

# COSLA/HTF Human Trafficking Conference 15 August 2012

Tom McCrosson GLA
Enforcement Team (North)



#### **Conference Themes**

Identifying Victims and Tackling the Crime

**Promoting Frontline Awareness** 

**Enhancing Operational Response** 



#### **Tom McCrosson - Background**

- Enforcement background
- Joined GLA in March 2006
- North 'team' of GLA covers everything north of a line across England between Liverpool and Hull and Northern Ireland



#### Role of the GLA

- Detect and prevent exploitation of workers by labour providers and to ensure that labour providers operate within the law.
- The requirement for labour providers to be compliant with licensing standards provide a method to assess compliance and reduce the risk of exploitation of workers.



#### Legislation

- The Gangmasters (Licensing) Act 2004 introduced the offence of operating without a licence, and the offence of using workers supplied by an unlicensed labour provider.
- Our primary focus is to ensure that workers are not being exploited in terms of having being trafficked or if genuinely entitled to work in the UK are not subject to unnecessary restrictions by their employer.



#### **Critical GLA Standards**

- Fit & Proper
- Competency
- PAYE, NI & VAT
- Minimum Wage
- Physical and Mental Mistreatment
- Debt Bondage
- Quality of Accommodation and Transport
- Fees & Additional Services
- Sub-Contracting
- Examination and inspection of the above with labour providers and workers can identify human trafficking issues, if present.



### **Trafficking for Labour Exploitation**

 Migrant workers are vulnerable to trafficking for labour exploitation, suffering from practices that contravene the legal requirements which govern employment rights, health and safety and equality.



# People who have been trafficked for labour exploitation may:

- Live in groups in the same place where they work and leave those premises infrequently, if at all
- Live in degrading, unsuitable places, such as agricultural or industrial buildings
- Not be dressed adequately for the work they do: for example, they may lack protective equipment or warm clothing
- Be given only leftovers to eat
- Have no access to their earnings
- Lack basic training and professional licences
- Be subjected to insults, abuse, threats or violence
- Have no labour contract



# People who have been trafficked for labour exploitation may:

- Work excessively long hours
- Depend on their employer for a number of services, including work, transportation and accommodation
- Have no choice of accommodation
- Never leave the work premises without their employer
- Be unable to move freely
- Be subject to security measures designed to keep them on the work premises
- Be disciplined through fines



#### Additional indicators for consideration

- Notices have been posted in languages other than the local language
- There are no health or safety notices
- The employer or manager is unable to show the documents required for employing workers from other countries
- The employer or manager is unable to show records of wages paid to workers
- The health and safety equipment is of poor quality or is missing
- Equipment is designed or has been modified so that it can be operated by children
- There is evidence that labour laws are being breached
- There is evidence that workers must pay for tools, food or accommodation or that those costs are being deducted from their wages











## Ruthless gangmasters and £14 a day – how an army of immigrant workers puts food on your plate



wo miles outside Evesham, above a hand-painted sign touting cider and home-made jam, a cat sleeps on a stone galepost. It doesn't even open an eye as a wron filts just inches past its head. The countrystide buszes it's England in summer.

Suddenly, from behind a high hawthorn hodge, the guttural bark of Iraqi Kurds tears the tranquillity of the Worcestershire day.

Around the corner of the quiet road lies a sun-baked field packed with Sides, Kurds and Poles. Robes and turbans and bared eastern European torsos move along the rows.

Thirty or so pickers are stripping a 25-acre field of broad beans, leading them into crates and on to a waiting truck. At

#### SPECIAL INVESTIGATION

by Olivia Stewart-Liberty and Sarah Oliver

the edge of the field, two battered white minibuses stand empty. It looks like a tea plantation on the other side of the world.

The man in charge is leaning on the side of the truck Cool in the shade, he's amoking and appears to be the only idle person in a field of industry. He becknows us come over. Immaculate in a pressed cream silk shirt, his dark curls slicked back, he's more nightfulso owner than migrant vegetable picker: 'Are you the hose?' He mods and smiles. But before he

can speak, a harassed-looking young white man has arrived from the middle of the field. He's holding a clipboard, frowning and sweating. He is Alex and describes himself as 'Bomfords' assistant legume manager'.

Bomfords is the biggest producer in these parts. Big on peas, broad beans - in fact, they grow everything.

And how can be help? He is, he says,

Continued on Page 50

#### **NEWS**

## Three men from the hidden world of mig labourers lay dead yesterday after their var hit by a train, part of the real price of chear

By Simon de Bruxelles and Helen Rumbelow

THREE men lay dead in a Worcestershire onton field yesterday, victims of an accident which highlights the strangle-hold that so-called "gangmasters" have on the British harvest.

At just after 8.20am a white Ford Transit minibus carrying nine Arab immigrants collided with a train at an unmanned level crossing. The men, including a number of Iraqi Kurds, had a ready travelled for an hour to the spring onion field on the banks of the Avon, bused in from Birmingham under instructions from their gangmaster.

It is a human traffic that is enderric in Britain, according to a Rural Affairs Select Committee report on the problem last May. They accused the supermarkets of indirectly encouraging malpractice by paying too little for legitimate suppliers to afford a legal work-force.

The minibus was carrying workers employed by Simms & Woods to pick onions at Whitehouse Farm in the Vale of Evesham. The onions were destined for supermarkets. They have employed gangmasters to supply migrant labour for years as British











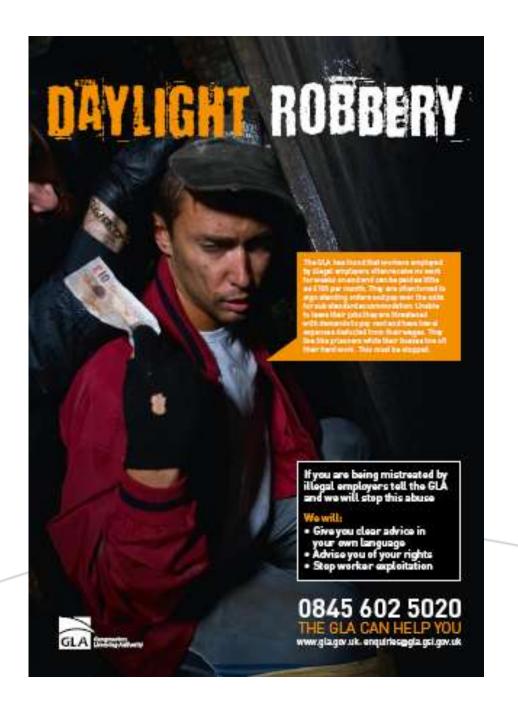
#### The National Referral Mechanism

- The National Referral Mechanism (NRM) is a victim identification and support process.
- The GLA are a first responder under the above process.
- GLA Officers who find themselves with grounds for concern that a person may be in a human trafficking situation have the responsibility for identifying the person as a possible victim and putting him or her in touch with the responsible authorities and support providers.











## **GLA / Examples of Potential Trafficking Indicators**

- "The rate of pay was £3 per hour"
- "They were staying in caravans which in one case involved seven people, including two girls in a single caravan".
- "They had their passports taken away from them on arrival"

THE TIMES Friday May 9 2008

## Flower pickers earned £24 for 9-hour (

#### ► Gangmaster's licence revoked over poor pay

#### Workers shared room and were intimidated

#### Charlene Sweeney

A British recruitment company that supplied more than 200 immigrant workers to pick flowers in Scotland has lost its licence after an investigation found that it was involved in forced labour and intimidation.

The workers — mostly Poles — were paid as little as 4p per bunch of daffodils, amounting to £24 for a nine-hour day, by Timberland Recruitment Ltd. based in Suffolk.

They were told that if they tried to leave before the end of the contract they would have to give the company £700. If they were unable to provide the money their families in their home countries would have to pay instead, according to the investigation carried out by the Gangmasters Licensing Authority (GLA).

Timberland supplied workers to Grampian Growers, a co-operative based at Montrose, in Angus, and Winchester Growers in Cornwall.

John Beckson, the company's director, has now had his licence revoked by the GLA. Timberland has also been reported to the human trafficking centre, a dedicated police unit based in Sheffield. The GLA emphasised that Grampian Growers and Winchester Growers were not under investigation





Workers put up with appalling kitchen and bathroom facilities and up to eight were packed into each bedroom

and had provided full cooperation. Paul Whitehouse, the GLA's chairman, said: "Forced labour, intimidation and abuse at work is something nobody should experience but we are uncovering it too frequently."

The investigation by the GLA began

when seven workers in Angus complained about their poor accommodation. They were housed in converted farm buildings at Carmyllie, where as many as eight people slept in one room with only three bunk beds.

Others, up to five at a time, shared

caravans and chalets in Blairgowrie. The GLA's investigators also discovered that Timberland used uncertified minibuses to move workers between Cornwall and Scotland, and took unauthorised deductions from their wages to pay for protective clothing. accommodation and Clark, managing direc Growers, said yestern not been aware of the said: "We pay £5.52 pe for overtime. We su worked to Timberlan workers the following GLA, we did our own 100 per cent satisfied were being paid a fair in a decent standard tion in caravans and gowrie that you wou stay in on a holiday."

The GLA was estal deaths of 23 Chinese Morecambe Bay in 20 ty has worked to reg labour market by awa firms employing foreithe dark side of the hi was underlined last revered head of Jols Lithuanian woman, wheach in Arbroath 7 who had worked in let to Scotland to find a b

One worker, Krizy 22, from Poland, worl ter Growers in Cornw before working for t Grampian Growers i said: "We had two cous for the amount picked, and the other ly rate of £5.52, but w that. I made £800 for of work, but I though earn double that."

Mr Beckson said h against the GLA's dec



- "The first week they arrive they are immediately committed to pay a deposit of £125 towards breakages etc. They are charged £35 per week for their accommodation and £5 a week facility charge for water, gas etc".
- "He also pays no regard to National or Agricultural minimum wage and pays them piece work rates. If they complain he gets rid of them".
- Workers who have not been paid are still being forced to pay for accommodation.



- 3 brothers manage the workers, ruling with an 'iron hand'. The brothers threaten the workers and have hit some people. Workers are scared and dare not leave.
- Employees often pay a lot of money to come to the UK to work and then have to pay for the accommodation and are further into debt.



# Memorandum of Understanding ACPOS & GLA Renewed July 2012

- The sharing of information between the MOU parties,
- Support for the respective operational activities of the MOU Parties, including, where appropriate to conduct joint or multi-agency investigations.



#### **Joint Agency Work**

- July 2008, the GLA, UKBA, Tayside Police, HMRC, UKHTC, Tayside Fire & Rescue, Perth and Kinross Council, HSE and the Procurator-Fiscal engaged in a community impact assessment following the discovery that a Perthshire farmer had employed 350 Bulgarian nationals without the appropriate authority to do so.
- The workers had no legal permission to work in the UK and were allegedly 'posted' from their country to the UK.
- Further enquiries revealed that applications had been made to use the posted workers scheme but the process had not been conducted legally.



#### **Joint Agency Work**

#### Work in Progress:

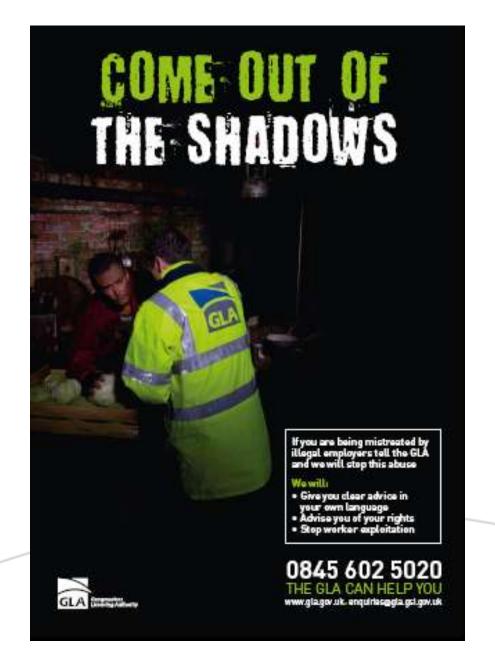
- Construction of MOU with COSLA.
- Construction of MOU with Fire and Rescue Service.
- Public Bodies meeting and other interested parties on Solway cockles – Dumfries 10 August 2012.



### What to take away from today

- Information is the key, sharing that information is vital to future progress.
- Everyone in this room can make a difference.
- Think out of the box not just what you can do who else can help.
- Organised crime is here, trafficking does take place and to tackle it effectively, we should work collectively.







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