

As the Online Safety Bill progresses through parliament, Anti-Slavery International provides an overview of the relationship between human trafficking and online safety and outlines concerns and recommendations relating to the Bill.

Key messages

- Human trafficking should be included as a 'priority offence' in the Online Safety Bill.
- Human trafficking is an appalling and widespread harm to adults and children and should be a priority for all companies providing internet platforms.
- The Government's current approach wrongly assumes it is too difficult to identify trafficking practices online. By focusing instead on 'symptoms' of exploitation as priority offences, it shifts focus away from the root cause: human trafficking.
- The targeting of some of the 'symptoms' of human trafficking in the Bill might have unintended harmful consequences.

Overview

Anti-Slavery International is calling for the inclusion of human trafficking as a priority offence under schedule 7 of the Online Safety Bill. We know a multitude of trafficking practices can take place online and this brief outlines how internet platforms provide versatile tools for traffickers to carry out exploitative activities. The Government has so far taken an approach which brings the Modern Slavery Act (2015) into the scope of the Bill via clause 52(4)(d) and has argued that, rather than include human trafficking in the Bill, it is sufficient to use 'priority offences' to name some of the identifiable symptoms of modern slavery.¹ While we welcome the recognition of the relationship between these criminal harms, we don't believe this goes far enough to protect victims of human trafficking. We also have some concerns about the related harms that are currently on the face of the Bill. The Bill should be amended to address the root cause of these harms, human trafficking, rather than associated symptoms and recognise human trafficking as a priority offence.

What is human trafficking?

Human trafficking is the movement of people, by force, manipulation or coercion, for the purposes of exploitation. In reality, human trafficking can result in individuals being groomed and forced into sexual exploitation; workers tricked into accepting risky job offers and trapped in forced labour in building sites, farms, or factories; and jobseekers recruited to work in private homes only to be trapped, exploited, and abused behind closed doors with no way out. This is a significant issue in the UK, where there are an estimated 136,000 victims of modern slavery.²

The connection between human trafficking and internet platforms

Internet platforms – user-to-user services and search services – fuel human trafficking. The role of internet platforms is evident in the recruitment, exploitation, and coercive control of victims, as we demonstrate below. These three aspects help to introduce the potential role of internet services in every stage of a victim's story.

¹ HC Deb 14 June Online Safety Bill (Tenth sitting) [https://hansard.parliament.uk/Commons/2022-06-14/debates/be957e3c-244c-48c2-b778-b131667e87af/OnlineSafetyBill\(TenthSitting\)](https://hansard.parliament.uk/Commons/2022-06-14/debates/be957e3c-244c-48c2-b778-b131667e87af/OnlineSafetyBill(TenthSitting))

² Walk Free, 2018, Global Slavery Index 2018, Walk Free, pg. 94

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Recruitment

Internet platforms are a tool used by traffickers to recruit victims. A key piece of research from United Nations Office on Drugs and Crime drew together 79 court cases worldwide which contained an element of online technology used in trafficking, demonstrating two main ways traffickers use the internet to connect with victims: hunting (an active trafficker pursues victims online) and fishing (through false job advertisements). The vast amount of personal information on social media platforms can reveal habits and vulnerabilities as well as – particularly in the case of dating sites – geolocation. This allows for active 'hunting', where traffickers use targeted grooming strategies to recruit victims for exploitation. False or fraudulent job advertising – known as 'fishing' – for the purposes of sexual exploitation or forced labour are prevalent on social media platforms.³ Service providers are seeing the internet becoming the most prevalent site of recruitment. In 2020 the US National Human Trafficking Hotline reported that the internet was the top recruitment location for all forms of trafficking coming to their service.⁴

Exploitation

Internet platforms can be a means of exploitation. This might look like social media platforms being used to advertise or share content containing sexual exploitation – either directly or through 'breadcrumbing'.⁵ In some cases, reports show victims coerced into using their own social media accounts to advertise their exploitation.⁶ Or this might be the use of search services to multiply the number of individuals able to access illegal content. Since the start of the humanitarian crisis, global search traffic for 'Ukrainian escort' has increased 200%, both creating the incentive for targeted exploitation of Ukrainian women by traffickers and facilitating an audience for their abuse.⁷

Coercive control

Internet platforms facilitate the coercive control of victims throughout their victim journey. Instant messaging can be used to manipulate and control victims as part of victim recruitment. One court case in Singapore describes how the trafficker used two digital personas to manipulate the victim: one to intimidate and one to act as an empathetic confidante.⁸ These same platforms facilitate coercion and surveillance of victims while they are being exploited. As long ago as 2014, we heard reports of victims incarcerated in cannabis grow houses, forced to tend plants, and monitored by traffickers who required victims to respond to video calls and show what they were doing on camera.⁹ Individuals who escape exploitation can still be contacted by their trafficker as social media facilitates stalking and abuse and geolocation features aid tracking, increasing the already-high risk of re-trafficking.

Priority Offences

Human trafficking as a priority offence

The draft Bill names 12 'priority offences', which represent the 'most serious and prevalent illegal content online'.¹⁰ Under the proposed law, companies will need to proactively tackle priority offence content. Human trafficking should be included as one of the priority offences, as it is currently absent from the face of the Bill.

Human trafficking causes grievous harm to individuals and groups and internet platforms are a means for the recruitment, exploitation, and coercive control of victims. The Bill should be amended to include human trafficking as a priority offence.

³ United Nations Office on Drugs and Crime, 2020, Global Report on Trafficking, UNODC, pg. 127

⁴ Polaris, 2020, Human Trafficking Trends in 2020, <https://polarisproject.org/2020-us-national-human-trafficking-hotline-statistics/>, Accessed: 20/06/22

⁵ "Breadcrumbing" refers to public content and activity, designed to subvert online content moderation rules. For example, coded posts linking users from social media platforms to third party websites.

⁶ Antony, B, 2018, On-Ramps, Intersections, and Exit Routes: A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking, Polaris, pg. 22

⁷ OSCE, 2022, 'Recommendations on enhancing efforts to identify and mitigate risks of trafficking in human beings online as a result of the humanitarian crisis in Ukraine', OSCE

⁸ United Nations Office on Drugs and Crime, Case Law Database, SHERLOC, 2016, case no. SGP003. Accessed: 16/06/22 https://sherloc.unodc.org/cld/case-law-doc/traffickingpersons/crimetype/sgp/2016/pp_v_muhammad_khairulanwar_bin_rohmat.html?lng=en&tmpl=sherloc

⁹ Fine Tune Project, 2014, Trafficking for Labour Exploitation – The Role of the Internet, International Trade Union Confederation (lead partner), Churches' Commission for Migrants in Europe (Belgium), Anti-Slavery International, pg.8

¹⁰ HC Deb 7 Feb Vol 708 HCWS593

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Addressing the root before the symptoms

Primary legislation should target the root of exploitation – human trafficking – rather than some of multiple criminal harms emerging from human trafficking. The Bill currently names several offences, which the Government has argued are feasibly identifiable symptoms of modern slavery and human trafficking.¹¹ Those cited were sexual exploitation, particularly inciting or controlling prostitution for gain; money laundering; and assisting illegal immigration.

The current approach does not go far enough to protect victims of human trafficking and it is a serious omission of a significant harm affecting both adults and children. Companies providing internet services need to treat human trafficking as a priority. There is an expanding wealth of research identifying the flags for online content indicating human trafficking, a number of which are referenced here. It is entirely feasible for companies to improve their practice around human trafficking. The Bill should be amended to include human trafficking as priority offence, putting an appropriate focus on a serious issue causing wide-spread harm.

Additional concerns

We also have concerns that some of the priority offences named in relation to human trafficking have associated risks if prioritised by companies providing internet services. Sexual exploitation is named as priority offence, effectively criminalising online advertising of sex work. While such advertising is a significant enabler of forced prostitution and sex trafficking, preventing sex workers advertising on their own behalf risks increasing harm and violence. This is a reality endorsed by the head of the National Crime Agency's Modern Slavery and Human Trafficking Unit.¹²

Assisting illegal immigration is also named as a priority offence. Increasing pressure on illegal immigration routes can increase the risk of trafficking, where trafficking involves the movement of people across borders, rather than minimising it. We know that restrictive immigration policies and weak migration governance structures increase vulnerability to human trafficking.¹³ Additionally, assisting illegal immigration is a crime against the state. Human trafficking, which can include the illegal movement of people across borders for the purposes of exploitation, is a crime against individuals. It is unclear why this should be a priority when human trafficking is absent.

Conclusion

Anti-Slavery International is calling for human trafficking to be made a priority offence in the Online Safety Bill. The spirit of the Bill aims to limit harm against adults and children and to correctly identify priority harms to achieve this. The draft Bill currently prioritises offences that are supposedly the identifiable symptoms of human trafficking, but we are concerned that focus on these crimes could lead to increased risks of harm. Internet platforms being used to facilitate and carry out human trafficking is well evidenced and hence the eradication of these practices online should be a priority of the new law.

¹¹ HC Deb 14 June Online Safety Bill (Tenth sitting)

¹² Group Reporter, 2021, 'In town for one week only: How crime gangs are using legal adult websites to sell their victims - and why vice squads back them', Sunderland Echo, Accessed: 16/06/22 <https://www.sunderlandecho.com/read-this/in-town-for-one-week-only-how-crime-gangs-are-using-legal-adult-websites-to-sell-their-victims-and-why-vice-squads-back-them-3138088>

¹³ David, F; Bryant, K; Larsen, J, Migrants and Their Vulnerability to Human Trafficking, Modern Slavery And Forced Labour pg. 57

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