

# The plight of foreign national women in the United Kingdom: coercion and trafficking as factors of imprisonment

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THE PLIGHT OF FOREIGN NATIONAL WOMEN IN THE UNITED  
KINGDOM: COERCION AND EXPLOITATION AS FACTORS OF  
IMPRISONMENT

by

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A thesis submitted in partial fulfillment of the requirements for the Honors in the Major Program  
in Legal Studies  
in the College of Health and Public Affairs  
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at the University of Central Florida  
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## **ABSTRACT**

Within the United Kingdom (UK) prisons exists Foreign National women (FNW), a unique demographic of women who are non-UK citizens who have committed crimes within the UK. It is important to delve deeper into the issue before judgment is made, however, it seems as though in most circumstances, most citizens are not willing or perhaps even unknowledgeable that such a population within prison exists. Therefore, it is important to educate others about the issues that FNW in prison face.

This research focuses on the issues such as lack of special services for the women such as translation and family contacts, lack of assistance with applications for asylum, general fear for returning to the home country, and why the women came to the country to begin with. Once the general public becomes aware of these issues, these women can move forward as legislation and assistance can be provided to them. The lack of resources for FNW can lead to isolation, fear, loss of family ties, and even death, should they be forced to return to a dangerous country or situation.

While this issue is a worldwide problem, this research will specifically address FNW in prison in the United Kingdom (UK), and the policies and assistance, or lack thereof that the UK has provided thus far. Furthermore, the research will address the issue of the UK's Automatic Deportation Policy and whether or not FNW are being charged with harsher punishment than the UK national women with similar crimes.

## **DEDICATION**

For victims of human trafficking, in hope that in the near future, we will find a solution for such a difficult problem,

For my mentors, Dr. Gina Nacarrato-Fromang, Dr. Kathy Cook, and Mrs. Gail Sears Humiston for helping me along the way, especially those who encouraged me to keep going when I was feeling overwhelmed,

To my fiancé, Juan Gonzalez, and my family, for supporting me through the challenges I faced with this thesis and helping me overcome those obstacles,

And finally to Female Prisoner Welfare Project Hibiscus, for opening my eyes to a new interest and problem I was unaware of; without my internship at Hibiscus, this thesis would not have been possible.

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## **INTRODUCTION**

Within the United Kingdom's (UK) criminal justice system, there lies a unique demographic of people, isolated, living in fear, and often times treated as criminals when in reality, these people should be treated as victims. This group is made up of women who are imprisoned in the UK but are not citizens of the UK, referred to as Foreign National Women (FNW). They have committed crimes within the UK border for any number of reasons, but specifically, for the purposes of this research, were coerced into committing the crimes or trafficked illegally into the country.

The purpose of this thesis is not to eliminate the responsibility from the women for crimes that they have committed. Rather, the purpose of this study is to examine the UK's legal policies applying to imprisoned FNW. Specifically, the United Kingdom Border Agency's (UKBA) Automatic Deportation Policy and its impact on the FNW will be explored. Furthermore, this study will research the sentencing determination towards FNW as compared to British Nationals, possibly showing the UKBA's Automatic Deportation Policy being used to rid of FNW by the UK's criminal justice system. Specifically, it will attempt to review whether the criminal justice system is using the policy as a way to remove FNW from the country instead of using government money to imprison them in already overcrowded facilities.

While the purpose of this research is to compare the length of sentences for certain crimes of imprisoned FNW to the total population of imprisoned women in the UK, it will also review the process of seeking asylum, a case study from Nigeria, as well as detailed explanations of the issues that imprisoned FNW face within the UK criminal justice system on a daily basis.

Issues such as isolation, loss of family ties, poor mental health, and increased fear and anxiety are common problems for imprisoned FNW. These issues are important to address in hopes to shed light on a population who are in great need of help. The needs of imprisoned FNW are overlooked and the issues these women have to go through need to be addressed.

## **BACKGROUND**

This section will provide background information on FNW and the issues that FNW are currently facing, including policies and regulations on handling FNW. It will also cover ideas as to why the women left their home countries, including vulnerability and illegal employment opportunities through traffickers. Furthermore, background information will be provided on the various charges given to FNW and the different types of imprisoned FNW.

### **Foreign National Women Defined**

FNW are non-UK female residents who commit a crime within the UK and are now being detained within the UK criminal justice system. FNW represent approximately 1 in 7 of all the women held in custody in England and Wales (FPWP Hibiscus, et al., 2012). At the end of March 2012, there were 630 Foreign National Women in prison, representing 15 percent of the women's prison population (Prison Reform Trust [PRT], 2012). FNW prisoners are a unique demographic as they come from 168 countries with different beliefs and cultures. They need special attention since they face language barriers and isolation due to the lack of programs or knowledge available for prisons and prison officers (Gelsthorpe & Hales, 2012; PRT, 2004). These women represent a significant portion of prisoners within the United Kingdom's prison population who are unfortunately not getting the care or attention they need.

### **Lack of Resources for Imprisoned FNW in the United Kingdom**

FNW in the UK are facing significant hardships from the time of arrest, through the court process, and while serving out sentences. The lack of resources, translation materials, and a dedicated policy provided for the FNW creates issues for the women, since many of the women do not understand what is happening to them during their process through the UK criminal

justice system (Gelsthorpe & Hales, 2012). This causes mental health problems and isolation for imprisoned FNW. Each of these topics will be discussed further in detail in another section.

Despite FNW representing 15 percent of the prison population, the prisons containing FNW do not have a dedicated policy or strategy to address the varying issues of Foreign Nationals, and 90 percent of prisons holding Foreign Nationals are failing to make regular use of translation services (PRT, 2004). It is also stated that black, minority ethnic and FNW were more likely to report that they had not had a visit within their first week in prison thus increasing their isolation, compared with white and British women, (PRT, 2012). Negative reports such as these are not uncommon.

### **Theories as to Why FNW Are Emigrating**

There are several theories attempting to explain why women are leaving their home country and committing crimes. Each individual's situation is unique, however, and studies have shown that many women have been trafficked into the country or coerced to commit crimes for some form of economic gain. Approximately 46 percent of imprisoned FNW are coerced into committing crimes such as carrying drugs into the UK from their home countries (PRT, 2012). Other women are forced into prostitution to pay a debt they will never be able to overcome, owed to their trafficker for bringing her to the UK in hopes of a better life.

These theories, however, do not apply to every imprisoned FNW. In general, however, the briefing, "No Way Out," explains, "the factors are complex [as to why women are committing crimes], but for many it is the hope of a better life" (FPWP Hibiscus et al., 2012, p. 5). In general, research shows FNW are coming into the UK illegally for several reasons. These include seeking better work and education opportunities and desperation to support their family

at home by making a living and sending money to the family. Other women seek asylum in the UK because they fear that they may be killed or harmed if they stay in their own country (FPWP Hibiscus et al., 2012).

### **Vulnerability of FNW at Home Country**

Vulnerability is thought to be the main reason for these women being trafficked (FPWP Hibiscus et al., 2012). Such vulnerabilities include the inability to pay house bills, providing for children and family, or other debts such as funeral expenses. Dealers identify these women in debt and offer what they claim as an “easy, risk-free way out.” This involves these women to become drug mules, believing that even if they are caught, the worst that will happen is they will just be sent home. What is beyond their realizations, however, is the chance of extreme illness or even death for smuggling drugs through swallowing the drugs in a balloon or condom or storing the drugs inside her body cavities (Bier, Patel, Prabhu, & Ne’eman, 2012). If the woman who is acting as a drug mule survives the travel, then she risks serving fourteen years in the UK prisons, or she may be forcibly detained in the UK’s immigration detention centers.

### **Demographic of Imprisoned FNW in the United Kingdom**

Different theories attempt to explain why women are leaving their home country and commit crimes in the UK. To gain a better understanding of these theories, one has to understand the different demographic of imprisoned FNW. There are several different categories of women, broken down by political status. These include women who are seeking economic gain, women who were trafficked or coerced to commit crimes in the UK, women who have

resided illegally in the UK for most of their lives, failed asylum seekers, and false document holders (PRT, 2012).

Some imprisoned FNW are women who were seeking financial stability and traveled to the UK illegally (PRT, 2012). These women desired employment opportunities to enable them to send money to family members at home. Since traveling abroad is very expensive, women will travel illegally through trafficking recruiters (Brown, 2010). In these circumstances, a recruiter will find a woman looking for work abroad and will pay for them to travel overseas, setting women up with unskilled positions of labor and sometimes prostitution (FPWP Hibiscus et al., 2012). An interview conducted with 103 FNW revealed that 43 had been trafficked into the country (Gelsthorpe & Hales, 2012).

Traffickers take these women and create debt bondage by charging them obscene amounts of money. For example, according to “No Way Out,” “the payment to agents in Vietnam and China...is between £12,000 and £20,000 to arrange paperwork, transport and the false promise of ‘access to good work in the UK’” (FPWP Hibiscus et al., 2012, p. 8). Furthermore, the agents hold all passport documents, dangerous travel conditions are put into place, and further payment is owed upon arrival. It is nearly impossible for these women to pay off their debt, so work in the sex trade, drug production, or selling fake goods could be their only way of survival. This process will be discussed in further detail in section “Case Study of Nigeria.”

Women who have been trafficked or who have traveled using illegal documents are sometimes picked up by the UK criminal justice system. Sometimes, victims of trafficking manage to escape their captors, but are arrested due to their illegal status in the UK (FPWP

Hibiscus et al., 2012). Once in the hands of the UK criminal justice system, they are often seen as criminals instead of victims due to drug possession, false documents, or failure to show identification (FPWP Hibiscus et al., 2012; Gelsthorpe & Hales, 2012). In fact, according to Bacon (2010), women in circumstances such as trafficking are detained regardless of their political status (in cases of seeking asylum or refugee status), whether they are running from persecution or were trafficked into the country. Furthermore, women who are seeking asylum in the UK are “routinely detained in purpose-built detention centres and criminal prisons,” despite the UK’s claim of using detention as a last resort (p. 14).

Besides FNW who have been trafficked or who have fled from the country, another population of imprisoned FNW exists. This demographic of imprisoned foreign nationals are women who have resided in the United Kingdom as illegal immigrants for most of their lives. In this case, often women do not even realize that they are not legal citizens of the UK (Gelsthorpe & Hales, 2012). Some of these women were brought over as very young children and were raised to be British, learning British culture and language instead of their home language. This makes it very difficult in cases where the UK wants to deport the individual, since these women know nothing or very little about their country of origin (FPWP Hibiscus et al., 2012; Gelsthorpe & Hales, 2012).

Another category of imprisoned FNW is failed asylum seekers. These women have attempted to seek refuge in the UK for any number of reasons but are afraid for their lives if they were forced to return home (PRT, 2012). After a woman is informed of the status in regards to their application, if they passed, then they are allowed to reside freely as a UK citizen (UKBAHO, 2012). If they fail, however, they are transported to the detention centers where



they will be held until they are eventually deported. In such instances, women will sometimes flee from the government and attempt to hide within the UK instead of returning to a potentially dangerous situation in their country of origin (PRT, 2012). If found, the UK criminal justice system will arrest these women, they will have to serve out a given sentence, and will go through the deportation process anyway (Gelsthorpe & Hales, 2012).

Lastly, there is a group of imprisoned FNW who have been arrested when trying to return to their home country while using false documentation (FPWP Hibiscus et al., 2012). These women will be detained in the UK criminal justice system and await deportation as well. Many of these women, however, face a serious predicament. Without having legal residency and valid identification, despite length of stay in the UK, FNW cannot “access services available to legal citizens nor leave [the country] without threat of arrest” (p. 9). Therefore, these women, like the rest, have to go through the UK criminal justice system alone. All imprisoned FNW, however, are at risk of being deported, regardless of crime committed, unless they have successfully achieved asylum status.

## **CASE STUDY: NIGERIA**

### **Introduction**

While creating public awareness and new policies for imprisoned FNW is important, it is also important to research theories as to why imprisoned FNW are committing crimes in the UK, outside of their home country. For the purposes of this study, human trafficking is an important area to focus on when studying imprisoned FNW in the UK. As stated previously, FNW in UK represent 15 percent of the women's prison population, a unique population that is made up of women from 168 different countries (PRT, 2012). From this total population, Nigeria has the highest representation of imprisoned FNW in England and Wales (FPWP Hibiscus et al., 2012). To gain a better understanding as to why women from Nigeria represent such a high rate of total imprisoned FNW, one has to research what is happening inside Nigeria.

To begin, organizations have predicted that human trafficking is responsible for the high rates of immigration to the UK (FPWP Hibiscus et al., 2012). Studying problems and possible factors in Nigeria could potentially reveal why there are so many individuals leaving the country and committing crimes in the UK. The purpose of this section is to examine the high rates of human trafficking from Nigeria, with a specific focus on poverty, environmental factors, and religious practices as a potential reasoning for why Nigerian imprisoned FNW are so prevalent.

It is believed that these factors have created the high percentage of the demographic of women emigrating from Nigeria illegally as a result of human trafficking (FPWP Hibiscus et al., 2012). To understand the significance of this case study, one must know what human trafficking is. According to the United Nations Office on Drug and Crime (UNODC) (2013), human trafficking is defined as the illegal recruitment, transferring, or harboring persons against his or

her own will through abuse of power or authority, giving or receiving payments in return of the work of exploitation of a person (p. 1).

As mentioned previously, out of the total imprisoned FNW, Nigeria represents the highest percentage of women from different countries around the world (See Figure 1). This chart reveals that within England and Wales, 20 percent of imprisoned FNW are Nigerian, the largest representation total. On a larger spectrum, according to Mberu (2010), 94 percent of women who are trafficked into Europe come from Nigeria. While many of the imprisoned FNW in the UK are charged with drug offenses or identity fraud, the reasoning behind women for committing such crimes needs to be explored deeper (FPWP Hibiscus et al., 2012). This case study is important when considering that Nigerian women are the highest population of offenders amongst the total group of imprisoned FNW in the UK.

**Ten countries with the highest number of Foreign National Women in prison in England & Wales, September 2011**

Nationality	Women in prison
Nigeria	61
Romania	52
Jamaica	39
Vietnam	39
Irish Republic	28
Lithuania	21
Poland	18
Bulgaria	17
China	16
Netherlands	16

**Figure 1: Ministry of Justice (2011) Offender management caseload statistics quarterly bulletin, October to December 2010**

Another sample study, conducted by the PRT (2012) focused on nationality breakdown. The interview revealed that FNW out of 21 Nigerian women interviewed, 12 were victims of trafficking or slave labor. This counts for 57 percent of the interviewees from Nigeria. Reports reflect this statement is a true reflection of the population of imprisoned FNW in the UK (FPWP Hibiscus et al., 2012; Gelsthorpe & Hales, 2012).

### **Geographical Factors**

Beyond the scope of imprisoned FNW in the UK, Nigeria has the highest rate of human trafficking of the entire Sub-Saharan region (Carling, 2005). In fact, Brown (2005) reported that 30,000 women and girls were illegally trafficked out of the country between 1990 and 2005 alone. A possible explanation to the high rates of human trafficking from Nigeria is Nigeria's geographic location. The country is bordered by four other countries and also lies on the coast of the Gulf of Guinea, making it extremely easy to smuggle women in and out of the country.

An interesting fact to note is that people have been trafficking from Nigeria for several hundreds of years, dating back to the 15<sup>th</sup> century due to the slave trade in Europe (Mberu, 2010). Since this process has been in practice since approximately 1400, intricate commuting lines have been established, allowing these routes to still be used today. Having access to water makes it easier to traffic people because they do not have to worry about border control or authorities, since a trafficker could sneak off the coast with any number of people through water (Mberu, 2010). Using the coastline to access water, however, is not the only way traffickers are moving people. Mberu (2010), states that Nigerians move people from Nigeria through the northern part of Africa and then uses the Mediterranean to remove them from the continent to Europe.

## **Environmental Factors**

Another theory contributing to human trafficking is the extreme weather conditions, creating a high poverty rate amongst the farming community. Truong (2006) theorizes that Nigeria is so impoverished due to environmental factors, specifically drought. Where the majority of the employment opportunities in rural areas stem from farming for individuals in Nigeria, environmental factors such as a drought and high temperatures have extreme negative impacts on farmers. In a study focusing on poverty by profession, 70 percent of farmers were living in poverty because of the lack of rain and high heat, consequentially damaging the crops raised and the amount able to be sold (Truong, 2006). Farmers in Nigeria are struggling with producing adequate crops to meet the demand of living costs due because of the lack of proper fertilizers, pesticides, and labor. Adding in a factor such as drought further damages the income of the Nigerian farmer (Ostogun, 2009).

Deforestation in Nigeria is also contributing to poverty in Nigeria. Between 1990 -2000, it was estimated that average annual deforestation of 3,984 sq.km per annum occurs in Nigeria (Ostogun, 2009). Nigerians living in rural areas depend on the land in order to make a living. With the destruction of available land, the amount of farmable land is shrinking every day. While the deforestation is helping the nation financially by an increase of profit from exports, individually, the farming community is suffering (Ostogun, 2009).

Drought, diminishing land, and extreme heat negatively affect the productivity of farmers. Unable to provide for families, farmers are left with seeking other employment means. Civilians in urban areas as well as rural areas are that are reliant on the farmers' crops are now left without proper food, further contributing to those living below the poverty line (Truong,

2006). The cost of crops will increase, due to the shortage and high demand, making it even more difficult for families to have enough to eat. This is affecting immune systems of those within the farming community and rural areas especially. In fact, there has been an increase in reporting of malaria and respiratory infections amongst those living in rural environments (Ostogun, 2009). With families being sick, parents will have to find a way to make up for the lack of labor as well as the cost of available health care, again hurting the family financially. Often, the answer is sending women and children into slave labor abroad, illegally (Brown, 2010).

### **Poverty**

Besides environmental factors, other factors including poverty, specifically relating to unemployment, illiteracy, and large family sizes, all contribute to the high rates of human trafficking in Nigeria (Brown, 2010). According to Mberu (2010), 70 percent of Nigerians are living below the national poverty line. In other words, 105 million people out of 150 million estimated to live in Nigeria are living in extreme poverty. Living below the poverty line means to “lack income necessary to satisfy basic food needs; and those affected are no longer in a position to lead a life worthy of human dignity” (Ray, 2012, p. 99).

Such poverty causes individuals to do whatever it takes in order to support the family, including emigrating from Nigeria. Nigerian immigrants are willing to seek drastic measures abroad in order to overcome poor conditions at home. Ray, (2006) explores this idea, seeing trafficking as a consequence of surrounding obstacles in an impoverished nation and explains that people will migrate to other areas in hopes of employment.

Migration abroad, however, is very expensive to achieve legally. The cost of travel, required paperwork, transportation to and from immigration offices, and other exhaustive hoops to jump through add up very quickly (Ray, 2006). Therefore, because those who hope to immigrate to other countries in search of new employment usually cannot afford to, individuals will be likely to look into illegal sources of migration. Unfortunately, search of other means of immigration usually means falling for the traps set by trafficking recruiters. Nigeria has a very intricate trafficking ring, in which leaders take advantage of the victims' circumstances, luring victims in through the appeal of a get-rich-quick scheme that usually results in having the trafficked person committing a crime (FPWP Hibiscus et al., 2012).

### **Family Structure**

Trafficking recruiters prey on individuals who are experiencing financial hardships, including those discussed prior such as lack of employment, poor weather conditions, and high rate of poverty within Nigeria. However, the practice of polygamy also contributes to human trafficking in Nigeria. Polygamy is a practice allowing a man to have several wives at once and is common in Nigeria. This practice, however, leaves women feeling insecure about their support system and they often struggle to raise and support their families (Brown, 2010). Raising a family is not an easy feat considering that the average family size is 8 people per household during the harvesting season (Chiwaula & Waibel, 2011). The woman is often times in charge of helping the household with income since the husband has several families to care for at once financially.

Unfortunately, often the husband will favor one wife over another, leaving the other wives burdened with the finances of a large family alone (Brown, 2010). Furthermore, due to

polygamy, the spread of HIV/AIDS is much more likely, since the husband has multiple sexual partners. The disease will be passed along from husband to wives, and then onto children (Ray, 2006). If the husband is no longer able to work, it is up to the wife to make up for the loss of income. If both parents are sick, then the children must take on the responsibility of providing for the family.

Women who are the sole caregivers for their children are considered to be prime candidates to fall for the trafficking scheme (Brown, 2010). They are often tricked into believing that the task assigned by a trafficking recruiter will provide them with quick access to money that will allow them to support their families through international employment opportunities. According to Carling (2005), working abroad is seen as the best opportunity to make enough money to support one's family by women in Nigeria.

In other circumstances, especially if both parents are sick and no longer able to work, parents of children will exploit his or her own child to human trafficking. He or she will falsely believe the children will receive education or skills training (Ray, 2006). Unfortunately, the jobs that are available for the trafficked children are almost always unskilled, hard, dirty jobs, or most often, sex exploitation or prostitution (Ray, 2006). Due to the poverty, difficult living conditions, and lack of education, child trafficking is extremely common. Parents will unknowingly send his or her children into a trafficking ring in hopes to benefit economically from the child's labor (Ray, 2006).

Furthermore, children being sent into trafficking rings by his or her parents are especially common when the parents have HIV/AIDS. This is because the mother and or father are trying to set up a life beyond his or her own for the children, or are no longer able to work themselves



(Ray, 2006). It is possible that the illegal women who have spent the majority of their lives in the UK that were mentioned previously, come from families who offered their children to traffickers in order to earn money for the family. These girls grow up to be illegal women, and despite their circumstances of growing up in the UK working for traffickers, will be arrested by UK authorities should they be discovered. It is unfortunate that families have to succumb to drastic measures in order to support their families. A possible reason for the prevalence of children being sent to trafficking rings by her parents is that the parents lack proper education about the dangers of human trafficking.

### **Lack of Education**

Besides parents sending children to trafficking circles, sometimes women and girls volunteer themselves to the rings, falling for the temptations of a better life. The reasoning for so many women falling for trafficking schemes for themselves or their children is believed to be a result of the low education and public knowledge of the dangers and traps placed for vulnerable women (FPWP Hibiscus et al., 2012; Ray, 2006). Chiwaula and Waibel (2011) reveal that in an average household, only 27 percent of the family members are being formally educated. Ray (2010) believes that this is due to the need for free physical labor provided by the children for the family farm instead of being sent to school. Schooling in Nigeria is also expensive, and with the financial hardships families are already facing, school is not a priority (Brown, 2010).

Without education, women and children are not able to understand the potential dangers of trafficking recruiters and will not become aware of the potential harm, since the subject is not taught to them. This increases the vulnerability of the victim to become a trafficked person (FPWP Hibiscus, et al., 2012). There are some programs currently that are trying to warn

Nigerian citizens of human trafficking as a deterrence method because of Nigeria being the highest offending country (FPWP Hibiscus, et al., 2012; Gelsthorpe & Hales, 2012). FPWP Hibiscus sees so many Nigerian clients imprisoned each year in the UK prison system and wishes to reduce this number through deterrence methods. In an attempt to reduce the number of Nigerian imprisoned FNW, FPWP Hibiscus hosts a program in Nigeria. Twice a year, several members from the FPWP Hibiscus organization travel to Nigeria and hosts educational conferences in churches and schools within villages twice per year (FPWP Hibiscus, et al., 2012; Gelsthorpe & Hales, 2012). FPWP Hibiscus educates women that the appeal for a better lifestyle resulting from trafficking or coercion is not a reality, and economic gain most often does not result as they were originally enticed to believe (Gelsthorpe & Hales, 2012).

### **Recruitment into Human Trafficking**

Due to the economic vulnerability, women are seeking employment opportunities abroad (Carling, 2005). Because of this, trafficking opportunities seem appealing at a first glance. Another possible reason for women falling for trafficking schemes is because of the extensive recruiting involved. In Nigeria, there are women who report “success stories” to the potential victims in an attempt to recruit them (Brown, 2010). These stories create a trust between a victim and the recruiter, and due to the lack of education on this issue, many women will believe the recruiters’ fabricated stories (Brown, 2010). There are some people involved in trafficking whose jobs are specifically to make contact with young women to recruit more people, luring the women with promises of jobs in attractive destinations, including the UK (Gelsthorpe & Hales, 2012). These recruiters can be both men and women.

Once recruited, women from Nigeria are paired with a sponsor, who pays for their trip to the overseas country (Brown, 2010). For many women, this seems too good to be true, but despite that internal instinct, women still follow through with the deal because they are so desperate for a better future (FPWP Hibiscus, et al., 2012). The sponsor will charge the victim excessive amounts of money in the form of a loan, charging much more for the travel expenses than the actual cost of the travel (Brown, 2010). Due to the lack of education, most women do not realize the conversion rate of Nigerian currency to European currency, allowing the sponsor to take advantage of the victim by significantly overcharging the victim (FPWP Hibiscus, et al., 2012)

Sadly, the amount of the charge set by the sponsor is usually so high that in most circumstances, the victim will never be able to pay their sponsor back, creating debt bondage between the victims and sponsor (Brown, 2010; FPWP Hibiscus, et al., 2012; Gelsthorpe & Hales, 2012). What is odd is that these sponsors, known as “madams,” usually are women who have paid of their own debt from prostitution and become recruiters themselves, thus creating a cycle of trafficked women (Carling, 2005).

### **Religious Practices**

If the authorities find trafficked women, they will suffer more. Now, as an imprisoned FNW, these women are not only afraid of not being able to work anymore in order to pay back the debt to the trafficker, but now also face serving time in prison, which means more time away from their families (FPWP Hibiscus et al., 2012; Gelsthorpe & Hales, 2012). These women usually do not report their circumstances to the authorities even though it would help them escape the binds of trafficking.

On top of the debt owed, the financial burden at home still exists, creating further anxiety for trafficked imprisoned FNW. Once involved in a trafficking ring, however, the majority of women will not report that they are being victimized and will not ask for help (FPWP Hibiscus, et al., 2012; Gelsthorpe & Hales, 2012). Even in circumstances where women are picked up by the authorities and charged with a crime, trafficked FNW will still usually not report their involvement, even if they are in great need of rescue (PRT, 2012). Recent findings have revealed a potential reason of why imprisoned FNW, specifically from Sub-Sahara Africa, are not reporting their involvement in a sex trafficking circle, especially when that information may be able to gain them their freedom.

The suggested reasoning as to why women are not reporting is thought to be for religious purposes. Because such a large number of people are living below the national poverty line, many people seek religion as an outlet, seeking hope in the near future (Brown, 2010). Farmers will pray for rain and impoverished families will pray for opportunity. Overall, religion is very important to Nigerians. A religion called JuJu is commonly practiced in Nigeria. It is a form of witchcraft or voodoo that involves spells and enchantments, often used by traffickers to make pacts between them and a victim official (Brown, 2010).

A religious leader called an “ohen” confirms these pacts inside a shrine. This extensive process involves several symbolic ingredients including menstrual blood, nail clippings, human hair, kola nuts, soap, and metal (Brown, 2010). Some forms of the pact ritual also involve an animal sacrifice. All of these elements have a significant meaning to the deity and are believed to spiritually bind the victim to the secret pact.

These ceremonies are often degrading. In one case, a girl was cut with a razor blade after being stripped naked so her blood could be collected for the ceremony (Bell, 2011).

Psychologically, the victim does not want to break the pact because of the fear instilled by the religious ceremonial bond between the victim and the trafficker (Brown, 2010). Those who practice the JuJu religion believe that great harm could happen to the women bound by the pact or their families in the future, should they break the pact of secrecy and payment (Bell, 2011).

As this practice is becoming more known to outsiders, project workers and social workers are attempting to educate imprisoned FNW on these practices, ensuring them that nothing bad will actually happen to them should they tell someone about being trafficked, or if they break the pact and not pay the trafficker (Bell, 2011; FPWP Hibiscus, et al., 2012). However, convincing someone that the religion the FNW practices is not true, can be very degrading and creates a harsh relationship between the victim and the potential helper (FPWP Hibiscus, et al., 2012). Therefore, this debt bondage is hard to break, keeping human trafficking strong, since the imprisoned FNW who are trafficking victims believes they will be in harm's way should they seek help.

## **Summary**

There is no one set factor that can explain why human trafficking rates from Nigeria are so high, potentially resulting in high rates of Nigerian FNW. In fact, these factors seem to be indefinite as they are unique to each individual. However, many factors including, poor environmental conditions, lack of education, extreme poverty, geographic location, and religious practices in Nigeria contribute to the high rate of human trafficking.

As each case is studied individually, researchers can try to come up with solutions for the high rate of human trafficking in Nigeria in an attempt to deter women and children becoming involved in human trafficking rings. While environmental and poverty factors cannot be predicted, it is still important to try to stop individuals from becoming involved in trafficking. Tackling human trafficking, however, requires a worldwide effort, since no country or organization can battle such a large problem alone. Educating men, women, and children about the dangers of human trafficking and potential schemes can possibly deter women and children from falling for an unfortunate fate as a victim of human trafficking. Deterrence seems to be the best potential solution to combat trafficking in Nigeria, and hopefully worldwide. If such deterrence were to work, it can be predicted that the number of Nigerian imprisoned FNW would decrease.

## **THE UNITED KINGDOM'S AUTOMATIC DEPORTATION POLICY**

As evidenced by the case study of Nigeria, imprisoned FNW who are victims of trafficking or coercion should be treated differently than the average offender. In the UK, however, a non-UK resident offender who is sentenced to serve over 12 months in prison faces consideration for automatic deportation by the UK Border Agency (UKBA) (UK Border Agency Home Office [UKBAHO], 2012). The purpose of this research is to expose a potential flaw in the UKBA's Automatic Deportation Policy, theorizing that the UKBA is sentencing FNW with harsher sentences than British National women in order to deport them. This study can be found in the section, "Comparison of FNW Offenses to Total Women in the United Kingdom."

This scheme came into practice after the UK Borders Act of 2007, implementing the UKBA Automatic Deportation Policy in 2008. The scheme states, "From 1 August 2008 all Foreign National offenders (FNO) who have been sentenced to a period of imprisonment of 12 months or more have been subject to automatic deportation from the UK" (p. 13). The UKBA Automatic Deportation Policy reports that the Secretary of State is legally obliged to carry out this rule if such a sentence is imposed, unless the FNO fits into one of the exceptions to the policy. The exceptions include asylum and human rights considerations, age, where the FNO is under 18, where the FNO is a European Economic Area (EEA) national, where the FNO is subject to extradition proceedings instigated by another government, those being detained having mental disorders, and lastly, those who are victims of human trafficking.

While some of these exceptions are easier to prove, such as age and EEA nationality by showing identification, it is extremely difficult to prove that an individual fits into some of the other exceptions. For example, it is almost impossible to prove that someone has been trafficked

into the country. Due to fear of reprisal, the victim will rarely admit that he or she is has been trafficked (FPWP Hibiscus et al., 2012). Some women who have been used as drug mules experience threats against themselves or their family regarding receiving payment or drugs. These threats can happen before the women leave the country and continue while the woman is serving in prison.

Those seeking asylum have a difficult time achieving asylum status. Many of these women will face harsh punishment and possibly even death once returning home, but cannot actually prove such a fate to satisfy the UKBA to achieve asylum (Haviland, 2012). Such threats could be internal ties with violence. Many of the women are seeking asylum in the UK because of their sexual orientation and could face persecution or even death for being a lesbian once returned to her home country (Littauer, 2012). However, it is nearly impossible to prove a sexual orientation. The asylum process is tedious and difficult, and many fail at seeking asylum for lack of proof. Details of this process will be further explained in the following section, “Seeking Asylum in the United Kingdom”.

While seeking asylum or facing court regarding the woman’s status, the applicant will be held in the detention centers, also known as immigration removal centers. At the detention center, she will have the option to either leave the UK voluntarily, by force, or await her status regarding asylum (UKBAHO, 2012). This process can be confusing and is like being in prison. The women are locked in their rooms for certain hours of the day, barbed wire reaches high on fences surrounding the center, and every door inside the building is locked. The detention centers are still controversial and are undergoing some change. In fact, until May 2011, it was



legal for these centers to hold children. These children are now either placed with family or surrendered to social services (British Broadcasting Corporation [BBC] News, 2010).

For many of these women, deportation means a return to a harsh environment and facing risk to their lives. For those who have lived in the UK for the majority of their lives, they face a language and cultural gap when returning to their home country and possible separation from their families (FPWP Hibiscus et al., 2012). While serving their time in prison or in the detention centers, these women do not have knowledge of the UK's criminal justice system, face a language barrier, and are often a forgotten population among the millions of other prisoners in England and Wales (PRT, 2004).

## **SEEKING ASYLUM IN THE UNITED KINGDOM**

While the topic of asylum was touched briefly in the section, “United Kingdom’s Automatic Deportation Policy,” this next section aims to explain the process and issues in greater detail for those seeking asylum. This topic can be quite controversial and complex, so it is important to understand the hardships of an applicant going through the process, as well as the process of seeking asylum in general. Unfortunately, little research has been completed on the hardships of women alone seeking asylum.

The purpose of seeking asylum is to allow individuals who are already in the UK, usually those who have fled from her country of origin, to be able to remain in the country for safety reasons. Each year, thousands of people flee their countries to escape persecution and enter the UK in hope of becoming a citizen through asylum (United Kingdom Border Agency Home Office [UKBAHO], 2012). Seeking asylum is not easy, however, and often leaves women in a vulnerable position: they stay in the UK illegally and risk being imprisoned, or risk return to a dangerous home country (Bacon, 2005). This section aims to explain the process of seeking asylum in the UK and the potential struggles that one faces while seeking asylum, and the immigration removal centers where FNW are often housed during the application process.

To begin, one must understand the difference between “asylum seekers” and “refugees.” According to Harry Mitchell (2006) there is a distinction between asylum seekers and refugees. The definition of “refugee” is one who has been granted asylum and allowed to reside in the UK, not one who is fleeing the home country alone. An “asylum seeker” is one who has applied for asylum under the 1951 Refugee Convention on the Status of Refugees, on the ground that returning home means facing prosecution on account of race, religion, nationality, political

belief, sexual orientation, or membership of a particular social group (Mitchell, 2006). Asylum seekers are those who are already in the UK and are hoping to be granted permission to stay permanently.

The process for seeking asylum is difficult and the chance of being successful is about 19 percent. In 2007, 19 out of 100 applicants were granted asylum in the UK (UKBAHO, 2012). In August of 2012, there were 16,663 pending applications. This is an astronomical amount of work for the UKBAHO to have to process. In fact, this is the highest number of applications since August 2010, when the UKBA had 16,667 applications (UKBAHO, 2012). Unfortunately for those seeking asylum, the UKBA does not have the time or resources to investigate each case in detail. It is up to the applicant to provide enough proof through documentation that he or she should be granted asylum (UKBAHO, 2012).

According to the UKBAHO (2012), the initial application includes several pieces of required identification documents. These documents include passports, other identifying documents of nationality, police registration certificates, and proof of residency in the UK such as a bank statement or electricity bill. The person applying will also need four passport size photographs (UKBAHO, 2012). After the initial paperwork is complete, the woman who is seeking asylum will receive a case owner, whose job is to process the paperwork, assess the application, and if the case owner should see fit, grant the applicant asylum. The case owner has an impact on the seeker's application process, since he or she ultimately decides whether or not to grant the asylum seeker's application and will represent the UKBA in court, should she try to appeal a failed application (UKBAHO, 2012).

Dealing with the case owner can be intimidating for people seeking asylum. Despite the fact that the case owner is supposed to assist the candidate with the application process, the case owner also has the power to deny the application or represent the UKBA against the applicant in court (Gelsthorpe & Hales, 2012). This can make the asylum seeker feel alone in the process and will cause great anxiety through the interviews.

According to Canning (2011) regarding women seeking asylum, case owners often disbelieve the women seeking asylum's claims. When discussing the case owner's attitude towards the claimant, the article specifically states, "It's the culture of disbelief and for a lot of women, having to claim asylum and go through the process of what happened to them, and to tell someone who's their case owner about what happened and then disbelieving. I mean, the Home Office disbelieve everything" (p. 3). While the case owner needs to be on guard for fraudulent applications, an attitude of disbelief towards every applicant causes more harm than good. Consequentially, many asylum seekers are afraid to tell their stories and face disbelief. This lack of trust in the asylum seeking process only makes telling their story more difficult.

In order for the case owner to believe an asylum seekers case, the applicant must prove her story. Without hard evidence supporting the claims, the applicant's story and experience is all she has in support of the claim for asylum. Canning (2011) provides an example of a difficult situation one female asylum seeker explained, stating, "To prove that you were raped is extremely difficult as well. And sometimes a lot of the stories are, you know, off words really... it's the case owner or the caseworker who chooses to believe whether the story is convincing enough and whether it has consistency" (p. 3).

When a case owner does not believe a FNW's story, the asylum seeker is sometimes either housed in prison for short term, until there is an available bed in a detention center (Bacon, 2005). Detention centers are locked facilities in which FNW wait the asylum application status and face possible deportation (UKBAHO, 2012). According to Bacon (2005), despite the UKBA's policy to use detention centers as a "last resort measure," an increasing number of asylum seekers are being detained in the immigration removal centers or prison, regardless of whether or not the person has committed a crime or is suspected of committing a crime.

The use of detention centers is increasing rapidly; the number beds available in detention centers grew from 250 in 1993 to 2,644 in 2005 (Bacon, 2005). The UKBA believes that the detention centers support removal and prevent asylum seekers from absconding and disappearing into the community (Bacon, 2005). Bacon (2005), however, argues that asylum seekers are not likely absconding; a study performed in 2005 revealed that of the 37,120 persons whose asylum applications failed, only 220 were known to abscond.

Conditions of the detention centers are similar to being in prison. Canning (2011) argues that in regards to the practicality of prisons versus detention centers, those detained are treated just like prisoners. As discussed previously, FNW in removal centers are locked in cells for certain hours of the day, supervised by officers, have limited visitation schedules, and security within the facilities is heightened to avoid escapes (Bacon, 2005).

Between 1993 and 2006, approximately 52,000 initially and an additional 61,000 on appeal (out of 499,000 total) were successful in the application and granted asylum (Mitchell, 2006). Those detained are allowed to leave the facilities and remain in the UK permanently (UKBAHO, 2012). Detainees whose applications fail are allowed to appeal the decision heard

by The Immigration and Asylum Chambers (UKBAHO, 2012). If the appeal is denied, however, then the failed asylum seeker faces automatic deportation, which can be traumatizing since many fear for their safety and lives (Canning, 2011). The UK by law cannot fail asylum applications for citizens of Eritrea, Somalia, Zimbabwe, Iraq, or Iran (UKBAHO, 2012). However, asylum seekers from other countries, when forced to return to the home country, often face either imprisonment in his or her own country since they are seen as criminals for leaving the country, or worse yet, harm or death (Canning, 2011).

One specific case has gotten the attention of the media; 60 Tamils from Sri Lanka failed to receive asylum and upon arrival in Sri Lanka, faced imminent threats of torture by separatist rebels (British Broadcasting Corporation [BBC] News, 2012). Of these 60 men and women, 25 were facing serious threats toward members of the Tamils, a specific social group, who would be tortured upon their return. This warning was ignored by the UKBA (Haviland, 2012). When Haviland (2012) interviewed one Tamil man, he quoted, "Instead of getting killed there, I would far rather commit suicide in the UK" (p. 1). Once deported, 11 Tamils were tortured in Sri Lanka after their deportation. BBC News (2012) received a report from one of the Tamils that "he was he was beaten, deprived of sleep and almost suffocated in polythene and petrol by the Sri Lankan police when he was made to return." The Sri Lankan government denies this and other countries deny harm done to returning natives as well (BBC News, 2012).

Sadly, because of situations such as the Tamils, some fear the return home and take their own lives before deportation. A catalogue of fatalities of asylum seekers in Glasgow reported that between 1989 and 2006, there were 213 deaths between 1989-2010, 57 of which were suicides in public areas and 11 were inside detention centers. Some were to avoid the possible

horrors that could happen to them when returning home (Athwal, 2006). The other 145 deaths were caused by racist attacks or accidents in Glasgow (Athwal, 2006).

Other failed asylum seekers attempt to hide from the government and remain in the UK despite the risk of arrests and consequential deportation (Canning, 2010). The actual number of failed asylum seekers remaining in the UK is unknown, since the UKBAHO (2012) does not release statistics regarding those who have left the area or are missing. Using the statistics that the UKBA does use, however, Mitchell (2006) created an estimate that between 1993 and 2006 there were approximately 250,000 failed asylum seekers remaining in the UK. Some of these women show up in UK prisons, contributing to the growing population of imprisoned FNW.

It is clear that seeking asylum is a complicated process and is not always effective. The UKBA is overwhelmed with applications and while it is impossible to determine whether every applicant is telling the truth, more attention should be paid to these asylum seekers to potentially save their lives. If the UKBA can increase the effectiveness of the asylum seeking process, perhaps there would be less FNW suffering, locked away in prisons and detention centers in the UK. The next section aims to explain issues that FNW are facing in prison, including FNW who have failed the asylum process.

## **ISSUES EXPERIENCED AS AN IMPRISONED FNW IN THE UNITED KINGDOM**

The purpose of this section is to reveal the hardships that FNW imprisoned in the UK experience. Outside of the prison, civilians are not aware of the issues that FNW prisoners face on a daily basis. Since little research has been completed on the hardships of FNW, policies have not been created to address these issues and the few resources available to these women. The public needs to be informed of these issues to move forward with policies and programs in order to assist imprisoned FNW. This section will personify the dangers of being a FNW through discussing the absence of policies addressing the needs of imprisoned FNW in the UK. Furthermore, it will address the impact on FNW from lack of programs and resources, loss of family ties, isolation, mental health issues, and pregnancy and childcare.

### **Lack of Translation Services and Policies**

As mentioned previously, there are very few policies addressing the actual unique needs of imprisoned FNW. So far, the only policy receiving attention in the media is the Automatic Deportation Policy, which the general population of taxpaying residents of the UK supports (UKBAHO, 2012). What they do not realize, however, is the importance of addressing the needs of this group of people. The public is unaware of the reasons FNW commit crimes, and even more so, of what will happen to the women if they are forced to return to their country of origin.

The UK's criminal justice system has just recently acknowledged the need for translation services for the imprisoned FNW. Many legal documents as well as applications for educational and hygienic or health services are only offered in English. This is extremely intimidating for



the women, and as it has been shown they are much more likely to use the services provided or understand what the legal situation is pertaining to them if these are given in a language which they understand (FPWP Hibiscus et al., 2012). In one example, a Chinese prisoner discussed spending an entire day cutting her hair with nail clippers, since she did not understand the application for the beauty salon service, which was only offered in English.

While this seems to not be a serious issue, occurrences such as this are extremely common. The Prison Reform Trust (PRT) (2012) states that the use of natural language services for prisoners are unused, since prisons are relying highly on other prisoners who are able to speak English as well as the language of the specific prisoner to interpret for the officers. In circumstances where the prisoner may be able to speak some English, often times the language used on forms are complex and therefore still inaccessible for English speaking FNW (FPWP Hibiscus et al., 2012). There is currently no requirement to use simple English. This would be an easy solution to help Imprisoned FNW. FPWP Hibiscus (2012) has been attempting to create a simpler form to be used by the prisons in regards to applications for services and legal documents.

Furthermore, a significant number imprisoned FNW come from poor countries or economic statuses and is illiterate (PRT, 2012). This creates a bigger issue, since illiterate women still cannot use translated documents or forms without further help even if such documents were provided. For women who are illiterate, an interpreter is greatly needed. Gelsthorpe and Hales (2012) reveal that 76 percent of FNW imprisoned do not know English as their first language, and 71 percent require an interpreter.

Policy makers see the costs of such services as too high. Fortunately, organizations such as FPWP Hibiscus and the PRT are doing their best to create policies to assist imprisoned FNW. The PRT (2012) states that these translation services are mostly unavailable. Consequentially, many imprisoned FNW are not being identified properly causing potential asylum seekers and victims of trafficking to go unnoticed. Because of this, these women are not being helped in the way that would best suit them and are being treated as regular criminals instead of the victims they actually are.

Furthermore, currently, there is also no requirement for interpreters to be women when working with female prisoners (Gelsthorpe & Hales, 2012). While it is difficult to find a person fluent enough in both English and the language of the FNW, having a female interpreter is important because the interpreter deals with sensitive topics. The women need to trust the interpreter with their stories and be comfortable enough to share them. This could be extremely difficult if the assigned interpreter is a male. Imagine being raped, beaten, and imprisoned by men and then expected to talk about it openly with a male. For many women, unfortunately, this is the case (Gelsthorpe & Hales, 2012). This could be easily prevented if a woman interpreter was provided and perhaps would increase the success rate for victims of trafficking or other crimes being helped instead of criminalized.

When an interpreter is provided, however, there have been issues with the interpreter attending court hearings. In these instances, imprisoned FNW rely on the assigned interpreter for their freedom, and in some cases, their safety. There are no legal provisions currently to force interpreters to attend court hearings since they are neither attorneys nor social workers (PRT, 2012). A law needs to be created in which makes it a punishable offense to not support the FNW

assigned. Failure to attend court proceedings can lead to increased court costs for that prisoner or delayed action for the woman in custody. In most cases, these women do not have access to money and have to rely on charitable donations from FPWP Hibiscus. Unfortunately, FPWP Hibiscus has limited resources to support this all too common occurrence (FPWP Hibiscus et al., 2012).

### **Loss of Family Ties**

FPWP Hibiscus (2012) claims that in many cases, FNW offenders are the sole provider for their families in their country of origin and are more likely than British National women to have dependent children. This responsibility does not change just because the woman is in custody. The children are usually still reliant financially and emotionally on their mothers. Therefore, it is extremely important for imprisoned FNW to keep in touch with family members abroad.

Keeping the offender and the family at home connected is not an easy feat. First, it requires money to make phone calls or send letters, and many FNW do not have any financial resources (Gelsthorpe & Hales, 2012). FPWP Hibiscus provides free phone calls for FNW involved in their program; however, the calls are limited to 3 minutes by appointment or in emergency cases, and calls are made under the supervision of a caseworker (FPWP Hibiscus et al., 2012). The meeting with the project worker only lasts 15 minutes. Within this limited time frame, clients must be prepared to explain the situation they are experiencing and be able to justify the need to make the family phone call to the assigned project worker. The allotted 15 minutes is a short timeframe to be able to accomplish everything the client wants to, including being able to actually speak with the family member. While this seems harsh, FPWP Hibiscus is

the only charitable organization working directly with the FNW in the UK. Therefore, the ratio of project workers available does not suit the number of imprisoned FNW in need of the project workers' services (PRT, 2012).

Unfortunately, when a call is made, there is often no answer on the other end, and even if there is an answer, 3 minutes to speak to an entire family, yet alone one person is very limiting (FPWP Hibiscus et al., 2012). Calls from within the UK to other UK numbers are more accessible and affordable, so the services provided by FPWP Hibiscus focus mainly on assisting with out-of-country calls. If there is an emergency, however, Hibiscus is willing to allow an inmate to use the telephone to make in-country phone calls. While FPWP Hibiscus wishes they could give these women more time, the calling cards used to make out of country calls are based on grants and donations which are allocated and prioritized along with many other needs such as clothing, lawyers and application fees. Without FPWP Hibiscus' services, the prisoners would be limited to one 5-minute phone call per month allotted by the prison.

Many imprisoned FNW constantly worry about the wellbeing of their children. Usually, these women have been arrested unexpectedly. In these cases, there has been no plan created for how the children will be taken care of, which is a cause of stress for the women while imprisoned since their children are now more vulnerable than ever (PRT, 2012). Also, for the women who were seeking potential financial gain while overseas, are likely leaving their children behind impoverished (FPWP Hibiscus et al., 2012; Gelsthorpe & Hales, 2012).

For women who traveled abroad in order to seek economic gain or employment, expect to remain in contact with the family and return to their family within 6 months to 3 years (Gelsthorpe & Hales, 2012). In reality, however, most women lost complete contact with the

family while imprisoned and did not return until 8 years later. Gelsthorpe and Hales (2012) share a victim's story: "I could not call my mother and tell her what had happened to me. Finally I called her at end of June. My mother wept. Because she had heard nothing she thought she was dead. I have also managed to talk to the children a few times – but it is so difficult with five minute calls" (p. 101).

While visitation is allowed, it is often not an option for the FNW's family members due to the high cost of travel. The majority of prisons in the UK are in an isolated location that is both difficult and traveling to the prisons is expensive (FPWP Hibiscus et al., 2012). There is an option, however, allowed by the UK prisons, which permits temporary relocation of a prisoner to a London prison for the visitation to be more manageable (Gelsthorpe & Hales, 2012). Regardless of this option, however, it is usually still too expensive for a family to be able to visit. This relocation is also only granted to women who are serving sentences of 12 months or longer.

Due to the high costs to maintain contact between a mother and her children, sadly, there is usually no communication between the offender and her family from the moment of arrest until final deportation. Results such as these are seen frequently before organizations such as FPWP Hibiscus get involved (PRT, 2012).

### **Pregnancy and Childcare**

Sometimes upon arrest, FNW are pregnant. Prisons such as Her Majesty's Prison (HMP) Holloway do have a pregnancy wing and a short-term nursery for mothers after giving birth (PRT, 2012). British National women who are pregnant at the time of arrest have an easier time with the transition for a newborn child because someone nearby can usually take care of the child and bring it in for visitation. However, FNW do not usually have this same benefit. In cases of

women whose children are in the home country, the majority of the women leave custody to the maternal or paternal grandparents (Gelsthorpe & Hales, 2012).

According to a small study conducted by Gelsthorpe and Hales (2012), of the 28 women interviewed, 12 left children with their own parents. Within the same study, it was revealed that some women have no choice but to leave their children with their husband in the home country, even if the husband is known to be abusive towards the mother or the children. In fact, in the case of this study, the majority of the women claimed to have escaped due to the father's abusive tendencies but still leave the children behind (Gelsthorpe & Hales, 2012).

Within the 28 studied, 7 of those women had one or more children within the UK. The children were separated from the mother at the time of arrest. In this focus group, 6 out of the 10 total children ended up in social services (Gelsthorpe & Hales, 2012). This is to be expected because when women try to escape their home country with her children, they often do not have any family to support them in the UK (FPWP Hibiscus et al., 2012; Gelsthorpe & Hales, 2012).

Furthermore, being pregnant at the time of arrest causes emotional harm to the mothers, as they have increased fear and anxiety of what will happen to their unborn child (Gelsthorpe & Hales, 2012). While HMP Holloway does have a nursery wing for women who have given birth, the children are only allowed to stay with the mothers for a limited amount of time. Therefore, newborn children will have to be placed with family members if they are deemed suitable by social services and living in the UK (Gelsthorpe & Hales et al., 2012). Unfortunately, more often than not, the children become part of the social services and are separated from the mothers, since the court determined no family member is suitable for custody of the child or children. In worst cases, mothers who have multiple children will be adopted by different

families and therefore separated (FPWP Hibiscus et al., 2012; Gelsthorpe & Hales, 2012).

Sadly, imprisoned FNW will lose their children under their unfortunate circumstances.

### **Isolation**

In addition to losing touch with family members, imprisoned FNW are also isolated socially. Because it is so easy for FNW to be unidentified, FNW often become very isolated while imprisoned or awaiting deportation. Coming from a different part of the world, the women all have a different cultures and preferred languages. When considering women who do not speak any English, the women are more likely to feel left out, alone, and scared (Gelsthorpe & Hales, 2012). Because no one has tried to address these women in an understandable language, they often do not know what is going on or what is going to happen to them. (FPWP Hibiscus et al., 2012). The loss of family connections, language barriers, and lack of cultural competency, including racism and disrespect by the guards, contributes to this isolation (Banks, 2011; NACRO, 2012).

Key findings by Gelsthorpe and Hales (2012) reveal that women feel socially isolated and consequentially traumatized because no one explained what the what the FNW could expect. Unfortunately, the isolation does not stop once they are released from the prison if they are moved to an immigration removal center. While it is likely that there is another person speaking the same language, when it comes to project workers and attorneys, most of the time they still are unable to speak the language (PRT, 2012). The attorneys and caseworkers rely heavily on others in the facility that can speak both English and a common language with the client.

It is extremely important for the UK to address the issue of isolation since it is commonly related to the development of mental health issues among imprisoned FNW. However, solutions

to decrease isolation are difficult to address since there are many factors that contribute to isolation. Ideas as simple as trying to pair women from the same country as cellmates or making a better effort to provide legitimate translators would decrease the amount of isolation amongst FNW. It would also be beneficial to provide an information package on the UK's criminal justice system in all different languages to give the imprisoned FNW. FPWP Hibiscus is working towards this goal; however, it will only make a difference if the prisons are willing to utilize it, which is unfortunately not currently the case (FPWP Hibiscus et al., 2012). In fact, approximately 90 percent of prisons in the UK are not utilizing translation services for documents (PRT, 2012).

FNW are feeling isolated, vulnerable to flashbacks, ashamed to tell others what happened, and traumatized as a direct result of the harsh treatment they receive in prison by staff (FPWP Hibiscus et al., 2012; Gelsthorpe & Hales, 2012). Furthermore, the PRT (2012) reveals that the perceptions of Foreign National prisoners in Her Majesty's Inspectorate of Prisons' surveys are more negative than those of white prisoners in regards specifically to safety and relationships with staff (PRT, 2012). Studies regarding the attitudes towards the issues that FNW prisoners encounter are the first step in potentially fixing the problem of poor treatment for FNW prisoners (FPWP Hibiscus et al., 2012). Lack of awareness through education for prison officers and detention center officers affects the treatment of FNW, since many simply do not know how to handle the unique group of people (Gelsthorpe & Hales, 2012). Such lack of knowledge contributes to feelings of isolation, and consequentially, poor mental health.



## **Mental Health**

A combination of the isolation and lack cultural competency has a direct impact on the mental health of imprisoned FNW. Gelsthorpe and Hales (2012) studied the effects of imprisonment on a sample of 58 FNW. The results revealed the FNW had characteristics of low self-esteem, had a difficult time coming to terms with what had happened to them while involved in the UK's criminal justice system, and the women felt as if they were to blame for everything that happened to them. In fact, 100 percent of the target group identified feelings of emotional pain while imprisoned; not knowing what will happen in the future has affected them emotionally. Many FNW expressed that they felt as if just being a Foreign National was a crime (FPWP Hibiscus et al., 2012).

FNW have mental health needs beyond the British National prisoner. These specific needs, however, have not been addressed by the UK's criminal justice system (National Association for the Care and Resettlement of Offenders [NACRO], 2011). Lack of access to information pertaining to the imprisoned FNW's case, legal and immigration advice, insufficient translation and resettlement services, and general fear for the future, especially for those who have been trafficked, all contribute to the excess of mental health needs of FNW (Banks, 2011). For women who have already been traumatized through trafficking or rape, a foreign criminal justice system only contributes to the high rate of poor mental health of FNW, since they are already distressed.

A report conducted by NACRO (2011) revealed that out of 22 people questioned, 86 percent considered self-harm in reaction to the uncertainty of their position. Prisons still are not sure how to handle the sensitive cases involving Foreign Nationals. This creates a sense of the

“unknown” for FNW, since often times the court system does know how to decide cases, and the deportation dates are unknown, if the FNW has been sentenced to deportation. Not knowing whether or not one will be deported, causes great anxiety for FNW. NACRO (2011) states, “Daily and persistent anxiety over the possibility of deportation and dealing with the complex legislation and decision-making process has resulted in an increased level of mental distress and demoralization for many of those interviewed” (p. 5).

Furthermore, the decisions of the UK’s criminal justice system take an indeterminate amount of time, causing great distress for the individual. The PRT (2012) claimed that often FNW are informed the day of their hearing dates that they are to appear in court, or that they are to transfer to the immigration removal centers. Having little to no time to prepare to appear in court or to transfer contributes to the poor mental health of FNW (Gelthorpe & Hales, 2012). Considering that 15 percent of the female prison population is FNW, one would assume that by now there would have been some attempt to address the mental health issues of this population (PRT, 2012).

## **Summary**

Imprisoned FNW are facing a series of complicated issues. Isolation, lack of translation services, and separation from family all contribute to poor mental health. It is understandable that with the already high cost of keeping prisoners that there are not programs specifically dedicated to address the issues of imprisoned FNW, however, because of this, women are suffering. This cannot be dismissed and something needs to be done in order to improve the lives of thousands of imprisoned FNW in the UK.

The idea of FNW prisoners getting special attention is relatively new, since laws and policies regarding the rights of FNW prisoners and asylum seekers have just recently come into policy (Bacon, 2005; Darling, 2012; UKBAHO, 2012). Because of this, research regarding the issues therein and the effect of these new policies on Foreign National prisoners is scarce (BBC News, 2010; Darlington, 2012). Hopefully, with continued awareness of the struggles FNW prisoners are facing, new policies supporting FNW prisoners will continue to develop. How these new policies will affect Foreign National prisoners and asylum seekers in the UK will be determined in time and with more research.

## **FINANCIAL BURDEN OF KEEPING IMPRISONED FNW AND CIVILIAN ATTITUDES TOWARDS IMPRISONED FNW**

Unfortunately, creating policies and awareness addressing issues of imprisoned FNW puts a financial burden on the UK. What is even more expensive is the actual cost of housing the prisoners inside the UK prison system as well as immigration removal centers. There is a possibility that due to the high cost of keeping prisoners, the UKBA sentences FNW more harshly than British National women in order to deport them, removing them from the UK's responsibility. This section will examine the financial burden of the UK, the idea of privatization of prisons in order to save the country money, the issue of overcrowding in prisons, as well as attitudes of British citizens towards imprisoned FNW.

### **Cost of Keeping Prisoners**

While the UK government does not release specific statistics regarding costs, the number of prisoners, or length of sentences, researchers have done studies to try to come as close to these numbers as possible (Bacon, 2012; FPWP Hibiscus et al., 2012; Gelsthorpe & Hales, 2012; PRT, 2012). Due to the lack of statistics on all of the UK prison facilities as a whole, the actual expense of keeping prisoners detained is a debate amongst many researchers. According to the PRT (2012), the overall cost of the UK criminal justice system is 2.3 percent of GDP, higher than any country in European Union and the United States (PRT, 2012). Per prisoner, the average annual cost from 2010-2011 is £39,573 (PRT, 2012). This number is much higher than Bacon's study from 2005 stating that the average cost was £29,400 per year.

It is possible, due to this cost to the UK's government, that the UKBA implemented the Automatic Deportation Policy (Gelsthorpe & Hales., 2012). Some argue that the money should be spent on British Nationals only, since this expense is considered unfair to the taxpayers let alone housing those who are not citizens (Bacon, 2012). Regardless of opinion, FNW will continue to immigrate into the UK and be detained or imprisoned (FPWP Hibiscus et al., 2012).

### **Privatization of Prisons and Detention Centers**

Another point to bring up when discussing the issue of cost of prisoners is the privatization of prisons and detention centers. As the cost of prisons and detention centers rise, privatization becomes more appealing (Bacon, 2005; PRT, 2012). According to Bacon (2005), the privatization of prisons and detention centers has increased. Originally, the detention centers used private security because the use of prison officers was too oppressive for the non-prisoners (those seeking asylum). However, the use of privatization creates a controversy; the more prisoners within a facility, the more profit the owners of the facility will make (Bacon, 2005; PRT, 2012).

Whether or not this privatization profit is directly related, several researchers show evidence that strongly supports this conclusion (Bacon, 2005; Gelsthorpe & Hales, 2012; PRT, 2004, PRT, 2012). According to Prison Reform Trust (2012), the prison population in England and Wales grew by 30 percent, or 19,650 prisoners in between 2001 and 2011. Furthermore, the average sentence has increased by 2.9 months from 2001 to 2011. The PRT Prison Factfile (2012) also states that approximately 70 percent of the increase in demand for prison placements between 1995 and 2005 is estimated to have arisen due to changes in sentence length.

While some companies are profiting by caring for prisoners, the prisoners are suffering from poor living conditions such as overcrowding. Prisons that are privately owned have shown to have a higher percentage of overcrowding than public sector prisons every year from 1998 to 2011 (PRT 2012). The average rate of overcrowding was 31.8 percent whereas the public sector averaged 22.8 percent. Some privately owned prisons, however, reached as high as a rate of 72.9 percent rate of overcrowding.

### **Overcrowded Prisons**

According to PRT Prison Factile (2012), at the end of April 2012, 83 of the 134 prisons in England and Wales were overcrowded. More specifically, the number of women in prison has increased by 85 percent over the past 15 years between 1996 and 2011. With these increasing numbers, one can assume that thousands of people are endangered every day due to the overcrowded and expense required detaining prisoners.

It has been suggested that the UK's Border Agency Automatic Deportation Policy was created to alleviate overcrowding (Bacon, 2005; FPWP Hibiscus et al., 2012). A prison is considered overcrowded by the Prison Service if it houses more inmates than the prison's Certified Normal Accommodation (PRT, 2012). Sadly, 83 out of 134 prisons in England and Wales report being overcrowded in 2012 by the PRT (2012). Gelsthorpe and Hales (2012) suggest that FNW prisoners are being affected by the overcrowding more so than British Nationals, stating that the number of British Nationals untried dropped from 4,129 to 3,509, compared to the rate of untried Foreign Nationals which rose from 450 to 1,219.

The PRT (2012) concluded that in 2011, prisons reached 111 percent capacity according to the Certified Normal Accommodation, thus making the UK's Automatic Deportation Policy

more appealing (Gelsthorpe & Hales, 2012). While there are many studies researching the overcrowding of prisons, the focus should be on how this overcrowding is affecting FNW prisoners' living conditions within the prisons and the affect this may have on the use of the Automatic Deportation Policy.

### **Public Awareness of Issues Faced by Imprisoned FNW**

Studies reveal that there are many varying attitudes towards FNW prisoners. While governmental organizations such as the UKBAHO (2012) take a somewhat business-like approach to casework involving imprisoned Foreign Nationals; the explanation of the Automatic Deportation Policy by the UKBA is also straightforward, both lacking any language of empathy. These documents serve as the information provider for British citizens. The PRT Prison Factfile also is very neutral in strictly sharing statistics, however, unlike the UKBAHO, the Factfile reveals eye-opening facts regarding prison statistics covering overcrowding, cost, and issues including suicides and violence within the prison (PRT, 2012; UKBAHO, 2012).

Such data can be used to make up for the lack of data the UK's government releases on prison statistics. By using the Factfile, other studies can be created to raise the necessary awareness to create new policies regarding FNW in prison by studying these facts and comparing them to past Factfiles. Hopefully, with language and statistics that reveal the issues of imprisoned FNW, the public will then gain a more empathetic view towards imprisoned FNW and policies can be set forth. The main issue is the fact that there are not many efforts to increase public awareness on the issues of imprisoned FNW, especially for those who have been trafficked or coerced to commit crimes.

## **Summary**

It would be beneficial to compare the relationship of overcrowding and privatization of prisons to the outcome of FNW's sentences, as studies have inferred that the overcrowding has made prison conditions worse for FNW and the privatization increases the length of her sentence (PRT, 2012; PRT, 2004). Furthermore, if more studies were completed on the final outcomes of women who are detained and deported were conducted, awareness would increase and the UKBA will pay more attention to the individual cases as the harsh realities would be revealed (BBC News, 2010; FPWP Hibiscus et al., 2012; Gelsthorpe & Hales, 2012; Haviland, 2012). A study conducted using the database from FPWP Hibiscus will be used in a following section in order to attempt to explain such ideas.



## **COMPARISON OF BRITISH NATIONAL WOMEN OFFENDERS TO FOREIGN NATIONAL WOMEN OFFENDERS**

In order to attempt to reveal whether or not the UKBA is taking advantage of imprisoned FNW, a study comparing the sentences of FNW to British Nationals must be conducted. Using my own data from the database provided by FPWP Hibiscus of a collection from two different prisons, Her Majesty's Prison (HMP) Holloway and HMP Peterborough, combined with the available existing statistics, one may be able to better understand the methods used by the UKBA. HMP Holloway is exclusively a female prison and HMP Peterborough is the only dual-purpose facility that houses men and women, keeping them separate at all times (PRT, 2012).

### **Background**

Last semester I was provided the opportunity to intern with FPWP Hibiscus, a non-profit organization working with FNW, attempting to help FNW have a voice and have policies created, as well as keeping families connected, assist with legal issues, and visitation. My job was to help make the public aware of FNW issues through social media and visit clients regularly.

During my time there, I was able to learn an astronomical amount about imprisoned FNW as well as witness the ongoing struggles FNW face on a case-by-case basis through my visitations. Unfortunately, there are not many studies in regards to imprisoned FNW. During my time at FPWP Hibiscus, however, I was able to use the FPWP Hibiscus database in order to collect statistics based on their clientele. It is alarming to think that while so many people are

being affected, not much research has been conducted in order to help imprisoned FNW, consequentially allowing their struggles to be ignored.

## **Methodology**

The first goal of the research was to compare the types of crimes committed by imprisoned FNW to the total imprisoned women. Through my internship with FPWP Hibiscus, I was given permission to use the database containing prisoner data from two prisons for my analysis. A sample of 354 women from the two prisons was used to categorize sentence length of imprisoned FNW (Figure 2). I divided this data into categories considered offenses by the UK criminal justice system: violence against the person, robbery, burglary, sexual offenses, theft, and handling of stolen goods, fraud and forgery, criminal damages, drug offenses, and other.

To compare this data to the total women offenses, a report compiled by the Ministry of Justice with these same classifications was used. This report, however, did not give exact numbers of women in each category. Rather, the report used percentages. In order to give a sufficient comparison, the data used from FPWP Hibiscus' database was converted to percentages also, and then compared for analysis (Figure 3).

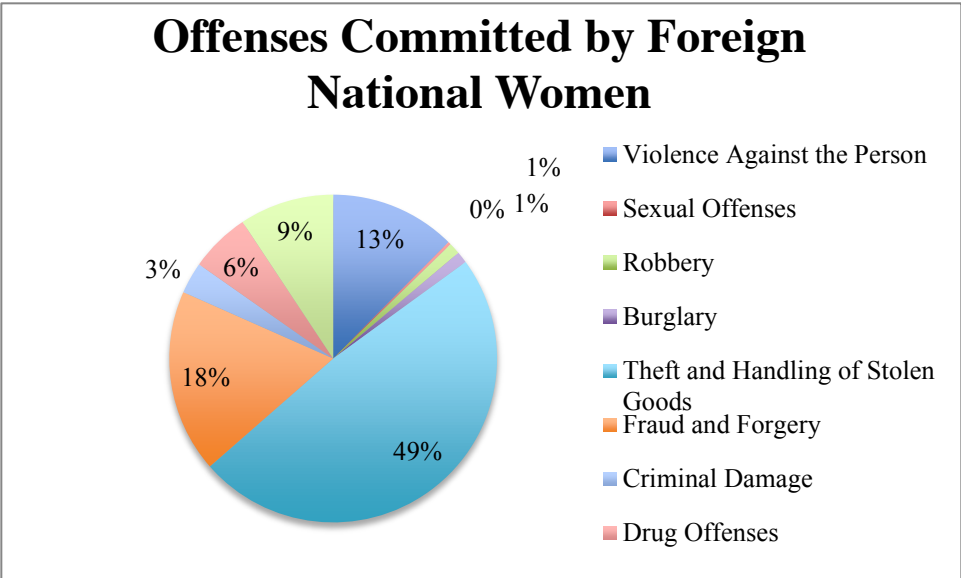
A second analysis goal was to compare the sentence length of imprisoned FNW to the total population. The same sample of 354 FNW from the FPWP Hibiscus database was also used for this analysis (Figure 4). The sentences are categorized by amount of time to be served in prison. These include, less than one year, one year to 4 years, more than 4 years, and indeterminate sentences. In order to compare the data collected from FPWP Hibiscus' database to the total population of women in prison, data already compiled from the PRT was used

(Figure 5). This sample size is 7,582 women. The purpose of this comparison was to analyze the trend of women crimes total compared to the crimes committed by FNW.

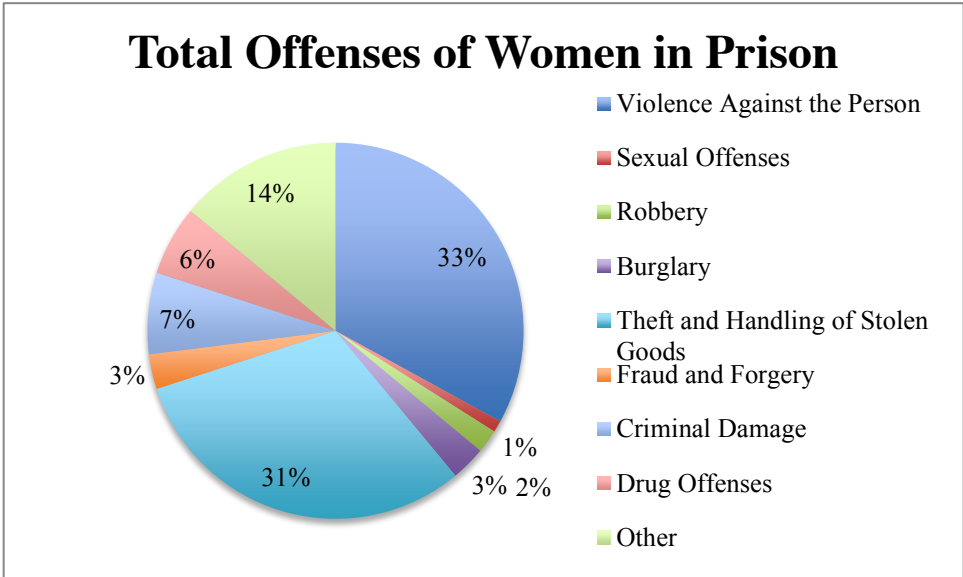
While this data hopes to reveal that FNW are given harsher sentences for the same crimes as British National women, it is to be understood that there is still room for error, since no information on the breakdown of British National women compared to FNW actually exists. The use of the data already compiled was collected on women in prison as a whole, and on the prisons in all of England and Wales. This research is a stepping-stone for future research to be committed, for someone with access to a span of wider data.

## **Results**

Before I began analyzing my data, I hypothesized that the most committed crime by FNW would be for fraud and forgery, as well as drug charges. I believed this to be my result because of the background research I have conducted, which stated that the majority of the crimes committed by FNW were the stated above, due to influences of trafficking and coercion. My results from the database, however, did not support this idea. In fact, the highest rate of crime committed by the clients in the FPWP Hibiscus database was theft, which represented almost half (49%) of all imprisoned FNW (Figure 2). The second highest committed crime did reflect my hypothesis, however, with a total of 18% of women charged with fraud and forgery (Figure 2). This number was lower than I had originally anticipated. I had no preconceived notions for the data on the women in prison as a whole. After data was collected, however, I did realize that the highest committed offense for total women in prison was for violence against the person, representing 33% of all women in prison. Theft followed behind, coming in second at 31%, and fraud and forgery at only 3% (Figure 3).



**Figure 2: Offenses committed by FNW in FPWP Hibiscus database 2012**



**Figure 3: Total offenses of women (Ministry of Justice, 2010)**

My second hypothesis was that imprisoned FNW would be serving longer sentences than British National women, opening up the possibility that the UKBA is charging FNW with harsher sentences in order to be able to consider them for deportation automatically. I expected

the majority of women to be charged with more than 12 months. This is due to the UKBA law that states FNW who are charged with sentences for more than a 12-month period are considered automatically for deportation, and therefore out of the UK government and tax payer's responsibility. My results, however, showed differently.

When focusing on the FPWP Hibiscus database, the majority of the clients were still awaiting trial. These women accounted for 38% of the total sentences of FNW within the FPWP Hibiscus database (Figure 4). It is important to note that this group of women are highly sensitive and may be suffering from poor mental health. While awaiting trial, often FNW become extremely anxious not knowing what will happen to them in their future, and can await trial for an indefinite period of time (FPWP Hibiscus et al., 2012, Gelsthorpe & Hales). Since the clients of FPWP Hibiscus come in contact with the non-profits services when in need, it is understandable that a large percentage of the clients are those awaiting trial, since they are in need of comfort and legal service assistance more so than those who already know how long they will be serving.

While this information is important, for the purposes of this study, using this data threw off the comparison between FNW and women as a total, since there was no inclusion of those still awaiting trial in the Ministry of Justice statistics. In order to give a proper comparison, I used a second chart excluding those who were still awaiting trial. This new sample size contained 221 women. As mentioned previously, I believed that the majority of FNW would be serving sentences for over 12 months, and that the total amount of women would reflect serving less than twelve months. I thought the two comparisons would be very different from each other. What I found, however, that once the women who were awaiting trial were removed, the results

of the two charts were almost identical. I discovered that 70% of imprisoned FNW are serving less than one year for the crimes that they committed (Figure 5). This statistic was the same for total women in prison in England and Wales (Figure 6). The almost identical results show that the UK criminal justice system is not actually charging FNW more harshly than British National women, rather, treating them equally when it comes to sentencing.

Imprisoned FNW who are serving between 1 and 4 years represented only 24% (Figure 5). I thought that the majority of FNW would be in this category, in order to remove them from the country. Those serving over four years represented only 5%, which I was not surprised by. My original thought was that the majority of FNW would be in the category of serving between 1 and 4 years, in order to swiftly remove them from the UK criminal justice system and tax-paying citizens' responsibility. Again, I was incorrect.

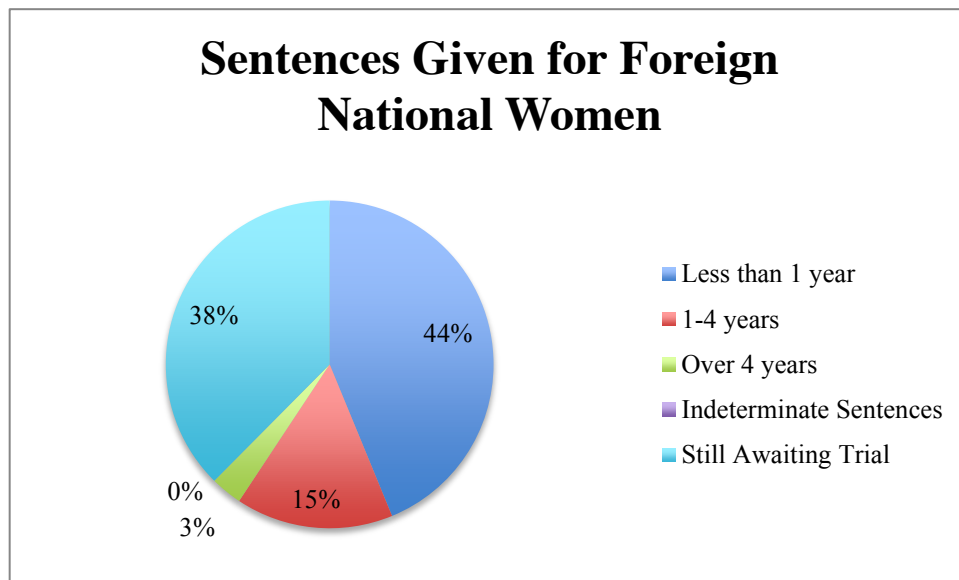
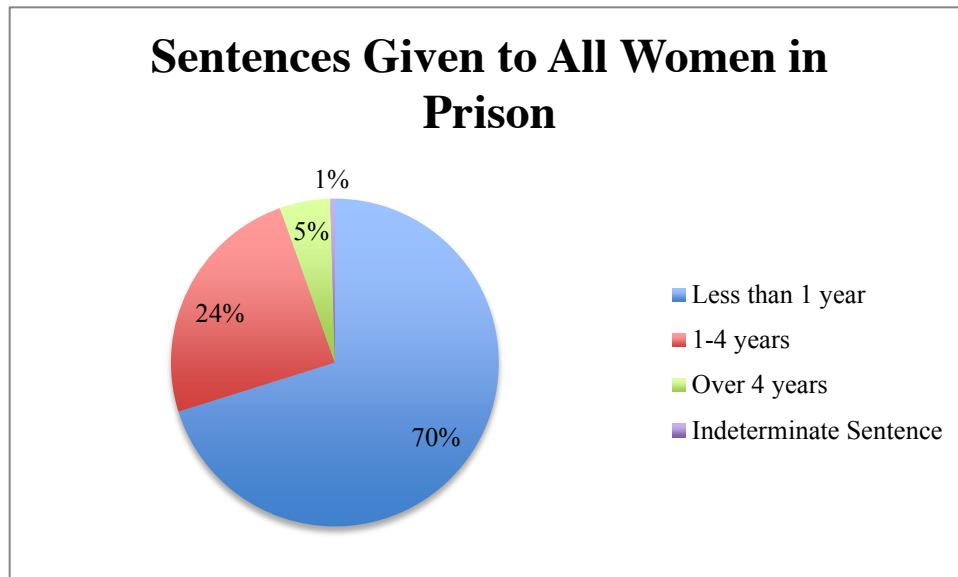
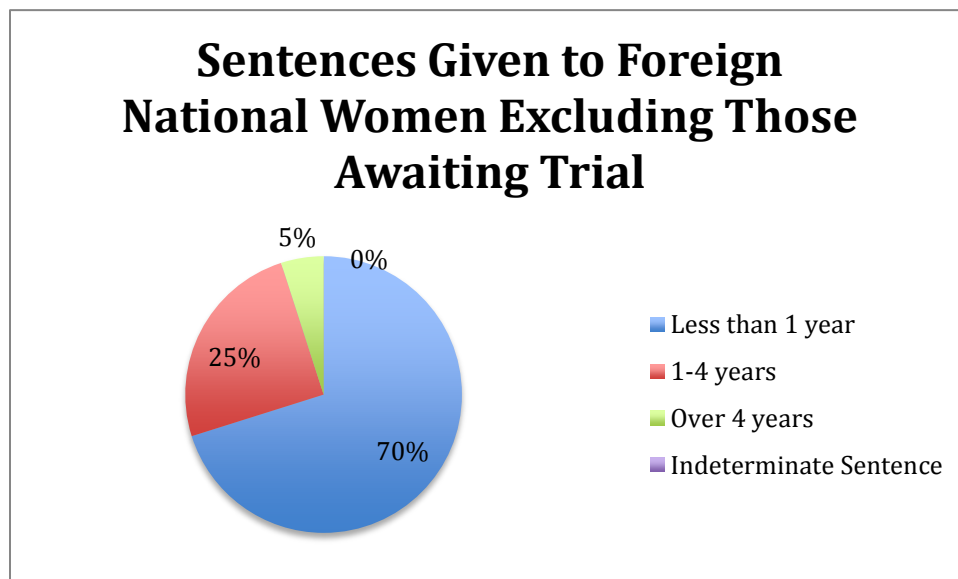


Figure 4: Sentences given to FNW in FPWP Hibiscus database 2012



**Figure 5: Sentences given to total women Prison Reform Trust 2012**



**Figure 6: Sentences given to FNW excluding those awaiting trial in FPWP Hibiscus database 2012**

#### Observations

While the given results did not follow along with my original hypothesis, important data was still discovered. There could be several hypotheses as to why my background research

stating that most imprisoned FNW are charged with drug offenses and fraud or forgery. To begin, the sample of imprisoned FNW from FPWP Hibiscus' database could have thrown off the results. As only one organization dedicated to helping FNW, with only one location in London, there is no possible way that they can be helping every single FNW in England and Wales, as well as attempting to deter human trafficking around the world.

That being said, the sample of women that are being helped came from two prisons, 354 women out of the estimated 630 total (PRT, 2012). This number also does not include FNW who are going through the deportation process in the immigration removal centers. Perhaps if a collection of crimes compiled from all of the prisons, including the immigration removal centers, would reflect the prior studies more accurately. Because of privacy rights, however, I do not see this as something to be achieved.

In regards to my second hypothesis, that imprisoned FNW would be given harsher sentences than the total imprisoned women in the UK, I was not expecting to have such a close result. My whole idea going into the thesis would be that FNW would be serving for more than 12 months, therefore being able to be considered for deportation, and no longer a problem of the UK. What I found, however, surprised me. For the results to be only a couple hundredth of a point off from each other, seemed like a highly unlikely result. This tells me, however, that the UK criminal justice system may be treating the actual sentences of FNW more fairly than one would have imagined. It is interesting to note that the sentencing results between imprisoned FNW and total women in prison were so close. This opens the idea that perhaps there is some other flaw in the system that creates so many issues for imprisoned FNW. This too, should be



explored more deeply. It may be that while in prison, the hardships are experienced, but mostly due to lack of cultural competency and language barriers.

Another possible explanation to the results could be that since the FNW in my sample are committing different crimes than the majority, that the sentencing for each of those different crimes just coincidentally resulted in similar data. Again, further research from all of the prisons holding FNW and British National women, as well as data from the immigration removal centers, would have to be assessed in order to achieve a more accurate result. While I can no longer make the inference that the UKBA Automatic Deportation Policy is being used in a corrupt way in order to no longer have imprisoned FNW be a responsibility, this data is still a great start for continued research.

## CONCLUSION AND RECCOMENDATIONS

While my results did not expose a corrupt flaw in the UKBA's Automatic Deportation Policy, there must still be a flaw in the UK criminal justice system somewhere. Whether it is a lack of awareness, funding, or care, something needs to be done in order to improve the life of victimized FNW. Ignoring such a large demographic of people is unacceptable. Just by addressing issues such as isolation and translation services would have an astronomical effect on improving the mental health of imprisoned FNW. These are simple problems to fix, but without public awareness, these women are suffering alone and living in fear.

The main problem for imprisoned FNW in the UK is the lack of awareness for their cause. In order for policies to be created and for further assistance to be provided for imprisoned FNW, the public as well as legislators, policy makers, lawyers, and lobbyists need to be educated on the issues that imprisoned FNW are facing. Yes, they committed crimes, but perhaps if people were aware of *why* the majority of FNW are committing such crimes, either by human trafficking or coercion, a lighter attitude towards FNW would be applied.

Negative societal attitudes towards those imprisoned, especially women who are not UK citizens, cause FNW who are usually victims of a horrific past to continue to suffer, allowing those in need to be overlooked. It is not uncommon to hear that people who are imprisoned deserve to be in the position they are in, however, for the majority of FNW, this is not the case.

It is important for people to realize that those who have been victims of human trafficking or coercion need special assistance and rescue. Instead, imprisoned FNW are being criminalized and further isolated by serving time in prisons abroad. While it is not necessarily the responsibility of the public to figure out which prisoner is a victim of trafficking or coercion,

there should be screenings in place in prison in order to assist those who are in need. Women who have been trafficked are likely not to speak about their circumstances, but after dealing with prisoners on a daily basis, there should be telltale signs of a victim of trafficking (Gelsthorpe & Hales, 2012).

Furthermore, more organizations need to be developed like FPWP Hibiscus. As only one entity, it is impossible for FPWP Hibiscus to assist all imprisoned FNW. Again, this is where public knowledge would be of assistance, since the more people who know of the problem, the more likely someone would be willing to help. Something as simple as visiting a FNW in prison helps decrease the feeling of isolation resulting in poor mental health. Translation services are also an inexpensive way to allow imprisoned FNW to gain a better understanding of what is going to happen to them, how to fill out applications, and also use services provided by the prison such as barber shops and requests for legal services.

A further problem, and perhaps the most important one, that needs to be addressed is how to stop women from falling for the traps of human trafficking and risk becoming an imprisoned FNW. Because employment opportunities abroad seem so appealing, especially for those who feel as though they have no hope at all, women are consistently falling for human trafficking recruiters' schemes. As discussed in the case study of Nigeria, women who have no financial support, who need to take care of large families, see the risk of traveling abroad illegally as an opportunity to create a better life for herself and her family (Brown, 2010).

Unfortunately, Nigeria is not the only place experiencing high rates of human trafficking. It is occurring all over the world. In fact, there are very high rates of imprisoned FNW from China, Bulgaria, Romania, Jamaica, and many other countries (PRT, 2012). If the government

or organizations made an effort to teach young women, parents, and children about the dangers of human trafficking, perhaps there would be less FNW caught in the criminal justice systems around the world. Again, FPWP Hibiscus cannot tackle such a large problem on their own. Educational programs would not cost that much money, and the potential benefits of educating others about the dangers of human trafficking would be great.

Despite the fact that my research did not reveal the problem I had anticipated, it is still a good start for further research to be completed, as the UKBA Automatic Deportation Policy has shown to not be the underlying issue. Continued investigation of imprisoned FNW as well as a continued effort to battle human trafficking and coercion could potentially, eventually decrease the amount of imprisoned FNW in the UK, allowing women to no longer suffer.

It is easy for people to believe that the world is beautiful; there are no problems or suffering if one chooses to overlook it and disbelieve. Understandably, this naivety would be appealing, almost as if living in a childlike mind of innocence. This idea, however, is not reality, and those stuck in the mind of an innocent child must open their eyes in order to help those who are suffering in order to move closer to a more beautiful world.

**APPENDIX A: CHARTS USED TO ASSESS PRISON DATABASE  
DETAILS**

## Charts Used to Assess Prison Database Details

Figure 2: Collection of Offenses from FPWP Hibiscus Database

<b>Type of Offense Committed by Foreign National Women</b>	<b>Number of Women</b>	<b>Percentage out of Total Offenses</b>
Violence Against the Person	44	12.43
Sexual Offenses	1	0.28
Robbery	4	1.13
Burglary	4	1.13
Theft and Handling of Stolen Goods	172	48.59
Fraud and Forgery	64	18.08
Criminal Damage	11	3.11
Drug Offenses	21	5.93
Other	33	9.32
<b>Total</b>	<b>354</b>	<b>100</b>

Figure 3: Collection of Offenses from Prison Reform Trust Data

<b>Type of Offense Committed by British National Women</b>	<b>Percentage of Total Women</b>
Violence Against the Person	33
Sexual Offenses	1
Robbery	2
Burglary	3
Theft and Handling of Stolen Goods	31
Fraud and Forgery	3
Criminal Damage	7
Drug Offenses	6
Other	14
<b>Total</b>	<b>100</b>

Figure 4: Sentence Length Given to Foreign National Women Collected from FPWP Hibiscus' Database

<b>Sentence Given</b>	<b>Number of FNW</b>	<b>Percentage out of Total</b>
Less than 1 year	155	43.78
1-4 years	55	15.54
Over 4 years	11	3.11
Indeterminate Sentences	0	0
Still awaiting trial	133	37.57
<b>Total</b>	<b>354</b>	<b>100</b>

Figure 5: Sentence Length Given to Foreign National Women Collected from Prison Reform Trust

<b>Sentence Given Women Total</b>	<b>Number of British National Women</b>	<b>Percentage out of Total</b>
Less than 1 year	5,319	70.15
1-4 years	1,850	24.4
Over 4 years	379	5
Indeterminate Sentences	34	0.45
Total	7,582	100

Figure 6: Sentence Length Given to Foreign National Women Collected from Hibiscus' Database Excluding Women Awaiting Trial

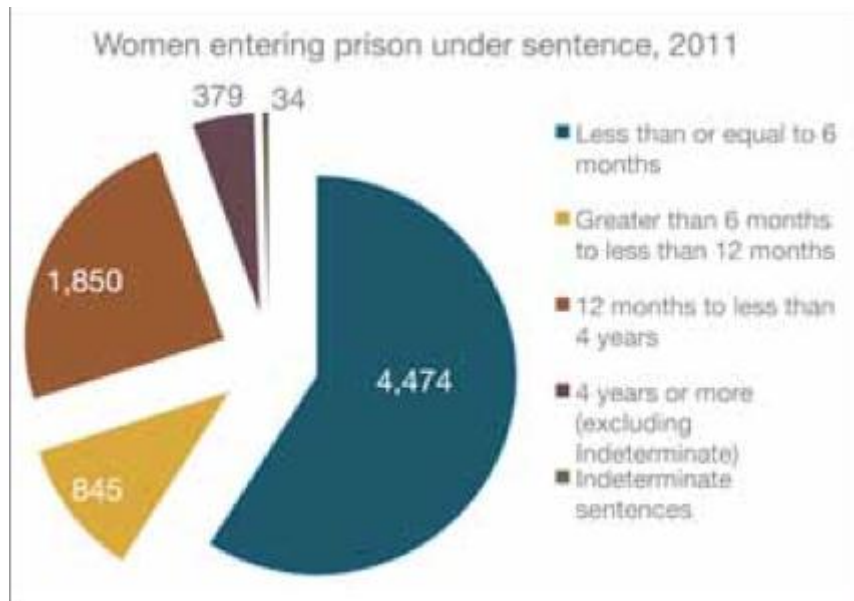
<b>Without Awaiting Trial</b>	<b>Number of FNW</b>	<b>Percentage out of Total</b>
Less than 1 year	155	70.14
1-4 years	55	24.89
Over 4 years	11	4.97
Indeterminate Sentence	0	0
Total	221	100

**APPENDIX B: CHARTS AND DATA FROM “WOMEN ENTERING  
PRISON UNDER SENTENCE, 2011”**



**Charts and Data Used from  
“Women Entering Prison Under Sentence, 2011”**

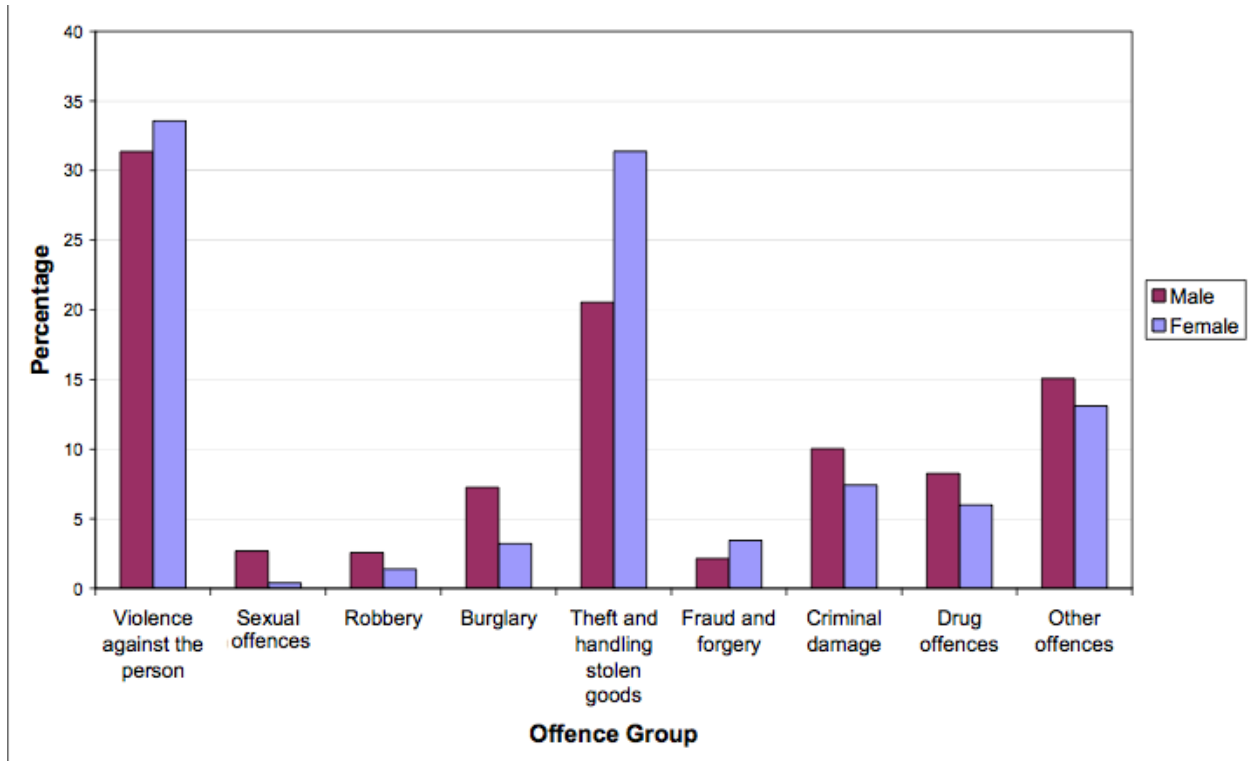
(PRT, 2012)



**APPENDIX C: CHART AND DATA USED FROM “PROPORTION OF  
MALE AND FEMALE ARRESTS BY OFFENSE TYPE, 2010”**

**Chart and Data Used from**  
**“Proportion of Male and Female Arrests by Offense Type, 2010”**

(Ministry of Justice, 2012)



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