

Rotarians against Child Slavery

(A Newsletter for the proposed Rotarian Action Group - See website www.racsrag.org)

Issue No 4

"All that is necessary for the triumph of evil, is for good men to do nothing"
(Edmund Burke)



Law is failing slave victims in UK

Anti-Slavery International has alerted me to a situation in the UK which requires urgent action by our legislators.

Anti-Slavery International estimates that in addition to the thousands of people who are trafficked for forced labour into the UK, hundreds more, who have not been trafficked, are estimated to be working in similar conditions of slavery and forced labour. Sadly, prosecutions are limited to the use of anti-

trafficking legislation as there is no clear stand alone offence for forced labour in the UK. Thus the system is failing to provide victims with adequate legal remedy.

This viewpoint has been supported by Counsel's Opinion which states "we do not consider that the existing provision of the English criminal law provides effective protection and penalties for servitude and forced labour. The introduction of

such offence is necessary, both to protect the victims of crime, and in order to avoid findings by the European Court of Human Rights in failing to criminalize forced labour and servitude"

To remedy this deficiency, Anti-Slavery International has promoted an amendment to the Coroners & Justice Bill, tabled by Baroness Young, which is currently going through the House of Lords and has asked for the help of Rotarians in the UK to lobby for their amendment.

How can Rotarians help ?

Readers of this Newsletter can help by encouraging as many fellow Rotarians and friends as possible to petition Jack Straw, the Justice Secretary and their local MPs urging him and them to support the amendments introduced by Anti-Slavery Int to the Coroners & Justice Bill.

The amendment is going to be voted on after the parliamentary recess but we are uncertain when as advance timetables are not readily available. Thus the vote could be anytime

after the middle of October. Therefore it is essential for campaigners to write now so that their MPs have sufficient time to raise this issue with the Government & the Justice Secretary.

If you do write please let me know so that I can pass the information on to Anti-Slavery International for monitoring purposes.

On the next page is a sample letter (provided by Anti-Slavery International) which could be sent to the Justice Secretary.

Rotarians can use the under mentioned websites to discover the identities of their MPs and to send them an email.

www.theyworkforyou.com.

or www.writetothem.com.

Alternatively take action online by clicking on to the under mentioned link.

[http://www.antislavery.org/english/campaigns/take_a ction/forced_labour_in_the_uk.aspx](http://www.antislavery.org/english/campaigns/take_action/forced_labour_in_the_uk.aspx)

NB To access the above links, don't forget to also depress the "Ctrl" key.

Sample letter to Justice Secretary, Jack Straw

Dear Justice Secretary

I am writing to you to urge you to support proposed amendments to the Coroners & Justice Bill which would make it a criminal offence to hold someone in servitude or subject someone to forced or compulsory labour in the UK.

I welcome the progress made by the Government so far in trafficking for all forms of exploitation in the UK, but I am concerned about the persistence of forced labour in the UK and the current lack of adequate legislation to tackle this crime.

Evidence shows that forced labour exists outside of a trafficking context and people are enslaved in sectors including agriculture, construction, food processing and packaging, hospitality and the restaurant trade. However, current prosecutions are limited to the application of anti-trafficking legislation leaving victims of forced labour in the UK without protection or legal redress, and the perpetrators of these crimes unpunished.

Furthermore, given the gap in legislation, the UK is in danger of being in breach of its international obligations and vulnerable to challenges in the European Court of Human Rights.

I therefore urge the Government to support amendments 182 and 183 to the Coroners & Justice Bill, tabled by Baroness Young. These extremely important amendments to the criminal law would send out a strong message to the perpetrators of these crimes that forced labour will not be tolerated in the UK, give police greater powers to pursue prosecutions & ensure the UK fulfils its obligations to protect victims of slavery.

I look forward to your reply

Yours sincerely

(Your name)

Is anti-slavery law adequate in other countries ?



Probably not. If UK law is failing its slavery victims, it is likely that other countries are also guilty. Perhaps some of our Rotarian friends from Europe know the answer to the question.

Article 4 of the European Convention on Human Rights (ECHR) provides that *“no one shall be held in slavery and servitude”* or *“be required to perform forced or compulsory labour”*.

Certainly France was found wanting a few years ago. In 2005 in a case involving a very young

Togolese girl who had been subjected to forced domestic labour and servitude in France, the European Court of Human Rights found that France (and all other Member States) had an obligation to criminalize such acts. The Court held that Article 4 ECHR requires member states to provide specific and effective protection for victims and that it was not enough for those states to have in place legislation which might cover cases of servitude and forced labour. The legislation must be sufficiently clear and specific to apply

directly and obviously and must be capable of realistic enforcement.

France may well have rectified its legal system, but have other European countries corrected theirs ?

Mark Little, Rotary Club of Norwich St Edmund, England

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Website is

www.racsrag.org.