Agent of Change

By Caelainn Hogan

Caelainn Hogan speaks with criminal barrister Caroline Haughey LL.B. (1999), whose successful prosecution of a modern-day slavery case in the UK led to the enactment of the Modern Slavery Act of 2015 targeting human trafficking and exploitation.

Caroline Haughey always saw the law as a living instrument. When she successfully prosecuted the first case of modern slavery in Britain, she played a key role in the law’s evolution. The 2011 case, tried in Southwark Crown Court, saw a 68-year-old former hospital director, Saeeda Khan, convicted of trafficking 47-year-old Mwanahamisi Mruke from Tanzania to London and enslaving the woman in her home. Desperate to send money home to support her daughter’s studies, Mruke travelled to London after Khan promised her a domestic service visa and to pay £50 a month to the daughter in Tanzania. Mruke was initially given £10 of pocket money a month, but after the first year, the meagre payments stopped and threats were made against her family back home. For years, Mruke was made to sleep on the kitchen floor, working from dawn until midnight, with only a few slices of bread to eat. Her passport was taken away and she was banned from leaving the house without permission.

The ruling that found Khan guilty of trafficking a person for the purpose of exploitation was heralded as the first modern-day slavery case in the UK, though the conviction was later overturned. The case was a catalyst for the Modern Slavery Act of 2015, which Haughey helped draft, expanding the definition of exploitation. Since then, Haughey has prosecuted a range of cases under the Act, from labour exploitation cases to child sex trafficking. Haughey sits on the UK’s Modern Slavery Task Force and consults with governments and law enforcement agencies worldwide on these issues. She explains that many people being exploited had left difficult situations at home and trusted their traffickers’ promises of a better future in Britain. Physical and psychological isolation, often coupled with a fear of authorities and police, leads to people being exploited in plain sight, feeling they have no one to turn to.

While growing up in Newry, in Northern Ireland, during the Troubles, Haughey was encouraged to be understanding of others. Her mother was Protestant and her father Catholic, and the conflict became “part and parcel” of daily life. The kitchen table was the epicentre of her first debates, discussing the issues of the day over dinner with her parents and two younger brothers. She was encouraged to form strong convictions from a young age. Her mother ran her own law firm, while her father, who worked in manufacturing pharmaceuticals, was always political. Politicians and even a future prime minister were often dinner guests. Her father believed that if you could get people to eat at a table together, you could find a resolution. “I always knew I wanted to be a criminal barrister,” she insists. As a kid, she remembers following a murder trial and being fascinated by the process. Her parents were uncomfortable with the religious segregation of schools, so she was sent to boarding school in the UK, where her teachers encouraged ambition and independence. Even with dyslexia, she developed an obsessive love for the power of words. Being away from home opened her eyes to how Northern Ireland was viewed from afar, particularly stereotypes of people being terrorists. “Judge as you find, not as people tell you” was a motto her parents lived by that still informs her work today.

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Seven years ago, it was a challenge to get a rape conviction for a case of sexual assault against a sex worker. She recently had a jury convict a rapist in such a case within 45 minutes. “The law is a living instrument,” she says. As a criminal barrister with Furnival Chambers, she continues to prosecute high profile cases that drive the law to adapt. To combat trafficking, she believes it’s important to change perspectives. The person being exploited could be cleaning your office. “We need a little more compassion.” She worries we are losing the willingness to consider opposing views. “We shout, but don’t listen,” she says. Education is crucial to fostering understanding, but that means removing class barriers to learning. “Make the bar accessible to demographics that otherwise wouldn’t consider it,” she says. The most important lesson she has learned through her work is not to fear her own capacity to make an impact on the world. “It taught me not to fear being the advocate of change,” she says. “I have seen the law change in real time.”

Friends who studied at Trinity “raved about it,” so she applied there to study law. Haughey liked its history as the oldest seat of learning in Ireland. “I was coming back to my roots,” she said. “I wanted to acknowledge my Irishness.” The fact Trinity had a copyright library was a dream. “I eat books,” she admits. She began her degree at Trinity Law School in 1994, and her focus on criminology never waned. Cases of sexual assault stood out for her. She remembers being appalled by a judge who believed a person in prostitution could not be raped. She debated at the Hist and Phil, honing her skills through endless rows and discussions with fellow students, many of whom became lifelong friends. “Extraordinary people,” she says. “I felt like I’d come home, in a mental sense.” She maintains her connection with Trinity still, as a member of the Provost’s Council.

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