



Human Trafficking and Cultivation of Cannabis

1

Dr Shahrzad Fouladvand

Lecturer in Law & Research Fellow at WISE

Hull University

s.Fouladvand@hull.ac.uk

Key Findings

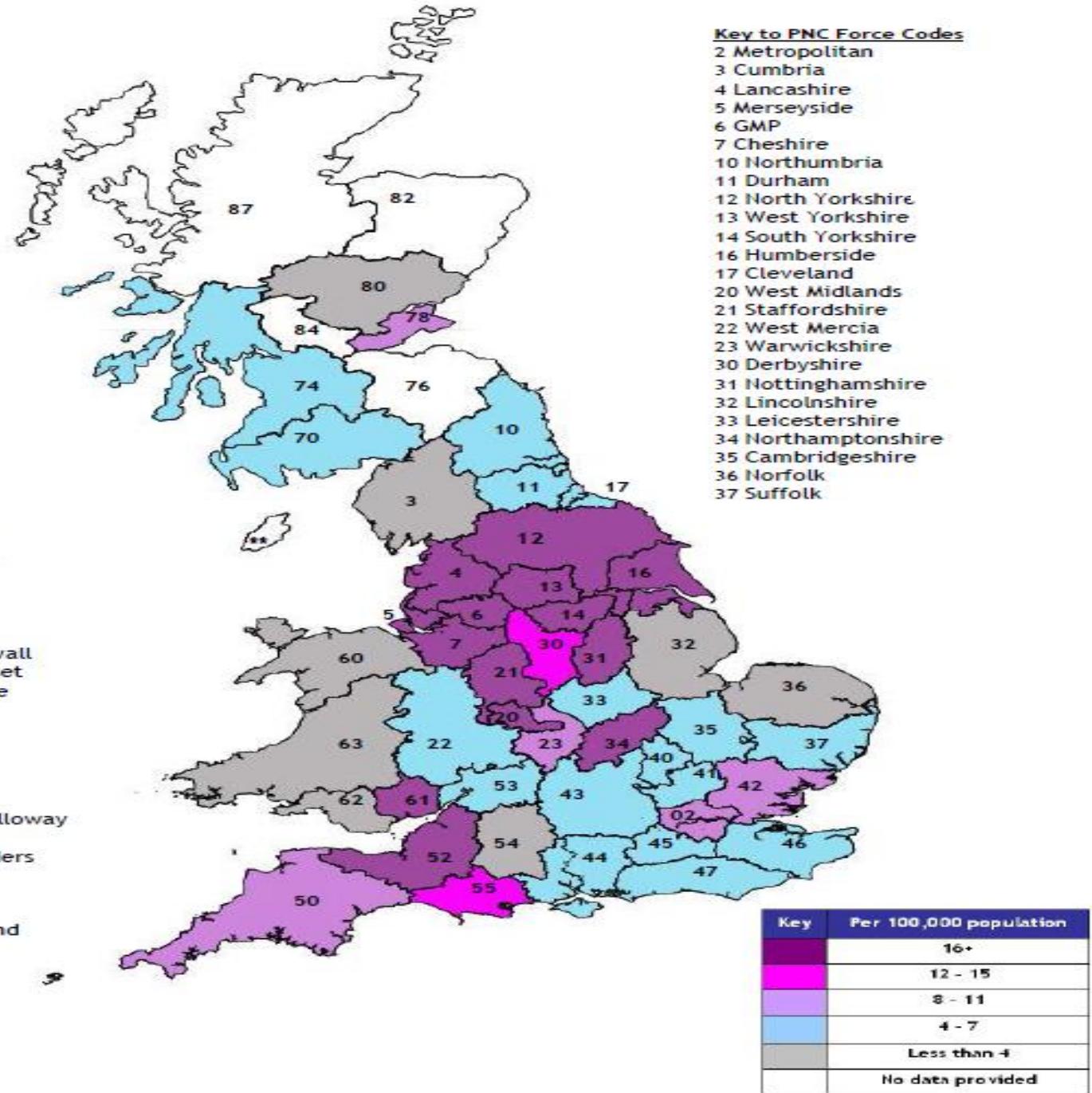
- The total of 14,982 cannabis production offences was recorded in 2010/11 (April 2010 to March 2011). During the 9 months' period of April 2011 to December 2011, a total of 12,348 offences were recorded (an average of 1372 a month).
- The number of commercial cultivation of cannabis farms continues to rise although this increase has stabilised. A total of 7,865 were identified in 2011/12 compared to 6,866 in 2009/10, an increase of 15 per cent.
- Between 2004 and 2007, police detected around 800 cannabis farms per year in the UK. This had risen to 7,000 by 2009/10, with the largest concentrations located in West Yorkshire, Greater Manchester and the West Midlands. A total of 750,000 cannabis plants were recovered by the police in 2009/10.

Comparative Table of Crime data for Cannabis Production from all Forces

A Comparative Table of Crime Data for Cannabis Production and Farms in the UK since 2007						
	2007/ 2008	2008/ 2009	2009/ 2010	2010/ 2011	Apr - Dec 2011	2011/2012 Projected Figures
Total Number of Cannabis Production Offences	No data	No data	No data	14,982	12,348	16, 464
Total Number of Commercial Cannabis Farms	3,032	4,951	6,866	7660	5,899	7,865
Number of Forces Reporting Overall	50	53	53	48	49	49
Average Number of Farms Per Month	252	413	572	638	492	656
Number of Farms per 100,000 Population	5	8	11	13	9	12

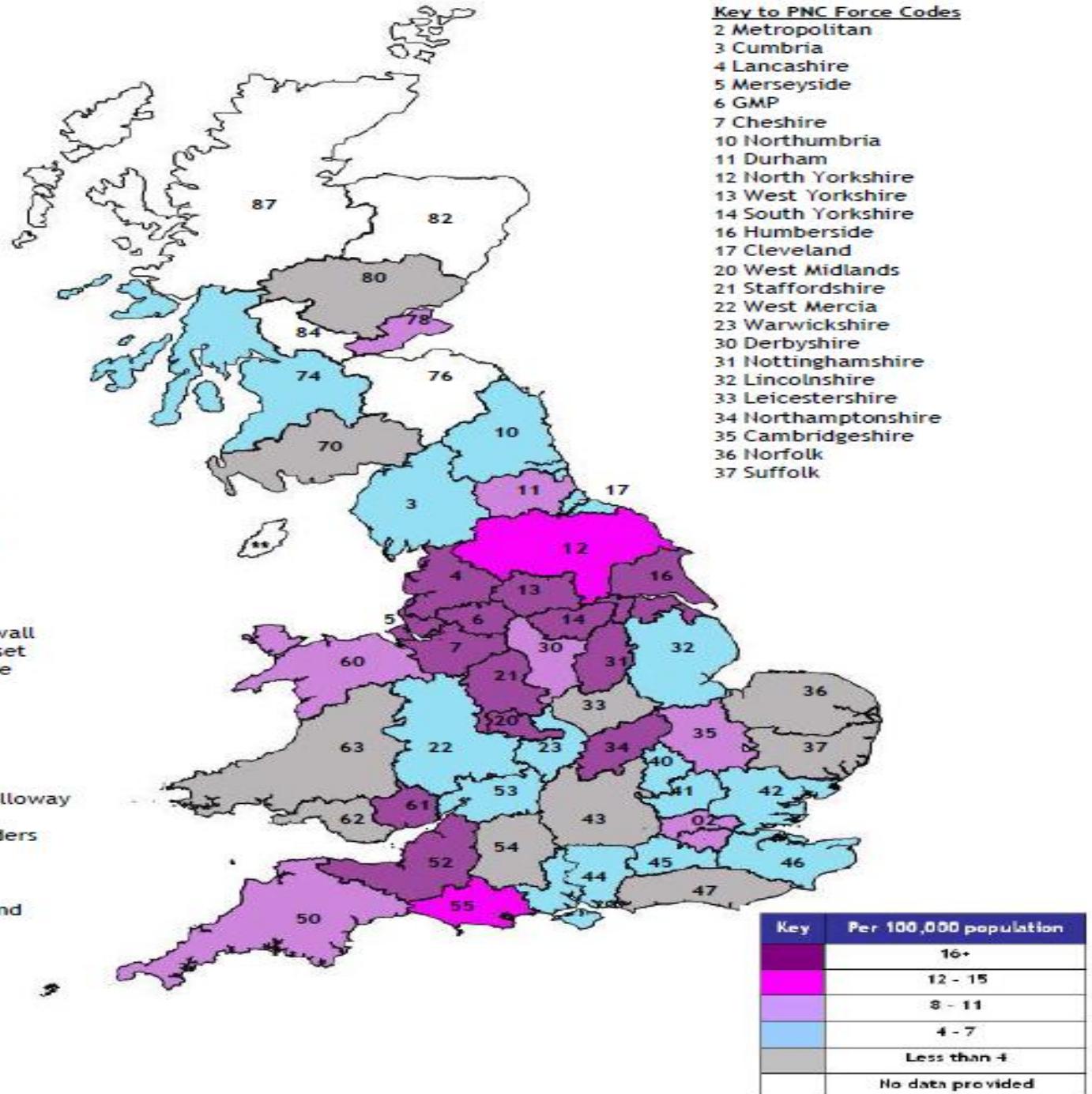
Geographical Analysis of Cannabis Cultivations 2010/11

40 Bedfordshire
41 Hertfordshire
42 Essex
43 Thames Valley
44 Hampshire
45 Surrey
46 Kent
47 Sussex
50 Devon & Cornwall
52 Avon & Somerset
53 Gloucestershire
54 Wiltshire
55 Dorset
60 North Wales
61 Gwent
62 South Wales
63 Dyfed Powys
70 Dumfries & Galloway
74 Strathclyde
76 Lothian & Borders
78 Fife
80 Tayside
82 Grampian
84 Central Scotland
87 Northern
** Isle of Man



Geographical Analysis of Cannabis Cultivations 2011/12

40 Bedfordshire
41 Hertfordshire
42 Essex
43 Thames Valley
44 Hampshire
45 Surrey
46 Kent
47 Sussex
50 Devon & Cornwall
52 Avon & Somerset
53 Gloucestershire
54 Wiltshire
55 Dorset
60 North Wales
61 Gwent
62 South Wales
63 Dyfed Powys
70 Dumfries & Galloway
74 Strathclyde
76 Lothian & Borders
78 Fife
80 Tayside
82 Grampian
84 Central Scotland
87 Northern
** Isle of Man



Definition

- “**Cultivation of cannabis** should be regarded as ‘commercial’ if: Twenty-five or more cannabis plants, at any stage of growth (germination), are being or have been grown OR there is evidence of a ‘cannabis farm’ ”.

- **The definition of cannabis farms is:**

‘The premises, or part therein, has been adapted to such an extent that normal usage would be inhibited and usually present within the premises, or part therein, are items solely concerned for the production of cannabis’, i.e.:

- High intensity lighting
- Ventilation / Extraction fans
- Any other associated equipment, and / or
- Electricity meter bypassed (abstraction of electricity)

Background

- Historically, cannabis had often been imported into the UK by traffickers from parts of South East Asia and North Africa.
- The home grown market expanded significantly over the last few years.
- A 2010 report from the Association of Chief Police Officers (ACPO) found that herbal cannabis cultivated in farms, often located in rented properties and commercial units, now makes up around 70 to 80 percent of the commercial supply
- In 2002, 75 to 80 percent of cannabis was imported from Morocco via Spain and Gibraltar.

Legal Status

- briefly reclassified to Class C from 2004, cannabis in its various forms was reinstated as a Class B drug in 2009 under regulations that prohibit its medical as well as its non-medical use.
- It is illegal to cultivate, produce, supply or possess the drug, except in accordance with a Home Office license issued for research or other special purposes.
- It is an offence to allow premises to be used for producing (including cultivating), supplying of or smoking cannabis. This last type of offence - allowing the use of a drug - applies only to permitting the smoking of cannabis or opium.
- **minimum sentence of 2 - 5 years.**

Cannabis Farms Fuel Human Trafficking

- Cannabis farmers are often seen by traffickers as low risk because of their anonymity - when discovered, they are often dealt with as residents without legal permission or prosecuted rather than treated as victims of trafficking.
- Organised Crime Groups involved in cannabis supply are frequently involved in the supply of other drugs, hence cannabis users risk being persuaded into the use of other class A drugs. According to a report by the National Police Chiefs' Council (NPCC), there is a link between the cultivation of the illegal plant and other crimes including money laundering, human trafficking and illegal immigration.

Human Trafficking a form of Modern Slavery

10

- Individuals continue to be smuggled into the UK and employed as gardeners for large cannabis grows. Smuggling and **trafficking** are differentiated from each other by the following definitions:
- □ Smuggling is characterised by **illegal entry** only and international movement only, either secretly or by deception (whether for profit or otherwise). There is normally little coercion/violence involved or required from those assisting in the smuggling.
- □ Trafficking involves the transportation of persons into the UK in order to **exploit** them by means of force, violence, deception, intimidation, coercion or abuse of their vulnerability.

Trafficking for forced labour in cannabis cultivation

- In most cases, trafficking happens because of a person's need to migrate for work, either within a country or abroad. Traffickers make promises of a better life, which for those from poor backgrounds or under pressure from impoverished and/or indebted families, might be the only opportunity to make a living.
- Traffickers are often more educated and articulate than those they recruit, reinforcing the idea that the victim may be able to share in the perceived success of the trafficker.

The Journey; the case of Viet Nam

- The most common journey for victims from Vietnam who were found in cannabis factories is via China on surface and then by flight to Russia. From there they are transported in lorries to Poland, the Czech Republic, Germany, France and finally the UK and Ireland.
- Vietnamese trafficking networks use other criminal organisations in transit countries to facilitate the trafficking of Vietnamese nationals throughout Europe. In a number of cases, the Czech Republic was a key transition point for the UK, before entering (often clandestinely) through seaports.

- Victims are often isolated, locked in the property and forced to sleep on floors and in cupboards.
- The traffickers often use emotional and/or physical abuse to ensure compliance with their instructions.
- Debt bondage is a common means of controlling trafficking victims from Vietnam.
- The UKHTC in its baseline assessment report found that the number of potential victims trafficked for cannabis cultivation increased 130% between 2011 and 2012.

- According to the NRM, Vietnam is the single largest source country for child victims of trafficking.
- of all the potential trafficking victims identified who were forced into cannabis cultivation, 96% were from Vietnam, 81% of whom were children.
- A recent freedom of information (FOI) request to all police forces across the UK found that in the period 1st January 2011 to 31st December 2013, there were 3,992 foreign nationals arrested for offences relating to the cultivation of cannabis under Section 4(2) and Section 6(2) of the Misuse of Drugs Act 1971. 1, 658 (41%) of those were Vietnamese. The following highest numbers of arrests were of individuals from Poland (12.7%) and China (4.1%)

- Profits from this activity can be worth millions, and are often laundered through other businesses owned by the criminal organisation, such as nail bars, before being physically moved as cash back to Vietnam.

Interventions

16

- E.g.
- Publicity campaigns
- The Modern Slavery Act 2015

- THANK YOU!

Any Question?

Dr Shahrzad Fouladvand
Lecturer in Human Rights Law
Hull Law School
s.Fouladvand@hull.ac.uk