

Trafficking and exploitation in focus

Trafficking victim wins payout from Home Office after wrongful detention

Trafficked to the UK and raped for years, Abdul became homeless, got involved in crime and was threatened with deportation

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The Home Office has paid £30,000 to a victim of child trafficking who was held illegally in immigration detention for several months despite having refugee status and showing clear signs of having been tortured and abused.

Abdul* (not his real name) was about seven when he was trafficked into the UK in the mid-90s. He thinks he came from Somalia but is not certain. He lived with adults who pretended to be his family but who abused him physically and sexually. One attempt to escape failed when police sent him back to his abusers. Suffering serious mental health problems as a teenager, he became street homeless and addicted to drugs.

Abdul ended up in prison for robbery and at the end of his sentence the Home Office transferred him to Harmondsworth Immigration Removal Centre. A solicitor helped him challenge his detention and referred him to the Salvation Army. He was then placed in the national referral mechanism (NRM) as a potential victim of trafficking and in April 2018 was released from

detention.

Aleksandra Stankiewicz of Duncan Lewis solicitors told the Guardian: “Our client’s case is yet another example of the home secretary failing to promptly identify, support and protect victims of trafficking. We welcome the home secretary accepting he acted unlawfully in detaining our client for over four months, albeit that he waited until the 11th hour to concede the inevitable conclusion in this case.”

Under British law, while there is no time limit on immigration detention, the Home Office must prove that removal is likely to happen soon. Because he was a recognised refugee and there was evidence he would be at risk in Somalia, lawyers from Duncan Lewis also argued that detention was unlawful because removal wasn’t imminent.

Abdul was so young when he was trafficked to the UK that he can’t remember where he is from. He remembers living in a desert, in a country he can’t name, with people who treated him like a slave. “I don’t remember having my own family. I lived in the the desert with four people. I was forced to cook, clean and do everything for the family. I was not given food. I was constantly dizzy. The family would beat me most days. I believe it is because they thought they were better than me, also ... my skin was darker than theirs.”

Abdul was then passed into the hands of another group who took him to the UK where he was placed with a woman, *Aliya*, who told authorities she was his mother.

Although he was allowed to go to school, the abuse got worse. “I was told to call Aliya my mother. She was monitoring me and I had to be careful about what I said to others at school and everywhere else I went. I slept in a room on a mattress. I was abused there - regularly beaten and exposed to torture. I did not see it as my bedroom because it was a place of physical and mental abuse. I was beaten by Aliya every day. I have a scar on my head from where she smashed me there.”

Aliya’s son began to rape him repeatedly. “ I was seven years old and he was about 16 or 17. I was raped almost on a daily basis. I felt disgraced as a human being and worthless.”

At one point he says that one of the people living with him as a “sister”, took him to a police station but he was not offered any help and had to return to the abuse. Abdul ended up living a chaotic life, spending time on the streets, getting involved with criminals and drugs. Ironically, it was his arrest that finally led to him escaping his abusers.

“After prison, I did not go back to [that] house and I lived in a hostel instead. I was still frightened of them and paranoid so I would not even leave my room. I began hearing voices and though people were after me and wanted to kill me.”

Abdul was diagnosed with mild schizophrenia. But he was soon arrested again and in December 2017 he was moved to Harmondsworth detention centre and threatened with deportation to Somalia.

Abdul was then interviewed by a visiting doctor from the independent Medical Justice charity. The report, seen by the Guardian, describes scars and physical injuries consistent with serious abuse, as well as the mental health problems that Abdul suffers. He had attempted suicide while in prison and regularly self-harmed. With help from doctors and solicitors he was released on bail and given support by the Salvation Army.

In September the Home Office wrote to Abdul to tell him that he had been recognised as a victim of trafficking and they have since agreed to pay him £30,000 compensation for unlawfully detaining him for more than 100 days.

However, the Home Office are still considering deporting Abdul because of his criminal convictions. Stankiewicz said: “Abdul is a victim of trafficking on conclusive grounds and he shouldn’t have his refugee status revoked. He has no links to Somalia and isn’t even sure that is where he is from.”

A Home Office spokesperson said: “The Home Office routinely considers deportation or other immigration enforcement action for all foreign national offenders who are sentenced to a period of imprisonment following a criminal conviction.

“We do not routinely comment on individual cases.”

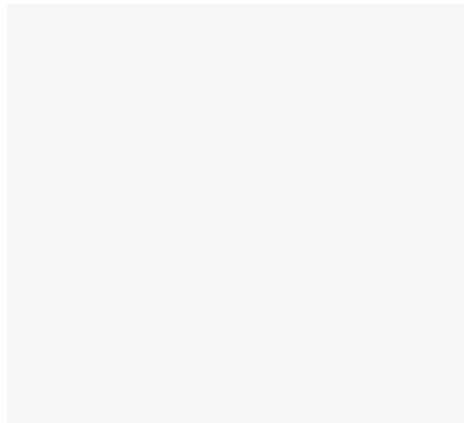
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