

Chapter 2

Getting the Balance Right: The Ethics of Researching Women Trafficked for Commercial Sexual Exploitation

Helen Easton and Roger Matthews

Introduction

Producing accurate estimates of the nature and extent of human trafficking has proven difficult. Official estimates are highly speculative, vary considerably depending upon the source and have been the subject of much policy and academic debate (Cusick et al. 2009). Key to resolving these debates is the need for robust evidence about the experiences of people who have been trafficked; however, researching hidden, vulnerable, stigmatised and marginalised populations is known to be methodologically and ethically challenging (Cwikel and Hoban 2005).

While there is a growing body of research literature about human trafficking, much of it suffers from a lack of methodological transparency (Kelly 2005). There is also an overreliance on secondary sources (Andrees and van der Linden 2005). Primary research faces considerable methodological challenges, particularly in relation to problems of access, which affect the representativeness of samples, low response rates, and the reliance on proxy indicators or secondary information about actual cases rather than detailed personal testimony. Women who have been trafficked for commercial sexual exploitation experience a particular complexity of issues that renders research with this group sensitive and the participants vulnerable. Studies of women's experiences are further complicated by the diversity of trafficking contexts, by traumatic responses to their trafficking, by their involvement in the criminal justice system as victims and witnesses and by their often uncertain immigration status.

According to Liz Kelly (2005), it is imperative that trafficked victims' voices are heard as discussions about human trafficking are often played out in the context of

H. Easton (✉)

School of Law and Social Sciences, London South Bank University, London, UK

e-mail: eastonhj@lsbu.ac.uk

R. Matthews

School of Social Policy, Sociology and Social Research, University of Kent, Canterbury, UK

e-mail: R.A.Matthews@kent.ac.uk

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debates about prostitution. Within these exchanges, trafficked women's voices become marginalised. For those who have experienced violence, trauma and trafficking, silence is and becomes a survival strategy (Brennan 2005) as often their future safety and inclusion within their own communities require that they remain silent about their experiences (Kelly 2002; Bales 2003). A key challenge for research into trafficking therefore is the difficulty of balancing the safety and wellbeing of victims with the political need to draw attention to the circumstances and needs of trafficked people.

Research with victims of human trafficking is, however, alive with ethical and methodological challenges. As Zimmerman and Watts (2003) explain:

The degree and duration of the physical danger and psychological trauma to an individual is not always evident. In some cases risks may not be obvious to the interviewer. In other cases, dangers may not be apparent to the woman. (Zimmerman and Watts 2003, p. 5)

Indeed, their recommendation on conducting interviews with trafficked persons is to 'treat each woman and the situation as if the potential for harm is extreme until there is evidence to the contrary' (Zimmerman and Watts 2003, p. 5). On the other hand, research on traumatic, emotional and sensitive topics has frequently shown that emotional displays such as crying can be cathartic or empowering and may cause minimal harm when handled well by researchers (Goodrum and Keys 2007). Furthermore, research with people who have been trafficked also shows that the research process while predicted to be risky and harmful to participants can often be empowering (Cwikel and Hoban 2005).

The fifth principle of the UK Economic and Social Research Council's (2012) *Framework of Research Ethics* also urges: 'Harm to research participants and researchers must be avoided in all instances'. This statement, written as an imperative, suggests that to the ethics committee no amount of harm is acceptable (Hammersley 2014). Studying victims of trafficking therefore leaves researchers with a conundrum: there is a need for research, researching victims of trafficking has much potential for harm, but the harms may not be known immediately or to the participants themselves.

How then can it be guaranteed that even with the greatest consideration to ethics, the research study will do no harm? Should we research victims of trafficking at all? And what of the need to gather information to protect others still at risk of the harms of human trafficking? And where does our role as researchers start and finish? Such questions relate to the ethical concepts of distributive justice and beneficence (Cwikel and Hoban 2005). Distributive justice is the concept that an ethical decision may be the one that allows the greatest benefit to the largest number of people (Beauchamp and Childress 2012). Beneficence is the pursuit of benefits from actions in balance between risks and costs. This principle requires that ethical decisions consider the immediate participant, but there is also debate about whether the interests of other parties, such as those potentially at risk in the future, should be considered. Researching trafficked persons could therefore be considered an act of beneficence and distributive justice despite the potential but unpredictable harms it poses to participants.

Qualitative research with those who have been trafficked and sexually exploited has largely relied on feminist research methodologies, which challenge mainstream methods and privilege certain practices. Such methods challenge the positivistic notion that individuals are determined by their physical and social characteristics. Instead, the focus is on acknowledging and examining the participant's experience and emotions as a way of understanding their motivations and interests, creating emotionally sensed and embodied knowledge (Hubbard et al. 2001; Game 1997). Feminist research practice does not try to eliminate bias but rather embraces subjectivity and recognises that the production of knowledge about the world is situated, partial and specific. Feminist research therefore aims for 'conscious partiality' rather than adopting a detached or value-free approach (Harraway 1991).

While there is much debate within feminism about what constitutes feminist methodology (Bowles and Duelli Klein 1983; Harding 1987; Stanley and Wise 1983; Gelsthorpe 1992), central to a feminist approach is the idea that the research process involves a relationship between the researcher and the researched and that the researcher plays a role in the joint production of knowledge. Consequently, it is necessary for researchers to consider their effect on the actual process of the research at all stages from the initial conceptualisation, through fieldwork, data analysis and reporting. This requires the consideration of issues beyond race, class and gender such as the values, principles and assumptions of the researcher to bring these into consciousness in order to assess their contribution to the research. Engaging with research in this way creates its own particular ethical challenges, many of which are discussed further throughout the chapter.

The Research Studies

This chapter draws on two recent studies conducted by the authors and details some of the ethical issues that arose in connection to these studies. Both studies adopted feminist methodologies. The first was a study commissioned by the Scottish Equality and Human Rights Commission (EHRC). The study aimed to gather detailed evidence about the experiences of women trafficked into commercial sexual exploitation in Scotland (Easton and Matthews 2012) in order to contribute to a wider Inquiry into Human Trafficking in Scotland (Equality and Human Rights Commission 2011). The fieldwork for the study included in-depth interviews with trafficked women currently supported by the Trafficking Awareness Raising Alliance (TARA); semi-structured telephone interviews with representatives from key agencies addressing human trafficking in Scotland; secondary analysis of data held by these agencies; and a documentary analysis of victim statements provided by the police, lawyers and the UK Border Agency. Central to the research was an examination of each victim's experience of being identified as a victim of trafficking as well as the barriers victims experienced as part of the identification process and their experiences of the services that they encountered in Scotland. Pre-existing professional relationships with TARA enabled collaboration and consultation that allowed

access to participants and the early and rapid identification of ethical and practical issues. Ethical approval for the study was obtained from the London South Bank University Research Ethics Committee.

Of the 35 women on TARA's caseload, 26 were identified by practitioners as suitable participants. Of these, ten agreed to be involved. Women were selected to participate if it was thought they were sufficiently resilient, that is they were not currently in crisis, they were able to make an informed decision about their involvement and its possible consequences and they had resources that they could draw on for support. The women involved in the study ranged in age from 21 to 33 years with eight of the ten women in their early 20s. Nine of the ten women came from Africa (Nigeria, Gambia, Uganda, Kenya and Somalia) and one from Latin America. Four of the women were trafficked directly to Scotland, while five were trafficked to London and one to a city in the northeast of England. Of the six trafficked to England, two were also exploited in Scotland. The remaining four women arrived in Scotland having fled to Glasgow to escape their traffickers or to seek asylum. English was not the primary language of any of the women interviewed. None, however, requested or required an interpreter, although arrangements had been made through TARA should these have been required or desired by participants. The sample of women was representative of the overall caseload in most respects. All of those who participated had experienced being moved, deceived, controlled and exploited. The trafficking routes, methods of control and consequences of their experiences were all representative of the overall caseload. There were some differences in relation to the nationality of the women interviewed; however, they are largely representative as the overall caseload is predominantly non-European Union (EU) women, mostly from Africa, particularly Nigeria.

The second study was a large longer-term study of 114 women exiting prostitution. This study was funded by the UK Big Lottery Fund and involved a partnership between London South Bank University and Eaves, a UK organisation that works to address violence, including sexual violence, against women and girls. The study aimed to develop an understanding of how women exit prostitution, including a detailed assessment of how exiting differs for women involved in different forms of prostitution. The research aimed to identify barriers to exit as well as the motivational, situational and social factors that contributed to exiting. A key concern was identifying the services and supports which are most needed by women leaving prostitution and recovering from sexual exploitation. The study included a subsample of eight trafficked women receiving support to recover from their experiences of trafficking for the purposes of commercial sexual exploitation through Eaves' Poppy Project. The women involved in the study came from the Czech Republic, Nigeria, Lithuania, Thailand, Slovakia, and the Ukraine and were located in saunas and brothels, in on-street prostitution, in flats and private residences, in clubs and hotels, and in strip clubs and lap-dancing venues. Four women had prior involvement in the sex industry before being trafficked to the UK.

While the EHRC study had not involved the use of interpreters, some of the women in this study opted to use an interpreter in order that they could best express their views. Interpreters used in the study were drawn from a pool of interpreters

already familiar with the types of issues experienced by women who had been trafficked for the purpose of sexual exploitation, having been involved in interpreting for Eaves service users in the past (Zimmerman and Watts 2003; Cwikel and Hoban 2005).

Ethical approval for this study was obtained from both the London South Bank University Research Ethics Committee and the Central London (Camden and Islington) National Health Service (NHS) Research Ethics Committee. A research advisory group was also convened to provide external guidance and consultation particularly in relation to the moral and ethical dilemmas that might arise across the course of the research. The group consisted of ten members including specialist practitioners, academics, members of the Metropolitan Police Service and local government policymakers.

Working with Gatekeepers: Access and Ethics

Of primary concern in both studies was the potential harm to participants during and after the interview process, particularly in relation to the questions and concepts addressed. In the study of exiting, draft research instruments were circulated for comment and feedback to women who had exited prostitution and extensive pilots were conducted (Goodrum and Keys 2007). The main issues emerging were in relation to the language used to describe women's experiences. The women consulted felt that to talk of prostitution or sex work might be particularly problematic for those who had been trafficked. It was through this feedback that a decision was made to thoroughly outline to each participant the nature of the study and the types of questions that would be asked and to then ask the women what terms they would prefer to use to refer to their experiences (Brennan 2005). Over the course of the interviews, this process became much more organic with researchers explaining the aims of the research and the position held by each of the research organisations and following the woman's lead in relation to her own labelling of her experiences.

The process of piloting the research instruments was ethically complex but invaluable for the progress of the research. In this study, the researchers were new to interviewing victims of trafficking face to face. We were conscious of the need to protect participants from harm but struggled to understand how best to do this. The link worker, while very experienced in this regard, had not previously been involved in empirical research. Therefore, in the early days of the research a number of questions emerged: How did we interview women about such sensitive and personal issues without causing them harm through possible retraumatisation? How would we respond to emotion in the interviews? Was all emotion harmful? How did we deal with our own emotions during the interview? And after? Would any aspects of involvement act to counteract and possibly balance the risk of emotional distress for women participants? And finally, how do you balance the need for robust research evidence to inform policy and practice with the individual needs of women who have been victims? These were all issues that we addressed during the course of our research and which are discussed below in more detail.

Working in collaboration with the Poppy Project, we piloted our research instruments with two women who were identified by support workers as relatively stable (Brennan 2005). The pilot interviews included one participant, two researchers (the lead researcher conducting the interview and an Eaves researcher observing) and the link worker who had expertise in relation to the experiences of women who had been sexually exploited. The pilot process was discussed with both participants as part of the process of informed consent. The approach adopted was an attempt to balance a range of competing demands within this research setting and is a strategy other researchers in this field have adopted (Brennan 2005). The lead researcher aimed to pilot the research process and train researchers, the observer to develop skills and the link worker to support the trafficked woman and inform the ethical conduct of the study more widely. Following both pilot interviews, each participant was asked if she wanted to comment on her experience of the interview process. The research team later met as a group to debrief and discuss key concerns with the research advisory group. The researchers were aware that the approach taken to piloting the initial interviews might influence the power relationships within the interview but felt it was necessary to ensure that future interviews were conducted as ethically as possible and with the best interests of all participants taken into consideration.

The Scottish EHRC study, on the other hand, drew on the expertise of key stakeholders to assist with the construction of the research instruments. In this case, the research instruments were circulated at the commencement of the project to practitioners and stakeholders working with victims of trafficking. Central to this process was a renegotiation of methodology. While the project had been commissioned by the EHRC with a view to using face-to-face interviews to gather detailed experiences from women victims of trafficking who had experienced commercial sexual exploitation, this approach was challenged from the outset by those working with victims. Practitioners from TARA were of the view that the women who would be interviewed had already provided detailed accounts of their trafficking either to the project itself, to the police, to legal representatives acting on their behalf or to the UK Border Agency. It was argued that reinterviewing them about these experiences when they had moved on emotionally was potentially unethical as it was likely to cause distress and would also be likely to lead to reluctance among women to participate. As a way of countering both of these potential barriers, it was agreed with TARA that the details of women's experiences could be gathered from formal statements rather than requiring them to provide another account of these experiences (Zimmerman and Watts 2003). Therefore, rather than asking direct questions about their experiences of being trafficked, face-to-face interviews focussed instead on women's experiences of support services and the National Referral Mechanism, giving them scope to talk about their experiences connected to this if they felt able to do so.

Practitioners from TARA volunteered to identify and locate these documents, and they were securely couriered to London for inclusion in the study. While it was initially intended to include the documents of women other than those who participated, this proved problematic as consent was required to access these documents,

and tracking down all victims who had accessed the service proved difficult. It was also quite time-consuming to locate these documents even for a small sample as they are not stored in a central location but rather with the agency or organisation where they were taken. Although a useful strategy to minimise the need for women to relive traumatic experiences, this was not straightforward. Such statements are often prepared following hours of detailed interviews by professionals. They therefore provided much more detail than would have been gathered in one-off interviews. This level of detail was frequently traumatic for the lead researcher, particularly when combined with interview recordings and transcripts that documented the emotional impact and lasting effects of these experiences.

Harm to Participants

Our early encounters within both of these research projects highlighted the potential harm that participants might experience as a result of fieldwork. Therefore, as a first step in developing our research with victims of trafficking, we reviewed both the *British Society of Criminology's Code of Ethics for Researchers in the Field of Criminology* (2006) and the available research methods literature about conducting sensitive research with vulnerable populations. The core ethical principle within the *Code of Ethics* is that the physical, social and psychological well-being of a research participant must not be adversely affected by their involvement in the research. The *Code of Ethics* further explains that the researcher must also be aware of the possibility that the research experience may be a disturbing one, particularly for those who are vulnerable.

In addition to the vulnerability experienced as a result of the emotional and physical health consequences of their trafficking (Zimmerman et al. 2006), victims may also experience a range of personal, social and economic vulnerabilities that predate and perhaps contribute to their trafficking (Easton and Matthews 2012). Women who have been recovered from traffickers are also often vulnerable through their participation in legal processes such as seeking asylum or acting as trial witnesses, through their indeterminate status with official agencies or due to the risk of re-trafficking or retaliation from exploiters. These factors often interact and exacerbate the other underlying vulnerabilities these women experience. As one woman explained during her interview:

Oh god, it's terrible. Sometimes you feel like jumping out of the window. If it wasn't for my son I would just end [begins crying].... There's no future for us, even because of my son I would think about killing myself. I would be able to kill myself but I can't do this to my son. He has his own life to lead. It's just too much...even to eat. You can't eat sometimes. You want to eat, I can't eat. You can't sleep in the night. Sometimes when the door knocks you are afraid. When a letter comes for you I don't want to open it. It's just too much. It's terrible. The experience with the Home Office is terrible. I'm always afraid. You don't know what will happen. (Interview, Scottish EHRC Research, 33 years)

Research examining the experiences of those trafficked for sexual exploitation is also of a sensitive nature. As Sieber and Stanley (1988, p. 49) suggest, sensitive research is research where 'there are potential consequences or implications, either directly for the participants in the research or for the class of individuals represented by the research'. Research has also been considered sensitive if it engages with a taboo topic, such as sex or death (Farberow 1963), or due to the sociopolitical context or 'situation' within which it occurs (Rostocki 1986; Brewer 1990). Lee and Renzetti (1990) also recognise the potentially sensitive nature of research where there is a threat or risk to those studied related to the collection, storage or dissemination of data collected during research. Regardless of how it is defined, research on sensitive research topics has been widely accepted to be challenging for researchers and, as a result, a site of methodological innovation (Lee 1993).

A cursory examination of the literature suggests therefore that victims of trafficking are likely to be a highly vulnerable group with complex circumstances, and the topic itself is highly sensitive as it relates to issues including sex, gender, violence, exploitation, organised crime, trauma, mental and physical health issues, immigration, asylum and criminal justice processes (Lee 1993; Sieber and Stanley 1988; Farberow 1963; Rostocki 1986; Brewer 1990; Lee and Renzetti 1990). It is likely then that the research will be alive with ethical and moral dilemmas connected to all or some of these factors.

Informed Consent

A principle central to the ethical conduct of social research is the need for freely given informed consent. The *Code of Ethics* indicates that consent to participate should be informed, voluntary and continuing and that researchers need to check that this is the case and to explain to participants that they have the right to withdraw without any adverse consequences. It further suggests that particular consideration and attention must be given to this aspect of the research when working with 'vulnerable' people.

Central to the principle of informed consent is the need to explain to participants the limits of anonymity and confidentiality so that they are clear under what circumstances their information may be shared or identity become known. For example, legal or professional duties and obligations, which might override a researcher's offer of confidentiality such as the reporting of particular crimes (such as terrorism or treason) or safeguarding issues affecting vulnerable adults or children (University of Brighton [undated](#)). Working closely with support organisations also potentially creates circumstances where researchers feel obliged to share information with practitioners. The limits of these situations were not clear from the outset of our projects; therefore, a number of strategies were put in place in case the need to share information arose.

As a starting point in both studies, we gave detailed consideration to our information sheets and consent forms, circulating drafts to obtain feedback from

practitioners, key stakeholders, members of advisory panels and ex-trafficked or prostituted women. In both studies, we provided considerable information for participants about the nature of the study, the funders, the theoretical framework that we had adopted, the research process, how information would be gathered and stored, how anonymity and confidentiality would be maintained and so on. The information sheet was provided to key workers who could discuss the research with each participant in advance of our meeting where they would sign the consent form. Women in effect gave verbal consent to their worker prior to meeting with the research team. As this was a condition of our accessing women through both the Poppy Project and TARA, we took time in the start-up phase of the research to consult with and explain our research to key workers who were going to refer women to the study.

Both studies also included a section where the participant could sign to agree that information would be shared with their support worker or other agency. As women involved in these studies were accessed in connection to support services and often reported distressing circumstances to the researchers, it was felt that there needed to be a process where the researchers could be clear about the limits of their capacities and responsibilities. As we were interviewing participants in the same premises, often in the same rooms, where they had received counselling or support, we also felt it important to be explicit with participants that we were not trained counsellors or support workers. We therefore agreed that if a woman presented to the researcher as particularly vulnerable or chaotic, disclosed suicidal feelings or discussed possible self-harm, for example, at the end of the interview the researcher would ask her if she would like any support. Only with her permission would information be shared and a note was made on the consent form that a referral was made, to whom and why. The research team also made the decision that the only time a referral would be made without a woman's explicit permission was when she was considered an immediate danger to herself or if a child was at risk of harm. This, however, was not straightforward as there are differences in how researchers determine what constitutes a risk of immediate danger or harm to a child (Williamson et al. 2005). Fortunately, referrals of this nature were not needed in either study due to the thorough screening and joint working with support services.

A further consideration in relation to informed consent is related to women who might attend interviews while intoxicated on drugs or alcohol, who might present with mental health issues or demonstrate traumatic responses to initial screening questions as this might limit their capacity to provide informed consent. It was therefore our policy that interviews where the researcher was not confident that the participant was in a position to take part were immediately concluded. While this was not encountered in either of these studies (probably due to the screening of participants by support workers), past experience had told us this might occur.

It was also our policy to check in with women who became upset to see if they were able to continue. Despite many women showing emotional responses, none decided to conclude the interview early. Studies of trafficking victims report that some interviewees find speaking out about the past empowering, cathartic and useful for gaining perspective (Manz 2002; Cwikel and Hoban 2005; Brennan 2005). Indeed, even crying or distress is not always a reason to terminate an interview.

What is most important under these circumstances, it seems, is the researcher's response and how this contributes to the course of the interview and knowledge construction (Goodrum and Keys 2007).

Building and Maintaining Trust

People who have experienced trauma frequently report difficulties rebuilding trust, often struggling in interpersonal relationships (Schauben and Frazier 1995). Re-establishing trust is crucial to a victim's recovery and resettlement. Trust is therefore an important aspect in both practice and research with victims of trafficking and is a key determinant in the amount and quality of information provided to key workers and researchers (Kelly 2005).

Women in both of our studies reported experiencing issues with trust. One interviewee from the Czech Republic described how as a young teenager she had been sexually abused by a member of her family and taken into state care. She then fled the care setting only to become homeless and begin selling sex on the street. While on the streets, a man befriended her and took her home to his wife. For several weeks, the couple fed her and gave her a home. After some weeks they told her that they could find her a job in England, but instead, they trafficked her into commercial sexual exploitation. As she explained, these experiences have had a lasting impact on her capacity to trust:

I always think that people will be there to use you in a different way...very hard to trust people...as soon as I get a little trust for people they do me harm...sometimes I want to keep things to myself and keep myself to myself because people always end up messing me up and I feel bad and it makes me feel that I don't want to trust anyone ...no matter how much I try I can't trust... (Eaves Exiting Research, 33 years old)

Another woman explained in detail during the interview how she felt about participating in the research and the concerns she had about remaining anonymous:

...no matter how you try and move on that thing, or no matter how much I try to blank it out its always going to be there. The stigma is always going to be in my head and the fact that before [my support worker] told me to come and see you, she said you would look at my case. I was like 'What!? Why does she have to look at my case?' It makes me feel like now the whole world is going to know about stuff that's happened to me... (Interview, Scottish EHRC Research, 21 years old)

This woman's response highlights the potential pressure women might feel to be involved with research if they are contacted through support services. This is a potential challenge to the ethical conduct of research with trafficking victims or, indeed, with other vulnerable populations. This was something we addressed from the outset of the research through the involvement of key workers, and opting for agreement from participants at several stages of the process. While this woman expressed her anxiety, she had developed a significant amount of trust with her key worker. She was informed both by her key worker (on two occasions) and by the researcher that her participation in the study was voluntary and that she could withdraw her

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