixed sex defendant groups (see section 5.3.1. below), with two cases involving sole female defendants. In several cases, women played roles and assumed responsibilities at least on a par with, or exceeding those of their male defendant counterparts, particularly in relation to cases comprising co-defendants of one male and one female. However, evidence in the current study also points to female defendants being part of a 'second wave' of formerly trafficked women who have moved into recruitment and other activities as an alternative to continued sexual exploitation (Kelly 2005b: 46) (see also Chapter Four), although an element of continuing sexual exploitation could not always be ruled out. Of the female defendants in this study, all Lithuanian women were formerly trafficked and still working in prostitution at the time of their arrest, as was a Hungarian female defendant. This represents just over a fifth (21%) of all female defendants. Moreover, two other female defendants, of Thai and Bulgarian national origins, were working or had previously worked in prostitution but it could not be determined whether they had also been formerly trafficked. The circumstances of other female defendants were more ambiguous or similarly could not be determined.

5.3 Group composition

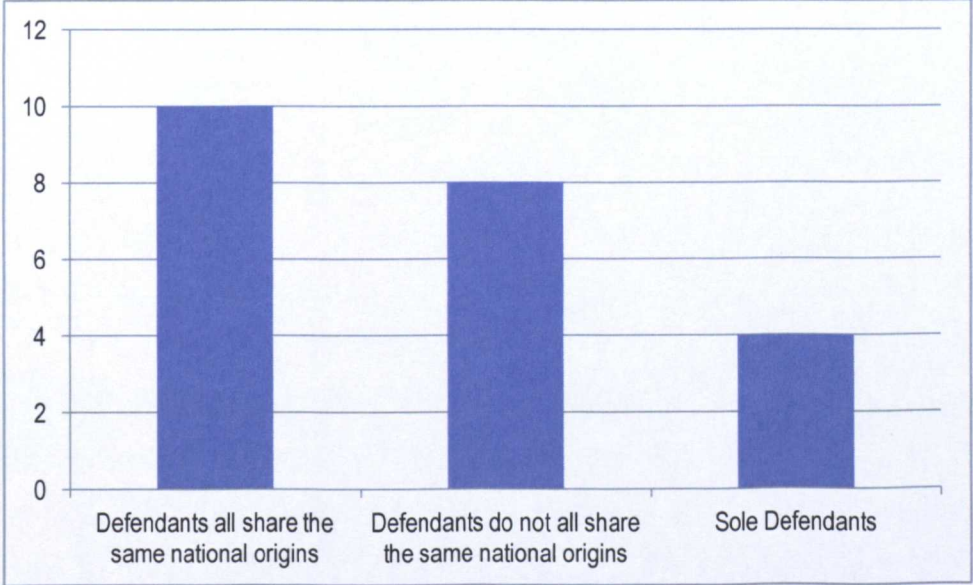
The following sections consider the composition of the defendant groups identified in this study by reference to national origins and sex. Consideration is also given to relationships of family or kinship within the groups.

5.3.1 Group composition: national origins

Consideration of the national origins of a group, as opposed to individual defendants, is the first step in assessing whether and to what extent the group fits any of the hypothesized possibilities in the typology. As Figure 5.4 demonstrates, in just under half of cases – approximately 45 percent (n=10) – the individuals who together made up a given defendant group all shared the same national origins. In eight of the 22 cases defendants within a group had diverse national origins, although two of these comprised male-dominated Albanian groups with a single

Lithuanian woman, in each case formerly trafficked or bought by a male in the group. The four cases involving a sole defendant are included for illustrative purposes although they cannot be said to constitute a group and are discussed separately below. They respectively comprise two Chinese, one Thai and one Albanian defendant. However, albeit that they appear to be something of an anomaly, when the cases are analyzed in context and account is taken of the range of associated parties and their respective roles, it becomes clear that, while they each represent the only individual charged and prosecuted in the case, they were by no means sole operators within the various trafficking networks. Elsewhere, where a group was recognized as such in legal proceedings, shared national origins was the case for the majority.

Figure 5.4: Group composition by national origins



N = 10 groups where all defendants share the same national origins

N = 8 groups where defendants do not all share the same national origins

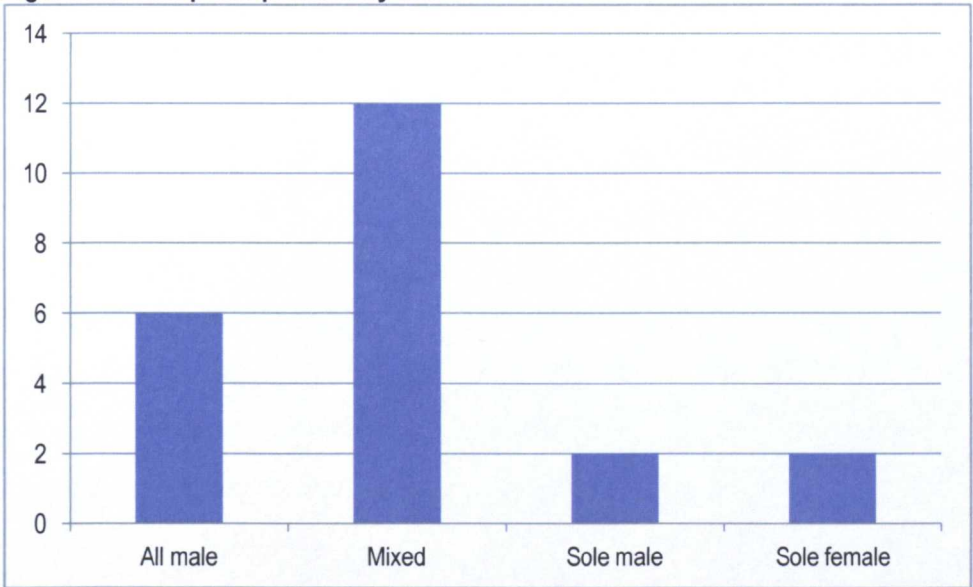
N = 4 sole defendants

5.3.2 Group composition: sex

It has already been noted that the majority of defendants were male. Across the cases comprising groups as opposed to sole defendants (n=18), two thirds (n=12) had both male and female members, while six groups comprised only male defendants. Again, the cases involving sole defendants are included in Figure 5.5 but they are further addressed below in the context of their respective trafficking networks. So far as sex composition is concerned, while few studies address the issue, where this is identified as a relevant factor, the limited evidence available indicates that all male groups or mixed sex groups tend to traffic in women, men and children, while single sex female groups traffic only in other women (UNODC 2006a). Since all victims in

the current study were women, however, no direct comparison can be made with those other studies.

Figure 5.5: Group composition by sex



N = 6 all male groups

N = 12 mixed sex groups

Where defendant groups were mixed, women outnumbered men within the group in only three of the 12 cases; in another three cases the numbers of men and women within the group were equal, that is, they comprised one male and one female. In the remaining groups (50%) there were more men than women. In the three defendant groups comprising one male and one female defendant, the individuals appeared to be in longer term intimate and stable heterosexual relationships, albeit not necessarily formally married to one another. The relationship aspect is potentially relevant to issues of trust between the defendants. Marital status, however, is also potentially relevant, particularly with regard to issues of citizenship and immigration status. It will, therefore, have implications for the modus operandi of those groups and any wider trafficking networks with which they are associated.

5.3.3 Group Composition by national origins and sex

As has previously been noted, while individuals of Albanian national origin constituted the largest single category among the defendants, none was female. Moreover, as will be seen, there were no women of Albanian national origins among the victims identified across the 22 cases or, indeed, among any of the other victims identified but who did not become witnesses in the prosecution case. This is the exception insofar as in all other cases but one, victims shared the

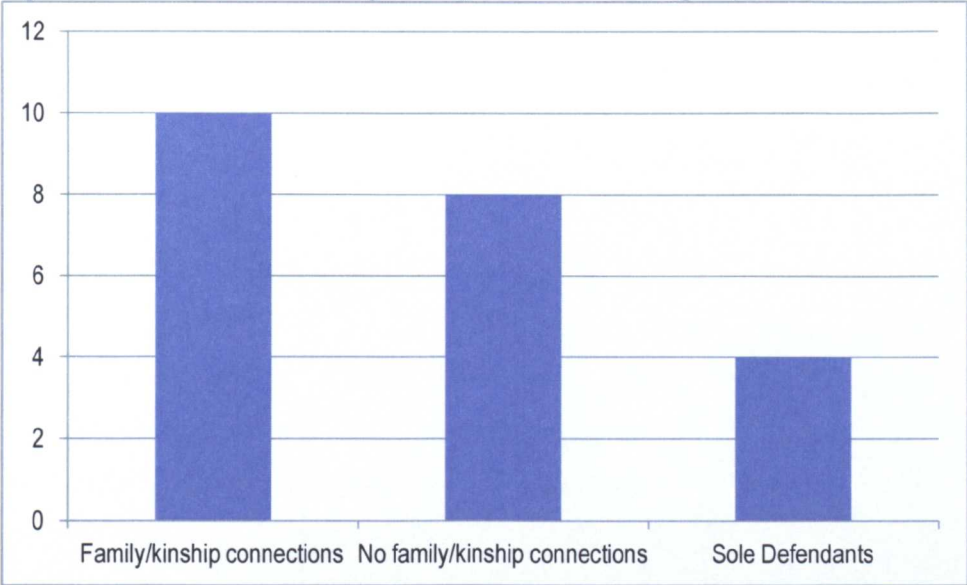
national origins of at least one of the defendants involved in their trafficking and exploitation, whether they were sole defendants or part of a group or wider network. It is also at odds with the findings of another European study (UNODC 2009b). It is noted there that whilst in the European context, most traffickers are locals, the national origins of non-local or foreign traffickers are often related to the national origins of their victims (see also Chapter Four). Thus, for example, it is reported that the large proportion of Nigerian and Romanian offenders in Italy is linked to the corresponding large numbers of victims from those countries. A similar pattern was found in Greece with respect to Bulgarian and Romanian offenders and victims (*ibid*). Although, for these purposes, the data in the aforementioned European study were not disaggregated by sex, the absence of female defendants and victims of Albanian national origins in the present study is indicative of a particular *modus operandi* among Albanian defendants, their relationships with other defendants of different national origins, and the source countries from which their victims are recruited. This is discussed further in Chapter Six.

5.3.4 Intra-group family and kinship connections

As in the previous section, sole defendants are included for illustrative purposes but not in the analysis, hence, $n=18$. In ten of the sample cases, individuals within the defendant groups were connected by family or kinship, including by marriage¹⁷. Two of these defendant groups comprised individuals of Czech and Romanian national origins respectively, while three were small teams of husband and wife or heterosexual partnerships of Bulgarian, Hungarian and Slovakian national origins. Another Hungarian group similarly comprised a husband and wife team but also included a third Hungarian female defendant who had herself been formerly trafficked by her co-defendants. Elsewhere, family/kinship connections were found in two groups exclusively of Albanian national origins, and in one mixed group comprising male defendants of Albanian national origins and a single female defendant of Lithuanian national origins. The final mixed group was made up of individuals of Nigerian and Ukrainian national origins.

¹⁷ For these purposes, marriage is taken to include what is sometimes referred to as 'common law marriage', that is, it includes those cases in which there is evidence of defendants being in long-term intimate relationships, irrespective of whether there is evidence of legal marriage (see section 3.2).

Figure 5.6: Connections of family/kinship within defendant groups



N=10 groups with intra-group family/kinship connections

N=8 groups with no intra-group family/kinship connections

Where family members, spouses and partners are co-defendants, they are clearly engaged in a joint criminal enterprise. With respect to associated parties, however, the awareness, lack of awareness or, indeed, complicity of other family members in the criminal activities of defendants is not always so apparent. In this study, the data point to some cases in which parents of defendants were actively involved in recruitment in source countries; in other cases, extended family members appeared to be complicit, for example, in providing accommodation for - and perhaps supervision of – victims, but the absence of charges against those individuals must leave room for doubt. That said, the standard of proof in criminal proceedings is very high; hence, for the purposes of this study where the data indicate knowledge and/or facilitation by a family member of any aspect of the trafficking and exploitation of a victim, complicity is assumed. Even so, whether their association with defendants is deemed to be of a criminal or a non-criminal nature, the presence of family members in the UK may nonetheless point to their instrumental use by the defendants. This is further explored in section five in relation to diaspora connections in the UK and, again, in Chapter Six and Seven.

5.3.5 Key findings: defendants

The total number of defendants in this study represented just less than one quarter of all individuals prosecuted in England and Wales between 2004 and 2008 for trafficking or trafficking-related offences. They were overwhelmingly male and aged between 18 and 35 years although, within that broad category, most were under 25 years of age. Most female defendants were

likewise aged between 18 and 35 years. Together they represented a total of 17 countries, eight of which, including the UK, were EU member states¹⁸. With respect to non-EU member states, the majority of female defendants had settled immigration status in the UK, while the majority of male defendants had irregular or illegal immigration status. The implications of this are discussed further in Chapter Six. Just over a quarter of female defendants were known to be working or to have worked in prostitution, while approximately one fifth had been formerly trafficked. The most commonly charged offence was under section 57 SOA 2003. However, while women were more likely to be charged with trafficking into the UK, they were less likely to be convicted. Conversely, women were less likely to be charged with trafficking within the UK but were, again, also less likely to be convicted. There was no apparent explanation for this, hence, it is a finding which requires further investigation. Overall, average success rates for securing convictions were substantially higher than equivalent figures provided by UKHTC for the period in question – 2004/5-2008 - a discrepancy which might be explained by the over-representation of Albanian (male) defendants, where prosecution success rates are significantly higher compared to defendants of other national origins.

With respect to group composition, of those cases comprising more than one defendant, just over half were homogeneous, that is, all defendants shared the same national origins. Hence, where a group was recognized as such in legal proceedings, shared national origins was the norm. The majority were mixed sex groups, although women outnumbered men in only three of the cases. Significantly, in ten of the 18 cases involving more than one defendant, individuals within the group were also found to be connected by family or kinship, including by marriage.

The section below provides an overview of the findings with respect to victims and their profiles.

5.4 Victim profiles

The total number of victims across the 22 cases cannot be determined. This is because in one case, the number of victims was unspecified within CPS files; that said, the files themselves contained evidence that the sole defendant in the case, a woman of Chinese national origins, was involved in the management of at least eight different brothels and part of a large network of traffickers and pimps. It is likely, therefore, that the numbers of victims trafficked into and within the UK was considerable. They are not, however, included in the figures here. Instead, where Chinese victims are referred to, they are associated with the second Chinese case (Case 22),

¹⁸ Croatia is not included here as it was not an EU member state during the period covered by the study.

involving a sole male Chinese defendant. Thus, across the remaining cases (n=21), the number of victims totaled 41, or an average of 1.9 victims per case. In addition, a further ten women were identified as victims although they did not participate as witnesses in the prosecution cases. Numerous other foreign women were also identified as working in brothels and in other off-street premises, however, no evidence was available to indicate conclusively whether they had also been trafficked. All victims were female and ranged in age from 15 to 42 years with the majority being under 25 years of age; three – approximately seven per cent - of the victims were minors. This falls a little short of evidence across Europe during a similar time period, from 2003 to 2008, when the numbers of child victims rose from five to 10 percent (UNODC 2009b). However, evidence elsewhere in CPS files suggests that in some instances, a number of women were victims of re-trafficking. It is therefore certainly possible that although the vast majority were adult women at the time of the arrest of their traffickers in the UK, some may have been minors when they were initially trafficked.

The data in the aforementioned UNODC (2009b) study do not indicate which form of trafficking these children fell victim to, however, data available in the UK through UKHTC indicate that of the children referred during the first eighteen months of the operation of the NRM – to September 2010 - the largest single category, some 263 referrals, was concerned with sexual exploitation, of which 15 per cent, that is, about 40 children were confirmed as victims. In the case of adult women, again the largest single category of referral was for sexual exploitation, with about 20 per cent being confirmed as victims, many of whom originated from countries outside of the EU. In fact, of the 15 countries indicated in UKHTC data to represent the main countries of origin of all victims referred, only four, including the UK, were EU member states¹⁹. This is at odds with the data in the present study where most source countries were EU member states and all but two, China and Thailand, were European countries. These findings lend some support to concerns raised by the Anti-Trafficking Monitoring Group (The Monitoring Group) (2010) about '*potentially*' discriminatory practices against non-Europeans in the identification of victims and subsequent confirmation of their trafficked status (ibid: 33). It is also worth noting here the findings set out at section 5.2.1 above with respect to defendants. There, a total of 17 countries of national origin were identified, eight of which were EU countries. However, when this is extended to include other European countries, the number rises to 12. Furthermore, when account is taken of prosecutions of non-European defendants (n=7) as compared with defendants of European

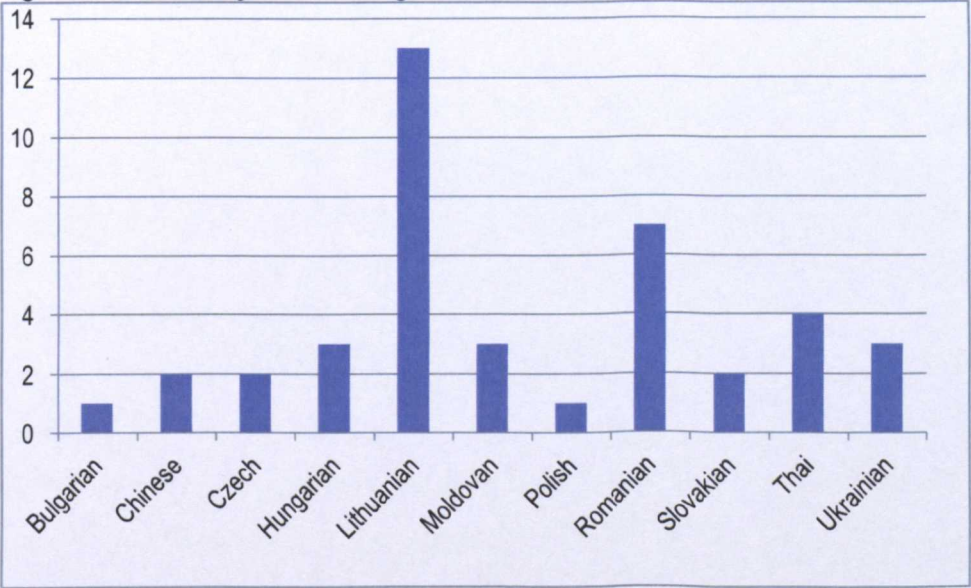
¹⁹ This information was originally available from the UKHTC website, prior to UKHTC's transfer to SOCA in 2009/2010. It can now be accessed through the SOCA website although the data are presented in a different format. See: <http://www.soca.gov.uk/about-soca/about-the-ukhtc/national-referral-mechanism/statistics> - accessed 21 May 2012.

national origin (n=57), it is clear that some 89 per cent of all prosecutions across the 22 cases involved individuals of European national origin. Given the correlation, discussed in Chapter Two, between victim identification/confirmation and the prosecution of traffickers, the question arises as to whether, and to what extent, potentially discriminatory practices in the operation of the NRM are impeding or undermining prosecutions of traffickers. Conversely, where victims fail to be identified as such, they are at greater risk of prosecution themselves, for example, for immigration offences or offences related to the possession of false documents. The implications of this are further discussed in Chapter Seven.

5.4.1 National Origins of Victims

The source countries from which victims originated are represented in Figure 5.7 below. The overwhelming majority were also recruited in those countries. There was only one case among the 22 cases reviewed and analyzed in which the data confirmed that at least one victim had been recruited outside her country of national origin. This involved the recruitment of a Romanian woman in Spain by a British trafficker. In four other cases involving Chinese and Thai women, the data were inconclusive. The implications of these findings are further discussed in Chapters Six and Seven.

Figure 5.7: Victims by National Origins



N=41 victims

No British-born victims were identified. This confirms concerns of the neglect, until recently, of the internal trafficking of UK nationals. Where victims originate from outside of the UK, however, this also has implications for the prosecution of cases. Witness protection issues may arise, for

example, particularly where victims are returned to their home countries pending trial with the often very real possibility of witness interference and intimidation. Similarly, cooperation across jurisdictions may be less than satisfactory, more so when law enforcement is poor in source countries, or resources are simply inadequate. Where victims come from further afield, as some do in this study – namely from China and Thailand – there is also a risk that they will be deported after standard immigration interviews. Again, these issues are further addressed in subsequent chapters.

As Figure 5.7 shows, the largest number of victims – approximately one third (n=13) - were recruited in their home country of Lithuania²⁰ (bearing in mind that the number of Chinese victims could not be ascertained). Their traffickers and pimps in the UK were predominantly Albanian males, however, their recruiters were typically young Lithuanian men and women in their home country. The modus operandi of these trafficking networks are further examined in Chapter Six, however, as has been previously noted, while there were defendants in other groups who did not share the national origins of any of their victims, all other defendant groups but one contained at least one member whose national origins coincided with that of their victims. The one exception again concerned defendants of Albanian national origins involved in the trafficking of Moldovan and Romanian women (Case 11).

5.4.2 Key findings: victims

The total number of victims across all 22 cases could not be ascertained. However, of those who were conclusively identified as victims, their ages ranged from 15 years to 42 years with the majority being under 25 years of age. They originated from 11 different countries, seven of which are EU member states, with Lithuanian women representing the largest proportion of victims overall (bearing in mind the total number of Chinese victims remains unknown). Hence, women from EU countries had rights of entry to, and residence in, the UK. Of the remaining four countries, two were European and two were not. Again, this over-representation of European victims is surprising, given the preponderance of non-European source countries identified in UKHTC data (Personal Communication 2008), underlining concerns expressed by the Monitoring Group (2010) of *potentially* discriminatory practices in the operation of the NRM.

²⁰ This was confirmed by the women themselves in witness statements or otherwise verified by police and CPS in communications with officials in Lithuania and/or victims' families.

5.5 Assessing the typology: does it fit the data?

A typology was proposed to facilitate empirical study of the extent to which, and how, diasporas may play a part in the processes that constitute cross-border human trafficking (Turner and Kelly: 2009). Four possibilities were hypothesized, ranging from fully integrated closed diasporic networks to fully open networks in which diasporic connections are absent or, if present, entirely incidental, that is, they play no part in the *modus operandi* of the network. Table 3 summarizes the key characteristics of each of the four models.

Table 5.3: Typology of intersections between diasporas and trafficking networks

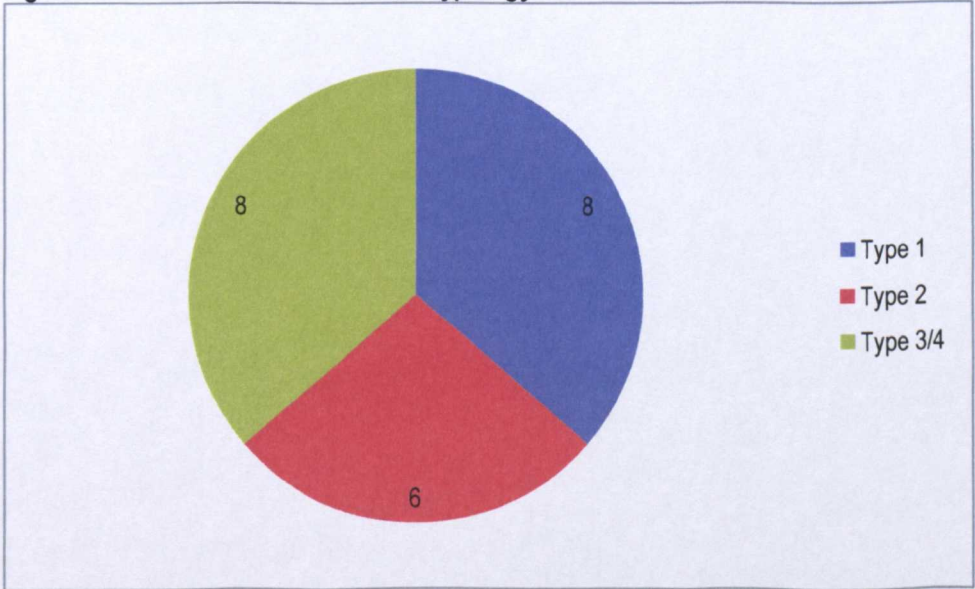
Type 1: fully integrated	Type 2: partially integrated	Type 3: partially open	Type 4: fully open
Recruiters, transporters and exploiters share the same national origins and traffic and exploit only their own nationals.	Recruiters and transporters share the same national origins but their involvement ceases with delivery of victims (own and/or other nationals) to buyers/exploiters in the UK; buyers/exploiters share the same national origins and buy/exploit their own and/or other nationals.	Recruiters, transporters and buyers/exploiters do not all share the same national origins among themselves or with their victims but connections of national origin will be more than incidental, and they will draw on UK diasporic connections instrumentally.	Recruiters, transporters, buyers/exploiters have diverse national origins, traffic women of diverse national origins and any connections of national origin will be entirely incidental and play no part in the <i>modus operandi</i> of the traffickers.

It should be noted that, for the reasons set out in section 5.1, transit countries have been omitted from the analysis and Model 2 has been extended (see Chapter Three). As can be seen, however, a fully integrated closed diasporic network is one in which all traffickers share the same national origins, not only among themselves, but also with their victims. Furthermore, on arrival in the UK, they do not sell the women they have recruited but continue to profit from their exploitation in the UK's sex industries (Model 1). In partially integrated networks the men and women involved in recruiting, and facilitating entry to the UK, also all share the same national origins, but their involvement either ends with delivery of their own nationals to a given destination and/or they also traffic victims of different national origins. For these purposes, as indicated above, included in the extended model are also criminal networks of traffickers who similarly all

share the same national origins among themselves but who buy women of different national origins on, or shortly after, their arrival in the UK and trade them within the country, or otherwise profit from their exploitation. This is a logical counterpart to those networks whose involvement in the trafficking process ends with delivery of their victims (Model 2). In partially open networks, traffickers - recruiters, transporters and exploiters - need not all share the same national origins, among themselves or with their victims, but connections of national origin among defendants and between defendants and victims will be more than incidental and group members will draw on their respective diaspora communities instrumentally to conceal or facilitate trafficking and/or ancillary activities, such as money transfers (Model 3). Fully open networks are those in which traffickers and victims do not share the same national origins and in which any coincidence of national origins or diasporic connections between or among any of the parties play no part in the modus operandi of that group or network (Model 4).

Figure 5.8 allocates, on the basis of the descriptive statistics, the defendant groups into the four models: those which met the criteria of Models 1 and 2, and those which met the criteria of either Models 3 or 4. Determining which of the latter two possibilities the group composition and modus operandi may correspond to requires further analysis of links of national origin between defendants and victims, and of diasporic connections across the trafficking chain (see section 5.5.1 below).

Figure 5.8: Allocation of cases to the typology



This initial analysis indicates a distribution across the typology with eight defendant groups corresponding respectively to Model 1 and Models 3 or 4 (n=8), while a smaller number (n=6) met

the criteria of Model 2. Here, the evidence shows that Models 1 and 2 can quite easily be identified, indicating the typology has heuristic use.

Table 5.4 identifies defendant group activities across the trafficking chain and their corresponding models. Defendant groups are represented in the column headed 'Exploitation', save with respect to a Hungarian group (Case 20), which is represented in the column headed 'Recruitment' as this was the only defendant group whose involvement was limited to delivery of victims to buyers in the UK.

Table 5.4: Defendant group activities across the trafficking chain and corresponding Models

Case	Recruitment	Transportation	Exploitation	Model
9	Bulgarian	Bulgarian	Bulgarian	1
2	Czech	Czech	Czech	1
6	Chinese	Unknown	Chinese	1
22	Chinese	Unknown	Chinese	1
3	Hungarian	Hungarian	Hungarian	1
15	Slovakian	Slovakian	Slovakian	1
4	Romanian	Romanian	Romanian	1
13	Thai	Unknown	Thai	1
20	Hungarian	n/a*	Albanian	2
7	Lithuanian	Lithuanian	Albanian	2
11	Moldovan; Romanian;	Albanian; Italian	Albanian	2
12	Lithuanian	n/a*	Albanian	2
16	Lithuanian	n/a*	Albanian	2
21	Lithuanian	n/a*	Albanian	2
1	Lithuanian	Lithuanian	Albanian; Lithuanian	3/4
5	Thai	Unknown	Thai; Filipino; Slovakian	3/4
8	Lithuanian	Lithuanian	Albanian; Lithuanian; Turkish	3/4
10	Ukrainian	Lithuanian; Polish	Nigerian; Ukrainian	3/4
14	Lithuanian	Lithuanian	Albanian; Lithuanian	3/4
17	Lithuanian	Lithuanian	Albanian; Lithuanian; Macedonian; Croatian	3/4
18	Romanian	British; Romanian	British; Romanian	3/4
19	Polish	n/a*	Albanian; Polish	3/4

*Victims travelled unaccompanied.

n=22 cases

As can be seen, five of the groups allocated to Model 1 originated from within EU countries, indicating that group members were not restricted in travel to and from the UK, although limited restrictions will apply to Bulgarian and Romanian nationals until early 2014. Moreover, since each of these groups recruited only nationals from their own respective home countries, the women they recruited were similarly entitled to enter the UK as citizens of other EU member states. It will be noted, however, that the remaining two countries were outside of the EU and entry, and indeed re-entry, to the UK would, therefore, have been dependent upon possession of the appropriate documentation. These cases – two Chinese and one Thai (Cases 6, 22 and 13 respectively) - comprised a sole defendant (although see below for diasporic connections in the UK), however, only with respect to the Thai case (Case 13) was the female defendant a naturalized UK citizen. Hence, she was at liberty to leave and re-enter the UK and, in fact, there was evidence of extensive travel by her in both Thailand and Cambodia. There was, however, no available evidence to indicate whether any women were trafficked into the UK directly by her or whether they were transported by others, nor was there any evidence of the trafficking route. With respect to the two Chinese cases (Cases 6 and 22) - again, see below for diasporic connections - there is no evidence that either defendant returned to China for the purposes of recruitment. This is likely to have been, at least in part, a function of their immigration status in the UK, either as illegal immigrants or as visa overstayers. In one case, there was no evidence of transportation mode or route (Case 6), while in the other case (Case 22), Germany and France were implicated as transit countries. These cases have been allocated to Model 1 for a number of reasons. Firstly, distance, cost and immigration difficulties. Both China and Thailand are considerable distances from the UK and getting here, whether solely by air or by a variety of modes of transportation, is expensive. On arrival, entry to the UK is not guaranteed. At the very least, genuine or sufficiently convincing false documents will have been required to pass immigration checks. Such documents are also expensive to come by. Each of these processes requires planning, up-front expenditure and organization. As such, it is less likely to have been the enterprise of a single individual and more probable that a number of other parties will have been involved, for example, as brokers, financiers, and transporters. Secondly, with respect to Chinese smuggling and trafficking operations, other research (Shelley 2003, 2007, 2010) confirms that these groups tend to be closed networks in which individuals of Chinese national origin control all stages of the trafficking process, and traffic only their own nationals. Thirdly, evidence of extensive diasporic connections in the UK suggests that these defendants operated within much wider networks to promote and manage the business of commercial sex, and to control the women trafficked to the UK for those purposes. These criteria do not all apply to the case involving the sole Thai female defendant

(Case 13) and there remains, therefore, more uncertainty as to which model this case best corresponds to. This is examined further in Chapters Six and Seven.

With respect to Model 2 cases, the source countries were all EU member states, with the exception of one case which involved the non-EU country of Moldova (Case 11). The other source country in that case was Romania, however, all victims were furnished with false Italian passports to facilitate their entry to the UK. Even so, in that case, as in all others within Model 2, the defendants were all of Albanian national origins, save in the Hungarian case, where the buyers/exploiters were all of Albanian national origins but the sellers/defendants were both Hungarian (Case 20, see Table 5.4). Again, it is likely that the immigration status of the defendants/buyers impacted on the modus operandi of those groups, as is further explicated in Chapter Six. Models 3 and 4 are discussed separately below.

5.5.1 Models 3 and 4 of the typology

The distinction between Models 3 and 4 turns on whether connections of national origin among defendants and between defendants and victims and/or diasporic connections across the trafficking chain play any, or no, part in the trafficking process. Table 5.5 shows the presence or absence of those connections across the trafficking chain. It includes reference to associated UK parties, that is, persons not charged in a given case but nonetheless identified during the course of police investigations and subsequent criminal prosecutions as connected to the defendants in question. Details of the roles played by persons among the diaspora are also indicated to the extent to which these were known and/or apparent from information in CPS files.

The more detailed analysis in Table 5.5 clearly shows that, while defendants had diverse national origins, connections of national origin existed between victims and at least one defendant in each group. Indeed, the prevalence of connections of national origin between victims and defendants across all 22 cases may suggest patterns at the international level which are similar to those found in the domestic context, namely, that a significant proportion of personal crime is intra-ethnic (Bowling and Phillips 2002). Moreover, in the present context, these connections cannot be said to be purely incidental as they can be seen to have played a part in the modus operandi of the groups. The dependence of Albanian traffickers and pimps on the supply of Lithuanian women recruited and brought or sent to the UK by Lithuanian traffickers has already been noted. In two of the cases (Cases 1 and 14), the Lithuanian defendants were female and had themselves been formerly trafficked. Hence, although among the defendants, they were arguably of instrumental use to their Albanian counter-parts, not only in facilitating recruitment, but also in

assuming a facilitator role on their behalf in teaching newly trafficked women the ways of the new world in which they found themselves. This is also discussed further in Chapters Six and Seven.

Table 5.5: Connections of national origins from source countries to the UK

Case	Recruitment	Transportation	Exploitation	Associated Parties UK	Roles	Model
1	Lithuanian	Lithuanian	Albanian Lithuanian	Albanian Lithuanian	Finance Facilitator	3
5	Thai	Unknown	Thai Filipino Slovakian	Thai Filipino	Unknown Documents	3
8	Lithuanian	Lithuanian	Albanian Lithuanian Turkish	Albanian Lithuanian Turkish	Pimps Facilitator Drivers	3
10	Ukrainian	Lithuanian, Polish	Nigerian Ukrainian	Ukrainian	Money transfer	3
14	Lithuanian	Lithuanian	Albanian Lithuanian	Albanian Lithuanian	Pimps Facilitator	3
17	Lithuanian	Lithuanian	Albanian Lithuanian Macedonian Croatian	Albanian	Pimps	3
18	Romanian	British Romanian	British Romanian	Romanian	Website design	3
19	Polish	n/a*	Albanian Polish	Albanian Polish	Pimps Tenant	3

*Victim travelled unaccompanied

n=8 cases

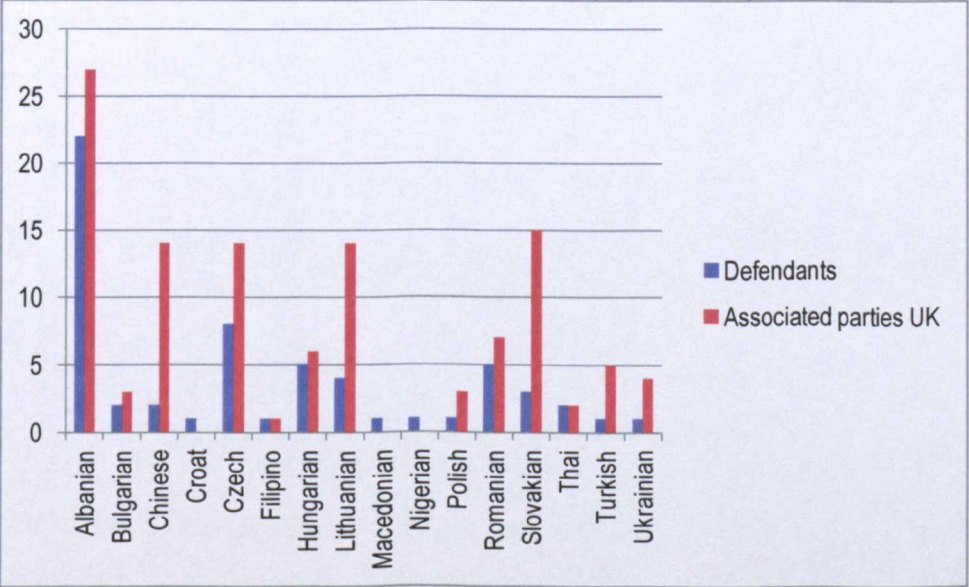
Thus, Table 5.5 shows that across all 8 cases diasporic connections were found between at least one defendant and associated UK parties, their roles indicating their instrumental use to defendants, criminal or otherwise. This is further explored in the sections below with respect to diasporic connections across all 22 cases, together with an analysis of suspected criminal involvement.

5.5.2 UK diaspora and defendant connections across all cases

This section examines the prevalence of diasporic connections in the UK, that is, persons associated with defendants and sharing the national origins of the defendants across the 22 cases. Only those individuals whose national origins were identified in CPS case files have been included in this, and the subsequent section and, hence n=115. The four defendants of English national origins (Case 18) have been removed from Figure 5.9 as they cannot constitute a diaspora population within their home country, therefore, with respect to defendants in the following analysis n=60.

As can be seen from the above, there are only three instances in which there are no diasporic connections in the UK with defendants, namely with respect to a Croatian, a Macedonian and a Nigerian defendant. The former two defendants are part of the same partially open group (Case 17) – see Table 5.5, in which the remaining defendants were Albanian and Lithuanian respectively, and were involved in the trafficking of Lithuanian women. The Nigerian defendant was a naturalized UK citizen by a first marriage. At the time of his arrest, he had a Ukrainian wife and his co-defendant was his brother-in-law. All three were involved in the trafficking of Ukrainian women (Case 10). The wife was not prosecuted in the UK but is understood to have been under investigation in Ukraine, the outcome of which is unknown. However, it is apparent that intersections between national origins and kinship increase degrees and levels of connectivity among defendants.

Figure 5.9: Defendants and associated UK parties by national origins



n=60 defendants; n=115 associated UK parties

5.5.3 Family/kinship connections between defendant groups and UK diaspora communities

Bearing in mind the prevalence of family/kinship connections within defendant groups, it was additionally found that just under one third (n=7) had close or extended family members within their respective diaspora communities in the UK. Few studies profile the traffickers and fewer yet profile the families of traffickers. Data on the antecedents of traffickers generally, including their social, economic and educational backgrounds, may shed light on how these factors impact entry into the trade, as well as the organization of trafficking operations. Whilst traffickers and trafficking operations are frequently characterized in terms of their diversity, some evidence suggests that traffickers often come from similarly disadvantaged backgrounds to those of their victims (The Vienna Forum 2008). As in most crime, financial gain is a common unifying factor, however, it is suggested that whilst this may be profit and wealth for some traffickers, for others it is a means to support and provide for families (ibid). Conversely, particularly where traffickers are operating outside of their home countries, the presence of their families may also serve as a source of support to them, either in the conduct of their criminal activities or, for example, in their efforts to conceal their criminal activities. If diaspora communities are considered a boon to international crime because their connectedness means they can more easily internalize the enforcement mechanisms and trust necessary to the business of crime (Kapur and McHale 2005), arguably the benefits of counting family members among diaspora communities are potentially even greater.

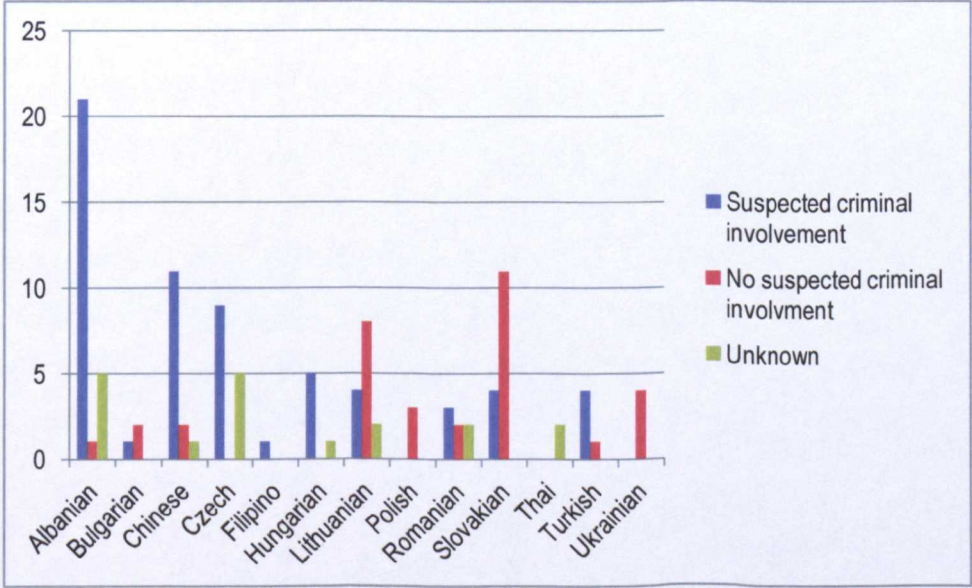
All of these family members and, indeed, other individuals with diasporic connections to defendants were identified among the associated parties in the UK. This means that none of them was charged with trafficking or trafficking-related offences, with the exception of one case involving Czech defendants (Case 2). That group was associated in CPS files with two other cases involving Czech defendants, among them persons with family/kinship ties to the defendants in Case 2. Hence, evidence of their criminal complicity in trafficking operations was conclusive. The suspected complicity of other members of diaspora communities, including family members, is discussed below.

5.5.4 UK diaspora involvement in trafficking operations

The roles undertaken by associated parties include the provision of accommodation for defendants and/or victims, driving victims to and from brothels, providing money transfer services, investment capital, or false documents. Figure 5.10 provides data showing where diaspora involvement was suspected to be criminal and, conversely, non-criminal in nature. As in the case

of family members with the one exception referred to above, the absence of criminal charges necessarily means that these findings cannot be deemed conclusive. It cannot be known, for example, why an individual associated with a particular defendant and described as ‘co-manager of brothel’, was not also charged and prosecuted alongside that defendant. Nevertheless, such descriptions within CPS files clearly indicated whether criminal complicity was suspected or not and, hence, formed the basis of the findings here. However, and again as with family members, irrespective of whether diaspora involvement is deemed to be criminal or non-criminal in nature, their involvement generally may nonetheless be taken as indicative of their overall instrumental use to the defendants in the 22 sample cases. Thus, for example, defendants may seek out money transfer agencies staffed by individuals from their home countries, to facilitate the transfer of money back to recruiters there. In such instances, the money transfer clerks may be unwitting accomplices in the trafficking operation. Croatia, Macedonia and Nigeria are not represented as no associated UK parties with those national origins were identified. The UK itself is similarly omitted²¹.

Figure 5.10: Suspected criminal/non-criminal involvement of UK diaspora communities in defendant group trafficking operations



N=63 suspected criminal involvement

N=29 no suspected criminal involvement

N=23 unknown

²¹ Only one of the 22 cases featured defendants of UK national origins and involved the trafficking of women from Romania. The defendant group in that case comprised five individuals: two men and two women from the UK, and one Romanian male. The operation was organised and financed by one of the British men, the lead defendant, who appeared to travel extensively throughout Europe, in particular Spain, Romania and Turkey. He was noted by one witness to carry large quantities of cash and numerous passports. The case dates from 2006, that is, before Romania joined the EU. Women were brought in via France. He was also associated with other criminal activity in the UK and appeared to have been recruited as a police informant. This case is further discussed in Chapter Six.

It is immediately apparent that the Albanian defendants in the sample cases overwhelmingly operated within wider criminal diasporic networks within the UK, as did the Chinese, Czech and Hungarian defendants, although both Albanian and Chinese defendants also made use of non-criminal diaspora networks. This is similarly the case with respect to the majority of other defendant groups with the exception of the two Thai defendants where the nature of the diasporic involvement could not be determined. The only exclusively non-criminal connections were found among Polish and Ukrainian UK diasporas. However, most other defendant groups had both criminal and non-criminal diaspora connections in the UK, suggesting at least some instrumental use of diasporas by most defendant groups. Hence, while the composition and modus operandi of all defendant groups reflected, to a greater or lesser extent, Models 1, 2 or 3 as hypothesized in the typology, no group was found in which connections of national origin and/or diasporic connections could be said to be entirely incidental.

5.5.5 Summary of key findings: typology

In 17 of the 22 cases, connections of national origin were found between recruiters and victims. Case 18 was the exception, while in four other cases – Thai and Chinese respectively (Cases 5, 13, 6 and 22) – no information was available to determine conclusively where the women in question had been recruited. However, connections were also found to exist between victims and at least one defendant in the overwhelming majority of cases, including the aforementioned cases. Similarly, there were only three instances (in Cases 10 and 17) in which individual defendants were found to have no diasporic linkages to associated parties in the UK but, in each instance, such linkages were found to exist with respect to their co-defendants. Hence, no case was found to correspond to the criteria of Model 4 of the typology – a fully open group in which any connections of national origin were purely incidental and played no part in the groups' trafficking modus operandi.

5.6 Conclusions

The findings of this chapter confirm intra-group connections of national origin between defendants across 16 of the 18 cases involving defendant groups, of which ten also shared intra-group family and kinship connections. Similarly, connections of national origin were established conclusively between recruiters and victims in all but two cases (Cases 11 and 18), while connections of national origin were found between at least one defendant in a group and victims in all but one case (Case 11). This is consistent with the findings of other studies (see, for example, UNODC 2006a; Shelley 2003, 2007 and 2010). However, a caveat is required here. Such connectivity

existed, unsurprisingly perhaps, where victims were known to have been recruited in their respective home countries. Conversely, in the – albeit single – case where recruitment occurred outside the victim's country of origin, recruiter and victim did not share the same national origins (Case 18). Further, the data are inconclusive with respect to recruitment of Chinese and Thai victims (Cases 5, 6, 13 and 22).

Diasporic linkages existed between at least one defendant and associated parties in the UK across all cases, including familial or kinship ties. Hence, no case was found to have met the criteria of Model 4 of the typology. Nonetheless, a further caveat is required. The selection of the defendants and defendant groups as the primary units of analysis was a necessary decision insofar as the status of associated parties in the UK, in transit and in source countries could not always be determined with a sufficient degree of certainty. This means the parameters of the crime networks remain unknown. It could not be definitively determined, for example, whether the Lithuanian suppliers of women to Albanian defendants were part of an Albanian-Lithuanian crime group such as would meet the broad definition of a transnational organized crime group as set out in CTOC, or alternatively, as seems more likely, that they were in fact separate groups working in collaboration, as one of the expert respondents noted. Similarly, as discussed in the introduction, the defendants who were jointly prosecuted in a given case represented, just like the victims, only a snapshot of a larger picture. It is unknown, as already indicated, why some associated parties in the UK, identified as criminally complicit, were not also prosecuted. Not all of these individuals shared the national origins, for instance, of an otherwise integrated (Model 1) group. Factors such as these may have changed the composition of a given group and, perhaps, had further implications with respect to *modus operandi*. It should also be borne in mind that, while the expert respondents (see Chapter Four) referred to organized crime groups by reference to nationality, such as Albanian or West African groups, none highlighted the primacy of connections of national origin or ethnicity across the trafficking chain.

These, and other, issues are now explored in more detail in the following chapters which comprise a more in-depth, qualitative analysis of the factors at play at each stage of the trafficking process, including, in Chapter Six, an examination of the prevalence or absence of diasporic connections in countries of transit.

Chapter Six

Diasporic connectivity and formations of patriarchy in the recruitment and transportation phases of trafficking

6.1 Introduction

The previous chapter provided an overview of Crown Prosecution Service (CPS) case file data and the extent to which the findings met the criteria of the four models hypothesized in the typology. This chapter moves on to provide a more in-depth, qualitative analysis of methods and means of recruitment located within those models or different types of trafficking groups. In addition, it also considers other factors, specifically the function of normative heterosexuality in some recruitment strategies and addresses the issue of women as recruiters/traffickers. With respect to transportation, the focus is on the presence or absence of diasporic connectivity and its role in the movement of women through transit countries.

The chapter is divided in a number of further sections. Section 6.2 discusses and analyses recruitment methods across the 22 cases, while section 6.3 considers 'deception' as a means of recruitment of women into the UK's sex industries and prostitution markets. The focus of section 6.4 is women – both as traffickers and as victims – in which the complexity of women's participation in criminality is discussed. Section 6.5 then considers transportation, not from the perspective of modes of transportation, but from the perspective of the various associated parties involved in the movement of women through countries of transit and specifically by reference to diasporic connectivities. Section 6.6 then sets out the conclusions, extending the understanding of intersections between diasporas and traffickers and establishing the critical importance of everyday gender relations and heteronormativity in the recruitment process. Throughout this, and the subsequent chapter, all quotations have been taken directly from police interview records, witness statements and other material in CPS case files.

6.2 Recruitment methods

Recruitment is the means by which traffickers secure the movement of women into the sex industry. It is rarely a random process. Women are frequently targeted because their personal circumstances render them vulnerable, circumstances to which traffickers are often attuned (see Chapter Two and below). As one trafficker put it:

It's easy to get girls to work as prostitutes. They're homeless Czech girls with no jobs, so you promise them work and then take all their papers when they get here (Sandy: Czech defendant, Case 2).

The above quote highlights a number of key elements which shape the modus operandi of traffickers, namely – as indicated above - the individual circumstances of young women (jobless and homeless) in source countries which make them easy prey, and the removal and retention of identity documents, which assists traffickers to exercise control over victims, usually on arrival in destination countries. Hence, this latter aspect is further discussed in Chapter Seven, while the sections which follow immediately below address the methods of recruitment identified in this study.

6.2.1 Personal intra-community recruitment

This method of recruitment was found to be exclusive to Model 1 Eastern European cases, involving the Czech Republic (Case 2), Hungary (Case 3), Romania (Case 4), Bulgaria (Case 9) and Slovakia (Case 15). Victims were either recruited personally by defendants usually resident in the UK (Cases 2, 3, 9 and 15) or by close family members in countries of origin (Cases 2 and 4). This suggests that the recruiters/traffickers both maintained close ties with their communities in countries of origin, and that they regularly returned to their home communities. This also reflects the views of one expert respondent that recruiters are often known to the families (of those they recruit) and come from the same villages.

I ran away from the orphanage when I was about fifteen years old. Then my older sister took me in. I lived with her for a few years but she became alcoholic and threw me out. I was living on the street and sleeping in a bus station when she [a female defendant] found me. I knew her because our families knew each other. She got me a pass and we came to England on the coach (Renatta: Slovakian, Case 15; Model 1).

Eddy lived near my grandmother so I'd known him for about five years. I knew he lived in England with his family so when he said he was going back and that I could go with him, I thought it would be all right. He told me I could get a job there and get credit (Vali: Hungarian, Case 3, Model 1).

In the above two cases, the recruiters were defendants ordinarily resident in the north of England. It is clear that both had temporarily returned to their home communities. In Case 3 (Hungary, Model 1), there was no indication in CPS files as to whether the male defendant in that case had

purposely returned to recruit Vali. In Case 15 (Slovakia, Model 1), however, the purpose of the journey home was more likely the recruitment of Renatta as the female defendant had gone prepared. The 'pass' she provided to Renatta was recorded in CPS files as a passport which was noted to belong to the wife of a man in a South Wales trafficking case. The South Wales case was not among the 22 cases reviewed. It appeared instead as an associated case in CPS files, linked by a victim who appeared as a witness in both cases. This indicates diasporic linkages in the UK, in this instance, comprising criminal connections (see Figures 5.9 and 5.10, Chapter Five). It is also indicative of re-trafficking, and what has elsewhere been referred to as the 'carousel system' (Monzini 2005: 82), in which women are circulated around the country – here, between South Wales and the north of England - to ensure the steady supply of 'new faces' to sex buyers.

The following quotes, in contrast, are examples of cases involving recruiters who were family members, or believed to be family members, of defendants in the UK.

I did not have work and I had no money. She said she could get me a job in England and she could help me to get there (Rita: Romanian, Case 4).

Some gypsies offered me a job as a chambermaid in Germany but they made me work as a prostitute. After three years I got back home. Then Bobi came to my house with his wife and another man. I didn't know him but I knew Bobi. He was a scrap metal man and used to go 'round collecting metal from people to sell on. The other man said he knew I was a prostitute and Bobi said I was to go to England and work. At first I refused. I said I would not work as a prostitute again but then he persuaded me. He told me I could do another job and work for his son. He promised me a better life for me and my children (Gabi: Czech, Case 2).

With respect to Case 4 (Romania, Model 1), there was little information on CPS files about the victim or her traffickers, but there was evidence that the recruiter was believed to be the mother of a female defendant. As for Case 2 (Czech Republic, Model 1), it was confirmed that Gabi's recruiter was the father of a male defendant in the case as he (the father) was also convicted in the UK - along with other family members - of trafficking in an associated case. Hence, this group, in particular, appears to have comprised a strong family- or kinship-based trafficking network with members regularly to-ing and fro-ing between the UK and home communities. Irrespective of the country of origin, however, the findings here confirm that all defendant groups used the same method of personal, intra-community recruitment, sometimes re-trafficking women and/or rotating them around different regions of the UK.

These findings are, on the face of it, at odds with those noted by Shelley (2010: 96) as typical of recruitment methods in Eastern Europe. She suggests instead that personal recruitment is most commonly associated with impoverished countries and regions, such as Africa, Asia and Latin America, and particularly where victims have low levels of education. They also appear to be at odds with the findings of Englund et al (2008) in which recruitment methods were found to 'vary among ethnically-based criminal networks and from country to country' (ibid: 49). A common thread in this study, however, is that all Model 1 Eastern European cases involved Roma communities insofar as traffickers and victims alike referred to themselves as 'Roma', 'gypsy' or 'half-gypsy'. These minority communities are highly diverse within and between countries but they share in common marginalization and discrimination by majority populations which have denied them access, for example, to education, housing and health services. Furthermore, such discrimination is said to have increased in the post-Soviet period, resulting in significant numbers leaving countries of the former Eastern bloc to seek asylum, particularly in the UK, France and Belgium (Cenada 2001). Arguably, they also live permanently in diaspora. Shelley (2010), for example, describes the European Roma as among the groups of stateless populations who 'can expect no protection from the police or recourse to any legal system' (ibid: 51). Indeed, Roma communities have been highlighted as particularly problematic from a law enforcement perspective where they have been singled out as 'family or clan-based trafficking groups' which have 'strong codes of conduct and allegiances and provide significant challenges for law enforcement to penetrate' (Europol 2011: 6). This study supports that contention, at least with respect to familial and intra-community linkages. As has been noted, these factors are strongly reflected in the different groups' personal and intra-community method of recruitment. However, Roma communities have also been identified as deeply patriarchal (Mrsevic 2001; Cenada 2001), resulting in even greater marginalisation of Romani women within and outside of their communities. Arguably, therefore, they have even less access to what Connell (2009: 142) identifies as the 'surplus of resources made available to men', a surplus she calls the 'patriarchal dividend' (see Chapter Two). This is discussed further in section 6.4 below.

It is also arguable that Roma ordinarily resident in the UK (and, indeed, in other Western European countries) can be said to be living in diaspora. As indicated above, the data in this study point to high levels of cross-border to-ing and fro-ing. On the face of it, they resemble the entrepreneurial groups, identified by Picarelli (2009), which are often small and traffic their own nationals from 'source countries they are familiar with through prior citizenship or ethnic heritage [to] a destination state that they reside in' (ibid: 130). They also resemble Dahinden's (2010)

'transnational mobiles' (Dahinden 2010) – people with high levels of transnational mobility and low levels of local anchorage' – or even *'transnational kinship groups'* (Faist 1999). However, while this latter characterisation draws attention to the clan-based and familial linkages found among the Roma groups in this study, the analysis here suggests the resources embedded in social ties have a distinctly masculine hue, that is, they are first and foremost forms of patriarchal, rather than *'social'*, connectivity. This is discussed further in section 6.6 below, while the following section addresses what has been identified as the sexual predation method of recruitment.

6.2.2 Sexual predation

This method of recruitment, which might also be described as *'boy meets girl'*, was common to one Model 2 case (Case 7), and a number of Model 3 cases (Cases 1, 8, 14, and 18). All of these cases, with the exception of case 18, involved recruitment of Lithuanian girls and women by young Lithuanian men, but this was not the sole method employed by Lithuanian recruiters/traffickers (see section 6.3 below). However, in all cases involving this latter group, women were subsequently sold to Albanian pimps/exploiters. Hence, while this *modus operandi* closely fits the criteria of Model 2 as hypothesized in the typology, the method was more commonly found among Model 3 cases. This highlights the significance of connections of national origins in the initial recruitment phase, but also points to their decreasing significance in subsequent trafficking phases.

On the face of it, this method of recruitment might seem comparable to the so-called *'lover boy'* method (UNODC 2009b), first noted in the Netherlands. However, there are a number of distinctions. In the *'lover boy'* approach, usually Turkish or Moroccan teenage boys, befriended young Dutch girls and groomed or *'seasoned'* them until they were *'willing'* to be prostituted. In reality, this method probably has more in common with the recruitment tactics found in the *'American Pimp Model'* (Shelley 2003, 2010: see Chapter Two), as well as in recent cases of internal trafficking within the UK.²² Young, and often very vulnerable, girls are targeted by men who offer them gifts and ply them with drugs and alcohol before raping them and touting them around friends and acquaintances.

In the sexual predation method of recruitment, by contrast, the data did not suggest that any of the women were plied with alcohol or drugs, passed around friends or acquaintances, or that they were persuaded to prostitute themselves in source countries. The goal, instead, was to persuade

²² A number of cases have come to light over the past few years involving the domestic trafficking and sexual exploitation of young girls in Rochdale, Derby, Telford and Oxford; see, for example, <http://www.bbc.co.uk/news/uk-england-oxfordshire-22384756>. Accessed 17 May 2013.

them to travel to the UK. Nonetheless, the two methods have a number of features in common which are aptly (although inappropriately) captured by the 'lover boy' description, as illustrated below.

Case 18 concerned the recruitment of Romanian women by a British man (as well as their recruitment by Romanian men and women). The approach of the British trafficker is apparent in the following set of quotes from one of his victims. He met her in Spain where she was said to have worked picking strawberries during the day and in a bar in the evening.

At first I thought he was like all the other men and only wanted sex with me but he called me after a few days and said I was on his mind. I was stunned and resolved to get to know him better...

He asked me lots of questions...was I married and did I have children. He wrote down what I said...I was very shy, blushing deeply, I was timid and embarrassed to ask too many questions...

Later he asked if we could have a relationship. He said it was not too early for him, was it too early for me? I consented to sex. We did not use protection²³. I felt he really liked me and wanted to be with me (Sylvia, speaking of Michael, her British recruiter and trafficker: Romanian, Case 18, Model 3).

When Michael then accompanied Sylvia back to Romania and asked her to travel to England and marry him, she says, 'my whole family celebrated'.

Similar dynamics were found to operate in other cases, notably those involving the recruitment of young Lithuanian women by young Lithuanian men. The men, typically operating in twos, initiated the contact, either through apparently random and chance encounters on the street (Case 1, Model 3; Case 7, Model 2), in a bar (Case 8, Model 3), and/or through friends and family (Case 1, Model 3; Case 14, Model 3). Thus, one victim, Dorota, was told by her sister that:

A good-looking young man said he wants to meet you. He seems to know a lot about you (Dorota: Lithuanian, Case 1, Model 3).

²³ Earlier in her witness statement, Sylvia had indicated that she was no longer able to have children after an incident of domestic violence in which her then boyfriend had kicked her in the stomach. She was pregnant at the time and lost the baby.

Dorota then continues in her statement:

He did not tell me why he was coming to see me. I thought that maybe he wanted to date me. He said he had a friend and wanted me to bring a friend also.

The young man in question persisted in his efforts over several weeks to persuade Dorota to live with him and to travel to England with him. She initially refused.

Seb then texted me to say he was angry with me. I didn't reply so he called me and we spoke. I began to think he was a nice guy...although I did not want to date him, I viewed him as a friend (Dorota, speaking of her recruiter after a month or so: Lithuanian, Case 1, Model 3).

In another case, Janna, a minor victim was told by a friend that she had received a call on her mobile phone from a young man who wanted to meet them both. Shortly thereafter two young men arrived in a car and 'befriended' the girls.

They hung around for a few days. Then Richard left. Benjy stayed and I could tell that he liked me. I liked him and I thought we would maybe become girlfriend and boyfriend. He said to go to England with him. He had a job there and it was just for a few days. I thought it would be fun (Janna, Lithuanian: Case 7, Model 2).

Janna did in fact travel to England. She was provided with false travel papers to circumvent the usual requirement for parental consent. What awaited her in the UK, however, was anything but 'fun'. On arrival here she was sold to Albanian men and forced to work in brothels.

6.2.2.1 *Everyday gender relations*

The dynamics in the above interactions can be characterized in terms of everyday heterosexual gender relations; but for the 'after the fact' knowledge of the men's intentions, it is most likely regarded as normal, gender-appropriate conduct of the 'boy meets girl' variety. What is less apparent in these interactions, however, is the function of heterosexuality, specifically its function as a patriarchal institution, the conventions of which 'privilege masculine meanings and desires' (Holland *et al* 1998: 11). Masculinity, as noted by Connell (1987; 1993; 1995; 2002; 2009), however, is more appropriately characterised in terms of multiple (hierarchical) masculinities, in which 'hegemonic masculinity' is constructed in relation to subordinate masculinities and in relation to women as subordinate to men. There is no equivalent analyses of 'femininities' in Connell's work, however, she suggests that hegemonic masculinity generates 'emphasized

femininity' which is focused on 'accommodating the interests and desires of men' (Connell 1987: 183). While, as she elsewhere observes (Connell 1995: 78-79), few men actually meet the normative standards (of hegemonic masculinity), heterosexuality is one of its abiding features.

The absence of any analyses of multiple femininities is perhaps indicative of the continuation of 'the bad old habit of defining women in relation to men' (Connell 2009: 141-142). More probably, however, it is an implicit acknowledgement that femininity is a male/heterosexual construct - it 'is constructed from within heterosexuality and on male territory' (Holland *et al* 1998: 11). Viewed in this light, inherent in femininity per se is an accommodation of the interests and desires of men. Thus, a cold call from a total (male) stranger led Dorota (Case 1, Model 3) to the belief that he 'wanted to date me'. His persistence, and even his anger, was not seen as harassment. Instead, she began 'to think he was a nice guy' and came to view him 'as a friend', that is, to make an emotional investment and, shortly thereafter, she agreed to follow him to England. Similarly, Janna – a minor – (Case 7, Model 2) was willing to travel to the UK with Benjy, a young man she had known only for a matter of days, in the hope that they might become 'girlfriend and boyfriend', while Sylvia was 'stunned' by Michael's interest in her and his offer of marriage, after just a few weeks, was celebrated by her whole family. I return to these themes again below, however it is important to note that Sylvia's account (like the others), while given to police and prosecutors for the purposes of legal proceedings, is supported, in this case, by subsequent statements of Michael himself. Indeed, in an interview with a female police officer, he continued his attempts to portray himself as just 'a normal guy' and to enlist the collusion of his interviewer.

If you like, it's a little bit of infatuation on my part being an older man and a younger girl. I think every man wants to have a younger girl but it's natural for a man to have a bit of a roving eye.

I've probably not paid her the attention she requires and being a younger girl I think they require that much more attention, don't you agree, being a woman yourself? (Michael: British trafficker, Case 18, Model 3).

The Romanian woman, referred to above, was not Sylvia but one of three other Romanian women, recruited by him in similar fashion to travel to the UK to marry him. In these instances, however, what emerges is Michael's characterization of his recruitment method as normal heterosexual practice. While age is also a factor, he portrays his behaviour in terms of everyday normative gender relations. Sylvia's response likewise reflects this. In acquiescing to Michael's original proposal (for sex), she was performing everyday 'femininity [which] requires both

deference to male demands and needs, and also emotional investment in a relationship with a man' (Holland et al 1998: 54).

The sexual predation recruitment method, then, is facilitated by an implicit heteronormativity which portrays heterosexuality as the natural order of things and conceals its location as a site of male power. Contact 'out of the blue' from male strangers is not seen as cause for concern or suspicion. Instead, the encounters quickly adopt all the hallmarks of everyday gendered, heterosexual practices. Hence, where 'unequal gender orders' (Connell 2009) may be said to normalise women's subordination, heteronormativity normalises sexual predation and, for women, transforms everyday heterosexual encounters into a lottery.

6.2.3 Chinese and Thai 'contract' recruitment?

For many migrants from outside of the EU, entry to the country is restricted. Such restrictions will certainly have applied in the remaining Model 1 cases involving Chinese and Thai victims (Cases 6, 22 and 13), as well as in a Model 3 case, also involving victims from Thailand (Case 5). With respect to the Chinese cases (Cases 6 and 22), there was little evidence on CPS files as to how the women came to be recruited. In both cases, however, there was evidence of extensive networks and brothels throughout the Southeast and in the north of England (see Chapter Seven). Hsiao-Hung Pai (2008) writes of 'The Zone Six Women' who are smuggled into the UK to work in catering, agriculture and a range of other industries but who, through choice or chance, ended up in brothels as 'Misses' or as housekeepers. All arrangements were made through Chinese agents, who charged individual women exorbitant fees for the jobs and who ran and collected the profits from the brothels. The 'bosses', however, never visited the brothels. Hence, it was only the women, who sometimes arrived on valid six month business-visitor visas but stayed on after their expiry, who were at risk of arrest and deportation.

This representation – of Chinese women paying agency fees for jobs in brothels – differs from the findings of Shelley (2010), as discussed in Chapter Two, where women are recruited in China for exploitation in prostitution in an operation which is managed end-to-end by the same ethnically homogeneous crime group. Nevertheless, both accounts point to fully closed diasporic networks across the trafficking chain consistent with Model 1 of the typology. This study cannot directly support or contest either version since, as indicated above, there was limited information in CPS case files as to how the victims came to be in the UK or, indeed, moved around the country. However, the data does indicate that the chain was broken at the point of exploitation. Interestingly, this is also at odds with the suggestion of one of the expert respondents that sex

trafficking might differ from other forms of forced labour trafficking in that the latter are more likely to intersect with the formal economy and employers from outside of the trafficking group. While brothels cannot properly be described as part of the formal economy, the data in this study indicate that they were often located outside of diasporic communities and, hence, any diasporic 'cover' was lost. This theme is further explored in Chapter Seven.

As with the Chinese cases, there was little information in CPS files as to how Thai women (Case 5, Model 3; Case 13, Model 1) were recruited. This is also discussed further in Chapter Seven, however, one witness indicated the method typically involved 'contract' recruitment:

All the Thai girls know they'll work as prostitutes. Prostitution in Thailand is considered the norm and Thai girls are expected to do it and send money home. The contracts are arranged in Thailand by the army. This is why the girls don't try to escape their contracts for fear of retribution against their family. The contract is for £30,000 and all the girls accept this and that they will have to pay it off before they can earn for themselves. Most pay it off within six months (Peter: British, witness speaking of the trafficking of Thai girls into the UK, Case 5, Model 3).

The question of whether 'Thai girls know they'll work as prostitutes' is moot and goes to the heart of the issue of deception within the Trafficking Protocol (see section 6.3 below), however, another study in Australia (Maltzahn 2008) similarly found this method of 'contract' recruitment to be commonplace among Thai traffickers, although women were also frequently sold to brothel owners and held in conditions of bondage, suggesting the 'contract' is illusory and itself a means of deception.

Andrijasevic (2010), however, in her study not of Thai but of (non-EU) European women, argues that deception was secondary or even inconsequential to the 'migratory projects' of her respondents. While some degree of deception as to working conditions was found in all respondents' accounts, she concludes that women regarded any contract as a 'means to an end', in which fulfillment of the actual 'terms of agreement reached (or not) between the parties' was incidental to their goal of migration.

It is obvious that those women who were promised jobs as waitresses or domestic workers and were then inserted into the sex industry had not been informed about the terms of their sex-work contract. However, neither have they negotiated the terms of the contract for work in a restaurant or a private home. This situation is not much different to the one in which women agreed to sex work but knew very little about the concrete working conditions (ibid: 36).

This surprising assertion is not supported by the findings of this study (see also Chapter Seven). While one, possibly two cases (Cases 10 and 11), are broadly in line with her notion of active 'migratory projects', the remaining cases paint a very different picture and, even then, the outcome for the women concerned in Cases 10 and 11, proved to be very different (see section 6.2.4 below).

To characterize this form of recruitment in terms of a 'contract', then, would seem to misrepresent the reality, since women are unable to enforce 'the terms of agreement reached (or not)'. Given the lack of data on how the Chinese and Thai women in this study came to leave their respective countries of origin, however, the actual method of recruitment in the above cases (Case 5, Model 3; Cases 6, 13 and 22, Model 1), remains unknown. Furthermore, it is also unknown whether all women were recruited in their respective countries of origin, hence it is not possible to establish the relevance (or otherwise) of national origins and/or diasporic connections.

6.2.4 Assisted travel/border crossing

As previously indicated, in two of the CPS cases reviewed (Case 10, Model 3; Case 11, Model 2), women appeared to have initiated contact with facilitators and actively sought assisted travel to the UK to work here, although it was only with respect to Case 10 (Ukraine, Model 3) that they were aware this would involve prostitution.

Andrei said he could help me to travel to London and they could fix me up in a rented apartment and guarantee work. The work would involve me providing sexual services to men for money. Andrei said I would receive £100-£150 per hour for offering sexual services. I would have to pay 50% of this amount to the employer in London (Tatiana: Ukrainian, Case 10).

The recruitment process was described in more detail in the CPS file:

The method, identified in Ukraine, is that females are recruited in the Khartov region and are furnished with false documentation, identifying them as being from one of the Baltic States allowing them EU entry status. They are then taken to the Polish border where they are sold to traffickers who arrange their dispersal to various cities within the EU. The defendants are the London-based end of this organisation (CPS file note: Case 10, Model 3).

The taxi driver, referred to above, was one of a number of people who were instrumental in obtaining appropriate exit and travel documents out of Ukraine. As such, he may be said to be

part of the networks – also including restaurateurs and managers of bars or clubs - noted by Andrijasevic (2010) to constitute 'the initial link in the 'chain of facilitation'' (ibid: 35). Subsequently, other actors such as travel- and employment agencies and 'document facilitators' move the migratory process forward. However, the sale of the women at the Polish border indicates the precariousness of their actual circumstances. As highlighted in the previous section, whatever the terms of their original agreement with third parties, from the moment of their departure from Ukraine, those terms were unenforceable. In short, they had entered 'the lottery of the assisted migration business (Turner and Kelly 2009: 187). This is clearly illustrated in Case 11 (Model 2). In the opening statement to that case, the prosecution noted:

This prosecution concerns organised international trafficking in human beings. In essence, the two defendants, along with others not in the dock, are concerned in bringing females from Eastern Europe illegally into the UK. False papers are provided to facilitate their entry to the country. Some of the women are then bought and sold during the course of their journey and of the females named in the indictment...each was raped as part of their 'introduction' to the real purpose of bringing them here (CPS file note, Case 11, Model 2).

The difference between Case 11, however, and most of the other cases involving Albanian defendants, is that the first defendant was a naturalized British citizen and well-established in the UK.

The first defendant had worked as an interpreter for solicitors dealing with immigration matters. He was a regular visitor to the Home Office in, inter alia, Croyden. He had also assisted the BBC in a documentary it was making in relation to immigration matters (CPS file note, Case 11).

His work as an interpreter, then, provided him not only with a veneer of respectability, it is also likely to have seen him well-established within an Albanian diaspora and afforded him unprecedented access to Albanian asylum seekers. However, arguably his UK citizenship facilitated travel to other European countries and, indeed, there was evidence that he did so on a regular basis (see section 6.5 below). Hence, he could also be characterized as a '*localised mobile transnational*' (Dahinden 2010) – someone with high levels of transnational mobility and a high degree of local anchorage, both of which functioned to facilitate his cross-border trafficking activities. This is further addressed in the concluding section to this chapter, while the following section now discusses deception in recruitment processes. It is the first of two sections which focus on women – as recruiters/traffickers and as victims.

6.3 Deception in recruitment processes

In the analysis set out in section 6.2, methods of recruitment can be seen to overlap with means of recruitment, identified in the Trafficking Protocol, inter alia, as involving coercion, deception, and the abuse of a position of power or of a position of vulnerability (Trafficking Protocol, Article 3a). Much of the literature focuses on deception (see, for example, Aronowitz 2001; UNODC 2006a, 2009a), in particular, deception as to the nature of conditions of work. This is now addressed separately here as, with respect to the cases discussed in the preceding section, the data were inconclusive, save in Case 10, where the women in question knew they would be working in the UK's prostitution sectors. This section, therefore, now addresses the remaining cases in which the data were strong enough to indicate with greater certainty whether traffickers deceived women as to the nature or conditions of work.

6.3.1 Deception as to the nature of work

This was most apparent with respect to some, although not all, victims in Case 16 (Model 2) and Case 17 (Model 3). The latter case concerns a Lithuanian minor, aged 15 years, who was recruited by two young Lithuanian women. She was offered a summer job, selling ice cream or working in restaurants in London. An excerpt from CPS files notes as follows:

It is considered normal practice for Lithuanian girls of this age to work during their school holidays. They are expected to help their families. The recruiters met with the girl's parents and described the type of work to them and the logistics. The parents consented to her travel to the UK (CPS file note, Case 17, Model 3).

In case 16, one of the victims, also Lithuanian, was seeking alternative employment to her work as a cook. She received a call on her mobile from a woman who told her she could get her a job in London as a cleaner in a gymnasium.

I met with her. I was unsure as I did not speak English but she told me this did not matter. She said there was enough work if I also wanted to bring a friend. I thought of my friend, Ilona, and we talked about it together. We decided this was a good opportunity and we would not be lonely if we went together. We met with the woman again and she gave us contracts to sign. The contract said we would be working for their cleaning company, our travel would be paid for and we would receive £500 a month plus accommodation (Alexandra, Lithuanian: Case 16, Model 2).

Another victim in this case had advertised in a local agency for work in the UK. She spoke English and had previously worked in Macclesfield as a waitress supervisor. As she noted:

The pay was not brilliant but the tips were good (Edna, Lithuanian: Case 16, Model 2).

Shortly after placing her ad, she was contacted by two young women, claiming to be representatives of a recruitment company in Vilnius. Following discussions, she was offered a job in a restaurant in London. Thereafter, the three met for a second time. Again, a contract was produced, confirming the nature of her employment and that travel and accommodation would be provided.

All of the victims in these cases were sold on their arrival in the UK and dispersed around the country. It should also be noted that all of the recruiters were Lithuanian women.

6.3.2 Deception as to working conditions

Where women are deceived as to their conditions of work, there is a presumption that they knew, prior to departure from the source country, that they would be working in prostitution but that they did not know, for example, the lack of control they would have over working hours, safe sex practices, or the numbers of men they would be required to sell sex to. This form of deception was most evident in Cases 12 (Albanian, Model 2), 19 (Albanian/Polish, Model 3), 20 (Hungarian, Model 2) and 21 (Albanian, Model 2). Case 19 is illustrative. The victim in that case was a university student. She financed her education and contributed to the family by working in the on-line chat business which, on occasion, involved stripping. She was paid Euro 0.25 per on-line minute. With a new academic year and more fees looming, she responded to an internet ad for girls to work in Germany and the UK. She first went to Germany for the summer months.

They told me I would work in a club. I understood the role to involve chatting with and entertaining male clients and to sometimes have sex for money. The club paid my flight and provided me with an upstairs room. They took 35 per cent of my earnings. When I had reached my target earnings and knew I could pay my fees, I went back home.

The following year I decided to go to England. The man had stayed in contact with me and told me I could earn much more money there. I understood this to mean there would be much more prostitution involved (Olivia, Polish: Case 19, Model 3).

What Olivia did not know, as with all the victims across these cases, is that she would be sold on arrival in the UK. The impact of this cannot be understated.

I corresponded with someone called 'Lily' who informed me I would earn £1500 per week, and would have a nice apartment, a driver and a hairdresser. There was no miscomprehension. I knew it would be prostitution. I did not know that there would be Albanian people involved...Everything I have said is true, I just didn't want to tell the final part, that I'd been bought for £3,000. I can't remember who told me but everyone knew. I think the two other girls in the apartment had also been bought but that is only my opinion. And the Lithuanian girls in the apartment told me that they had been bought, that Lithuanian men had sold them (Valerie: Hungarian, Case 20, Model 2).

Sale on arrival in the UK was the typical *modus operandi* of traffickers in a significant number of Model 2 and Model 3 cases (Cases 1, 7, 8, 12, 14, 16, 17, 19, 20 and 21), as well as in one Model 1 case (Case 2) although the sale there was intra- rather than inter-ethnic. The implications of this are discussed further in Chapter Seven. It is important to note, however, that there is no requirement in English law on the part of the prosecution to prove deception, whether as to the nature of work or the conditions (see Chapters One and Two). Nevertheless, it is relevant to sentencing, that is, its absence or presence (and degrees thereof) may constitute mitigating or aggravating features as identified by the Sentencing Guidelines Council.²⁴ It is arguably also relevant to the test applied by the prosecution in determining whether prosecution is in the public interest (trafficking cases usually will be), and whether or not the evidence is sufficiently robust to make a conviction more likely than not. Additionally, it is an important element in the identification of victims and may distinguish victim from smuggled migrant (see Chapter Two), which may result in women being deported or even prosecuted as traffickers themselves. The following section, then, now returns to the issue of women – as traffickers and as victims.

6.4 Women as traffickers and victims

Increasingly, studies have noted the presence of women among traffickers (UNODC 2006, 2009a; Shelley 2007, 2010). Drawing on the work of the Dutch National Rapporteur on

²⁴ Sentencing guidelines are issued and up-dated from time to time with respect to criminal offences and identify the range of factors to be taken as aggravating or mitigating when considering the appropriate sentence. The guidelines with respect to trafficking can be accessed at: http://www.cps.gov.uk/legal/s_to_u/sentencing_manual/s57_s58_and_s59_uk_trafficking_for_sexual_exploitation/. Last accessed on 14 March 2013.

Trafficking, Aronowitz (2009) notes that the 'gender distribution differs among ethnic groups'. Some may have few or no women, while among 'Russian, Hungarian, Romanian and Bulgarian traffickers, the percentage of women was high and varied between 30 per cent and 39 per cent' (ibid: 52). Female traffickers may themselves have been formerly trafficked women who have become more instrumental to traffickers, for example, as recruiters or as 'Madames' because 'they are less likely to arouse law enforcement's suspicions' (Shelley 2010: 91). As noted in Chapter Five, women were more likely than men to be charged under s57 SOA 2003 (see section 5.4.1 and Table 2, Chapter Five), indicating a recruitment role although this was not always a route out of exploitation. In some instances (Cases 2, 3, 11 and 15), late-stage pregnancy temporarily interrupted a woman's profitability but reprieve was granted only on the basis that she recruited a replacement for herself.

When I was pregnant I worked all the time because my periods had stopped. Then he wanted me to go to Hungary and get another girl to come over. He said if I did not he would kill me and he threatened my family also.

I chose Elsa because I did not know anyone else. I went round to see her. I told her how nice it was in England. I said she would be coming over with me so the flight would be paid for and she agreed to come (Vali, Hungarian: Case 3, Model 1).

Vali made the above statement from prison, following her guilty plea and conviction under s57 SOA 2003. This suggests the line between trafficker and victim cannot always be clearly drawn. In other instances, however, the role of female (co-)defendants was more unambiguously one of participation in the trafficking and exploitation of other women. Of these, five cases (Cases 2, 3, 4, 9 and 15) are Model 1 cases involving Eastern European Roma groups. However, Lithuanian women also featured as recruiters in a number of Model 2 and Model 3 cases, hence while coincidence of national origins is an important element in recruitment processes, it is insufficient alone to account for women's involvement in the trafficking of other women.

Shelley (2007: 121) suggests trafficking is a rare example of 'transnational crime, where women assume an active and prominent position'. The present sample, across the twenty two cases reviewed for the purposes of this study, is too small to be conclusive. The data here do lend some support to that assertion, but they also indicate considerable complexity in women's routes into criminal involvement, particularly as an alternative to continued exploitation. This is also reflected in the comments of an expert respondent that women may 'move up the ladder' to make more money (although this need not involve exiting prostitution, see Chapter Seven). However, while

trafficking is said to be profit-driven, so too, for example, is the international trade in illicit drugs where women are more conspicuous by their absence. This suggests that others factors are likely to be at play, one of which has already been touched on in section 6.2.1 above, and discussed in Chapter Two. This concerns Connell's (2009: 142) notion of the 'patriarchal dividend: the advantage to men as a group of maintaining an unequal gender order', and her observation that '[s]ome women do participate in the patriarchal dividend, generally by being married to wealthy men'. However, as Connell (*ibid*) herself notes, money is not the only benefit of the patriarchal dividend. Other benefits include respect, authority, control over one's own life, safety and access to power and resources generally. Arguably, therefore, in communities with deeply entrenched patriarchal structures, the surplus of resources available to men will totally eclipse those available to women and may render women's very survival dependent on their participation in the patriarchal dividend. And among minority cultures, such as the European Roma, noted to be deeply patriarchal (Cenada 2001), and already marginalized by majority populations and deprived of access to resources, the stakes are very high indeed. Conceivably, therefore, the disadvantage to Romani women as a group of the maintenance by men of an unequal gender order will manifest itself in an exorbitant patriarchal price²⁵. As Mrsevic (2001: 174) notes, 'if gypsy men are the third world in the second world, gypsy women are the fourth world in the third'.

That Roma communities across Eastern European countries sustained such strongly patriarchal structures and systems throughout the Soviet era – characterized at least by greater *formal* gender equality - is indicative of the extent of their marginalization. However, the same cannot be said for majority populations in countries such as Lithuania. Here, Connell (2009) draws on the work of Novikova in Latvia who argues that the re-emergence of local patriarchies there can be attributed to a 'common belief' that the 'official Soviet model of gender equality' emasculated men (Novikova 2000: 119, cited in Connell 2009: 24). Connell (2009) extends this analysis to include 'most post-Soviet regimes' which, she argues, have come to be characterized by a 'militant patriarchy'. 'They are openly dominated by men, they marginalize women, and they weave together their nation-building with a hard, aggressive masculinity' (*ibid*: 24).

It may be argued, then, that the more patriarchal a community is, the more vested women will be in participating in the patriarchal dividend to access the protection, status and relative economic

²⁵ This concept is introduced here as a corollary to Connell's (2009) patriarchal dividend. While 'dividend' aptly captures the notion of distribution of advantage (to men), the notion of 'price' is similarly intended to convey differentiation in what is exacted from women in different gender orders and, hence, in the strategies women adopt to negotiate concessions. It is distinct from Kandiyoti's (1988) notion of 'patriarchal bargain' as this is suggestive of broad equality between the parties (men and women).

advantage it entails. With respect to trafficking, access to the patriarchal dividend comes not from 'marriage to a wealthy man' (ibid: 142), but from participation in the trafficking of other women. In all of the Model 1 Eastern European cases, women featured at different points in the trafficking process, including at the recruitment stage. This was also the case with respect to Lithuania, where – albeit a smaller number - of women were similarly instrumental in the recruitment of other women. In both instances, however, women recruiters were well attuned to the local conditions – cultural, social and economic – which not only constrained women generally but which also informed their aspirations. In short, the women – recruiters and victims – were remarkably similar. While the coincidence of national origins played a key role in recruitment processes, arguably what primarily distinguished recruiters from victims was their access to participation in the patriarchal dividend and the sometimes more, sometimes less, relief that provided from the burden of the patriarchal price.

6.5 Transit

Transit is concerned with the movement of women from countries of origin, through one or more other countries, to the intended destination point, although trafficking need not involve transit countries at all. Indeed, in ten of the 22 cases, victims were brought direct from source countries to the UK (Model 1: Case 3; Model 2: Cases 7, 12, 16, 20 and 21; Model 3: Cases 1, 8, 14 and 19). However, in seven cases, it was confirmed that victims travelled through transit countries (Model 1: Cases 9 and 22; Model 2: Case 11; Model 3: Cases 5, 10, 17 and 18). In a number of those cases, in turn, sufficient data could be extracted from information in CPS files to enable an analysis of an otherwise concealed part of the trafficking chain, in particular with reference to the presence or absence of diasporic connections as hypothesized in the typology.

When we got to Poland a young man met us at the train station and drove us to a supermarket photo booth to get out pictures taken. Then he took us to a hotel near the German-Polish border. The owners were Russian and we had to stay there for a week. Then the young man returned and took our overseas passports. We were taken to a wood and transferred to the trailer of a lorry. After that, we were transferred to different cars and people carriers and had a number of different drivers. We were forbidden to speak but I do not think all our drivers were Russian. I think some of them were Lithuanian men, some others I don't know but when we got to France, it was the Lithuanian men and they gave us Lithuanian passports (Liudmila: Case 10, Model 3).

The names of two others will figure – young Italians from Turin. It is the Crown's case that they are two of a number of men whose function is to smuggle the girls into the UK, see that they

enter on false documents, and keep tabs on them so that they have no chance of failing to reach the UK where they are turned over to others for prostitution (CPS file note, Case 11, Model 2).

Case 10 (Model 3) appears, on the face of it, to be the clearest case of inter-group cooperation in the transportation of women from Ukraine, in this case, to the UK, perhaps similar to Picarelli's (2009) transnational network or, possibly, an instance of a hybrid group. It is apparent that diasporic connections played little, if any role, in the process. The data instead point to the early involvement, possibly of Polish facilitators, but almost certainly Russian organized crime as well as Lithuanians who appear to have been instrumental in both document forgery and transportation. It cannot be known whether these are the same Lithuanian traffickers, already working in cooperation with Albanian networks, and active in the trafficking of Lithuanian women to the UK. However, it is suggestive of expanded and, perhaps, increased cooperation among different crime groups as noted by two of the expert respondents (see Chapter Four).

Case 11 (Model 2) concerned the trafficking of Moldovan and Romanian women via Italy to the UK. Both defendants were male and of Albanian national origins, although, as already noted, the first defendant was confirmed to be a naturalized UK citizen. This afforded him EU entry status and, hence, enabled him to travel to the Czech Republic where he bought the women and organized their onward journeys to the UK. The 'young Italians', referred to in the above quote, were found by police at the premises where a number of victims were being held. It is unknown why they were not also 'in the dock' (see section 6.4 above). Their role, however, was to accompany the women – who had been provided with false Italian passports - from Turin, in the north of Italy and close to the French border, to the UK. Hence, while this case has been identified as a Model 2 case, for the reasons set out in Chapter Three, it can be seen to in fact more closely meet the criteria of a Model 3 case. The women in question originated from Moldova and Romania and began their 'migratory projects' in those countries with the assistance of travel agencies. Thereafter, however, they were transported to the Czech Republic by unknown third parties where they were sold to the first defendant who organized their onward transportation, albeit by other Albanian men, to Italy. The trafficking network in this case, therefore, far from being closed and fully diasporic, appears more likely to have comprised at least three transnational crime groups working in cooperation.

Of the other cases where sufficient data were available (Cases 5 and 18, Model 3), there was only one (Case 9, Model 1), involving Bulgarian traffickers and victims, in which any diasporic connection was found during transit from source country to the UK.

When we got to Greece we stayed with my brother. He lived there with his girlfriend and he had a friend who helped [the first defendant] to buy plane tickets for us to come to England (Julia, Case 9, Model 1).

As will be noted, however, this was a Model 1 Eastern European case, distinguished by the intra-community trafficking modus operandi identified in section 6.2.1. So far as the remaining cases are concerned, while victims were brought to the UK via transit countries – Lithuania via Latvia (Case 17, Model 2) and China via Germany and France (Case 22, Model 1) – there was insufficient data to establish the national origins and roles of any third parties identified, while in a further five cases (Cases 2, 4, 6, 13 and 15, Model 1) which, if any, countries were transited prior to entry to the UK was unknown.

6.5.1 Pan-European expansion of networks

While the cases discussed in the preceding section point to fairly low levels of diasporic connectivity across the trafficking chain, other data nonetheless suggest that the UK was not the only destination country for the different trafficking groups. Case 4 (Romania, Model 1), for example, was believed to be possibly indicative of early attempts to establish a trafficking operation in the UK, or expand another trafficking network into the UK.

It is unlikely that this was a 'one off' or that this victim was their sole victim. It is possible these four [defendants] were part of a larger group and/or had been operating from a different base in the EU. Alternatively, it is conceivable that they were relatively new to the trafficking business and just trying to establish themselves. Even so, they had a recruiter/arranger in Romania (whether related to the second defendant or not), they had the third defendant already on the ground here, they had clearly managed to bulk buy condoms, the first defendant at least was well-versed in brutality, and they had established contact with at least two brothels in London (CPS file note, Case 4, Romania, Model 1).

Case 9 (Bulgaria, Model 1), however, was more clearly an attempt to expand the group's trafficking operations into the UK from the Netherlands and, possibly, from Spain and Germany. There was also evidence that the defendants in that case operated the 'carousel system' (Monzini 2005: 82) albeit in this case on an international basis: one of the victim's in the case was found to have been previously trafficked, at least to the Netherlands where, as noted in CPS case files, her Bulgarian trafficker/pimp had already been convicted of trafficking offences.

Similarly, in Case 11, the prosecution noted that the first defendant travelled widely throughout the EU and, as was subsequently discovered, 'had an interest in a lot of massage parlours which in reality were covers for brothels' (CPS file note, Case 11, Model 2). In other cases, notably Cases 2, 3 and 15 (Model 1) high levels of trans-European mobility was noted among the defendants, a number of whom were known to Interpol.

These cases, then, might point to wider trafficking networks operating across a number of European countries and involving the same groups, or combinations thereof, potentially linked in diaspora. However, given the patterns of mobility found in the instant cases, it seems more probable that any networks comprised different transnational formations.

6.6 Conclusions

The findings presented in this chapter confirm that personal contact was the most prevalent method of recruitment across all cases and models. Here, connections of national origin remained a key factor, at least in the initial stages of the process. This is perhaps unsurprising as all victims, with the exception of Case 18 (Model 3), were recruited in their countries of origin. However, in considering the recruitment method in that latter case, identified as sexual predation, it is conceivable that the key elements – masculine constructions of heteronormative masculinity and femininity – may be found to play an equal or greater role than ethnicity in recruitment processes. The data here are clearly insufficient to justify any such conclusions, however, this supposition arguably finds some support in the 'lover boy' method noted in the Netherlands, as well as in the cases of inter-ethnic recruitment (and exploitation) which have come to light in the UK in recent years (see section 6.2.2 above). Moreover, even in those Model 1 cases in which personal intra-community recruitment was most strongly represented, other factors were found to have significantly impacted the process, notably marginalization of minority communities by majority populations. Within those minority communities, however, deeply embedded patriarchal traditions and cultures further marginalized women and divided them by degrees of vulnerability based on their access to, or exclusion from, participation in the 'patriarchal dividend' (Connell 2009) and, conversely, their exposure to the patriarchal price. This also, arguably, contributed to the presence of women in trafficking networks and their roles in recruitment and other trafficking phases, as discussed in Chapter Two.

Closer analysis of Model 2 groups revealed similar disjunctures. While, in a number of cases, Albanian men were found to operate within apparently closed and fully diasporic groups, this was

more a function of their transnational status. On the one hand, they appeared to meet the criteria of '*localised diasporic transnational formations*', insofar as they were found to have little transnational mobility but high levels of local anchorage within an Albanian (criminal) diaspora. On the other hand, they might be regarded as '*transnational outsiders*' (Dahinden 2010), in the sense that their illegal or irregular immigration status restricted their cross-border mobility and inhibited the development of local ties (outside of a criminal fraternity). This did not, however, inhibit their trafficking activities as the supply of women was ensured through the development of cooperative networks with Lithuanian crime groups. Hence, these cross-border patriarchal connectivities were instrumental in overcoming limited personal mobility and were reflected in the modus operandi of both Model 2 and Model 3 groups involving Albanian defendants.

Where regularized, settled or EU immigration status enabled greater transnational mobility, the relevance of diasporic connections diminished even further, again, with the exception of Model 1 Eastern European cases (and bearing in mind the absence of data with respect to the Chinese and Thai cases – see Chapter Seven). This was particularly evident in those cases involving the movement of women through countries of transit, where trans-European mobility was highly prized and inter-group cooperation the norm. This suggests that freedom of movement, as mediated through (degrees of) EU citizenship (Andrijasevic 2010) and EU immigration regulations (Dahinden 2010), is the strongest indicator of recruitment and transportation modus operandi, rather than reliance on diasporic networks. More particularly, the re-configuration of borders within Europe (and, indeed, the consequences of globalization generally) point to the possibility that conventional modes of diasporization and diaspora formation are in any event being disrupted in favour of different transnational formations, in which mobility, rather than settlement, is of greatest instrumental use to traffickers.

However, a caveat is necessary. While diasporic and other transnational forms of connectivity comprise neither static nor fixed networks, they are rooted in the communities from which they emanate and the local contours of patriarchal gender orders. Hence, the highest levels of transnational mobility among defendants and associated parties in this study were found among men. While women featured in recruitment processes, it was overwhelmingly men who were involved in the transportation of women (see also Andrijasevic 2010, where assisted travel and border-crossings were likewise facilitated mainly by men). This suggests that the networks which link transnationals, like those which sustain populations in diaspora, in fact comprise patriarchal ties. They are variations on the 'old boys' networks' which have long facilitated male social/professional mobility nationally and, increasingly, internationally. Such networks constitute

another aspect of the 'patriarchal dividend' (Connell 2009) to which women's access is mediated and policed by reference to masculine constructions of heteronormative femininity, although the performance of such femininity in the context of apparently everyday gender relations, is among the factors which simultaneously expose women to the dangers of sexual predation and trafficking.

Chapter Seven:

Formations of patriarchy and diasporic connectivity in the exploitation phase of trafficking

7.1 Introduction

The previous chapter presented the findings of a more in-depth analysis of diasporic connectivity and formations of patriarchy in the recruitment and transportation stages of sex trafficking. It confirmed strong links of national origins in the initial recruitment phases but suggested that a contributory factor, at least, was the recruitment of women in their countries of origin. It noted that recruitment outside of source countries might foreground gender, rather than national origin, specifically as enacted through masculine constructions of heterosexuality. Following the initial recruitment phase, however, the significance of diasporic linkages diminished in any event, save with respect to Model 1 Eastern European cases. There, other factors were found to have played significant roles, notably the marginalization of Roma communities, their strongly patriarchal traditions and women's access to, and exclusion from, participation in the patriarchal dividend. These latter factors also impacted Model 2 and Model 3 cases, however, the transnational status of traffickers was found to be a key determinant of recruitment and transportation modus operandi.

This Chapter now discusses patriarchal formations and diasporic in the exploitation phase of the trafficking process. The Trafficking Protocol does not define 'exploitation'. Instead, it notes that it 'shall, at a minimum, mean the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs' (Article 3(a)). The concern of this thesis is sex trafficking, which Segrave et al (2009) define as '*a situation of forced labour, servitude or slavery-like practices*' (ibid: 29; emphasis in original). Hence, sexual exploitation may, but need not, include prostitution. However, as all of the women in this study were trafficked into prostitution, that is the focus of the chapter. It is divided into a number of further sections. Section 7.2 discusses how traffickers organized the business of exploitation, while sections 7.3 and 7.4 address the different forms of control employed to hold women in exploitative conditions. Section 7.5 then considers the various ways in which women exited those conditions, as well as some of the barriers to exit, and section 7.6 concludes by summarizing the key findings.

7.2 Centres of exploitation

Kara (2009) uses the term 'centres of exploitation' to denote both the destination point – a country, city or town – and the premises in which women are required to sell sex. The term here is used in similar fashion, however, while a few women were on occasion forced to work in on-street prostitution, the majority were located in private residences and/or in commercial brothels. The former tended to be rented or owned and operated by traffickers who, typically, placed advertisements in local papers to generate business. The advertisements carried a telephone number and, when potential sex buyers called, they were then provided with the relevant address. Escort services were also occasionally offered in which women were taken to meet sex buyers at pre-arranged locations such as a hotel or, more frequently, another private residence. In a minority of cases traffickers advertised sexual services online (Cases 10 and 18, Model 3).

7.2.1 Trafficker-operated brothels

Chapter Five noted the prevalence of diasporic linkages between defendants and their respective diaspora communities, including where these appeared to be of a criminal or non-criminal nature (see Chapter Five, Figures 5.9 and 5.10). In Cases 6 and 22 (Chinese, Model 1), in particular, the data confirmed that a substantial number of private residences were sub-let from other Chinese individuals although, as none of these associated parties were charged – at least not in the same proceedings – it could not be ascertained whether they were part of the trafficking networks. There were only a minority of other cases in which it could be ascertained that defendants consistently acquired private premises to operate as brothels (Case 7, Albanian: Model 2; Case 18, British/Romanian: Model 3). These, like their Chinese counterparts, were located in areas with diverse populations rather than in predominantly trafficker-related diasporic communities (see Chapter Six). This confirms, therefore, that women were not trafficked into 'niched prostitution' (Englund et al 2008). It also confirms that while it may be easier to maintain a closed, fully diasporic chain in sex trafficking than in other forced labour trafficking operations, where contact with indigenous employers is more likely – as one expert respondent speculated (see Chapter Four) – at the point of exploitation, sex trafficking operations also become more visible (see Chapter Four). As Kara (2009) argues, the business of sex trafficking is about supply, demand and profit. Exploitation, then, is about making money, and the location of brothels outside of diaspora communities indicates that the profit motive outranks connections of national origin, even in otherwise fully integrated networks.

7.2.2 Third party-operated brothels

The majority of traffickers did not rent or own premises themselves to operate as brothels. Instead, they established contacts with commercial brothels (clubs, saunas and massage parlours which were fronts for brothels) and/or private premises operated by others. These also advertised in local papers, online or through the use of business cards. Some, like the Chinese brothels, appeared to be integrated insofar as all parties – traffickers/pimps, managers/'Madames' and victims – all shared the same national origins (although not with sex buyers).

I was moved around five brothels. They all had the same boss lady and they were full of Czech girls. Most of them were gypsies and said Robert was a bastard who beat them. [Robert was another Czech pimp]. I met him twice along with his bodyguard who was called Milo. But then Andy had to move me because he was having trouble with Robert who decided he didn't want Andy's girls at the boss lady's brothels. So first he sent me to some Pakistani men and then he put me in a Chinese brothel for a week. All the other girls there were Chinese (Gabi, Czech: Case 2, Model 1).

It is unknown why Robert did not want Andy's 'girls' in the brothels in question – it may have been for personal or business-related reasons. However, this case confirms again that maintaining an income stream is more important than maintaining diasporic connections. Where data were available, this was also found with respect to other Model 1 Eastern European cases (Cases 4 and 15).

The reasons why most traffickers in this study preferred to use brothels operated by others are not fully clear. However, given the prevalence of the sale and procurement of women – which was found to be commonplace in all but Model 1 Eastern European cases (see section 7.3.3.1) – the flexibility this afforded may have been a factor. Another factor may have been the economic control traffickers were able to exercise insofar as sex buyers did not pay the women direct but instead handed their money to a receptionist. Hence, factors such as these may have accounted in part for traffickers' preferences, despite the loss of income resulting from the charge of 'house fees'. The fee was calculated as a percentage of the earnings of each woman. It represented the profit of the brothel owner and covered the cost of the provision of facilities and services: reception and housekeeping, laundry services, sometimes condoms (although these usually had to be purchased separately) and, of course, the provision of beds/rooms. The charge, up to 50 per cent of women's earnings, was deducted at the end of each shift. The remaining percentage

was then collected by the traffickers or had to be handed over to them. Given that the receptionist kept a tally of an individual woman's earnings (in order to calculate the house fee), this made it more difficult for women to hide or keep any money for themselves. As indicated above, therefore, this afforded traffickers greater levels of control to restrict women's independence and/or to prevent their escape. Thus, it is arguably among the 'personal' forms of control identified by Andrijasevic (2010) and which she distinguishes from 'impersonal' forms of control - exercised by the state - notably immigrations regulations, and which serve to keep women in 'conditions of confinement' (O'Connell Davidson 1998). These are said to be 'conditions that prevent exit from prostitution through the use of physical restraint, physical violence or the threat thereof, or through the threat of other non-economic sanctions, such as imprisonment or deportation' (ibid: 29). However, while the notion of 'confinement' conveys the circumstances in which women are *held*, the term 'conditions of duress' is employed here to better convey the circumstances in which women are forced to *do* something (prostitution), and in which their sexual labour and earnings are *extracted from them* for the profit of others.

7.3 Personal forms of control

The forms of personal control identified in this study are four-fold: shared accommodation with traffickers/their families; surveillance (including economic surveillance); violence; and retention of documents. However, while violence is analyzed separately, it was nonetheless found to be part and parcel of other forms of personal control exercised by traffickers.

7.3.1 Shared accommodation with traffickers/their families

In the overwhelming majority of cases, across all models, victims were forced to share living accommodation with one or more of their traffickers. In two cases, they were forced to live with family members of their traffickers (Case 1: Model 3; Case 3: Model 1), although these individuals were not among the defendants. The exception generally was Case 10 (Model 3) involving women from Ukraine trafficked by Nigerian and Ukrainian defendants. They stayed with the first defendant for a few days after arrival in the UK but then lived in separate, rented accommodation. The data were inconclusive with respect to Cases 5 and 13 (Thai: Model 3 and Model 1) and Cases 6 and 22 (Model 1), involving Chinese defendants and victims.

The primary effect of this shared accommodation was to severely restrict women's physical movement and to minimise the chance – and hope – of escape. It also enabled traffickers to exercise control in a number of further ways, for example, with respect to the availability of food,

alcohol and cigarettes, or in monitoring women's monthly menstrual cycles (which might have alerted traffickers to women who had become pregnant).

I had to ask him for everything. Sometimes we shared things with each other, like when one girl had some cigarettes but he didn't like that and would get angry so mostly I didn't. And I always had to ask him for sanitary towels, even though he always knew when I would need them. It was so shaming. In my culture we do not talk about such things (Birgit, Lithuanian: Case 7, Model 2).

This high level of dependency was designed to enforce in women over time, a sense not only of their traffickers' omnipresence, but also their own sense of disempowerment - a lack of control over even the most basic aspects of their lives. Its effects can be seen in an excerpt from CPS files, in which (Lithuanian) police had difficulties in persuading a Lithuanian woman to leave premises in which she was being held, this despite the traffickers' temporary absence. The victim had managed to get a text message to her mother in Lithuania who had contacted police there. They, in turn, had communicated with British police and investigations had led them to a street where the victim was believed to be located. The excerpt describes a telephone conversation between Lithuanian and British police.

She [the Lithuanian police officer] said she was with the victim's mother and informed them [UK police] of what she was hearing via the victim's mother. The victim's mother was trying to persuade her to leave the house where she was but the victim was too frightened. The victim's mother was very upset. RS [Lithuanian police officer] then spoke with the victim, assuring her that British police were close by. Eventually she was persuaded to leave the temporarily unattended premises where she was collected by PCs R and C in a waiting marked police car and placed into protective custody (CPS file note: Case 1, Model 3).

Shared accommodation also afforded traffickers easy access to women day and night and increased their exposure to violence and sexual assault. While similar findings were noted in another study (Andrijasevic 2010), they are characterized in different terms. There, 'sharing accommodation with the third party involved handling his sexual advances' (ibid: 65). This distinction is discussed further below, but it does not resonate with the accounts of women in this study.

There was another room with a single bed but right from the beginning he said I had to sleep in the room with the double bed. Sometimes he slept on the sofa but I never knew when he would come in and want to have sex. He would not force me but I knew that if I did not give him what he

wanted and I refused, he would beat me and slap me in the face (Elka, Lithuanian: Case 12, Model 2).

He was always there. I was never allowed to be alone and I always had to do what he wanted. He beat me often and I couldn't stop him. He did this to all of us and he made us do everything in the house too, like cooking and cleaning (Alexandra, Lithuanian: Case 16, Model 2).

Hence, the findings of this study are similar to those of the aforementioned study (Andrijasevic 2010) but the conclusions are characterized in different terms. The findings confirm that shared accommodation was a highly effective means employed by traffickers to control women. However, it also afforded them often violent access to the sexual and domestic labour of women and enabled them to enforce high levels of dependency. It was invariably accompanied by high levels of surveillance, as the following section discusses.

7.3.2 Surveillance

Surveillance is another form of personal control employed by traffickers to monitor women outside the 'home' environment. It typically entailed accompanying women to and from massage parlours (operating as fronts for brothels) and private and commercial premises, as well as making regular spot checks on women in premises where they were forced to work in prostitution. As with shared accommodation, it was prevalent across the overwhelming majority of cases.

One of the other girls [in the brothel] took the victim to hospital one day but the two defendants turned up and said the victim was in the country illegally and could not get medical treatment. The other girl left (CPS file note, Case 12, Model 2).

She [a female defendant] used to call all the time to check on how 'her' girls were doing and to find out how much money they were making. She was constantly checking on them (Brothel manager and witness for the prosecution: Case 15, Model 1).

One of the effects of such surveillance was to remind women that their procurers/exploiters knew of their whereabouts at all times and were able to control their movements. Andrijasevic (2010) also found that surveillance featured as form of personal control in her study. She distinguishes between direct and indirect control, the former involving the third party's (trafficker's) physical presence (illustrated above in Case 12: Model 2), while indirect control more typically involved checks, for example, by mobile phone (see above, Case 15: Model 1). However, she also found that third parties (traffickers) routinely relied on women themselves to keep them informed about

other women, a practice which fostered distrust and competition among women. This study again confirms those findings. With respect to competition among women, it typically entailed currying favours, for example, by earning more or by informing on others girls. This can be seen in the following quote in which one woman had told a trafficker of another's woman's escape plans:

I was back from work and sleeping in my bed. He came to me and told me to wake up and say where the money is. I woke up, most of the time I kept money under the pillow. I gave him money, he said, 'get up, we need to talk'. He sat in a kind of chair. He said, 'why are you hiding something from me, why are you not telling me the truth?' So I asked, 'what truth do you want to know, what about?' He said to me, 'you know exactly and you have to tell me the truth if you don't want to be killed'. I knew then that she [another victim] had told him. She told him I wanted to save the money so I could run away. She thought it would help her and make her special.' (Leyla, Case 8, Model 3).

Constant surveillance, then, serves to increase traffickers' control 'via a system based on suspicion and competition among women' (Andrijasevic 2010: 66). She further suggests that her 'findings may explain why what Phoenix called the 'institution of prostitution' leads to the fabrication of and investment into heterosexual emotional dependence, which in combination with women's economic needs and competition among women, favours individualism and averts sex workers' collective organising (Phoenix, 1999)' (ibid: 66). By contrast, the conclusions of this study suggest that a system of control designed to foster suspicion and competition among women in fact facilitated a 'divide and rule' approach. Its effect was not to avert 'sex worker's collective organising', but to render women instrumental in the surveillance and control of other women.

The data in this study, on the other hand, do support the conclusion that this system of control favoured 'individualism' and 'investment into heterosexual emotional dependence'. In his study of *Migrant Workers in the UK Sex Industry*, Mai (2009) also found that some women formed emotional attachments to 'managers'. He noted, in particular, that 'one of the main factors underpinning exploitation were feelings of allegiance and loyalty embedded in romantic relationships'. In beginning to work for traffickers, for example, in recruiting and/or controlling other victims, they 'believed they had a privileged relationship with the 'manager' (ibid: 35). Mai (2009) then goes on to conclude, '[t]he complexity of these relationships is underpinned by gendered experiences of masculinity and femininity as well as with patterns of inter-dependency underpinning many romantic relationships within and outside the sex industry' (ibid: 36). While agreeing with these conclusions with respect to 'gendered experiences of masculinity and

femininity', a different analytic approach shifts the focus to take greater account of the gendered power imbalance. For example, what was inherent in the 'patterns' identified in this study was not 'inter-dependency' – men did not change their circumstances and/or behaviour to accommodate the needs of their 'girlfriends'. Instead women came to 'accept' their circumstances and to adapt their behaviours to become instrumental in the criminality of their partners.

She details her history of being sold into prostitution in Germany before coming to the UK. She confirms she is the mother of a young son and is now the girlfriend of the first defendant. She explained that she did not want to be in prostitution but that she has come to accept it and she tries to help other girls by explaining she was once in the same situation and telling them they'll soon get used to it (CPS file note, Case 1, Model 3).

The third defendant said she had been brought to the UK by the [Lithuanian] gang and forced into prostitution. She was sold several times and she was very unhappy and cried a lot. Then she was bought by the second defendant. She says he took pity on her and she became his girlfriend (CPS file note, Case 14, Model 3).

It is clear that both women referred to above had themselves been formerly trafficked. The emotional attachments they formed with their traffickers were certainly 'complex'. Arguably, however, they are more accurately characterized as survival strategies in which women did what was necessary to minimize the patriarchal price (see Chapter Six). While the data also confirm that the women in question did not thereby exit prostitution, the extent of exploitation and levels of violence against them did appear to have reduced. Nonetheless, these were not relationships of 'inter-dependency' but of instrumentality. From the perspective of their traffickers, where once the value of the women lay in the profits obtained from their exploitation, now their value became a function of their usefulness in the control and exploitation of other women. From the perspective of the women in question, participation in the criminality of their traffickers afforded them access to the patriarchal dividend and, hence, to a modicum of protection and freedom from violence.

7.3.3 Physical and sexual violence

A number of studies document how violence against prostituted women is far from uncommon, much of it perpetrated by pimps and by the men who buy sex (see, for example, Raphael and Shapiro 2002; Durchslag and Goswami 2008). Mai (2009), however, found that migrants working in the sex industry were more likely to fear robberies. There was only one instance in this study in which CPS case files documented a robbery (Case 22, Model 1). The violence there was directed, not against the women, but against a male housekeeper of a brothel who had been

assaulted with a handgun and a meat cleaver before being robbed of all the takings. No other such incidences were recorded across the remaining 21 cases, nor did the fear of robbery emerge from any of the testimonies of trafficked women, indicating it was not in fact uppermost among the sources of violence which most concerned them. Violence from sex buyers was noted in three cases (Case 2: Model 1; Cases 7 and 11: Model 2) but violence by procurers/exploiters featured routinely in women's witness statements.

As with other forms of personal control, therefore, violence and/or the threat thereof was prevalent across all cases, again with the exception of Case 10 (Model 3). Very often it was used or threatened immediately on a victim's first arrival.

We drove straight from the airport. I don't know where to but we drove for a long time. It was dark when we got to the house. He took me in and I saw another woman. She was sitting at a table. I could see she was scared. She was drinking coffee and her hands were shaking. She told me I had to do whatever he said and not to struggle. He made me do oral sex, then I had to watch him make her do it too. Then he beat me (Alexandra, Lithuanian: Case 16, Model 2).

In the following case, the victim had similarly not long arrived in the UK where she had been sold to an Albanian procurer/exploiter.

He said that if I disobeyed him or tried to run away, he had a network of friends in Bristol, Birmingham and London. He said he had a photo of me on his mobile and if I run away he will send my photo to his friends and tell them my description. Then secretly his friends will find me and he would come and get me. Then I would be beaten and killed. He said he would do this by cutting off my hands, my feet and finally by slitting my throat. He said I would then be sent back to my family in Lithuania piece by piece. Then he caught hold of my wrists and twisted so hard that I fell down (Elka, Lithuanian: Case 12, Model 2).

The threat of involving others in a victim's demise was commonplace and was intended to demonstrate the trafficker's reach, in this case, nationally. Similar threats to sell an uncooperative victim to the 'Albanian mafia', the 'Russian mafia' or the 'Black mafia' – 'to take my pick' (Julia, Polish: Case 19, Model 3) illustrate the same point. International criminal contacts were also frequently invoked with traffickers, for example, claiming nicknames such as 'Sasho-Mafia' to indicate contacts with Albanian and Russian organized crime in source countries (Case 9, Bulgaria: Model 1), which could also be used to threaten families of victims. These were no idle threats:

The victim's sister also confirmed that she and the children had been threatened by the defendant's family and friends. Police there had intervened to get them to undertake to refrain from further threats but the sister and children nevertheless left their home (CPS file note, Case 9, Model 1).

The primary purpose, again, was to assert control and ensure women's submission by instilling fear. In other cases, physical violence was employed as punishment and deterrence.

I was very frightened to say what he wanted. 'You will tell', he said, 'and I will tell somebody else [of an intended escape] and it will be much worse for you'. I was sitting there, I didn't speak any more, as he was speaking. When he finished speaking I didn't have time to cover my head. His hands were quick on my head. As I was sitting I fell down on my knees. He got up and started to kick me. I wanted to shout, to cry, but he said if I shouted it would be worse for me and he beat me with all the force, with all the strength he had so I wouldn't try to run away again. I don't know how long it went on for, but for a long time (Leyla, Lithuanian, of her Albanian exploiter: Case 8, Model 3).

A number of scholars caution against the use of 'images of bodies in pain' (Aradau 2004) on the grounds that this will play into the hands of moralistic anti-prostitution 'crusaders' (Weitzer 2007). There is, however, no assertion that violence does not occur. Indeed, Andrijasevic (2010) expressly acknowledges that women's experience of violence was far from uncommon among her respondents, although she also found that the frequency of violence tended to decrease over time when control came to be maintained 'not through violence but rather through the threat of violence' (ibid: 64). This study does not support those findings, a point which is taken up again shortly. However, with respect to violence against women, there is also a case to be made that 'out of sight is out of mind'. In down-playing this aspect of trafficking sight is lost, not only of trafficking as violence against women but, more particularly, of violence against women as a manifestation of gender inequality. Hence, scholars should arguably also be cautioned against making invisible or sanitizing the harms of trafficking, particularly for a cause – prostitution – which has been noted to be 'a practice of gender inequality' (Coy 2012:1).

Physical violence was also often accompanied by sexual violence against victims. Thus, victims reported that they had been raped by their traffickers in half of all cases (Cases 2, 3, 4, 8, 11, 12, 15, 16, 17, 19 and 21). It is further noteworthy that, even among those women who had travelled to the UK intending to engage in prostitution, physical and sexual violence was a regular

occurrence – with the exception of Case 10. Moreover, contrary to the findings of Andrijasevic (2010), and as already indicated, the data in this study do not show that such violence diminished over time or that it was replaced with only the threat of violence. While there is some coincidence between the two studies that actual assaults were most ferocious immediately after women's arrival in the UK, the findings in this study confirm that both physical and sexual violence continued for the duration of women's exploitation. These findings and, to some extent those of Andrijasevic (2010), however, also contrast with those of Englund et al (2008) in the three countries surveyed (Estonia, Finland and Sweden), where it was found that 'the majority of cases involve no violence or explicit threats of violence used as control mechanisms' (ibid: 114).

This difference might be explained by the high incidence of sale of women in this study, a practice which was less prevalent in the Englund et al (ibid) research. However, this does not address the anomaly of Model 1 Eastern European cases, where the sale of women was relatively infrequent but violence commonplace. This association is explored further below.

7.3.3.1 The sale of women and violence against them

Chapter Six noted the devastating impact on women of the realization that they had been sold on or shortly after their arrival in the UK, 'like a product' (Rita, Romanian: Case 4, Model 1). However, for their exploiters, the procurement of women also carried risk. The data in this study suggest it was not unusual for third parties to finance the procurement of women; hence, traffickers incurred debts which required servicing. As these transactions were rarely formal, in the event of default, enforcement mechanisms included violence or the threat thereof against the borrower. Thus, one victim was returned to her original buyer who told her 'that she had caused him [the second buyer] a lot of problems and that someone might kill him' (Case 1, Model 3). Traffickers, therefore, use high levels of violence to maximize their control over women and to deter escape attempts, as suggested above, but this does not account for high levels of sexual violence. Here, the data indicate that it is a combination of factors, including ownership, which contributed to the use of sexual violence.

He came back and wanted sex. I tried to stop him but he said it was my duty because he paid for food and everything. I said I would pay him back but he told me that I was naïve if I thought everything was so cheap. He said someone had given him money to invest in me and that he still had to pay this back (Olivia, Polish: Case 19, Model 3).

The 'duty' referred to above conveys the sense of entitlement which accompanies ownership. It reinforces heteronormative constructions of masculinity in which the view that 'you belong to me now because I've paid a lot of money and that means you have to do anything I want' (Case 16, Model 2) manifests itself in a perceived right of sexual access. It also means that women risk further violence if they attempt to resist/deny men their 'entitlement', particularly when they challenge masculinity. Thus, Olivia (Case 19) also attempted to resist sex with her procurer's brother because 'he was still a child'.

He said he would show me he was not a child, that he was a man. I was scared. He was younger, bigger and stronger than Ricard (her procurer). We had oral sex as I thought this was the safest thing to do (Olivia, Polish: Case 19, Model 3).

Andrijasevic (2010) concludes in her study that women's attempts to resist sexual assault are better represented as 'negotiations'. As in this study, she found that shared accommodation with a trafficker facilitated his sexual access to a woman, and frequently involved 'ongoing negotiations', in which 'at times, she was successful; at other times she was not' (ibid: 65). While Olivia's situation above might, on the face of it, be characterized as one in which she had 'negotiated' with the 'third party' to achieve a safer outcome regarding sexual access, the data in this study point instead to the absence of choice, in which 'women submit to serious abuse because they have no realistic alternatives' (Jeffreys 2012: 74).

I was, I was just trying to stay alive, just keep thinking, you know, I'll give in, I might stay alive, or come out, come out like in one piece (Sabine, Case 21, Model 2).

Therefore, although Andrijasevic (2010) does acknowledge a gendered power imbalance, this individualized approach (of 'negotiation') inadequately addresses the extent of that imbalance, not just in the individual interaction, but also in the overall context of perceived 'ownership' – even by proxy - which, in Case 19 above, extended entitlement to the 'non-owning' brother, an entitlement which, when challenged, particularly by reference to his masculinity, elicited a frightening ('I was scared') and potentially violent response prompting Olivia (Case 19) to 'consent' to oral sex, and Sabine (Case 21) to 'give in' in order to try and 'stay alive'.

Hence, the data indicate with respect to the sale/procurement of women that, while ownership is a contributory factor which enhances traffickers' sense of entitlement to sexual access to women, sexual violence is also a means by which traffickers exercise control and enforce/re-assert their hegemonic masculinity. Here, women are instrumental in transactions between men - between

borrower and investor and between exploiter and sex buyer. Where the business of sex trafficking more frequently refers to supply, demand and profit (Kara 2009), here the business of exploitation refers also to the commodification of women. In their gender relations with traffickers (and sex buyers), women are subjected to a militant heteronormativity through which men express their aspirations to hegemonic masculinity and require women to perform 'emphasized femininity' (Connell 1987). Sexual violence, then, while exacerbated by repeated sale and underpinned by 'ownership', is inextricably linked to this commodification of women, which accounts also for its prevalence among Model 1 Eastern European cases where, as in the above cases, women are held in conditions of duress and treated 'like a product' (Case 4, Model 1).

7.3.4 Document removal and retention

Passports, national driving licences and other identity cards provide proof, not only of an individual's personal identity, but also indicate their citizenship. The absence or removal of those documents and their retention by traffickers leave women in foreign countries undocumented and with no means of exiting the country, or of establishing who they are and what their immigration status is. This can adversely impact women, including those who are entitled to be in the country. The importance of this in restricting women's movements was apparent even where the documents in question were false.

Wilbur took away our overseas Ukrainian and our Lithuanian passports, explaining he would give us back our Ukrainian passports when we returned to Ukraine, and our Lithuanian passports after we had paid off our debts to him. In a word, he put us on the spot by saying that we had to provide sexual services for money because otherwise we would not earn anything and would not be able to pay off the debt. But also, since right from the beginning we had no documents at all proving our identity, we could only go out in our immediate vicinity, just for cigarettes (Tatiana, Ukrainian: Case 10, Model 3).

This form of control was prevalent across all cases but significantly less so in Model 1 Eastern European cases. A possible explanation for this is that the Romani women in this study were less likely to be sold by their recruiters and traffickers. Thus, Englund et al (2008) noted in their study that, while document removal and retention was not generally a common method of control (unlike the findings here), it was more common in cases where women were repeatedly sold. Hence, this study supports those findings inasmuch as victims in this study were often sold although, as indicated, less so among Eastern European Model 1 groups.

It is also conceivable that Romani women in source countries are perhaps less likely to have passports²⁶, and/or that traffickers are able to easily and quickly furnish them with false documents. This is illustrated in the following excerpt in which a victim of trafficking (and subsequently a defendant) was required to recruit her replacement in Hungary to cover the last few weeks of her pregnancy:

He [the male defendant] had booked the flight but Elsa did not have travel documents so he telephoned someone in Hungary and arranged a false ID card which was delivered by a man to a bus station near my house. I did not have to pay anything for the card. I do not know the man who brought the card (Vali, Hungarian: Case 3, Model 1).

The false identity card, like the Lithuanian passports in Case 10 above, was taken from the victim on her arrival in the UK and retained by her traffickers, although the victim in that case was in any event entitled to be in the UK as a citizen of an EU (A8) country. Nevertheless, the effect of being undocumented - even when not illegal - further increases traffickers' power and control. Moreover, as the above suggests, it is a form of control which is easily transferable.

7.3.4.1 Summary of key findings on personal forms of control

The findings of this study show that document removal and retention, surveillance, shared residence and violence against women were all prevalent forms of personal control exercised by traffickers over their victims. Few distinctions of significance were found among the variations in the typology. Across all cases, shared accommodation increased traffickers' access to women, further exposing them to the risk of violence, particularly where women were repeatedly sold and/or where their procurement was facilitated by third party finance. Sexual violence, in particular, was linked to the commodification of women and the imposition of a militant heteronormativity, both of which also functioned to enable men to (re-)assert their hegemonic masculinity. High levels of surveillance fostered mistrust and suspicion among women and contributed to some women's efforts to form emotional/instrumental attachments to their traffickers as a survival strategy, and thereby potentially to gain access to the patriarchal dividend. Document removal and retention appeared to have served the dual purpose of control, in preventing women from leaving the country, and in facilitating the sale of women, hence its prevalence even with respect to women who were EU nationals.

²⁶ Widespread discrimination against Roma women has meant, for example, that they are often denied medical assistance during child birth and are often left to give birth alone (Banda and Chinken 2004). Among the consequences of this are that births remain unregistered, meaning the absence of a birth certificate which is often a prerequisite to the issue of a first passport.

7.4 Impersonal forms of control

As discussed in Chapter Two, various scholars have drawn attention to the ways in which counter-trafficking measures serve government agendas of immigration control (Kapur 2005; Pickering and Weber 2006), which criminalize migrants (Welsh 2003; Melossi 2003, 2005) and inadvertently promote trafficking (Lee 2011). As such, immigration status is said to have 'a key role in constructing situations of vulnerability and exploitation' (Andrijasevic 2010: 75) and in preventing migrants from exercising their rights (O'Connell Davidson 2006; Mai 2009). These assertions are now discussed in the following section.

7.4.1 Visa regimes and border controls

Of the 41 victims identified in this study, well over half ($n=29$) came from EU countries (Bulgaria, the Czech Republic, Hungary, Lithuania, Poland, Romania and Slovakia). Of these just under a quarter ($n=8$) originated from countries in respect of which some residence and/or work restrictions applied and, indeed, will continue to apply until early 2014 (Bulgaria and Romania). Nevertheless, all were entitled to enter, reside and work in the UK. This is similar to Mai's (2009) research on migrant sex workers in London, in which half of his 100 respondents originated from new EU access countries or from pre-2004 (A8) member states. Hence, none of those individuals in his study, or any of the EU women in this research, will have been subject to entry restrictions. However, as was noted in the previous section, the removal of documents by procurers/exploiters – even from EU women – was commonplace. While this was found to be a means of facilitating the onward sale of women, it was also a form of personal control in that the removal of documents prevented women from leaving the country should they escape their traffickers. In this sense, therefore, *exit* restrictions – border regimes which require the production of valid identity and travel documents – may be said to have 'played into the hands of third parties and contributed significantly to sustaining conditions of confinement' (Andrijasevic 2010: 75).

Of the remaining victims ($n=12$), six originated from non-EU European countries (Moldova and Ukraine) while a further six women came from non-European countries (China and Thailand), although it must be borne in mind that the total number of Chinese victims could not be ascertained. With respect to Ukrainian women, it is clear that immigration restrictions did not deter their traffickers from bringing them into the UK (see Chapter Six), although fear of discovery by the authorities of their undocumented status (see section 7.3.4) did play some part in restricting their movement (Case 10, Model 3). Similarly, immigration restrictions did not prevent

the Albanian traffickers of Moldovan women from securing their entry to the UK with the use of false Italian passports (Case 11, Model 2; see also Chapter Six). However, as most of these (Moldovan) women subsequently welcomed the intervention of state authorities in enabling them to exit conditions of duress (see section 7.5), there is little indication that immigration regulations functioned over time as an effective form of impersonal control.

The situation with respect to Thai and Chinese victims is less clear. Previous chapters have noted the absence of data generally with respect to these women. CPS files contained very little information about them and, specifically, their fate following the intervention of law enforcement. It is indicated in one case (Case 6, Model 1) that the numerous women identified as victims in CPS case files all gave 'no comment' interviews to police. The difficulties of obtaining testimony from women in such circumstances cannot be underestimated. Fear of smugglers/traffickers and fear of the authorities in the UK undoubtedly played their part. However, similar fears – in particular of their traffickers – were also noted with respect to European women but, unlike the European cases, there were no victim/witness statements on CPS case files, suggesting the women were summarily deported. Indeed, deportation of women was confirmed in one Thai case (Case 13, Model 1) as court papers on CPS files showed defence arguments that the removal of the women following standard immigration interviews (as opposed also to police interviews) amounted to an 'abuse of process' since the deported women were, in the defence submission, the only witnesses capable of exonerating their client (the defendant in Case 13) of trafficking. However, the comments of an expert respondent should be also borne in mind with respect to apparent cultural constraints on Asian women. There reference was made to the use of 'all sorts of agencies to try and break through but we didn't, couldn't get anywhere' (see Chapter Four). Nevertheless, this sheds no light on whether their potentially undocumented or illegal status played any part in their control by traffickers in this study.

7.4.1.1 Summary of key findings on impersonal forms of control

With respect in particular to women from EU member states, this study does not support one of Mai's (2009) key findings that '[i]mmigration status is by far the single most important factor restricting their [migrants'] ability to exercise their rights in their professional and private lives' (ibid: 5). However, Mai (2009) does not distinguish between EU and non-EU migrants in this assertion making direct comparison difficult. Similarly, while other studies rightly interrogate the role of states and immigration regimes (see, for example, Kapur 2005; Andrijasevic 2010; Segrave et al 2009; Lee 2011) as increasing women's dependence on third parties to facilitate their migration (and, hence, their potential exposure to traffickers), the findings of this research

suggest a more complex relationship between women's transnational mobility, state and traffickers' control. Traffickers in this study were not deterred by restrictions on entry to the UK for women from outside of EU countries, but their awareness of the potential vulnerability of undocumented women, and their inability to leave the country, points to the instrumental use of border regimes as forms of both personal and impersonal control. With respect to Chinese and Thai victims, the absence of data precludes any conclusions as to whether their immigration status served as an impersonal form of control to impede them in the exercise of their rights or, indeed, to prevent their escape. This, therefore, remains a gap in the knowledge base.

7.5 Routes out of exploitation

This section documents the various ways in which women exited conditions of duress, despite the elaborate and often violent forms of control employed by their traffickers. Here, women's routes out of exploitation were found to be three-fold: victim-initiated exit, or instances in which the actions of victims themselves led to their escape; third (associated) party-initiated exit and, finally, police-initiated exit. They are distinguished by reference to the primary party initiating or instigating the actions which led to escape but, invariably, there is considerable overlap. Thus, for example, one victim might have escaped her traffickers and subsequently have provided sufficient information to police to enable them to locate other victims. For these purposes, this is considered to be victim-initiated exit.

7.5.1 Victim-initiated exit

Previous research has found that the majority of trafficked women exit exploitative situations on their own initiative (Della Guista et al 2008). This study partially supports those findings. In just under half of the 22 cases (n=10), the actions taken by victims (n=18) led to their exit from conditions of duress (Cases 2, 4, 9 and 15: Model 1; Cases 11, 20: Model 2; Cases 1, 8, 14 and 17: Model 3). In some instances, women took advantage of traffickers' momentary lapses in control which afforded them an opportunity to escape.

The victim, Anna, managed to escape from premises where she was being held after [an associated party] had fallen asleep. She ran across the road to a pub and approached several Englishmen, pointing to [the premises] and showing her bruises. When she went to the toilet, the men took the opportunity to leave in order to get away from her. They all subsequently confirmed these events in witness statements. A female member of staff then took her to another bar where

there was a Czech barmaid. She agreed to speak to Anna after which the police were called who then attended the bar (CPS file note, Case 2, Model 1).

Later she was moved to another brothel which included escort services. She was booked out one night as an escort but took the opportunity to escape. After her escape, she sat in a café crying. She was approached by two women, one Bulgarian, the other Turkish. The Bulgarian woman spoke to her, then helped her to contact police. The woman told her she had helped many women this way, all Bulgarian girls (CPS file note, Case 9, Model 1).

While the above cases clearly show that the actions of women themselves led to their escape from immediate conditions of duress, it is apparent that it was third (associated) parties who then provided assistance after the victims had escaped. It is also noteworthy that in both instances, those third parties were members of the victims' respective diaspora communities. Once in contact with police, as indicated above, a number of women were also sometimes able to assist in the location of more victims. Others managed to get messages to friends or family at home who contacted local police and they, in turn, then liaised with British police leading to the location of the victims in question (Cases 2 and 15: Model 1; Case 20: Model 2; Case 1: Model 3).

Meanwhile the second victim had contacted her mother saying she had been forced to work in a brothel against her will. The mother had contacted local police who contacted police here. As a result the premises known as the [brothel] were visited by police who located all three women (CPS file note, Case 15, Model 1).

Andrijasevic (2010) posits that 'it is still too often assumed that if women escape [...] they do so because they have been 'rescued' by their clients or by the police' (ibid: 86). She draws attention to the relationships women develop and the resources they amass which then assist their exit. While, as indicated above, this research supports the findings that many women (although not a majority) escape conditions of duress on their own initiative, there was no evidence in the data that they had generated resources – and certainly not financial resources – on which they were able to draw. Similarly, there was only one instance in which another prostituted woman directly aided a victim's escape efforts (Case 8, Model 3), but there were no instances in this study of 'clients' assisting women to escape their traffickers. Nevertheless, the findings of this study confirm women to be active agents who 'do *not* wait to be rescued but actively seek options to escape the situation' (Segrave et al 2009: 15, emphasis in original), and to take their chances if and when an opportunity presents itself.

7.5.2 Third party-initiated exit

In a number of cases, police responded to reports and intelligence provided by associated parties and which led to the discovery of trafficking operations (Cases 3, 6, 13, and 22: Model 1; Case 12: Model 2; Case 19: Model 3). On occasion this involved the exposure of premises which served as fronts for brothels and which were brought to the attention of police through the work of undercover journalists or complaints from individuals in the neighbourhood (Cases 6 and 22: Model 1).

These were privately rented properties which were run as brothels through advertisements in the local press. A number of these premises were exposed by undercover reporters as a result of which the defendant had been obliged to close down on at least two occasions and move to alternative premises. Complaints had also been received from neighbours that adjacent premises were being used as brothels. Local police were told of houses with oriental women and a stream of men, entering singly, and leaving about thirty minutes later (CPS file note, Case 6, Model 1).

Information was received from the headmaster of a primary school that a house opposite was being used as a brothel. Parents picking up their children reported seeing queues of men outside the address (CPS file note, Case 22, Model 1).

Both of these cases involved Chinese-run brothels. It was already noted that they were not located in Chinatowns or operating undercover of a Chinese diaspora (see Chapter Six). However, as previously indicated, the data were insufficient to determine whether the women were confirmed as victims of trafficking or, indeed, whether they were instead 'labelled as unsuitable and difficult 'cases'' (Lee 2011: 70) and simply deported. They are among the 'missing' Chinese women whose fate, following police intervention, remains unknown, in contrast to the European cases where, on occasion, victims' co-nationals were the first to alert police.

The witness says the defendant is his father-in-law's brother. He says he went to stay with him on a few occasions for two or three weeks to see about possible work. It was clear to him what was going on there and he did not like it. He was so concerned that he e mailed police in Greater Manchester after he got home (CPS file note, Case 3, Model 1).

The two Polish men told a friend what was being done to the [Polish] victim, following which they contacted police. However, the original informants were too afraid to testify and did not provide statements (CPS file note, Case 19, Model 3).

The above quotes show that, far from being a 'boon to international crime' (Kapur and McHale 2005: 128) members of a trafficker's diaspora community – and even a family member – may intervene to undermine the trafficking operation and bring it to the attention of the authorities. In the latter case, however (Case 19, Model 3), one of the defendants was of Albanian national origins, hence, it is conceivable that the break in diasporic continuity influenced the informants. It is also noteworthy that they were 'too afraid' to provide witness statements to the prosecution reinforcing the fact, if such were necessary, that women's fear of violence was well-founded.

7.5.3 Police-initiated exit

There was no information in CPS case files as to how Case 7 (Model 2) came to light. In the remaining cases, trafficking operations were revealed as a result of police-initiated surveillance (Case 10, Model 3), or in connection with the investigation of non-trafficking related and/or immigration offences (Case 5: Model 3; Cases 16 and 21: Model 2; and Cases 10 and 18: Model 3). However, even there, the instrumental use by defendants of members of their diaspora communities eventually contributed on occasion to their convictions.

Of the three witnesses, one is the director of [the money transfer office] while the two others are both money transfer clerks. Each confirms regular dealings with the second [Ukrainian] defendant who, they say, made many transfers, but the director also confirms that the first defendant [Nigerian] and his wife [Ukrainian] are known to her (CPS file note, Case 10, Model 3).

Money transfers featured in a number of cases and sometimes gave an indication of the extent of the trafficking network.

The [trafficking] offences came to light when police executed a search warrant for firearms at [the address]. The second defendant fled after execution of the warrant but was found in a bedsit in Coventry. Evidence emerged of multiple Western Union money transfers between the defendants and individuals in Albania, Italy, Lithuania and Germany (CPS file note, Case 16: Model 2).

These cases underline the difficulty of establishing the parameters of a trafficking group or network (see Chapter Three). Both involved only two defendants and yet, as has been shown, both had extensive networks in other parts of Europe, potentially linked in (criminal) diaspora or possibly working in cooperation with other groups to traffic women and rotate them through the 'carousel system' (Monzini 2005). Examples such as these also underline the difficulties women faced in escaping conditions of duress, particularly when turning to the unknown terrain of a

foreign criminal justice system where prior research has already documented the barriers women potentially face (Segrave et al 2009; Lee 2011).

7.5.3.1 Barriers to exit

Chapter Two discussed the findings of previous research with respect to the obstacles some women face in exiting exploitation and accessing the criminal justice system, notably the gendered and racialized stereotypes of how a victim should 'look' and 'behave' (Doezema 2000; Segrave et al 2009). Lee (2011) suggests that victims who fail to meet these stereotypes - because, for example, of suspected 'prior involvement in the sex industry' (ibid: 69) - are less likely to be considered victims. As all the cases in this study proceeded to court, albeit that not all defendants were charged under sections 57 and/or 58 Sexual Offences Act 2003, these prior findings cannot be confirmed or disputed (but see also section 7.5.2 with respect to Chinese and Thai women). Nevertheless, there was some evidence that investigators invoked stereotypes, and that women were acutely aware of their implications, as is apparent from the following excerpt from CPS case files in which the male interviewing officer is questioning a woman via an interpreter.

Does she have a boyfriend back home in Lithuania?

Yes.

Was she sexually active with the boyfriend?

Once.

And then nothing else until this has happened to her? (Case 21: Model 2).

Here, the woman's discomfort and the officer's scepticism are palpable. Andrijasevic (2010) posits that 'the discursive structures of prostitution and the legal schemes pertaining to sex trafficking engender and institutionalise the binary distinction between 'whores' and 'victims' (ibid: 121). This view is arguably exemplified in the above quote, although it is extended in that *any* prior sexual relationship appears to suggest a propensity for a woman to engage in prostitution and, therefore, to decrease the likelihood that she is a victim of sex trafficking. As indicated above, however, the prosecution nevertheless proceeded confirming, in this instance, that the woman overcame the (hetero-)gendered and racialized stereotypes of the officer. Nevertheless, diverse approaches were also found within the legal process itself.

Counsel submits that the appellant's level of criminality is low. The commission of the offence [of trafficking] is a reflection of the economic realities of intra-[EU]community migration and an inconsistent legal approach to prostitution (Case 20: Model 2).

While the above case was post-conviction and concerned an appeal against sentence, it shows the ways in which the three core elements (Gallagher 2004) of trafficking – mobility, coercion and exploitation – are still poorly understood. The victims' journey may have begun as consensual migration into the UK's prostitution industries (see Chapter Six), but the women concerned did not consent to their sale to Albanian exploiters and it is difficult to see how this can be understood as a low level of criminality. Moreover, far from reflecting the economic realities of EU migration, the appellant's actions exemplify the commodification of women in hetero-patriarchal gender orders.

7.6 Conclusions

It is no doubt unsurprising that the methods of control identified in this study were common to all trafficking groups in this study. The distinctions which could be made were relatively minor and pertinent only to Model 1 Eastern European traffickers who were somewhat less likely than their Model 2 and Model 3 counterparts to make use of document removal and retention as a form of control, a fact which perhaps related to the fewer instances of the sale of women. A key finding, however, is that – outside of family and a criminal diaspora - connections of national origin and/or diasporic linkages were not only less evident in the exploitation phase of trafficking, but also that they were by no means invariably advantageous to traffickers.

A further key finding is the widespread and continued use of high levels of physical and sexual violence against women. This is at odds with the findings of reports from some other countries that 'violence has declined in recent years' (Englund et al 2008: 128), or that it is time-bound and gradually replaced only with threats of violence (Andrijasevic 2010). Importantly, however, while Andrijasevic also notes that 'physical violence and threats are not characteristic exclusively of migrant women's street prostitution but rather of third party controlled street work in general' (ibid: 65), this study confirms it is also characteristic of 'third party controlled' off-street prostitution. With respect to other forms of personal control, the findings of this study confirmed that high levels of surveillance fostered mistrust and suspicion among women. However, the primary effect of this was the instrumentality to traffickers of a 'divide and rule' approach which mitigated against women working together to escape conditions of duress rather than, as Andrijasevic (2010) concluded, to avert sex workers' collective organizing. These different conclusions perhaps reflect different approaches to, and understandings of, prostitution/sex work. However, insofar as there is some agreement that prostitution is a quintessentially patriarchal institution, predicated on male constructions of masculinity and femininity and, hence, constructions of masculine and feminine

(hetero)sexuality, arguably no amount of collective organizing will succeed in eliminating or equalizing the 'patriarchal dividend' (Connell 2009: 142) to transform 'a practice of gender inequality' (Coy 2012: 1) into one of gender equality - assuming the latter to be a shared goal of abolitionist and pro-sex work feminists alike.

Similarly, this study does not support the findings of Mai (2009) that (irregular) immigration status is the greatest impediment to the exercise by migrants/trafficking victims of their rights, at least with respect to women from EU member states, while the absence of data with respect to non-European women clearly leaves this as an area which requires further investigation.

Finally, the findings of this study show that the business of exploitation is firmly rooted in hetero-patriarchal formations in which the commodification of women is central to the hegemonic masculinity project. Here, distant and local patriarchies intersect in the racialized gender regimes of prostitution industries (Coy 2012: 4) in which women are held in conditions of duress for the purposes of sexual exploitation by co-nationals, and by indigenous and indigent men.

Chapter Eight

Diasporic connectivity and formations of patriarchy in the sex trafficking of women

8.1 Introduction

Previous chapters provided the context, aims and objectives of this research, discussed the interwoven themes of sex trafficking and diasporas, and set out the philosophical underpinnings and methodology of the study. Interviews with expert respondents provided valuable insights but also confirmed the still limited knowledge base with respect to trafficking groups operating into and within the UK, their composition and modus operandi. Subsequent chapters then presented the findings from analyses of CPS case files, which enabled the profiling of traffickers and allocation of defendant groups to one of the four models hypothesized in the typology, while the latter two chapters presented and discussed the findings from more in-depth analyses of the process of sex trafficking. Diasporic connectivity and formations of patriarchy were considered together with the function of heteronormativity in the recruitment, movement and exploitation of women. Chapter Seven, in particular, noted the high levels of physical and sexual violence to which the majority of victims were subjected, and the instrumental relationships some women formed with their traffickers as a survival strategy and as means of potentially accessing the patriarchal dividend. It further considered and discussed the role of heteronormativity in the commodification of women, and how they are used instrumentally in exchanges between men.

This concluding chapter now presents the key findings of this study, highlighted in section 8.2, while section 8.3 elaborates on the diasporic connectivities and discontinuities found across the four models hypothesized in the typology. Section 8.4 reviews the impact of hetero-patriarchal gender orders in the recruitment, transportation and exploitation of women and considers the implications of the findings of this study for the understanding of sex trafficking in the scholarship and in the development and implementation of anti-trafficking measures. Finally, section 8.4 outlines policy recommendations and potentially useful lines of future enquiry.

8.2 Key findings

This study had two primary objectives: to investigate whether and if so, how, and to what extent diasporas play a part in facilitating the sex trafficking of women; and to explore the function of heteronormativity in the phases of sex trafficking. Both objectives were set in the context of patriarchal gender orders. These are the key findings.

- connections of national origin featured prominently in the composition of trafficking groups;
- in the overwhelming majority of cases, connections of national origin were found to exist between at least one member of the group and the victims they trafficked;
- outside of family/kinship and a criminal diaspora, diasporic connectivity played a diminishing role among European groups in the movement and exploitation phases of the trafficking process;
- at the point of exploitation, the diasporic chain was broken even among otherwise fully diasporic and closed groups;
- transnational mobility featured as a key element in the modus operandi of European trafficking groups;
- male defendants outnumbered female defendants by a ratio of more than 2:1;
- heteronormativity functioned to facilitate the recruitment of some women and underpinned their commodification in the business of exploitation;
- violence, including sexual violence, featured prominently in the forms of personal control exercised by traffickers to hold women in conditions of duress;
- most victims did not wait to be rescued but instead, when possible, took decisive action to exit conditions of duress.

8.3 The typology: diasporic connectivities and discontinuities

A number of scholars and reports have pointed to diasporic connections as facilitating aspects of trafficking (Kelly 2002; 2005a; 2005b; Shelley 2003; 2010; Europol 2004; Kapur and McHale 2005; Englund et al 2008; Turner and Kelly 2009). Kapur and McHale (2005) have gone so far as to assert that '[v]irtually all international criminal networks – whether Albanian, Italian, Colombian or Chinese – rely on their respective diaspora as a base for their activity' (ibid: 128). Hence, one of the key aims of this study was to explore the extent to which diasporas played a role in facilitating the activities of groups engaged in the sex trafficking of women into, and within, the UK.

The typology detailed in Chapter Three hypothesized four possible intersections between trafficking groups and their respective diaspora in transit countries and in the UK. Model 1 envisaged a closed and fully diasporic chain in which traffickers recruited, transported and exploited only female co-nationals. Model 2 comprised a partially integrated ethnically homogeneous group which engaged in the trafficking of female co-nationals or other women, but who sold or procured them on arrival in the UK. In Model 3, the trafficking group was hypothesized as partially open, trafficking women of various nationalities, but using the diaspora of at least one of its members instrumentally, for example, as cover for its trafficking activities. Finally, Model 4 was envisaged as fully open in which any connections of national origin/diasporic connectivities were entirely coincidental and played no part in the group's *modus operandi*.

The fully integrated model, in which defendants trafficked and exploited only their own co-nationals was found in eight of the 22 cases analyzed. A further six groups met the criteria of Model 2, in which the trafficking group was ethnically homogeneous and trafficked co-nationals and/or women of different national origins. No instances were found of a fully open group, in which connections of national origins were wholly incidental, playing no part in the *modus operandi* of the group. However, eight cases were found to represent partially open, ethnically heterogeneous groups that trafficked co-nationals and/or other women. Initially all groups appeared to have some instrumental association with their respective UK-based diaspora communities, inasmuch as criminal and non-criminal diasporic connectivities were evident among all defendant groups, although not necessarily among all defendants (see Chapter Five, Figures 9 and 10).

With respect to Model 1 cases, however, five of these were found to involve Eastern European Roma groups, comprising men and women with high levels of trans-European mobility. While such groups might be said to live permanently in diaspora, the defendants in this study are arguably better characterized as 'transnational mobiles', engaged in 'a constant and continuous form of circular mobility' (Dahinden 2010: 56). They travel to and fro between countries of origin and the UK – and other Western European countries - recruiting women from within their own communities and exploiting them in prostitution in brothels nationally and internationally, through the 'carousel system' (Monzini 2005). However, while these groups are, on the face of it, paradigmatically Model 1 groups, their fully diasporic, closed composition and integrated *modus operandi* are in fact a function of the marginalization and discrimination they have faced, and continue to face, by majority populations. Hence, the diasporic chain comprised primarily kinship-based linkages in which close and extended family members were either complicit in the group's trafficking activities, or they were directly involved.

As for the remaining Model 1 cases, involving defendants and victims of Chinese and Thai national origins, insufficient information was available to note the presence or absence of diasporic connectivities across the trafficking chain (but see also section 8.3.1).

Of the six groups found to meet the criteria of Model 2 of the typology, all defendants were male and of Albanian national origin, and all, with one exception (Case 11), procured women recruited and brought to the UK by others - mostly Lithuanian traffickers but, on one occasion, also by Hungarian traffickers (Case 20). Here, the groups' ethnically integrated composition reflected their closed, and their sometimes family/kinship-based nature, but their *modus operandi* was more a reflection of their unsettled or illegal immigration status in the UK which hampered their transnational mobility. These groups fall somewhere between 'localised diasporic transnational formations' and 'transnational outsiders' (Dahinden 2010). They have low physical transnational mobility due to their irregular status, but they also have a high degree of local anchorage. They are settled here - not through citizenship or integration in the UK - but within an extensive, largely criminal, Albanian diaspora. Here, the composition and *modus operandi* of these Model 2 groups reflect their preferred mode of business as 'violent entrepreneurs' (Shelley 2010), '[ousting] competitors from existing markets in Continental Europe and Great Britain' (ibid: 122), while forging cooperative links with EU-based traffickers to ensure the supply of women. Hence, the trafficking chain, far from being fully diasporic and closed, is in fact open to 'transnational mobiles' (Dahinden 2010) who can operate unimpeded by border controls.

Of the eight groups which appeared to meet the criteria of Model 3, five involved combinations of Albanian men and individuals of different national origins. Significant diasporic linkages were found but, as with the other cases involving Albanian exploiters, they were predominantly of a criminal nature. Women were repeatedly bought and sold and circulated within an Albanian criminal diaspora comprising investors, procurers and exploiters. In some instances, the data were inconclusive as to whether defendants in fact comprised a group within the meaning of Convention Against Transnational Organized Crime, or whether their appearance as a *defendant* group in CPS files was more of a coincidence in the sense that they might have been linked through victims and brought together in the criminal investigation process.

Of the remaining groups in Model 3, the one case involving victims of Thai national origins (Case 5) was, again, exceptional in the absence of information as to how they had been recruited and brought to the UK. The defendant group in this case was ethnically heterogeneous and might have been categorized as fully open but for the link of national origins between one defendant and the victims as, indeed, was the case with respect to all Model 3 groups. However, such diasporic linkages as could be found in the Thai case were in fact more in the nature of family connections. With respect to the other Model 3 cases, the primary link, as noted above, was the presence of shared national origins between one of the defendants and the victims. There was little evidence that any of these groups sought to make instrumental use of their wider diaspora communities, for example, as cover and support for their criminal activities, or to meet the demand of a male diaspora population. The most frequently recurring instrumental use of non-criminal diasporic connectivities was, in fact, with respect to money transfers where traffickers tended to seek out businesses operated by co-nationals of at least one of their group. However, as the previous chapter illustrated, this also - on occasion - contributed to their downfall.

Hence, while the analyses in Chapter Five initially found strong diasporic linkages across all 22 cases, subsequent chapters revealed greater diasporic discontinuities across the trafficking chain, in which the importance of connections of national origins diminished following the recruitment process. They did not feature in the movement of women from Ukraine to the UK (Case 10), and while they did feature in the early stages of the movement of Romanian and Moldovan women, the initial recruiters did not share the national origins of the Albanian procurer and the diasporic criminal chain, such as it was, ended in Italy (Case 11). Similarly, none of the women in this study were exploited in 'niched prostitution' circuits (Englund et 2008), and the brothels in which they were forced to work did not operate under diasporic cover. Contrary to the assertion of Goodey (2003) that trafficked women are often imported to meet the demands of

male immigrant communities, the women identified as victims in this study were instead more typically intended for local indigenous and/or indigent men, including those seeking the 'exotic other' (Coy et al 2007).

8.4 Hetero-patriarchal gender orders

In his 'framework for abolition', Kara (2009) advocates a two-pronged approach to eliminating the sex traffic in women: measures to reduce 'aggregate [male] demand' for sexual access to the bodies of female strangers; and longer term measures which address 'poverty and the destructive asymmetries of economic globalization' (ibid: 200). There is no doubt that the uneven impacts of globalization and poverty are significant push factors, just as demand is an equally significant pull factor. Hence, all are essential components of the 'fertile field' (Kelly 2005b). For women, however, all are also part and parcel of other 'destructive asymmetries', namely 'unequal gender orders' (Connell 1987; 2009), which pre-date the processes of globalization as much as they are exacerbated and reproduced by them. Here, international and national policies disproportionately deprive women of resources, while the 'still massive incidence' of exploitation and violence against women remains 'an easily recognized marker of power and vulnerability' (Connell 2009: 143). These harmful asymmetries comprise the patriarchal price: the disadvantage to women as a group of the maintenance by men of an unequal gender order. The findings of this study confirm that poverty played a part in rendering many women vulnerable to trafficking. While not all victims were homeless or unemployed, travel to the UK was seen as a means of generating more income and improving living standards. Similarly, once trapped in conditions of duress, a number of female defendants developed relationships with their traffickers as a survival strategy and as a means of potentially participating in the patriarchal dividend. Patriarchal formations, however, are not only defined by unequal gender orders, but also by reference to male constructions of masculinity, femininity and (hetero)sexuality. Heteronormativity featured, in particular, in certain recruitment practices but also underpinned the commodification of women and, hence, served to facilitate all exploitation. The findings with respect to these processes are set out in more detail below.

8.4.1 Recruitment and movement

Chapter Six noted the four primary methods of recruitment found in this study: personal intra-community recruitment, sexual predation, Chinese and Thai 'contract' recruitment – though this was speculative due to the absence of recruitment data in CPS files – and assisted border crossing.

With respect to Roma groups, personal intra-community recruitment is premised on deeply patriarchal cultures in which trafficking and sexual exploitation is part of the patriarchal price Romani women pay as members of the 'fourth world in the third' (Mrsevic 2001). This 'militant patriarchy' (Connell 2009) is sustained and reinforced by discrimination and isolation. Connell (ibid), however, also notes a reversion to strong patriarchal traditions and practices in most post-Soviet societies, in which men are said to have felt 'emasculated' (Novikova 2000) by the Soviet system of formal gender equality. Hence, their masculinity, it appears, can be restored only through the re-instatement of systems of gender inequality, premised on a militantly policed heteronormativity as an enduring feature of 'hegemonic masculinity' (Connell 1995, 2009; see also Chapter Six). Thus, the more militantly patriarchal a society or community is, the more militantly will standards of heteronormativity be policed and enforced. Such militant patriarchy also increases both the value of the patriarchal dividend to men and the burden of the patriarchal price to women. Here, women are divided by degrees of vulnerability – by the extent of their exclusion from participation in the patriarchal dividend and, conversely, by their exposure to the burden of the patriarchal price. Access to resources, to a modicum of security, protection and control over one's life is mediated by men and, in the world of trafficking, may be granted only to those women who participate in criminality. This accounts, at least in part, for the presence of women in trafficking networks and their roles in the recruitment and exploitation of other women, hence, a crime approach on its own is inadequate in addressing women's routes into, and their participation in, the offence of trafficking.

Heteronormativity underpinned, in particular, the sexual predation method of recruitment, embedded in apparently normal heterosexual gender relations. An understanding of how it features in everyday heterosexual exchanges is especially relevant in the context of prevention, and in recognizing how women are victimized by traffickers. Here, it is not naiveté which renders them vulnerable. It is instead the ways in which the grooming of women is facilitated by normative heterosexual conduct. This requires the performance of 'emphasized femininity' (Connell 1987) - an accommodation of the interests and desires of men - while concealing how 'femininity is constructed from within heterosexuality and on male territory' (Holland et al 1998: 11). Thus, the deceptions which were inherent in this approach to recruitment only became apparent at a later stage, when the women in question were sold on or shortly after their arrival in the UK, and forced into prostitution in brothels up and down the country.

Given the little that is known in this study of the trafficking of Chinese and Thai women, it is not possible to draw conclusions with respect to the function of heteronormativity in their recruitment. It is nevertheless apparent, as it is with respect to all trafficked women in this study, in the purpose for which they were brought to the UK: prostitution. This, as indicated above, is premised on male demand for sexual access to the bodies of female co-nationals or 'the exotic other' (Coy et al 2007). Such demand is a key driver in the global economy which has seen the increasing racialization of sex and prostitution markets (Monzini 2005; Dahinden 2010), and in which local and distant hetero-patriarchal formations intersect to trap women in 'diasporic zones' (Brazier and Mannur 2003) and conditions of duress.

With respect to assisted border crossing, this perhaps cannot, on the face of it, qualify as a method of recruitment (Andrijasevic 2010). However, the reality of the situation women found themselves in post-departure from countries of origin was documented in Chapter Six and, hence, this is indeed properly identified as a method of recruitment. Most notable, however, in the movement of women across Europe and into the UK, was the importance of transnational mobility. In the two cases concerned (Cases 10 and 11) – bearing in mind the absence of data with respect to Thai and Chinese women - the 'transnational mobiles' (Dahinden 2010) were exclusively male. However, even where procurers/exploiters in the UK lacked transnational mobility themselves because of their unsettled immigration status, patriarchal connectivities with transnational mobiles facilitated the supply of women.

Further, the mechanisms, noted by Monzini (2005), involved in the movement of women through transit countries to a final staging post for travel to Western Europe were also found in Case 11, concerned with the recruitment and transportation of Moldovan and Romanian women. These included the sale or transfer of women among successive 'guides/crew members' (Graycar 2002) or 'intermediaries' (Monzini 2005), which transactions were accompanied by high levels of sexual violence to reinforce the woman's subjugation. Such violence is not only a readily identifiable marker of unequal gender orders, as Connell (2009) has suggested, as *sexual* violence it is also an easily identifiable marker of hetero-patriarchal gender orders premised on constructions of masculinity and femininity which require the sexual subordination of women.

8.4.2 The business of exploitation

All of the women in this study were exploited in – mostly off-street - prostitution. The forms of personal control exercised by procurers/exploiters to hold them conditions of duress were four-fold: shared accommodation, surveillance, violence and threats of violence, and document

removal and retention. Impersonal forms of control – notably state border controls – did not feature directly in cases involving European women, with the exception of Case 10, although exit restrictions may have been used instrumentally by traffickers in conjunction with the removal of documents to prevent women from leaving the UK.

There were few distinctions among the 22 cases in that all groups employed all forms of control, although Model 1 Roma groups were less likely to make use of document removal or retention, a finding related to the lower incidence of sale of women among those groups.

Surveillance fostered mistrust and competition among women. It resulted in some women developing attachments to their traffickers as a survival strategy. Contrary to the findings of Mai (2009), these were not 'romantic' attachments or 'inter-dependent' relationships, but were instead instrumental ones in which women potentially gained access to participation in the patriarchal dividend (through participation in their partner's criminality) and avoided the worst excesses of exploitation and violence. Traffickers, on the other hand, benefited from a divide and rule approach which did not serve to prevent women from organizing as sex workers, as asserted by Andrijasevic (2010), but which served instead to impede women's escape from conditions of duress.

Traffickers also sought to minimize women's chances of escape by the use of high levels of violence, both as deterrence and as punishment. Similar findings were noted by Andrijasevic (2010) where, however – and unlike the findings here – actual violence was replaced with threats of violence over time. By contrast, in this study, high levels of violence against women persisted for the duration of their exploitation. This also included high levels of sexual violence where access was facilitated by shared accommodation. Such sexual violence was exacerbated by transfers of ownership and is linked to the commodification of women inherent in the hegemonic masculinity project.

Despite high levels of violence and control, however, a significant proportion of women – and the largest single category – exited conditions of duress on their own initiative. This partially confirms the findings of prior research (Della Guista et al 2008), although as Segrave et al (2009), suggest, 'the stories of [those] victims barely scratch the surface' (ibid: 15). These women were not passive victims. They did not wait for others to find and rescue them. When the chance arose, they acted decisively and, on several occasions, were subsequently instrumental in the location of more victims.

8.4.2.1 Sex trafficking and formations of patriarchy

Patriarchal formations, then, are systems of gender inequality which not only privilege men and enforce the subordination of women, they also privilege heterosexuality and enforce heteronormative standards as defined through masculine constructions of masculinity and femininity. Both function to consolidate access to resources in male hands: gender inequality because, within patriarchal formations, men benefit from the cumulative surplus available to them by way of the 'patriarchal dividend' (Connell 2009: 142); heteronormativity because 'the conventions of heterosexuality privilege masculine meanings and desires' (Holland et al 1998: 11). Intersections between these two key sites are particularly relevant to the trafficking of women into prostitution in that both create and reflect a 'sense of male entitlement' (Coy et al 2007) to sexual access to the bodies of female strangers. They reinforce the foundation of inequality as the exchange of women between men (Rubin 1975), as exemplified by the number of cases in this study involving the sale of women. Furthermore, in focusing on these intersections, the function of demand, underwritten by that sense of male entitlement, is woven back in. This, in turn, shifts the debate from 'the web of moral arguments surrounding prostitution' (Andrijasevic 2009: 35) – a morality which is applied only to women – and re-locates it in a political arena in which the institution of prostitution is made visible as a cornerstone of patriarchy (Turner 2012).

The conceptualization of sex trafficking as inherent to hetero-patriarchal cultures, then, is important not only in understanding trafficking as violence against women, it is important in understanding what sex trafficking *is*. This, as was noted in Chapter Two, is not only a matter of academic debate; it informs the development and implementation of anti-trafficking policies and measures (Lee 2011). It is also important in understanding the ways in which women become victims of trafficking, as well as how they become sex traffickers of other women. The factors at work, particularly in the sexual predation method of recruitment, can be seen to operate in varying degrees throughout the trafficking process. There, closer analysis of the apparently normal, hetero-gendered encounters of 'boy meets girl', revealed the complexity of this recruitment process. It was here that deceptions were woven into everyday, unremarkable practices, tailored to the particular circumstances of the targeted woman. These deceptions worked because, circulating below the surface were notions of femininity and masculinity embedded in local gender orders, and premised on heteronormative imperatives which allowed predatory behaviours to hide in plain sight. This 'grooming' of women often goes unrecognized, and the deceptions by which they are victimized are denied as they are cast instead as 'naive', or discredited as undeserving victims. However, this is to deny not only the pervasive, though largely invisible, pressures of

heteronormative standards, it is also to misjudge the depth of the gendered power imbalance and constructions of masculinity and femininity which require women to serve the interests and desires of men. That individual women and girls succumb to such grooming *should* be unsurprising. It should be even more unsurprising in light of recent high profile cases in the UK of men – from local politicians to television celebrities – sexually abusing girls and young women, one of whom – Jimmy Savile – is described as ‘the man who ‘groomed the nation” (The Guardian: 12.01.2013) – a nation comprising, inter alia, powerful media people, lawyers and police, all of whom were also successfully ‘groomed’ for decades.

8.5 Conclusion and recommendations

Diasporic connectivities were not found to play a significant role in the modus operandi of the European trafficking groups in this study. Where these did feature, they were predominantly in the nature of criminal and/or family and kinship ties. Transnational or trans-European mobility, however, did impact considerably on trafficking modus operandi, leading those groups which lacked it to form cooperative links with ‘transnational mobiles’ to ensure the continued supply of women into the UK. Hence, border controls did little to limit the trafficking activities of these groups. Similarly, while the absence of immigration restrictions appeared to have facilitated the trafficking of women into the UK, women’s mobility was impeded by a lack of access to the resources necessary for cross-border travel, in particular, the patriarchal connectivities which facilitate men’s international mobility. In a global era, these connectivities are an important benefit of the patriarchal dividend, and underpin the destructive asymmetries of the global, hetero-patriarchal gender order. Here, the victims of sex trafficking can be found in a ‘female diaspora’ of prostituted women, sustained not by diasporic ties, but trapped instead in the ‘diasporic zones’ (Brazier and Mannur 2003) of hetero-gendered prostitution regimes.

Hetero-patriarchal gender orders, then, are the root cause of sex trafficking as violence against women. Violence is the easily identified marker of systems of gender inequality which ‘distribute power and vulnerability’ (Spade 2011), while sexual exploitation is inextricably linked to masculine constructions of heterosexuality, premised on the exchange of women between men, on male dominance and female subjugation, and on the commodification of women as inherent to the hegemonic masculinity project. The international regime has been largely ineffective in combating sex trafficking because it has been ‘long on rhetoric but short on decisive action’ (Turner 2012: 33) in addressing the other side of the gender equation, and in acknowledging prostitution as an institutional cornerstone of hetero-patriarchal gender orders.

8.4.1 Policy Recommendations

Making policy recommendations was not an aim of this research, however, a number of themes have emerged which warrant mention in this context.

UK law has gone some ways in overcoming the limitations of the Trafficking Protocol, however, UK policy conflates anti-trafficking measures with immigration controls, in the context of which particular concerns have arisen with respect to potential discrimination in the operation of the NRM. A previous study (The Monitoring Group 2010) has already noted the relative paucity of non-European women who are confirmed as victims of trafficking and this study underscores those findings. In the first instance, of the significant, though unspecified, number of Chinese women identified in CPS files as suspected victims of trafficking, no victim/witness statements were available from any of them. Secondly, none appear to have participated in the trials of their traffickers, suggesting they were summarily deported. The same observations apply to the identification of possible Thai victims of trafficking. This indicates that an urgent review is needed of the operation of the NRM, as the mechanism in the UK for the identification of victims of trafficking and, consequently, of their access to a reflection period and to support services.

With respect to conceptualizations of trafficking, this study has clearly located sex trafficking as a pervasive and pernicious form of violence against women, just as much as domestic and sexual violence which are also both evident in sex trafficking. Moreover, trafficking is increasingly acknowledged as encompassing so-called 'mail order brides', 'marriages of convenience, and forced marriage (Erez et al 2009; Aronowitz 2009). Hence, the government has taken a backward step in de-coupling trafficking from its 'Call to end violence against women and girls' (Home Office 2010), and consideration is needed of its reinstatement as part of a comprehensive and integrated strategy to address all forms of violence against women and girls (see Chapter One). In this context, too, there is an urgent need to further review policy and law on prostitution, and to develop and implement more effective measures to reduce male demand for sexual access to the bodies of female strangers. As this research has underscored, male demand is premised on a system of gender inequality. It is increased gender equality, extended to all women in the UK – and irrespective of citizenship - which will succeed in redressing the destructive asymmetries of hetero-patriarchal gender orders, and more effectively combat the sexual exploitation of women.

8.4.2 Research recommendations

It is regrettable that such little information was available in CPS files on the recruitment, movement and exploitation of Chinese and Thai women. Possibly other CPS cases will contain a great deal more information. On the face of it, however, this calls - not only for a review of the operation of the NRM - but also for independent research on how the mechanisms for identification of victims of trafficking are being implemented in practice, as well as on the potential barriers Chinese and Thai (and other) women from outside of Europe face in their dealings with UK police and prosecuting authorities.

Similarly, further research is required to re-investigate possible diasporic connectivities in the trafficking of women over longer distances and from outside of Europe, with particular attention to the hetero-patriarchal linkages which sustain men's transnational mobility but which, in this study, were inaccessible to women. In this context, too, consideration might be given to Dahinden's (2010) typology of transnational formations. However, the characterization of traffickers as so-called 'transnational mobiles' is potentially problematic. It suggests that trafficking is facilitated primarily by the absence of border controls, whereas border controls, as this study has shown, do not impede the sex trafficking of women. Moreover, this may also lead to further conflation of anti-trafficking policies and measures with immigration management and control, with insufficient regard for the ways in which international and national policy operate to both increase the value of the patriarchal dividend to men and the burden of the patriarchal price to women. This exposes women who are forced to migrate because of economic or social distress to the risks of trafficking as regular forms of migration are less available to them. Nevertheless, such research would provide potentially valuable insights into trafficking modus operandi in a global era.

Finally, a more detailed examination of recruitment of women outside their countries of origin would be a potentially valuable area of research. As previously noted, there was only one such case in this study. There, however, masculine constructions of heteronormative masculinity and femininity were found to outweigh connections of national origin in recruitment processes. No general conclusions can be drawn from this as the sample is too small. However, as discussed in Chapter Six, the supposition arguably finds some support in the 'lover boy' method identified in the Netherlands as well as in the cases of inter-ethnic recruitment (and exploitation) which have come to light in the UK in recent years (see Chapter Six). Hence, this would be a fruitful line of future enquiry.

Appendix 1

Email to experts

Dear

I am currently undertaking doctoral research at London Metropolitan University under the supervision of Professor Liz Kelly. My interests lie in the field of human trafficking, in particular, I am investigating connections between crime groups involved in cross-border human trafficking activities and diasporas in countries of transit and destination. As part of my research I wish to interview a number of experts and, with this in mind, I am writing to request your participation as an expert interviewee. The interview, which will be arranged at your convenience, can be in person or by telephone and, with your consent, will be recorded. Confidentiality will be assured. Names will be kept separately from recordings, transcripts and all records which will be securely stored and in which reference will be made to pseudonyms and profession only. I anticipate the interview will last for approximately one hour. If you wish to check any of these details, Professor Liz Kelly can be contacted at l.kelly@londonmet.ac.uk.

Please let me know if you are willing to take part by returning this mail with the next section completed.

Yours sincerely

Jackie Turner

I am/am not will to be interviewed.

I would prefer the interview to be:

by telephone:

in person:

If by telephone:

contact telephone number:

suggested dates:

suggested time:

If in person:

location:

suggested dates:

suggested time:

Copy of interview guide in advance? Yes/No

Appendix 2

Interview Guide

1. Which crime groups are believed or known to engage in cross-border trafficking into the UK?
2. What is known of the
 - historical origins of these groups?
 - organisational structure of the groups?
 - their composition in terms of
 - ethnicity?
 - sex?
 - the purposes for which they engage in trafficking, e.g. forced labour/sex?
3. Which, if any, of these groups cooperate with other foreign or UK-based crime groups?
 - have any changes been observed over, say, the last decade or so?
4. What are believed to be the organizing capacities of these groups with respect to
 - recruitment?
 - transportation?
 - exploitation?
 - which groups are believed to traffic only their own nationals/individuals of different nationalities/ethnicity?
5. To what extent, if at all, are any of these groups believed or known to rely on their ethnic constituencies in origin or transit countries, or in the UK?
 - if so, in what way?

Appendix 3

Interview Table

	R1	R2	R3	R4	R5
Groups trafficking into UK					
Structure and composition					
Modus operandi					
Connections of ethnicity					
Recruitment					
Transportation					
Exploitation					

Appendix 4

Pro Formas

Individual Defendant Pro Forma

Case No.:

URN:

Year:

CPS Area Office:

1. Defendant number (1, 2, 3, etc.)
2. Name:
3. Nationality/ethnicity:
4. Sex:
 - if female, formerly trafficked
 - ever worked/still working in prostitution
5. DoB:
6. Usual country of residence:
7. Immigration status in UK:
8. Intra-group connections:
 - family/kinship
9. Role
 - finance/investor
 - recruitment
 - transportation
 - exploitation
 - other (specify)
10. Extra-group connections (other actors 1, 2, 3, etc.)
 - source
 - nationality/ethnicity
 - family/kinship
 - other (specify)
 - transit
 - nationality/ethnicity
 - family/kinship
 - other (specify)
 - UK
 - nationality/ethnicity

- family/kinship
- other (specify)

11. Antecedents
12. Charges
13. Outcome

Case No.:

URN:

Year:

CPS Area Office:

1. Victim number (1, 2, 3, etc.):
2. Name:
3. Nationality/ethnicity:
4. Sex:
5. DoB:
6. Antecedents:
 - family
 - dependents
 - employment status/history
 - previously trafficked
 - previously worked in sex industry
7. Recruited:
 - country of birth/origin
 - other (specify)
8. Recruiter
 - defendant (1, 2, 3, etc.)
 - nationality/ethnicity
 - family/kinship connections
 - other actor (1, 2, 3, etc.)
 - nationality/ethnicity
 - family/kinship connections
9. Recruitment purposes
 - sex industry
 - known
 - unknown
 - prostitution
 - known
 - unknown
 - non-sex sector work

- nature of work (e.g. cleaning, catering, etc.)

Group Composition Pro Forma

Case No.:

URN:

Year:

CPS Area Office:

1. Size of group:

- 2-4:
- 5-7:
- 8-10:
- 11+: (specify)

2. Ethnic composition:

- homogeneous
- diverse

3. Sex composition:

- all male
- all female
- mixed sex

3. Connections in countries of:

Source

Transit

UK

- Members
- Indigenous crime groups
- Foreign crime groups
- Other (specify)
 - nationality/ethnicity

Case No.:

URN:

Year:

CPS Area Office:

1. Recruitment
 - source country/countries:
2. Recruitment methods:
 - personal
 - agencies (e.g. employment)
 - internet
 - other (specify)
3. Transportation
 - mode/s of transportation
 - transit country/countries
 - collaboration with indigenous groups
 - collaboration with foreign groups
 - nationality/ethnicity
 - use of local service providers (e.g. hoteliers)
 - nationality/ethnicity:
 - victims bought/sold
4. Exploitation
 - victims exploited in transit countries
 - victims sold on arrival in UK
 - nationality/ethnicity of procurers
 - victims retained and exploited in UK
 - on-street prostitution
 - brothels
 - owned/operated by group
 - owned/operated by others
 - nationality/ethnicity
 - other (specify)
 - owned/operated by group

- owned/operated by others
- nationality/ethnicity

5. Control

- violence
 - against victim
 - against victim's families
- threats of violence
 - against victim
 - against victims' families
- other (specify)

General defendant group pro forma

Case No.:

URN:

Year:

CPS Area Office:

1. Nationality/ethnicity
 - ethnically homogeneous
 - ethnically diverse
2. Number of defendants in case:
 - number of male defendants
 - nationality/ethnicity
 - number of female defendants
 - nationality/ethnicity
3. Number of victims:
 - nationality/ethnicity of victims
4. Connections of nationality/ethnicity in
 - source country/countries
 - family/kinship
 - transit country/countries
 - family/kinship
 - UK
 - family/kinship
4. Summary of case:

General Victim Pro Forma

Case No.:

URN:

Year:

CPS Area Office:

1. Number of victims:
 - nationality/ethnicity
2. Recruitment:
 - country of birth/source
 - other (specify)
3. Case summary:

Case No.:

URN:

Year:

CPS Area Office:

1. Other actor (1, 2, 3, etc.):
2. Name:
3. Nationality/ethnicity:
4. Sex:
5. Age:
6. Role:
 - finance/investor
 - recruitment
 - transportation
 - other (specify)
7. Connections with defendant (1, 2, 3, etc.)
 - nationality/ethnicity
 - family/kinship
 - other (specify)
8. Crime group connections
 - defendant
 - indigenous
 - foreign
9. Connections with victim/s (1, 2, 3, etc.)
 - nationality/ethnicity
 - family/kinship
 - other (specify)
10. Connections with other actors
 - source country actors (1, 2, 3, etc.)
 - nationality/ethnicity
 - family/kinship
 - other (specify)
 - transit country actors (1, 2, 3, etc.)
 - nationality/ethnicity

- family/kinship
 - other (specify)
- UK
 - nationality/ethnicity
 - family/kinship
 - other (specify)

Other actor pro forma
Transit country/countries

Case No.:

URN:

Year:

CPS Area Office:

1. Transit country/countries:
2. Other actor (1, 2, 3, etc.):
3. Name:
4. Nationality/ethnicity:
5. Sex:
6. Age:
7. Role:
 - finance/investor
 - accommodation
 - transport
 - document provider
 - other (specify)
8. Connections with defendant/s (1, 2, 3, etc.)
 - nationality/ethnicity
 - family/kinship
 - other (specify)
9. Crime group connections
 - defendant
 - indigenous
 - foreign
10. Connections with victim/s (1, 2, 3, etc.)
 - nationality/ethnicity
 - family/kinship
 - other (specify)
11. Connections with other actors
 - source country actors (1, 2, 3, etc.)
 - nationality/ethnicity
 - family/kinship
 - other (specify)

- transit country actors (1, 2, 3, etc.)
 - nationality/ethnicity
 - family/kinship
 - other (specify)
- UK
 - nationality/ethnicity
 - family/kinship
 - other (specify)

Other actor pro forma

UK

Case No.:

URN:

Year:

CPS Area Office:

1. Other actor (1, 2, 3, etc.):
2. Name:
3. Nationality/ethnicity:
4. Sex:
5. Age:
6. Role:
 - finance/investor
 - accommodation
 - transportation
 - other (specify)
7. Connections with defendant/s (1, 2, 3, etc.)
 - nationality/ethnicity
 - family/kinship
 - other (specify)
8. Crime group connections
 - defendants
 - indigenous
 - foreign
9. Connections with victim/s (1, 2, 3, etc.)
 - nationality/ethnicity
 - family/kinship
 - other (specify)
10. Connections with other actors
 - source country actors (1, 2, 3, etc.)
 - nationality/ethnicity
 - family/kinship
 - other (specify)
 - transit country actors (1, 2, 3, etc.)
 - nationality/ethnicity

- family/kinship
 - other (specify)
- UK
 - nationality/ethnicity
 - family/kinship
 - other (specify)

Other data pro forma

Defendants

Case No.:

URN:

Year:

CPS Area Office:

1. Trafficking activities in another country/other countries (specify)
2. Money transfers
3. Profits (disposal)
4. Defendant quotes:
5. Prosecution quotes:
6. Trial judge quotes:
7. Other (e.g. CPS file notes)

Other data pro forma

Victims

Case No.:

URN:

Year:

CPS Area Office:

1. Victim quotes:
2. Prosecution quotes:
3. Trial judge quotes:
4. Other (e.g. CPS file notes):

Other data pro forma

Other actors

Case No.:

URN:

Year:

CPS Area Office:

1. Other actor witness statements (extracts):
2. Other actor quotes:
3. Prosecution quotes:
4. Trial judge quotes:
5. Other (e.g. CPS file notes):

Appendix 5

CPS Data Analysis Tables

Case No:

Defendant Group

Case No:	National origins	Sex	Kin	Role	Victim Nat. origins
D1					
D2					
D3					
D4					

Associated Parties UK

Case No.	National origins	Sex	Kin	Role	Victim Nat. origins
UKAP1					
UKAP2					
UKAP3					

Associated Parties Source (insert country)

Case No.	National origins	Sex	Kin	Role	Victim Nat. origins
APS1					
APS2					
APS3					

Associated Parties Transit (insert country)

Case No.	National origins	Sex	Kin	Role	Victim Nat. origins
APT1					
APT2					
APT3					

The trafficking chain: connections of national origin by sex

Case No:	Defendant (Nat. Origins)	Sex	APUK (Nat. Origins)	APS (Nat. Origins)	APT (Nat. Origins)	Victim Nat. origins
D1						
D2						
D3						
D4						

Appendix 6

Offences By Year

Offence	2004	2005	2006	2007	2008	Total
Number of cases reviewed	2	5	6	5	4	22
Section 57	1	9	6	13	11	40
Section 58	1	13	9	7	3	33
Control Prostitution	0	7	4	9	5	25
Cause/incite prostitution	0	5	3	5	1	14
Kidnap/False imprisonment	1	3	2	2	4	12
Keep/manage a brothel	0	0	4	7	0	11
Rape	1	1	3	4	1	10
Control child prostitution	0	5	0	0	1	6
Blackmail	0	5	0	0	1	6
Conspiracy to cause prostitution	0	4	0	1	0	6
Conspiracy to control prostitution	0	5	0	0	0	5
Cause child prostitution	0	4	0	0	0	4
Possession of false ID	0	1	1	1	0	3
Possession of forged passports	0	0	1	0	0	1
Transferring criminal property	0	1	1	1	0	3
Perverting the course of justice	0	0	1	1	0	2
Conspiracy to traffic into the UK	0	4	1	0	0	5
Conspiracy to traffic within the UK	0	5	0	0	0	5
Conspiracy to arrange/facilitate arrival in UK	0	2	0	0	0	2
Incitement to rape	1	0	0	0	0	1
Assisting unlawful immigration	1	0	0	0	0	1
Facilitating illegal entry of immigrants	1	0	0	0	0	1
Living on prostitution	1	0	0	0	0	1
Procuring females for sex	1	0	0	0	0	1
Demand of forcing to work in prostitution	0	0	1	0	0	1
Total	9	74	37	51	27	198

Appendix 7

Case Summaries

The case details have been anonymized to avoid the identification of any individuals. Defendants are referred to sequentially, for example, D1, D2, and so on. This is deemed a necessary precaution for the protection not only of victims but also to ensure that new or ongoing investigations are not compromised. The duration of the period of exploitation is estimated from information available in CPS files. This might, for instance, be contained in witness statements, derive from details set out in indictments, or be based on the length of time between victims' arrival in the UK and the date of the arrest of one or more of their traffickers.

Case 1

The defendant group comprised five individuals, four Albanian males aged between 25 and 35 years, and one Lithuanian female, aged 29 years. Two of the male defendants, D1 and D3, met their Lithuanian suppliers at a UK airport to take delivery of two Lithuanian females, aged 18 and 19 years, respectively. They had been recruited with promises of good jobs in the UK. The women's passports were taken by D1 and they were then driven by him and D3 to a hotel where they were met by the Lithuanian female defendant, D4, and two other men of Albanian national origins. D4 explained to the women that they had each been bought and that they would be required to work in prostitution. One was then taken by the two Albanian men to a separate location, while the other was conveyed by D1 and D3 to a bar where she was sold to D5 and forced to work in a number of brothels. She was also required to share accommodation with D5 who repeatedly raped her and kept her under close surveillance. After some two to four months, she was returned to D1 who placed her in the custody of D3 while he found another buyer for her. It was during this period that she gained access to D3's mobile telephone and succeeded in contacting her mother in Lithuania. Lithuanian police then liaised with their British counterparts to locate her and enable her escape. The other woman, by contrast, was found by police when they executed a search warrant for firearms at the premises where she was being held. She did not therefore appear as a victim/witness in Case 1 but she did provide evidence in support of the prosecution.

Case 2

Here, the trafficking operation was managed end-to-end by a network comprising family members and co-nationals of Czech national origins. The defendant group had five male members, all but one of whom was 25 years or younger, and three female members, two of whom were under 25 years of age. Case 2 was linked to a number of associated prosecutions in different parts of the UK, confirming a pattern of recruitment of young Romani women in the Czech Republic who were brought to the UK and circulated around brothels in various regions of the country. They were typically recruited by D1, who financed the operation, or by his parents. The male group members took control of the women on their arrival in the country and allocated them within the group or worked with their wider network to distribute the women (identified as victims in associated cases). Female group members were also instrumental in moving the women within the UK and in controlling prostitution. One victim appeared as a witness in the case. She had been recruited by D1's father and sent to the UK. She shared accommodation with D1 who, along with another two male group members, D2 and D6, regularly subjected her to rape. When she became pregnant and had to return to the Czech Republic, she was forced to leave two of her children with D1 who threatened that they would be sold for pornography or organs if she notified the authorities or failed to return. She did return and was forced back into prostitution within two weeks of giving birth. The violence against her also resumed, and she had been made to leave

her newly born son with D1's parents in the Czech Republic, again as insurance against escape or non-compliance. Her ordeal, which lasted at least one year, came to light when a victim in an associated case escaped and assisted police who were able to locate other victims, including the victim in this case.

Case 3

Case 3 comprised three Hungarian defendants, a male-female team aged 50 (D1) and 32 years (D3) respectively, and a third female, D2, aged 21 years and who had herself been trafficked by D1 and D3. She was recruited by D1 and brought by him to the UK where she lived with D1 and D3. She was regularly raped by D1 and was forced to work in prostitution. All money had to be handed over to D2 who kept her under close surveillance with frequent telephone calls to the brothels. Two other young Hungarian women were also recruited by D1 over the course of several months and similarly forced into prostitution. Neither appeared as witnesses in the case, however, they were linked to a wider network comprising predominantly extended family members of D3, all of whom were noted to have left the UK following D3's arrest. When D2 became pregnant she was forced to work for much of her pregnancy but was permitted to return to Hungary at a later stage with specific instructions to return with another woman to make up the lost income for the immediate pre- and post-birth period. Her departure was accompanied by threats of extreme violence against herself and her family if she failed to return. While in Hungary she was kept under close surveillance by unknown men until she had recruited another victim, a former school friend, and brought her back to the UK with the promise of a good life. That victim was then also forced into prostitution, with her exploitation continuing over several months. Both D3 and the victim were subjected to further violence, including rape by D1. The case came to light when a relative of D3 visited, realised what was going on, and notified police on his return to Hungary.

Case 4

The Romanian victim, aged 19 years, was recruited in her home country by a woman believed by the prosecution to be the mother of D2, the only female of four Romanian defendants, whose ages ranged from 27 to 31 years. She was brought into the UK by D3, having been promised a good job, and forced to work in brothels for an unknown period of time before she escaped and was able to alert the estate manager of the housing development where she had been held. The manager subsequently noted in her evidence that the victim had little clothing on, despite it being winter, that she was badly bruised and in a highly distressed state. She therefore called the police after which the victim was taken into protective custody. Prior to that she had shared accommodation with all four defendants, where she had been held as a virtual prisoner and regularly subjected to rape and beatings with the prosecution noting that D1 in particular 'was well-versed in brutality'. She was accompanied by D2 or another defendant to and from the brothels in which she was forced to work. Her escape was made possible when a defendant left the apartment early one morning while the other defendants were still asleep but failed to lock up behind him. The prosecution further noted that this case was unlikely to be a 'one off', with some of the evidence suggesting the four defendants were part of a larger network operating from a different base in the EU and possibly seeking to expand their operations into the UK.

Case 5

This case comprised a mixed group of three defendants – two female (naturalised) British citizens of Thai and Filipina national origins respectively, D1 aged 43, D2 aged 59 years – and a Slovakian male, D3, aged 27, who were involved in the trafficking of Thai women to the UK. It is unknown how the women were recruited, however, they were transported to France where two of them, on the occasion in question, were met by D3. He attempted to bring them into the UK by ferry but all three were apprehended at the border when the Thai women were found to be travelling on false documentation. One of them was in fact using D1's passport while the other

had the passport of one of D2's daughters. On arrest, D1 was found to have in her possession a number of passports and significant amounts of money in a bank account. This was clearly indicative of a larger trafficking operation but no further information was available and no further victims were located.

Case 6

The sole defendant in this case was a 26 year old woman of Chinese national origins. She was involved in the trafficking of 'oriental' women and in the management of at least eight brothels. Numerous victims were identified but no witness statements were available from any of them. It is therefore unknown how they were recruited and brought to the UK, by what means they were controlled, or how long their exploitation lasted. It is similarly unknown why none of the other parties identified in the course of police investigations as involved in or connected to the operation were not also prosecuted in the case which came to light after complaints were received by police of a brothel being run in a residential neighbourhood.

Case 7

All five defendants in the case were Albanian males. D1 was aged 36 years, D2, D4 and D5 were each aged 23 years, while D3 was aged 29 years. They were involved in the trafficking of minor and adult Lithuanian women into the UK, three of whom appeared as victims/witnesses in the case. They had all been promised 'proper' jobs, including work in a bakery. One or more of the defendants typically met their Lithuanian suppliers at an airport where they bought the women who were then placed in private accommodation owned or rented by the defendants and operated as brothels, as well as serving as living accommodation for themselves and the victims. Some women were sold on, others remained to work for the defendants before also being sold on. Those who remained were required to stay in the defendants' premises. This enabled the defendants to exercise considerable control over the women who were under constant surveillance and were prevented from leaving the premises. It is unknown how the case came to light but the three victims gave witness statements under assumed names out of fear of the defendants. They also testified as to their brutal treatment, including frequent beatings by one of more defendants, as well as the violence they witnessed being inflicted on other women, most of Lithuanian national origins who told the victims that they had also been sold by Lithuanian boys to the defendants and other Albanian males. No information was available as to why none of these other women appeared as victims/witnesses in the case but the evidence of the three victims is corroborated by the statement of an English woman, similarly made under an assumed name out of fear of the defendants, and who was occasionally employed by the defendants to manage one of their brothels.

Case 8

The defendant group comprised three individuals, two males, one of Albanian national origins and aged 27 years (D1), the other from Lithuania, aged 22 years (D2), and one female of Turkish national origins, aged 47 years (D3). The victim, an 18 year old Lithuanian woman, was recruited in her home country by D2 with the promise of work in a bar. On arrival in the UK, she was sold to D1 and taken to a bar frequented mainly by Albanian males. The bar owner provided them with an upstairs room. D1 then raped and beat her and she was forced to work in prostitution. The beatings continued, so much so that, on one occasion, the bar owner intervened to stop it. After several weeks the victim was moved to a house rented by D1's girlfriend, a non-British national who was subsequently deported. In addition to D1 and his girlfriend, it was occupied by a number of other girls, all of whom were kept under constant surveillance by D1 and other Albanian men who came and went and who, together with D1, shared the transportation of the women to and from other private accommodation rented by D3 and operated as brothels. In addition to the constant surveillance, control was maintained by violence and threats of violence, with the girls often forced to watch another girl being beaten. After approximately nine months, the victim

managed to escape with the help of another girl who worked at one of D3's brothels and who hid her in another property until she managed to get a message to her mother in Lithuania, after which the police were notified and provided with details of her location. In the course of the subsequent investigation, D2 was traced and was found to have made several money transfers, linking him not only to this case but also to networks in a number of other European countries, with the prosecution noting extensive organized trafficking of women from Lithuania, in which 'the rape offences have arisen out of the trafficking offences and are part of the control measures deployed against the victim'.

Case 9

Two Bulgarian defendants were involved in this case, one male aged 41 years and a female aged 32 years. The evidence indicates they were already involved in sex trafficking to the Netherlands, were known to the authorities in Germany and linked to a crime group in Spain. They recruited a Bulgarian woman and brought her to the UK via Greece. The victim knew both defendants and therefore trusted them, believing she could get a job to better support herself and her child who was left with her mother in Bulgaria. All three lived in a hostel. The victim was forced to work in at least two brothels over a period of two to three months. She was forbidden from talking to anyone at the hostel or the brothels to which she was taken by one of the defendants and similarly picked up again at the end of her shift. Half of her earnings went to the brothels, while the defendants took the other half. If she failed to make enough money, or if she was found to have spoken to anyone, she was slapped and kicked. She notes, however, in her subsequent statement that her biggest fear was the threats the male defendant made against her family in Bulgaria and, in fact, following the arrest of the defendants, her family left their home because of threatened violence against them from associates of the male defendant, despite the intervention of the authorities there. The case came to light after the victim managed to escape. She had been moved to a brothel which also offered escort services. One night she was booked out to a private apartment to which she was accompanied by the defendants and from which she managed to flee. She was subsequently assisted by a member of the public to contact police.

Case 10

Two defendants were prosecuted in this case. D1 was male and a naturalized UK citizen of Nigerian national origins aged 38 years, while D2 was a Ukrainian male aged 28 years who had entered the country on a student visa but had overstayed. They were found to be the UK end of an international trafficking operation which started in Ukraine where D1's wife, a Ukrainian citizen and the sister of D2, was based and who herself was under investigation there during the trial of D1 and D2. D1 financed the operation under cover of a security company of which he and his wife were directors. Investigators later found the business to be bogus. Young women were recruited and subsequently transported through Poland, Germany and France to the UK. The three victims identified in the case confirmed they were aware they were being brought to the UK to work in prostitution. They were assisted in Ukraine with obtaining exit visas and first travelled unaccompanied by train to a location in Poland where they were met and driven to a hostel near the German border. Their Ukrainian passports were taken and they were required to wait for several days before being moved at night by car across the border to a forest area. This appeared to be a pre-determined way station as they were soon joined by a number of trucks, all containing groups of Ukrainian men, women and children. The three victims were transferred to one of the trucks but were forbidden to talk to any of their fellow passengers. The trucks then departed, each taking a different direction. The journey continued across Germany to another meeting point, again at night, when the three victims and several other women were transferred to a number of cars. They were given Lithuanian passports and driven across the border to a port from where they were taken in small groups of two by ferry to the UK. They were accompanied at all times by a number of men believed to be variously Polish, possibly Russian and Lithuanian nationals. Once in the UK, D1 and D2 took possession of their Ukrainian and Lithuanian

passports. The understanding was that these would be returned when each woman had earned enough to cover her travel costs and the costs of those who would accompany her back to Ukraine, plus an unspecified amount of profit to D1. The case came to light through police surveillance of D1 who was found to have significant amounts of cash when his office was raided, together with numerous passports, all but one identifying the passport holder as female.

Case 11

The defendant group comprised two males, both of Albanian national origins. D1 was aged 25 years and had obtained British citizenship. D2 was aged 19 years and had been refused leave to remain in the country and was therefore an illegal overstayer. D1 worked as an interpreter for a number of immigration law practices and had assisted the BBC in making a documentary about immigration to the UK. He was subsequently found to have travelled widely in Europe and to have an interest in a number of businesses which operated as fronts for brothels. Seven victims were identified in the case, four Romanian and three Moldovan women. It is unknown by what means they were originally recruited. Each was, at some stage, bought by D1 in Prague who then arranged for them to be moved, sometimes on foot, sometimes by car, to Italy. They were provided with false passports and eventually brought to the UK accompanied by two Italian men who handed them over to D1 and/or D2. Each victim later told police that she had been repeatedly raped throughout the journey and, on arrival, each was again raped by D1 and D2. Similarly, all women reported being subjected to regular beatings and gang rapes. They lived at various properties owned or rented by D1, his family or friends and were taken to and from brothels or touted around bars and offered for sale. The case came to light when one woman escaped from premises where she was being held by D2. He had assaulted and raped her but had then drunk heavily and fallen asleep. This afforded her the opportunity to escape and from the information she provided, police were able to locate other victims who had been variously held and exploited by the defendants for periods ranging from several months to more than a year.

Case 12

The two defendants were both males of Albanian national origins. D1 was aged 20 while D2 was aged 19. They were engaged in the trafficking of Lithuanian women into the UK and were embedded in a wider network of Albanian and Lithuanian traffickers with links to Lithuanian suppliers, none of whom appeared as co-defendants in the case. The victim was a 20 year old Lithuanian woman who had been recruited in Lithuania and came to the UK knowing she would be working in prostitution. On arrival in the country, however, she was sold to an Albanian man who took her to a house where they were met by a group of Albanian males. Two of the males, D1 and D2, bought her. Another Lithuanian woman was present and explained to the victim that she was now owned by D1 and D2 and that she had to go with them. The role of D2 was primarily to chauffeur the victim to and from the different brothels where she was required to work 12 hour shifts, seven days a week. When not at work she was confined to premises also occupied by D1 who regularly forced her to have oral and anal sex with him. She was also routinely beaten by both defendants who took all of her earnings after deduction of the house fees by each of the brothels. She was denied medical treatment when this was required and, in addition to threatening extreme violence against her if she attempted to escape or spoke to anyone, both defendants also threatened to kidnap her 8 year old sister in Lithuania and to take her to Albania. The exploitation continued for some six to eight months before the case came to light through the work of an undercover reporter. It is also noteworthy that the safe house in which the victim was being kept in protective custody pending trial was traced by members of the wider trafficking network who attempted to gain entry to the property. The victim was then moved to another safe house.

Case 13

The sole defendant was a female of Thai national origins, aged 43 and who had acquired British citizenship through marriage to an Englishman some years previously. Her husband resided in Thailand but there was no evidence to suggest he was involved in the trafficking of Thai women to the UK. Although the defendant's passport showed that she travelled regularly to Thailand and to Cambodia, there was similarly no evidence of how any of the victims were recruited or transported to the UK. The two victims found at the premises which the defendant rented and operated as a brothel were both deported. There were therefore no victim/witness statements available indicating, for example, how long they had been in the UK. The case came to light when an unknown informant notified police.

Case 14

The defendant group comprised two Albanian males, D1 and D2, each aged 19 years, and a Lithuanian female, D3, aged 20 years. They bought their two victims, both young Lithuanian women, aged 19 years, from two Lithuanian men at a UK airport. One believed she was travelling with her boyfriend to the UK for just a few days, the other that she would be given a good job. D1 and D2 took their passports and drove them away. One victim escaped en route by jumping out of the car in a residential street. She shouted for help and banged on doors until one resident let her in and called the police. D1 and D2 continued their journey with the remaining victim who was taken to premises where D1 and D2 lived and where she was raped by D1 for the first time. They were then joined by D3 who told the victim she had been bought for 'big money' and had to work in prostitution. D3 accompanied her, first on the street where she was forced to sell sex, and subsequently to and from brothels. She was required to hand all her earnings to D1 and D2, who kept her under close surveillance when away from the premises where they lived, where she also continued to be regularly raped and beaten by D1. The period of exploitation is unknown, however, she was eventually traced by police following information provided to them by the victim who had escaped.

Case 15

The defendants were a Slovakian husband and wife team who personally (or through extended family members) recruited Slovakian women in their home countries. D1 was female, aged 44 years, while her husband, D2, was aged 41 years. At the time of the arrest of D1, they were involved in the exploitation of three victims, one of whom was aged 17 years when first brought to the UK with the promise that she would be looked after. The other two victims were aged 20 and 31 years respectively. One came with the promise of a good job, the other for a short holiday with her boyfriend who was in fact part of the trafficking operation. The case came to light when one of the victims managed to get a message to her mother in Slovakia that she was in the UK and was being forced to work in prostitution. When police located the brothel, they found all three victims but initially the women were too afraid to speak – saying they were frightened for themselves and for each other. They all subsequently reported regular instances of violence, including rape, and the brothel manager confirmed they were kept under surveillance and monitored by the defendants. One woman had been exploited for at least a year, the second and third victims for four to five months and one to two months respectively.

Case 16

The two defendants in the case were both of Albanian national origins. D1 was aged 20 years while D2 was 29 years old. Police executed a warrant for firearms at the premises where the defendants lived and found two victims, both Lithuanian women, one aged 21 years. The age of the other victim is unknown. One had been promised a cleaning contract, the other had a contract for work in a restaurant. Both confirmed they had been bought by D1 and D2 although they also made reference to three other women who had been sold on to other Albanian men and whose fate is unknown. They were forced to work in prostitution, their passports were taken by the

defendants with whom they were required to share accommodation, they were kept under close surveillance and they reported regular beatings and rape by the defendants. The duration of their exploitation was between 2 and four months.

Case 17

The defendant group comprised four individuals. D1 was a male of Croatian national origins, aged 35 years whose primary role involved buying and exploiting the victim in the case, a 15 year old Lithuanian girl. D2 was a Macedonian male, aged 24 years, who drove her to and from brothels. D3 was a Lithuanian female, aged 28 years and whose main function was to explain to the victim the situation she was now in and to facilitate communications with the defendants. The final defendant, D4 was a male of Albanian national origins, aged 21 years, who originally bought the victim from Lithuanian suppliers and sold her to D1. D1 and D2 were cited in the case for their use of violence and their repeated rape of the victim, who was moved up and down the country and forced into prostitution over a number of months. The case came to light when the victim escaped.

Case 18

The five defendants were all British, save for D2, a Romanian male aged 19 years. D1 and D5 were both male and aged 44 and 43 years respectively. Of the two female defendants, D3 was aged 20 while D4 was 23 years old. D1 and D2 were involved in the recruitment of Romanian women, as well as profiting from their exploitation in the UK. D3, D4 and D5 were engaged in the running and management of brothels in premises rented by D1 and D5 for those purposes. Three women were identified as victims in the case. All reported that they had travelled to the UK to marry D1. Following the arrest of D1 in connection with an offence of armed robbery, D1 moved the three women to separate premises but one managed to get hold of a mobile telephone and called the police. One victim had been exploited for approximately four months, another for between two and four months. The period of exploitation of the third victim is unknown, but all reported that they were in fear of D1 and D5 and had been threatened with a handgun.

Case 19

The defendant group comprised a Polish male, D1 aged 23 years, and two males of Albanian national origins, D2 aged 37 years and D3 aged 19 years. D1 advertised on a Polish site for women to come to the UK and work in the sex industry. The victim, a Polish woman, aged 23 years responded to the advert and D1 arranged her travel to England but then sold her on arrival in the country to D2 who took her passport. She was required to live in premises occupied by D2 and to hand over all her earnings to him. D1 or D3 accompanied her to and from brothels. Both repeatedly sexually abused and raped her over a period of two to three weeks. The defendants were arrested when two male members of the Polish community notified police. It was apparent that the victim was not the defendants' sole victim but others were too afraid to testify and two British witnesses, owners/managers of a brothel, re-located twice in an effort to evade the authorities and avoid testifying at trial out of fear of the defendants, whose violence against the victim was documented in CPS papers.

Case 20

The two defendants, a Hungarian male, D1 aged 21, and a Hungarian female, D2 aged 27 years, were involved in the recruitment of women through a Hungarian website. The two victims in the case, both Hungarian women and aged 24 and 25 respectively, came to the UK on the understanding that they would work in prostitution. On arrival D1 sold them to Albanian men, who were not among the defendants, but who moved the victims around brothels up and down the country over a period of four to six months. The victims passports were taken, they were required to live in premises also occupied by the Albanian men who kept them under close surveillance and regularly subjected them to violent assaults if they failed to earn sufficient money or

attempted to escape. Despite this, one victim managed to contact friends in Hungary. They contacted police who located the victim and, with her help, then also located the second victim.

Case 21

The sole defendant was a male of Albanian national origins aged 25 years. The victim, an 18 year old Lithuanian woman was recruited in her home country with the promise of a job in a restaurant but was then sold to the defendant on her arrival in the UK. She lived in premises occupied by the defendant and was accompanied to and from brothels where she was forced to work. The defendant took all her earnings, kept her passport and regularly subjected her to violence, including beatings and repeated rape over a period of six to eight months. Other girls in the brothels said they were too afraid of the defendant to try and help her. The case came to light when immigration and police officers carried out an immigration check at the premises where the defendant lived and found him to be in the country illegally.

Case 22

The sole defendant was a Chinese male, aged 31 years. He was arrested following complaints to the police that premises he occupied were being used as a brothel. He claimed to be employed as a cook/housekeeper, but did not know the name or whereabouts of the boss. He deposited the earnings from the brothel in a bank account. Two victims were also found at the premises but no victim/witness statements were available. Instead, they were served with 'Notice to a Person Liable to Removal' (from the country). It is unknown how long they had been at this or another brothel, how they had been controlled, or whether they were in fact deported.

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