



An inspection of the work of Border Force, Immigration Enforcement, and UK Visas and Immigration to identify, investigate, disrupt and prosecute perpetrators of modern slavery and human trafficking

October 2019 – April 2020

David Bolt

Independent Chief Inspector of
Borders and Immigration

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Contents

Foreword	2
1. Scope and Purpose	3
2. Methodology	4
3. Summary of conclusions	6
4. Recommendations	14
5. Background	16
6. Inspection findings: Strategies, plans and operational tasking	30
7. Inspection findings: 'Frontline staff', guidance, training	43
8. Inspection findings: Performance	67
Annex A: Role and remit of the Independent Chief Inspector	83
Annex B: ICIBI's expectations	85
Acknowledgements	87

Foreword

In 2017, I reported on the identification and treatment of Potential Victims of Modern Slavery (PVoMS) by Border Force, following this up in 2018 with a re-inspection to check on progress made in implementing my recommendations.

Following discussions with the Independent Anti-Slavery Commissioner about where a further inspection might add most value, this latest report focuses on the work being done by Border Force, Immigration Enforcement and UK Visas and Immigration to identify, investigate, disrupt and prosecute the perpetrators of modern slavery and human trafficking (MSHT).

The inspection found that while operational activity overall has increased since the Modern Slavery Strategy was launched in 2014, the work of the three Borders, Immigration and Citizenship System (BICS) operational directorates, and that of the wider Home Office, remains siloed and disjointed, with little evidence of a plan to address this.

BICS has had some success in focusing frontline staff on the identification and safeguarding of victims through the National Referral Mechanism (NRM), which is reflected in increased numbers of NRM referrals. It should continue to build on this, particularly at the border, where the numbers are still low. However, it is not doing enough to combat the criminals who perpetrate, enable and exploit MSHT, and opportunities to do so are being missed.

My report contains three recommendations, which together look to reset the BICS response to MSHT. They stress the importance of creating a clearer, more coherent set of roles, responsibilities and objectives for BICS, and also of ensuring that the Home Office Serious Organised Crime Group (SOCG), which holds the departmental lead for MSHT, is more closely engaged with BICS over its efforts to tackle MSHT.

This report was sent to the Home Secretary on 16 September 2020.

David Bolt
Independent Chief Inspector of Borders and Immigration

1. Scope and Purpose

1.1 This inspection examined the work of the Border, Immigration and Citizenship System's operational directorates to identify, investigate, disrupt and prosecute perpetrators of modern slavery and human trafficking (MSHT).

1.2 The inspection focused on:

- the legislation, policies, guidance, training, objectives, priorities and performance measures that support the identification, investigation, disruption and prosecution of individuals and organised crime groups (OCGs) involved in MSHT
- the opportunities for Border Force, Immigration Enforcement and UK Visas and Immigration (UKVI) to identify and pursue perpetrators, through their core work and systems, and through targeted operations, projects and investigations
- the recording and sharing (within BICS and with partner agencies) of information and intelligence about MSHT victims and perpetrators
- how 'hand-offs' between BICS directorates and to other agencies are managed, including feedback loops
- assessments of the effectiveness of current measures and plans to improve performance and outcomes

1.3 The scope of this inspection was discussed and agreed with the Independent Anti-Slavery Commissioner. ICIBI's previous inspections¹ of MSHT were victim-focused. This inspection looked at the identification and handling of Potential Victims of Modern Slavery (PVoMS) only insofar as it was relevant to the identification and pursuit of the perpetrators.

¹ 'An inspection of Border Force's identification and treatment of Potential Victims of Modern Slavery' (July to October 2016), published in February 2017, and the re-inspection report published in March 2018.

2. Methodology

2.1 Inspectors:

- on 11 September 2019, met with the Independent Chief Inspector and the Independent Anti-Slavery Commissioner to discuss the scope of the inspection
- between 14 October and 6 December 2019, made familiarisation visits to:
 - Deputy Director BICS Lead on Modern Slavery
 - Director Criminal Financial Investigations
 - Immigration Enforcement Criminal and Financial Investigations (CFI), Liverpool and London
 - Border Force National Safeguarding and Modern Slavery (SAMS) team
 - National Police Chiefs' Council,² including the policing leads for Maritime, Borders and Modern Slavery
 - South West Regional Organised Crime Unit, Bristol
 - Crown Prosecution Service
 - Salvation Army
- reviewed relevant open source information, including findings and recommendations from previous reviews and inspections reports
- requested and analysed evidence and data from the Home Office
- on 7 January 2020, interviewed and ran focus groups at Heathrow Terminal 5 with the Intelligence teams, including Field Intelligence Officers and Intelligence Analysts
- on 8 January 2020, interviewed and ran focus groups at the juxtaposed controls at Calais with operational staff, including those with Safeguarding and Modern Slavery (SAMS) responsibilities
- on 9 January 2020, interviewed Operational Intelligence senior managers at Heathrow
- on 13 January 2020, interviewed and ran focus groups with the Immigration Intelligence Receipt, Evaluation & Development (RED) team in Sheffield
- between 14 January and 20 January 2020, interviewed and ran focus groups and 'drop-ins' with operational frontline staff, interviewing officers, SAMS-trained managers, technical specialists and CFI officers at:
 - Border Force at Heathrow Terminals 2 and 5
 - UKVI's Asylum Intake Unit (AIU) in Croydon
 - CFI in Manchester

² The National Police Chiefs' Council, established on 1 April 2015, is a national coordination body for law enforcement in the United Kingdom and the representative body for British police chief officers.

- on 21 January 2020, interviewed and ran focus groups with staff at Yarl's Wood Immigration Removal Centre (IRC), and on 23 January interviewed (by telephone) the SERCO vulnerability lead at Yarl's Wood IRC
- on 24 January 2020, interviewed officers and senior managers in Immigration Enforcement's Crime Development Team (CDT) based in Cardiff
- on 27 January 2020, interviewed senior managers in Croydon responsible for intelligence analysis and criminal intelligence policy and strategy
- on 28 January 2020, interviewed and ran focus groups with staff in the Immigration Compliance and Enforcement (ICE) team based at Manchester
- on 29 January 2020, interviewed the Modern Slavery Performance Transformation Unit (MSPTU) senior officer
- on 30 January 2020, interviewed the Director CFI
- on 31 January 2020, interviewed and ran focus groups with staff at the Single Competent Authority (SCA)
- on 19 February 2020, interviewed the Head of the Modern Slavery Unit in the Home Office
- on 27 February 2020, presented the emerging findings to senior managers from CFI; Border Force Operational Assurance Directorate and National Safeguarding and Modern Slavery (SAMS) Team
- on 3 March 2020, interviewed National Crime Agency (NCA) senior management for the Modern Slavery and Human Trafficking (MSHT) threat
- on 10 March 2020, met with the Independent Chief Inspector and the Independent Anti-Slavery Commissioner to discuss the emerging findings
- on 18 March 2020 met by telephone with the National SAMS Team
- on 24 March 2020 met by telephone with a senior manager from Border Force International, Intelligence Directorate (International Operations)
- between 7 May 2020 and 28 May 2020, requested and received further evidence from the Home Office in relation to governance, oversight, data and guidance

3. Summary of conclusions

- 3.1** According to Home Office data,³ in the two years between April 2018 and March 2020, 10 individuals were arrested for modern slavery offences following an investigation by Immigration Enforcement's Criminal and Financial Investigations (CFI) directorate. Five of these were subject to no further action by the Crown Prosecution Service (CPS), three were charged with conspiracy to facilitate and two with the substantive offence of facilitation.
- 3.2** In addition to convictions, CFI looks to disrupt serious and organised criminals by other means, for example by seizing their assets and by restricting their travel and other activities. The overall number of CFI disruptions has grown each year. Between April and July 2018, CFI recorded 73 disruptions. Over the same period in 2019, it recorded 150 disruptions.
- 3.3** Claimed disruptions go before a CFI-chaired Disruption Panel for endorsement. In May 2020, inspectors were told that "the last successful [Modern Slavery and Human Trafficking (MSHT)] claim was December 2018", but that some disruptions of MSHT will have been recorded under other headings as the methodology records disruptions against the organised crime group's (OCG) main criminal activity only, and most OCGs are involved in more than one criminal activity.
- 3.4** The Modern Slavery Act 2015 introduced Slavery and Trafficking Risk Orders (STROs) and Slavery and Trafficking Prevention Orders (STPOs) as tools for restricting the activities of persons who pose a risk of committing an MSHT offence (STRO) or those who have been convicted or cautioned in respect of such an offence (STPO). In September 2020, CFI told inspectors that it had obtained four STROs as part of two operations. All four were subsequently discontinued.
- 3.5** CFI's figures for persons charged with an MSHT offence, convicted or otherwise disrupted appear low. To put them in context, in the year ending 31 March 2019, the police in England & Wales recorded 5,144 modern slavery offences. In the same period, 205 cases were referred to the Crown Prosecution Service (CPS) for a charging decision, "over two-thirds (68%) [of which] resulted in a conviction".
- 3.6** In October 2019, the Prime Minister's Implementation Unit (PMIU) published figures for STROs (35) and STPOs (122) issued between 2016 and the end of March 2019. PMIU identified an increase in STPOs in 2019 Q1, which looked "set to continue into 2019", but described both as "substantially underutilised, largely due to a lack of capability and experience among officers use of these orders".
- 3.7** In the case of BICS, specifically CFI, there seemed to have been no concerted effort to make use of STROs and STPOs. The Home Office had published 'Guidance on Slavery and Trafficking Prevention Orders and Slavery and Trafficking Risk Orders under Part 2 of the Modern Slavery

³ These are internal Home Office figures that have not been quality assured in accordance with the Code of Practice for Statistics produced by the Office for National Statistics.

Act 2015' in April 2017, since when CFI officers had received no further instructions or guidance on their use or value.⁴

- 3.8** Commenting on the police statistics in March 2020, the Office of National Statistics (ONS) noted that “collecting legal evidence for modern slavery offences can be difficult, and cases are among the most challenging and complex to prosecute”. Nonetheless, the ‘Independent Review of the Modern Slavery Act 2015’ report, published in May 2019, concluded that “there are still sadly too few convictions being handed down for the new offences prosecuted under the Act, and too few Slavery and Trafficking Prevention and Risk Orders are in place to restrict offender activity.”
- 3.9** In December 2017, the National Audit Office (NAO) had criticised the Home Office for the Modern Slavery Strategy’s lack of performance measures or targets, or “definition of what success looks like”. The NAO acknowledged that the National Crime Agency (NCA), which leads the Pursue strand of the ‘4 Ps’⁵ Strategy, produced a ‘detailed dashboard’, including victims identified, recorded crimes, prosecutions and convictions, but pointed out that this too contained no targets.
- 3.10** The Home Office had told the NAO that it had “deliberately not set targets for future delivery as it does not believe it is possible to do so until it has established a stable baseline.” Over two years later, ICIBI found that neither the Home Office nor BICS had an overall performance framework for recording and measuring its actions in relation to MSHT. There were no departmental or BICS-level targets and performance measurement was fragmented. The inspection therefore sought to establish how BICS directorates knew what was expected of them in relation to MSHT.
- 3.11** In 2014, ‘Modern Slavery Strategy’ identified BICS operational directorates as having important roles to play spanning all four strands of the Strategy. It emphasised the particular contributions that Border Force and Immigration Enforcement were able to make to law enforcement efforts internationally, at the border, and within the UK.
- 3.12** However, in June 2019, the latest Home Office Single Departmental Plan contained just two references to modern slavery. The first related to how it would “Protect vulnerable people and communities” (under the goal “Strengthen the border, immigration and citizenship system”). This would be by identifying and safeguarding them in order “to protect victims of trafficking, modern slavery, detainees and children at risk of abduction”. The second, under “Our performance”, referred to 593 disruptions by Immigration Enforcement in 2018-19 “against individuals and organised crime groups involved in the exploitation of people through modern slavery and organised immigration crime”. Inspectors found this statement difficult to reconcile with the Disruption Panel evidence.
- 3.13** The previous Single Departmental Plan, published in June 2018, had given greater prominence to modern slavery. “Protect refugees and victims of human trafficking and modern slavery” was a separate sub-heading under “Protect vulnerable people and communities”, one of seven “goals”. To achieve this, the Home Office would “Overhaul the support system for identifying and supporting victims of modern slavery” and “Ensure that we have the right capabilities in the UK and overseas, and a comprehensive action plan, to identify, disrupt and dismantle the

⁴ In September 2020, in its factual response, the Home Office reported that: “All CFI Officers who have undertaken PIP 2 are trained in STPOs and STROs as part of the Public Protection Learning Programme as one of the 13 strands of Public Protection. This is delivered under licence from the College of Policing.”

⁵ Pursue, Prevent, Protect, Prepare. See Chapter 5.

criminal networks involved in modern slavery and immigration crime". It would also contribute to cross-government priorities by "Tackling modern slavery and people trafficking".

- 3.14** The 2019 Plan offered no explanations of the changes from the previous version or whether they signalled a shift in the department's priorities in relation to MSHT. However, in the interim, the National Referral Mechanism (NRM) had been "overhauled" and the two caseworking units, in UKVI and the NCA, had been replaced in April 2019 with a Single Competent Authority (SCA).
- 3.15** The SCA sits outside BICS in the Tackling Slavery & Exploitation Directorate, part of the Home Office's Serious Organised Crime Group (SOCG). Tackling Slavery & Exploitation Directorate also houses the Modern Slavery Unit (MSU), responsible for setting the overall MSHT policy and strategic direction and for implementation of the Modern Slavery Act 2015. MSU has teams covering each of the '4Ps' According to the Home Office intranet, 'Team Pursue' is responsible for "our law enforcement and prosecution response to modern slavery and aim[s] to disrupt and prosecute those responsible".
- 3.16** The Director General SOCG is the Home Office lead for MSHT and represents the department at the most senior cross-government fora. Inspectors therefore looked at how requirements and delivery were managed between and within the two divisions (SOCG and BICS) and asked how often MSHT had been discussed by the Home Office Executive Committee (chaired by the PUS and attended by Home Office Directors General) in 2019-20. They were told that there was "no record that Modern Slavery was discussed as a substantive item" but that "the [National Referral Mechanism] NRM was discussed regularly throughout the 2019-20 reporting year as it came up as part of the monthly Performance and Risk discussions".
- 3.17** Inspectors were told that Deputy Directors⁶ from Tackling Slavery & Exploitation Directorate and BICS directorates met on an ad hoc basis. For example, SCA and BICS had regular catch-ups on operations and casework. Inspectors asked for the minutes of any recurring meetings between MSU and BICS directorates during 2019-20 but were told that there were none. There was no evidence that MSU had had any meaningful involvement in setting objectives or targets for BICS directorates or in monitoring or holding them to account for their MSHT performance.
- 3.18** Inspectors also asked how often the BICS Board (attended by BICS Directors General and chaired by the Second Permanent Secretary) had discussed MSHT in 2019-20 and were told that it had "not covered Modern Slavery as a standalone item at a Board meeting between March 2019 and May 2020".
- 3.19** To the extent that BICS' efforts in support of the Pursue strand of the MSHT strategy are directed and coordinated (Border Force and Immigration Enforcement have entirely separate intelligence functions, threat assessments, Control Strategies and Tasking and Coordination mechanisms), this is done through the NCA-led Modern Slavery Threat Group (MSTG). Both Border Force and Immigration Enforcement are original members of the MSTG, which at the time of the inspection was chaired by the Chief Constable of Devon & Cornwall Police MSHT portfolio-lead for the National Police Chiefs' Council. In May 2020, the Home Office reported that UKVI had now been included on the NCA MSTG and its sub-groups.
- 3.20** The most successful example of multi-agency cooperation tasked through MSTG is the long-running Project AIDANT. Since 2017, there have been more than a dozen 'phases' of AIDANT, each focusing a particular MSHT theme, with the aim of identifying victims and perpetrators,

⁶ "Deputy Director" is not used consistently within the Home Office. Grades vary. But, typically, a Deputy Director will be responsible for one or more business units and report to a Director.

generating intelligence, raising awareness and fostering collaborative working. Border Force and Immigration Enforcement have been active participants in AIDANT throughout its life and have also taken part in other targeted operations carried out under the AIDANT 'umbrella'.

- 3.21** Project AIDANT exemplifies the 'week of action' or 'intensification' approach, common across law enforcement, where, for a fixed period, more resources are brought to bear on a problem than is normally the case. As AIDANT has demonstrated, they produce results, but their long-term impact is harder to assess, in particular where the criminal activity is organised, well-informed, and agile. However, what Project AIDANT also highlights is the gap between what can be achieved through an intensification exercise and what 'business as usual' produces.
- 3.22** Successive editions of 'UK Annual Report on Modern Slavery', published by the Home Office, have referred to Project AIDANT's achievements. The October 2019 version also noted "a continued uplift in operational activity to tackle modern slavery, involving a range of law enforcement agencies. Monthly operational data showed that in June 2019, there were over 1,479 active law enforcement investigations, compared with 188 in in November 2016."
- 3.23** Similarly, where the Home Office's 2019 Single Departmental Plan referred to an increased number of disruptions, the 2018 version's 'Protect vulnerable people and communities' goal had cited year-on-year increases in NRM referrals (in 2015 there were 3,261; in 2016, 3,804; and, in 2017, 5,145) under "Our Performance".
- 3.24** While neither the Home Office nor BICS has an overall performance framework for MSHT, the clear implication from such statements, as well as from protectively-marked assessments and other documents, is that volume of operational activity is regarded as an indicator of performance and year-on-year increases as a quasi-target.
- 3.25** The ONS data released in March 2020, though heavily caveated, offers some pointers to how efficient and effective BICS has been in increasing operational activity in relation to MSHT, including in identifying, investigating, disrupting and prosecuting of perpetrators.
- 3.26** ONS reported that, in 2018, there were 6,985 NRM referrals, continuing the upward annual trend. Of these, 1,625 (23%) were UK nationals, while 5,360 were foreign nationals and therefore of potential concern to BICS with regard to their immigration status and how they came to be in the UK. Of the 3,857 adult referrals, 3,653 (95%) were foreign nationals.⁷ In 2019,⁸ NRM referrals reached 10,627, a 52% increase on 2018. Of these, 4,624 (43.5%) were referred by BICS as First Responder: 2,494 by UKVI; 1,880 by Immigration Enforcement; and 250 by Border Force.
- 3.27** The focus of the NRM process is, rightly, the safeguarding and welfare of potential victims and it was clear from discussions with managers and frontline staff in Border Force, Immigration Enforcement and UKVI that they recognised this as their primary responsibility as designated First Responders. This is reinforced in Home Office training and guidance, and the numbers appear to show that BICS frontline staff are getting much better at identifying and referring potential victims, although there is no data for how many MSHT victims are 'missed' at first encounter.

⁷ In 2018, a further 1,499 adult potential victims were reported in England and Wales under the 'Duty to Notify' provisions of the Modern Slavery Act 2015. The ONS published data did not show how many of these were foreign nationals.

⁸ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/903711/national-referral-mechanism-statistics-uk-end-of-year-summary-2019-tables.ods

- 3.28** This raises the question of whether BICS frontline staff are also getting better at identifying perpetrators, as envisaged in ‘Modern Slavery Strategy’, and, if so, how efficiently information about perpetrators is turned into actionable intelligence and leads to criminal investigations. Here, inspectors found that there were numerous points of failure in terms of both capacity and competence: competing priorities; insufficient training; too many hand-offs; and separate intelligence structures and processes in Border Force and Immigration Enforcement.⁹
- 3.29** Border Force managers recognised that its NRM referral numbers were “particularly low”. There had been no analysis of why, but they pointed out that encounters with arriving passengers at the immigration control point were brief compared with the sorts of encounters that UKVI and Immigration Enforcement staff had with individuals, and Border Force officers had to keep the arrivals queues moving.¹⁰ This also made identification of traffickers difficult.¹¹
- 3.30** In addition, when a person enters the UK they may not yet have become a victim, might not recognise themselves as such, or may be afraid to declare themselves to a uniformed Border Force officer who may refuse them entry. Although Immigration Enforcement encounters might last longer, the ‘fear of authority’ point again applies. Meanwhile, in any encounter with BICS (or the police) a victim may be afraid to speak about their traffickers and exploiters for fear of reprisals against themselves and their families.
- 3.31** All of this would make eliciting information about perpetrators a difficult and delicate business for frontline officers, even if they were specially trained and directed through guidance and routine tasking to do so, which was not what the inspection found.
- 3.32** The Home Office told inspectors that “all frontline officers¹² undertake e-learning in ‘Keeping Children Safe’,¹³ Section 55 safeguarding responsibilities,¹⁴ trafficking indicators, the National Referral Mechanism (NRM), Female Genital Mutilation (FGM) and Modern Slavery.” The training focuses on protecting victims. There are references to perpetrators, including trafficker profiles and behavioural indicators that officers might observe, but most are too broad to be of much practical use. The ‘Modern Slavery’ module explains that “the opportunity to maximise information gathering may be as simple as talking to a person who appears to be at risk”, but it offers no strategies or advice on how best to go about this.
- 3.33** In March 2020, the Home Office published ‘Modern Slavery Act 2015 – Statutory Guidance for England and Wales’. This is written for public authorities and First Responder organisations. It replaced BICS-specific guidance, ‘Victims of modern slavery – frontline staff guidance’.

9 ICIBI inspected BICS intelligence functions in 2015-16. See https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/549247/ICIBI_inspection_intelligence_functions_Border_Force_IE_July_2016.pdf

In January 2020, ICIBI began an inspection of BICS intelligence functions, focusing on intelligence collection (‘field intelligence’). Due to COVID-19, inspectors were unable to carry out onsite visits. ICIBI therefore took the decision in June 2020, to pause the inspection.

10 In September 2020, in its factual accuracy response, the Home Office commented: “Border Force operations at the Juxtaposed Controls are not required to refer (PVOMS) to the National Referral Mechanism (NRM). Therefore, the number of NRM referrals made by Border Force does not accurately reflect the actual level of activity conducted by Border Force officers working to identify potential MSHT victims at locations outside the UK. Border Force ensures that all unaccompanied and accompanied children (where concerns exist) encountered at the Juxtaposed Controls are interviewed by a SAMS-trained officer. Those who are in a position of vulnerability are provided as a matter of routine with contact details of sources of support within their home country and the Modern Slavery helpline number in their own language.” Also, with regard to queues, Border Force commented that: “Queue management always comes second to border security work and protecting vulnerable people. This includes the identification of PVOMS and potential traffickers.”

11 In September 2020, in its factual accuracy response, the Home Office noted in relation to identification and pursuit of perpetrators at the border: “However, the lead intelligence, that would result in more intelligence-led interdictions, is not getting to Border Force frontline from IE Intelligence CDTs (via Border Force Intelligence).”

12 “Frontline” in this context equates to ‘public-facing’ and includes the whole of Border Force; Immigration Enforcement Immigration Compliance and Enforcement (ICE) teams, Criminal and Financial Investigation teams, Criminal Casework staff, and those working in Immigration Removal Centres; UKVI staff working on Asylum cases, Entry Clearance, and at Premium Service Centres.

13 ‘Keeping Children Safe’ is a 60-minute e-learning module. Further ‘Keeping Children Safe’ training takes the form of a one-day classroom-based course.

14 Section 55 of the Borders Citizenship and Immigration Act 2009.

The new guidance contains separate, short sections for Immigration Enforcement, Border Force and UKVI. These are entirely victim-focused.

- 3.34** In Border Force, a great deal of reliance is placed on the cadre of 500+ Safeguarding and Modern Slavery (SAMS) officers to provide MSHT expertise, to the point where one senior manager told inspectors that “all MSHT cases [at the controls] should be picked up only by SAMS officers”. But, SAMS is an ancillary function performed alongside other duties and the availability of SAMS officers varies from port to port and shift to shift.
- 3.35** SAMS officers receive special training, which includes a module on ‘Dealing with Traffickers and/or Facilitators’. As well as ‘Trafficker profiles’, this covers the ‘Role of Criminal Financial Investigations (CFI)’; ‘Referral to police and others’; ‘Initial questions’; ‘Referring to CFI’; ‘Golden Hour’;¹⁵ ‘Actions other than prosecution’; and ‘Importance of Intelligence’. Some SAMS officers felt that SAMS duties should simply be part of the PCP [immigration control] role as the training is “not that onerous”. However, the training was currently limited to officers who volunteered to take on SAMS duties.
- 3.36** Border Force also looked to its cadre of Field Intelligence Officers (FIOs) to act as a conduit for information acquired by frontline staff that could be of intelligence value. FIOs were expected to be proactive, stimulating interest and encouraging frontline staff to submit information and providing feedback. However, FIOs told inspectors that they did not have the capacity to do as much of this as they would like, including following up on victims and perpetrators of MSHT, which was just one of many priorities.
- 3.37** For UKVI staff dealing with asylum cases, guidance assumes that a claimant who is a PVoMS is likely to be identified, or self-identify, at the initial screening stage rather than at the substantive interview. Asylum screening interviewers attend a two-week induction course which includes a ‘Modern Slavery’ module. They told inspectors they were keen to receive more training. This was a recurring theme throughout this inspection.
- 3.38** The form interviewers are required to complete when making an NRM referral has questions about the nature of the victimisation, including the “name of agent, exploiter or trafficker (if known)”, to support the reasons for the referral. However, screening interviewers told inspectors that since the ‘Method of Entry’ form was replaced with a more streamlined question set, they had lost the opportunity to gather further information from an asylum applicant that may have identified MSHT offences and perpetrators, and some felt they were not encouraged or supported by their managers to find out more information. Senior management explained that the form had changed in 2015. The previous version had become too long (20 pages) as different departments had requested certain questions to be included.
- 3.39** Immigration Compliance and Enforcement (ICE) teams “carry out intelligence-led enforcement operations at businesses and residential addresses” in order to “disrupt illegal operations and arrest and detain illegal migrants who have no right to be working and living in the UK”. Spread throughout the UK, ICE teams are the most likely frontline BICS function to encounter MSHT victims in-situ. However, the belief amongst stakeholders was that ICE teams were ill-equipped in terms of expertise, time and incentive to identify where an individual encountered working illegally was in fact a victim of modern slavery, and the small sample of case records examined for ICIBI’s 2019 inspection of illegal working¹⁶ tended to support this view.

15 The ‘Golden Hour’ slides look at the opportunities to gather evidence, processes to follow and how to maximise the chances of prosecution.

16 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800641/An_inspection_of_the_Home_Office_s_approach_to_Illegal_Working_Published_May_2018.PDF

- 3.40** Of equal concern, ICE officers are not trained as criminal investigators. In 2015, ICIBI reported that Immigration Enforcement senior managers had “identified a gap in criminal investigation skills and experience in enforcement teams and had arranged for some officers to receive skills training in first-level investigations.”¹⁷ At the time, inspectors were told that it was Immigration Enforcement’s ambition to have at least two members of each ICE team “PIP 1 trained”.¹⁸ However, the Home Office later reported that ICE officers would not receive PIP training. Instead, “CFI would allocate a proportion of investigative resource to L1 [NIM Level 1] investigations where they met national priorities. This ensures that even low-level criminal prosecutions are prioritised and delivered in accordance with IE’s strategic objectives.”¹⁹
- 3.41** The evidence points to this being a strategic error. Since late 2018, CFI has become increasingly overstretched investigating the people smugglers facilitating arrivals via small boats,²⁰ leaving little if any capacity to take on lower-level investigations. This is not helped by the fact that a large number of CFI officers are awaiting PIP training, including Senior Investigating Officer training, and Immigration Enforcement is not accredited to provide it in-house. Meanwhile, ICE officers (along with frontline staff across BICS) do not have sufficient understanding of what might be of interest to an investigator or how to gather evidence to feed and support CFI. While they accepted that safeguarding the victim was paramount, CFI officers said that frontline business areas generally took “a very victim-focused approach to MSHT”, and ICE officers confirmed it was “all about the victims”.
- 3.42** CFI had taken steps to try to improve the MSHT ‘intelligence packages’ it receives by working with Immigration Intelligence at the earliest stage to identify incoming intelligence that looks worth developing and is likely to meet its ‘Criminal investigation criteria’ and be adopted. The criteria should mean that most MSHT cases are adopted, subject to CFI capacity, although the more complex organised crimes and those with an international component (Level 3) are more likely to be routed to the NCA via the monthly ‘Pursue Board’ meeting. However, out of 84 referrals with a link to MSHT made to CFI between 1 April 2017 and October 2019, CFI declined to adopt 32 “due to insufficient evidence”.
- 3.43** Given the number of NRM referrals made by BICS over the same period, inspectors questioned why there had been only 84 referrals to CFI in 31 months. An Immigration Enforcement senior manager explained that “referrals into the Single Competent Authority (SCA) contain very little detail for Immigration Intelligence to start an investigation for onward referral to CFI.” They added that Immigration Intelligence did not see all NRM referrals as “there are so many that will have no intelligence value”.
- 3.44** This neatly illustrates the key finding of this inspection. While operational activity overall, and NRM referrals in particular, has increased since the Modern Slavery Strategy was launched in 2014, the work of BICS and the wider Home Office remains siloed and disjointed, with little evidence of a plan to address this. The Home Office has had some success in focusing

17 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/547674/ICIBI-Report-on-illegal-working-December_2015.pdf

18 https://www.college.police.uk/What-we-do/Learning/Professional-Training/Investigation/Pages/Initial_investigators.aspx

19 See Footnote 6 from https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800641/An_inspection_of_the_Home_Office_s_approach_to_Illegal_Working_Published_May_2018.PDF

However, in September 2020, in its factual accuracy response, the Home Office clarified that: “The Training and Skills Unit have trained over 160 ICE officers to PIP Level 1. PIP Level 1 is not a sufficient level to undertake criminal investigations into MSHT cases. MSHT is a serious and complex investigation and requires training and accreditation at PIP Level 2 to be able to undertake an associated criminal investigation. As part of PIP Level 1 training an officer would receive instruction in first response, initial account and scene preservation but would not be trained to a standard to undertake a criminal investigation into a Modern Slavery offence. A Modern Slavery offence would be at Serious and Complex Investigation (PIP 2) level and would be undertaken by CFI.”

20 See ‘An Inspection of the Home Office’s response to in-country clandestine arrivals (‘lorry drops’) and to irregular migrants arriving via ‘small boats’. (May 2019 – March 2020). Awaiting publication.

frontline staff on the identification and safeguarding of victims through the NRM and it should continue to build on this, particularly at the border. However, it is not doing enough to identify, investigate, disrupt and prosecute the perpetrators of MSHT, and opportunities to do so are being missed.

4. Recommendations

The Home Office should:

- 4.1 Review the roles and responsibilities of Border Force, Immigration Enforcement and UK Visas and Immigration business areas and functions in relation to each strand (the '4 Ps') of 'Modern Slavery Strategy'. The review should be led by the Director General Serious Organised Crime Group (SOCG) and the Modern Slavery Unit (MSU), and the results presented to the BICS Board for sign off and to the Home Office Executive Board for information, then published on Horizon and shared, as appropriate, with partner agencies.
- 4.2 In support of the updated statement of 'Modern Slavery Strategy' roles and responsibilities across BICS:
 - a. produce BICS-specific guidance in relation to the identification, reporting and pursuit of perpetrators of modern slavery and human trafficking (MSHT) that complements 'Modern Slavery Act 2015 – Statutory Guidance for England and Wales', revising forms, work and information flows, points of contact, advice and expertise, etc. as necessary
 - b. conduct a skills gap analysis to identify where business areas and staff are not equipped to fulfil the MSHT 'Pursue' roles and responsibilities assigned to them and produce an improvement plan, incorporating a training plan, to bring them up to speed as quickly as possible
- 4.3 Create a cross-BICS/SOCG governance board to oversee the Home Office input to the 'Pursue' strand of the 'Modern Slavery Strategy'. Membership should be at Director/Deputy Director level and the board should be accountable to Director General SOCG. Its responsibilities should include:
 - a. agreeing a performance/delivery plan that takes full account of the priorities and taskings of the National Crime Agency Modern Slavery Threat Group (MSTG)
 - b. holding BICS/SOCG business areas to account for their performance
 - c. producing monthly performance reports for the BICS Board and 'headlines' for the Home Office Executive Committee

Note:

'An inspection of the Home Office's response to in-country clandestine arrivals ('lorry drops') and to irregular migrants arriving via 'small boats'. (May 2019 – March 2020) was sent to the Home Secretary on 13 March 2020, but at the time of writing has not been published. Recommendation 1 from that report applies also to this inspection:

"[The Home Office should] Carry out a fundamental review of the Borders, Immigration and Citizenship System's criminal investigation and prosecution capabilities and capacity, looking at clandestine entry (incorporating people smuggling, trafficking and modern slavery) and other

immigration-related crimes, and revisiting with the National Police Chiefs' Council (NPCC) and the National Crime Agency, and others if appropriate, where the underlaps are at National Intelligence Model (NIM) Levels 1, 2 and 3."

5. Background

Modern Slavery Strategy 2014

- 5.1** In November 2014, HM Government published ‘Modern Slavery Strategy’.²¹ This set out a “comprehensive cross-Government approach to tackling modern slavery”, including “wide-ranging actions that we expect from Government departments, agencies and partners”.
- 5.2** ‘Modern Slavery Strategy’ explained that the Government’s aim was “to reduce significantly the prevalence of modern slavery in the UK, as well as to enhance our international response”, which could be achieved only “through all partners working together in a coordinated and strategic manner.”
- 5.3** The approach would “build on” and “adapt” the ‘4 Ps’ framework “successfully implemented in both our serious and organised crime and counter terrorism strategies.”
- **Pursue:** “prosecuting and disrupting individuals and groups responsible for modern slavery”
 - **Prevent:** “preventing people from engaging in modern slavery crime”
 - **Protect:** “strengthening safeguards against modern slavery by protecting vulnerable people from exploitation and increasing awareness and resilience against this crime”
 - **Prepare:** “reducing the harm caused by modern slavery through improved victim identification and enhanced support and protection”
- 5.4** As part of the collaborative effort, the Home Office’s Borders, Immigration and Citizenship System’s (BICS) three operational directorates (Border Force, Immigration Enforcement, and UK Visas and Immigration) had important roles to play: internationally, at the border, and within the UK.

Immigration Enforcement’s Risk and Liaison Overseas Network

- 5.5** ‘Modern Slavery Strategy’ described modern slavery as a “global crime, with victims and offenders often moving between source, transit and destination countries.” Noting that the UK’s international response to tackling organised crime was led by the National Crime Agency (NCA) International Liaison Officer (ILO) network, it referred to the latter’s collaborative work with Immigration Enforcement’s Risk and Liaison Overseas Network (RALON),²² which “has staff located across more than 50 locations globally who work to identify and target those involved in human trafficking.”

²¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/383764/Modern_Slavery_Strategy_FINAL_DEC2015.pdf

²² RALON has since been renamed Immigration Enforcement Intelligence (IEI). Its functions have not changed.

5.6 It explained that RALON would:

“utilise emerging intelligence to identify potential traffickers and their victims during the visa application process and at the border. We will deter and disrupt the use of false documentation and identities by working with airlines, strengthening checks on visa applicants, using appropriate biometric information and working with overseas law enforcement to share information.”

Border Force

5.7 ‘Modern Slavery Strategy’ also identified an ‘upstream’ role for Border Force. It would:

“work closely with law enforcement agencies and civil society organisations in source countries to intercept traffickers, prevent victims from being trafficked to the UK in the first place and provide enhanced support and protection against re-trafficking.”

5.8 ‘Modern Slavery Strategy’ noted that not all victims of modern slavery were trafficked across the border and a “high number” were UK nationals. But it also recognised that the border provided “an opportunity for law enforcement to intervene against trafficking networks” and therefore one of its objectives was to “Strengthen border security and improve our ability to detect victims and traffickers at the border”.

5.9 In line with its immigration and customs control functions, “Border Force lead on targeting and disrupting traffickers and identifying potential victims at the border.” However, the NCA’s Border Policing Command “now leads, supports and coordinates partners at the UK border in a multi-agency response to tackling international modern slavery crime before it reaches the UK”, and Joint Border Intelligence Units (JBIUs) were being established at ports and airports:

“to ensure that intelligence gleaned from interventions at the border is developed and shared across a wide range of law enforcement agencies, including the NCA, Border Force, police, Home Office Immigration Enforcement, HMRC²³ and the GLA.²⁴ This action will help identify and prosecute those organised criminals who attempt to exploit the UK border, and help coordinate the law enforcement response to the detection of potential victims of human trafficking.”

5.10 ‘Modern Slavery Strategy’ also referred to raising the awareness of road hauliers to the risks of unwittingly facilitating modern slavery by failing to secure vehicles, and of airline cabin crew who “may have an opportunity to observe traffickers and their victims and to report unusual behaviour”, and work with both to encourage the reporting of any suspicious activity.

Immigration Enforcement

5.11 In addition to RALON, ‘Modern Slavery Strategy’ noted that Immigration Enforcement:

“also has teams based at major airports and ports across the UK, who act as first responders to referrals from Border Force on human trafficking, facilitation and document abuse crime. Both border-facing and inland teams (based across 23 locations) will work in close partnership with the NCA to investigate and disrupt organised crime groups involved in modern slavery crime.”

²³ Her Majesty’s Revenue and Customs.

²⁴ Gangmasters’ Licensing Authority. In July 2016, the GLA became the Gangmasters and Labour Abuse Authority <https://www.gla.gov.uk/>

5.12 However, it did not spell out the ‘inland’ role for Immigration Enforcement, other than as the recipient (along with the NCA) of intelligence from the GLAA in relation to labour exploitation in the “agriculture, horticulture, shellfish gathering, food and drink processing and packaging sectors”, and a collaborator in joint operations with UK law enforcement and other agencies.

UK Visas and Immigration

5.13 The only explicit references to UK Visas and Immigration (UKVI) in ‘Modern Slavery Strategy’ were in relation to victims and the National Referral Mechanism (NRM). The latter was set to change following a review, published in November 2014, that had recommended that UKVI’s and NCA’s sole decision-making roles regarding NRM referrals should cease and their separate caseworking units should be replaced with a single unit.

5.14 However, ‘Modern Slavery Strategy’ did highlight concerns about visas for domestic workers. It noted that domestic servitude “as it takes place in private households it is a deeply hidden form of exploitation” and is “often committed by individual perpetrators”. The Government was “committed to further strengthening the arrangements in relation to the issuing of visas to domestic workers” with the possibility of “a new template with more explicit terms and conditions to ensure both sponsors and workers are aware of the expectations we have of them” and the potential introduction of “compulsory video-conference interviews for all overseas applicants for domestic visas at the point of application.” Meanwhile, in the UK, it would “support HMRC National Minimum Wage enforcement officers to carry out targeted enforcement exercises with overseas domestic worker employers.”²⁵

Modern Slavery Act 2015

5.15 ‘Modern Slavery Strategy’ was the precursor to the Modern Slavery Act 2015 (MSA 2015).²⁶ MSA 2015 received Royal Assent on 26 March 2015. Alongside providing enhanced support and protection for victims of modern slavery and human trafficking (MSHT), MSA 2015 consolidated and clarified existing offences “to make it clearer and simpler for law enforcement officers and prosecutors to understand and apply the law around modern slavery when pursuing the perpetrators.”²⁷

5.16 MSA 2015 included two offences: “Slavery, servitude and forced or compulsory labour”²⁸ and “Human trafficking”.²⁹ Referring to the offences that these were intended to replace, the 2014 Impact Assessment accompanying the Modern Slavery Bill explained that: “The nature of the offences in the Bill will not be substantially changed and the evidential threshold will remain the same.” However, MSA 2015 raised the maximum sentence for each offence to life imprisonment.

25 In 2015, the Government commissioned James Ewins QC to undertake an independent review of the visa arrangements for overseas domestic workers. Mr Ewins made two principal recommendations: that overseas domestic workers should be able to change employer and extend their stay in the UK for a further two years; and that all overseas domestic workers in the UK for over 42 days should be invited to attend a meeting to inform them of their rights and protections. In response, the Government committed to introducing a series of further protections for overseas domestic workers. From 6 April 2016, those admitted as overseas domestic workers have been able to change employer during the six-month visa period; and those found to be victims of slavery or human trafficking have been able to extend their stay for two years. Changes were also made to ensure that those who are referred to the NRM within the validity of their initial six-month visa will be able to continue working while their case is considered. The Government has also committed to introducing an employer register which will require anyone wishing to sponsor a domestic worker to agree to honour their obligations under UK employment and Modern Slavery legislation with consequences for any failure to do so.

26 <http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>

27 Modern Slavery Bill Impact Assessment https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/371057/MSB_IA.pdf

28 Previously covered by S.71 of the Coroners and Justice Act 2009.

29 Previously, two offences covered by separate Acts: human trafficking for sexual exploitation (Sexual Offences Act 2003) and human trafficking for non-sexual exploitation (Asylum and Immigration Act 2004).

5.17 Under MSA 2015, in England and Wales an offence of ‘Slavery, servitude and forced or compulsory labour’ is committed if:

“a person holds another person in slavery or servitude and the circumstances are such that the person knows or ought to know that the other person is held in slavery or servitude, or they require another person to perform forced or compulsory labour and the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour”.

5.18 Meanwhile, an offence of “Human Trafficking” is committed if a person:

“arranges or facilitates the travel of another person (“V”) with a view to V being exploited and it is irrelevant whether V consents to the travel (whether V is an adult or a child)”.

Scotland and Northern Ireland

5.19 The majority of the provisions of MSA 2015 extend to England and Wales only. However, some parts also apply to Scotland and Northern Ireland. S.60 sets out the territorial extent of the Act.³⁰

5.20 In October 2015, the Scottish Parliament passed the Human Trafficking and Exploitation (Scotland) Act 2015.³¹ This contains the offences of “Human trafficking” and “Slavery, servitude and forced or compulsory labour”.

5.21 The Human Trafficking and Exploitation (Criminal Justice and Support for Victims Act (Northern Ireland) 2015³² came into effect on 15 January 2015. Like MSA 2015 and the Human Trafficking and Exploitation (Scotland) Act 2015, the Northern Ireland Act contains the offences of “Human trafficking” and “Slavery, servitude and forced or compulsory labour”. It also contains the offences of “Paying for sexual services of a person” and “Forced marriage”.

Independent Anti-Slavery Commissioner

5.22 Part 4 of MSA 2015 created the Independent Anti-Slavery Commissioner (IASC), with the UK-wide remit to “encourage good practice in—(a) the prevention, detection, investigation and prosecution of slavery and human trafficking offences; (b) the identification of victims of those offences.”

5.23 Kevin Hyland was appointed Commissioner designate in November 2014 and became the first Commissioner in March 2015 when MSA 2015 received Royal Assent. He left the post in May 2018 and was succeeded by Dame Sara Thornton in May 2019.

Independent Reviews and Inspections

5.24 Since 2015, there have been a number of independent reviews of the modern slavery strategy and MSA 2015.

³⁰ <http://www.legislation.gov.uk/ukpga/2015/30/section/60>

³¹ <https://www.legislation.gov.uk/asp/2015/12/introduction>

³² www.legislation.gov.uk/nia/2015/2/enacted

2016: Haughey Review of the Modern Slavery Act 2015

5.25 In 2016, the Home Secretary commissioned Caroline Haughey QC to review MSA 2015 to ensure that it was fulfilling its intended purpose. The review³³ looked at whether there was sufficient awareness of the criminal justice measures contained within MSA 2015; how well these measures were being implemented; and, whether there were any gaps in the provisions of the Act.

5.26 Caroline Haughey found that:

“One year on, operational agencies are beginning to use the powers in the Act. While slavery remains under-reported, the Act and wider work have raised slavery in the consciousness of the general public and practitioners. The operational response to slavery is improving... But work to translate the Act into real world results is inevitably a work in progress. Despite stand-out examples of good practice, there is a lack of consistency in how law enforcement and criminal justice agencies deal with modern slavery.”

5.27 She identified the following “standout issues”:

- “Training for police officers, investigators and prosecutors is patchy and sometimes absent
- Insufficient quality and quantity of intelligence about the nature and scale of modern slavery at national, regional and international level, which hampers the operational response
- Lack of a structured approach in operational agencies to identifying, investigating, prosecuting and preventing slavery, including learning from what works and what does not
- Some complainants not being afforded the vulnerable witness protections available to them during and after the court process.”

5.28 The Haughey report focused primarily on the work of the police and the Crown Prosecution Service (CPS). While it recognised the cross-border nature of the threat and the implications for investigators and prosecutors, it made only one direct reference to Border Force. It recommended that each police force should have a single point of contact (SPOC) for modern slavery and exploitation and that the SPOCs should meet quarterly (regionally) and six-monthly (nationally) to share good practice and lessons learned. Border Force (but not Immigration Enforcement) was included in the list of agencies that should attend these meetings.

5.29 The report did not mention either UKVI or Immigration Enforcement by name. However, it described how: “In some forces, EU victims are dealt with by the CID trafficking unit and non-EU citizens by immigration agencies.” It criticised this practice, noting that:

“In one region where this was occurring there had been no referrals of allegations by non-EU victims to the police for further investigation and/or to the CPS for possible charge. Trafficking has no geographical boundaries and allocating investigations based on notional passport derivation of offender or victim ignores the reality of the criminality.”

³³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/542047/2016_07_31_Haughey_Review_of_Modern_Slavery_Act_-_final_1.0.pdf

2017: ICIBI Inspection of Border Force’s identification and treatment of PVoMS

- 5.30** ‘An Inspection of Border Force’s Identification and Treatment of Potential Victims of Modern Slavery (July to October 2016)’, produced in collaboration with the Independent Anti-Slavery Commissioner (IASC), was published in February 2017. While the inspection was victim-focused, it also looked at Border Force’s targeting and disruption of traffickers.
- 5.31** The report noted that “in addition to refusing entry to the UK to suspected traffickers, Border Force is able to refer cases to an Immigration Enforcement Crime and Financial Investigation (CFI) team to consider whether to arrest, investigate and, if appropriate, charge and prosecute an individual.”³⁴ But it found that “the number of such referrals was low relative to the numbers identified (also low)” and “there had been only two successful convictions in 2014-15 and 2015-16 (one in each year).”
- 5.32** Border Force officers told inspectors that they were “sceptical that CFI teams would accept a case, so they were not inclined to refer a suspected trafficker if there was an alternative, such as removal from the UK”, while CFI teams had “complained that the quality of the evidence received from Border Force officers was poor.” The report concluded that both needed “to ‘up their game’ to pose a credible threat and deterrent to the traffickers.”
- 5.33** The report also noted the “lack of detail recorded in paper and electronic case files, and the different datasets in use”, which meant that the inspection had struggled to obtain “a clear and reliable picture of Border Force performance” and therefore whether Border Force was delivering what ‘Modern Slavery Strategy’ and MSA 2015 expected of it.
- 5.34** The report’s 12 recommendations concerned record keeping, data collection, sharing and analysis; training (including for frontline Border Force officers in evidence gathering to increase the prospect of successful prosecutions of suspected traffickers); decision-making and managing effective outcomes; and, partnership working and raising awareness. The Home Office accepted nine of the recommendation and “partially accepted” the other three.³⁵

2017: HMICFRS report on the police response to MSHT

- 5.35** In July 2016, the Home Secretary commissioned Her Majesty’s Inspectorate of Constabulary³⁶ to inspect the police’s response to the implementation of MSA 2015 in England and Wales. The report, ‘Stolen freedom: the policing response to modern slavery and human trafficking’, was published in October 2017.³⁷
- 5.36** ‘Stolen freedom’ referred to all three BICS operational directorates. In the case of Border Force and Immigration Enforcement, this was in the context of their providing staff for the multi-agency Joint Slavery and Trafficking Analysis Centre (JSTAC) and their involvement in Project AIDANT, described as:

“a joint initiative of the NCA and the NPCC lead.³⁸ It involves police forces and other law enforcement agencies (such as Border Force, Immigration Enforcement and HM Revenue

34 In September 2020, in its factual accuracy response, the Home Office pointed out that the decision whether to prosecute is made by the Crown Prosecution Service, not CFI.

35 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/588860/HO_response_-_ICI_Victims_of_Modern_Slavery_inspection_-_February_2017.pdf

36 From 19 July 2017, HM Inspectorate of Constabulary and Fire & Rescue Services.

37 <https://www.justiceinspectors.gov.uk/hmicfrs/wp-content/uploads/stolen-freedom-the-policing-response-to-modern-slavery-and-human-trafficking.pdf>

38 National Police Chiefs’ Council portfolio lead for Modern Slavery and Human Trafficking.

& Customs) conducting proactive operational activity for one week each month, focused on a nationally identified theme. This theme might be sexual or labour exploitation, or prioritising communities from countries linked to higher numbers of victims or offenders, such as Vietnam, Nigeria or certain countries in Eastern Europe.”

- 5.37** The report also noted that in the year to March 2017, 20% of the 1,042 recorded Duty to Notify³⁹ referrals, for adult potential victims of modern slavery and human trafficking who have not consented to be referred into the NRM, were made by Border Force, with a further 33% by “Home Office”.
- 5.38** The report covered UKVI’s role as the competent authority “in all cases except those involving EEA nationals” and included a case study illustrating how a police force, having been alerted by UKVI to a reasonable grounds decision⁴⁰ in respect of a victim of domestic servitude, failed to investigate named suspects or locations of interest or to identify other named potential victims.
- 5.39** HM Inspectors “found a tendency in some forces to refer both suspects and victims without legal status in the UK to immigration authorities rather than to investigate modern slavery and human trafficking offences”. Where potential victims were in immigration detention, “some officers appeared to have made a deliberate decision not to engage with [them], [which] appeared to reflect a view that the individuals were being safeguarded in secure units and so no longer of police concern.” And, inspectors “found cases where potential victims who were referred by third parties, including potential victims held in immigration detention, were never spoken to by the police”.
- 5.40** None of the report’s 11 Recommendations referred explicitly to BICS directorates. However, one encouraged police forces to “develop effective partnership arrangements to co-ordinate activity in order to share information and safeguard victims” and another to ensuring that “all law enforcement agencies” understood the roles and responsibilities of the NCA and regional organised crime units (ROCU) “in tackling the organised crime groups linked to modern slavery and human trafficking at a national and international level.”
- 5.41** The report noted that NCA sent NRM forms relating to EEA nationals subject to immigration control and to all non-EEA nationals “directly to UK Visas and Immigration without detailed analysis”. Under “Intelligence”, it recommended that NCA ensured that the data from all NRM and Duty to Notify forms was developed and shared and that “forces should have in place active information-sharing agreements with other agencies to facilitate speedy exchange of intelligence and in order to safeguard victims better and to identify suspects as early as possible.”

2017: National Audit Office ‘Reducing Modern Slavery’⁴¹

- 5.42** The National Audit Office (NAO) report ‘Reducing Modern Slavery’ was published in December 2017. The NAO considered “the Home Office’s progress in implementing the Modern Slavery

39 From 1 November 2015, specified public authorities have a duty to notify the Home Office of any individual encountered in England and Wales whom they suspect is a victim of slavery or human trafficking. The Duty to Notify is intended to gather better data about modern slavery in England and Wales. The ‘Duty to Notify’ provision is set out in the Modern Slavery Act 2015 and applies to all police forces and local authorities in England and Wales, the Gangmasters Licensing Authority, the National Crime Agency. Home Office staff in UK Visas and Immigration, Border Force and Immigration Enforcement are also required, as a matter of Home Office policy, to comply with the duty to notify.

40 When a referral is made to a competent authority regarding a potential victim of modern slavery the caseworker will look at the case within five working days, if possible, and decide if there are reasonable grounds to believe they are a victim. Cases that do not meet the criteria will be closed at this stage unless there is a request for a reconsideration. No further accommodation or support will be available through the NRM.

41 <https://www.nao.org.uk/wp-content/uploads/2017/12/Reducing-Modern-Slavery.pdf>

Strategy; whether it has set clear objectives; whether it is achieving those objectives; whether its overall management of the modern slavery system is effective; and future risks to the strategy's success."

5.43 The report covered: governance of the response to modern slavery; effectiveness of the NRM; the support provided to potential victims; and the performance of police forces and the CPS in prosecuting offenders. It did not look at upstream activities, or at outcomes for child victims, and relied on data for England and Wales only.

5.44 While both Border Force and Immigration Enforcement were mentioned, the law enforcement focus was on the NCA and police. However, UKVI's role in operating the NRM process was explored in some detail.

5.45 The NAO criticised the Modern Slavery Strategy for its lack of performance measures or targets:

"[The Modern Slavery Strategy] does not have a measure of success for its objectives nor a definition of what success looks like. It states that its aim is to reduce significantly the prevalence of modern slavery in the UK. However, the Home Office has not set out how it could measure a reduction in prevalence, or how it will take account of the impact of increased reporting as a result of raised awareness on the number of NRM referrals, based on its understanding of other hidden crimes."

5.46 The report noted that the Home Office "is now in the process of considering different performance framework options" and that:

"There are arrangements in place for monitoring individual parts of the strategy. For instance, the National Crime Agency (NCA) threat group produces a detailed data dashboard covering the scale and nature of the threat of modern slavery. It includes victims identified, police recorded crime and prosecutions and convictions, but does not include targets. It has had a law enforcement-focused Modern Slavery Strategic Action Plan in place since summer 2016."

5.47 It also referred to the establishment in November 2016 of the Modern Slavery Taskforce and its officials' group, since when:

"the Cabinet Office has collated data and progress reporting from the relevant departments to produce a performance report for the two groups. The report includes numerous measures. For example: • potential victims identified; • police recorded crimes; • crimes resulting in charges/summons; • operations; • prosecutions and convictions; and • slavery and trafficking prevention and risk orders."

5.48 However, the NAO criticised the Cabinet Office report for not including any targets or mitigating actions where performance dipped. The Home Office had told the NAO that it had "deliberately not set targets for future delivery as it does not believe it is possible to do so until it has established a stable baseline." But NAO noted "it has not addressed any limitations in the data, set targets for the direction of travel or identified any data sets that it considers reliable enough to set targets against." Nor, alongside other organisations, had it produced a delivery plan for the strategy, and it was not overseeing the risks to delivery across the bodies involved, relying instead on individual organisations to monitor and manage these risks.

5.49 The subsequent report by the Public Accounts Committee,⁴² published in May 2018, made seven recommendations, including that the Home Office “should continue its work to gain a better understanding of the crime, the victims and the perpetrators” and that the regional variations in tackling modern slavery by police forces should be reduced by developing “a set of clear, practical steps and good practice guidance”. However, the PAC report did not mention either Border Force or Immigration Enforcement. Nor did the Home Office response, published in June 2018.

2018: ICIBI Re-Inspection

- 5.50** Between September and November 2017, ICIBI examined what progress Border Force had made since its earlier inspection. The report, ‘A re-inspection of Border Force’s identification and treatment of Potential Victims of Modern Slavery (September-November 2017)’, was published in March 2018.
- 5.51** It found that Border Force had done a considerable amount of work towards implementing the recommendations, and seven of the 12 recommendations could be considered “closed”, albeit Border Force needed to ensure it maintained the position it had achieved in relation to staff training. However, five recommendations remained “open”, particularly those focused on improving record keeping and data collection, as there was insufficient evidence that the work that had been done had been effective, and improvements that were in train needed speeding up.
- 5.52** In relation to traffickers, the re-inspection found that training materials for frontline officers had been updated and expanded regarding evidence gathering, covering notebook entries, the ‘golden hour’ principles of investigation,⁴³ a list of the types of evidence an officer should collect, the preparation of statements, and referrals to CFI and NCA.
- 5.53** However, to date the results had been modest. In 2016-17, 17 individuals had been referred for further investigation for trafficking offences (all by Border Force North). Of these, four had had no further action taken by the CPS, 10 remained under investigation at the time of the re-inspection, and three had been referred to the NCA for further investigation. Meanwhile, between 1 April and 31 August 2017, only two cases of potential traffickers had been referred to CFI. Both were at the investigation stage.
- 5.54** The re-inspection report provided some details from Project AIDANT, which had seen nine “Phases” to that point. In its response, the Home Office referred to Border Force’s commitment to continuing to work with “partners across government” to “tackle the criminal activity behind” modern slavery, including “ongoing regular operational intensification exercises working with partners to identify PVoMS and potential traffickers”.

2019: Independent Review of the Modern Slavery Act 2015

- 5.55** In August 2018, the Home Secretary commissioned a further review of MSA 2015,⁴⁴ with the aim of understanding how the MSA 2015 act was operating in practice, how effective it was, and whether the legal framework for tackling modern slavery was fit for purpose now and

⁴² https://publications.parliament.uk/pa/cm201719/cmselect/cmpubacc/886/88605.htm#_idTextAnchor004

⁴³ The ‘golden hour’ is the period immediately following the detection of an offence during which it is believed most likely that an investigating officer will have opportunities to gather good quality evidence.

⁴⁴ <https://www.gov.uk/government/publications/modern-slavery-act-2015-independent-review-terms-of-reference/review-of-the-modern-slavery-act-2015-terms-of-reference>

in the future, taking into account any significant political, economic, social and technological changes since MSA 2015 was passed.

- 5.56** The review, which was conducted by Rt Hon Frank Field MP (Chair), Maria Miller MP and Baroness Elizabeth Butler-Sloss, focused on four topics: transparency in supply chains; the role of the Independent Anti-Slavery Commissioner; the Act’s legal application; and the safeguarding of child victims of Modern Slavery.
- 5.57** In his Foreword to the report,⁴⁵ which was published in May 2019, the Chair wrote that, while MSA 2015 gave law enforcement agencies the tools to tackle modern slavery offences:
- “there are still sadly too few convictions being handed down for the new offences prosecuted under the Act, and too few Slavery and Trafficking Prevention and Risk Orders are in place to restrict offender activity.”
- 5.58** The report’s only reference to any of the BICS directorates was to list Immigration Enforcement as one of the agencies, along with the police, NCA and GLAA, empowered to apply to a magistrate for a Slavery and Trafficking Risk Order.
- 5.59** The report made 80 recommendations, none of which was directed at or required a specific commitment from BICS. The Government responded in July 2019. The response did not refer to BICS, but the Home Secretary noted “the deepening of partnerships with countries from where victims are regularly trafficked to the UK”, work which involved both Border Force and Immigration Enforcement (RALON).
- 5.60** The Government accepted a set of recommendations relating to “data collection across the criminal justice system”, including around the use of the MSA 2015 S.45 statutory defence for victims of modern slavery or trafficking who are compelled to commit an offence. It also accepted recommendations about training “all participants in the criminal justice system” to recognise modern slavery. Though not mentioned specifically, the force of these recommendations and acceptances clearly extended to BICS.

2017-19: UK Annual Reports on Modern Slavery

- 5.61** In October 2017, the Home Office published the first ‘UK Annual Report on Modern Slavery’. Further reports were published in October 2018 and October 2019. The reports detailed the actions taken by the UK Government, the Scottish Government and the Northern Ireland Executive to tackle MSHT, including the contributions from BICS directorates, particularly Border Force and Immigration Enforcement.

Investigations, prosecutions and convictions

- 5.62** The 2019 Annual Report referred to “a continued uplift in operational activity to tackle modern slavery, involving a range of law enforcement agencies. Monthly operational data showed that in June 2019, there were over 1,479 active law enforcement investigations, compared with 188 in November 2016.”⁴⁶
- 5.63** Noting that “arrests and prosecutions commenced in a specific year may not result in convictions until subsequent years due to the time it takes to investigate, gather evidence

45 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/803554/Independent_review_of_the_Modern_Slavery_Act_-_final_report_print_.pdf

46 The 2018 UK Annual Report referred to 850 active police investigations in July 2018.

and prosecute at court”, the 2019 Annual Report stated that “In 2018, 98 defendants were prosecuted [in England and Wales] under the Modern Slavery Act 2015 on a ‘principal offence’ basis.”⁴⁷ According to the 2018 Annual Report, “In 2017, 130 defendants were prosecuted under the Modern Slavery Act 2015 (on a principal offence basis); compared to 51 defendants prosecuted under the Act in 2016.”⁴⁸

- 5.64** The 2017 Annual Report had explained that, in addition to advising police about modern slavery investigations and prosecutions through its regional teams, CPS teams worked with the NCA, bringing specialist expertise to “top-tier complex organised crime cases investigated by Immigration Enforcement or police”. The 2019 Annual Report included CPS data for completed prosecutions in England and Wales. This showed that 294 prosecutions of defendants “flagged as being involved in modern slavery” (not solely prosecutions for offences under MSA 2015) were completed in 2018, resulting in 191 convictions. In 2017, there were 265 completed prosecutions and 180 convictions, and in 2016 the numbers were 349 and 216 respectively.
- 5.65** According to the 2019 Annual Report, in Scotland, there were 38 prosecutions for human trafficking offences between 1 January 2016 and 30 June 2019, with four convictions. In Northern Ireland, between 1 January 2016 and 31 December 2018, there were 11 prosecutions and six convictions.
- 5.66** Despite the accumulation of investigations, prosecutions and convictions, and a 36% increase in the annual total of NRM referrals to 6,985 in 2018, the 2019 Annual Report described as “the most robust estimate to date” the figure produced by the Home Office in 2014 for the ‘Modern Slavery Strategy’ of “between 10,000 and 13,000 potential victims of modern slavery [in the UK] in 2013.”⁴⁹
- 5.67** The June 2019 active investigations figure was not broken down to show how many of these involved BICS directorates. However, Border Force and Immigration Enforcement were mentioned in the context of Project AIDANT, alongside NCA, the police and the GLAA. The 2019 Annual Report noted that in 2018 Project AIDANT resulted in the arrest of “308 offenders” and the identification of “over 415 potential victims of trafficking”.
- 5.68** According to the 2018 Annual Report: “During Project AIDANT activity in 2017, over 320 offenders were arrested and over 560 potential victims of trafficking identified.” The 2017 Report did not provide annual totals but stated that: “In May and June 2017 alone, there were 111 arrests and 130 potential victims identified in the UK as a result of Project AIDANT.” It also referred to the use of “new legal powers” by Border Force Maritime Command “to board vessels where there was intelligence of labour exploitation.”

‘Upstream’ activities by BICS directorates

- 5.69** The 2019 Annual Report listed Border Force and Immigration Enforcement International as participants in the “cross-government effort” to provide “international leadership, driving

47 When a defendant has been found guilty of two or more offences, the principal offence is the one for which the heaviest penalty is imposed. Where the same penalty is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe.

48 The tables at Annex A of the 2019 UK Annual Report indicate that the 98 prosecutions included 17 for offences under legislation pre-dating MSA 2015. For 2017, the tables show 155 prosecutions in total, 132 under MSA 2015 and 23 under previous legislation, and for 2016 81 in total, 51 under MSA 2015 and 30 under previous legislation.

49 The ‘Independent Review of the Modern Slavery Act 2015’, published two months earlier than the 2019 Annual Report, had described this as “the most conservative estimate”, noting that: “other bodies suggest the number could be in the hundreds of thousands and rising.” Meanwhile, citing “Walk Free ‘Global Slavery Index’, 2018”, the Independent Anti-Slavery Commissioner opened her Strategic Plan 2019-21, published in October 2019, with the sentence: “It is estimated that there are 136,000 victims of modern slavery and human trafficking in this country – equivalent to the population of Ipswich.”

action towards the long-term ambition of eradicating modern slavery”. In this context, all three Annual Reports referred to capacity building work in source countries to prevent trafficking, involving Border Force and Immigration Enforcement, each citing ongoing collaboration with the Nigerian Trafficking Agency (NAPTIP) as a key example.

- 5.70** The 2018 Annual Report had provided a little more detail, referring to Border Force International’s “approximately 80 officers based overseas for the targeting and profiling capability building programme, Project Hunter”, and citing examples of its work and overseas footprint. It had also referred to Border Force engagement with the Irish Border Management Unit “providing training on modern slavery to their frontline staff and supporting operations at Dublin Airport.”

Modern Slavery at the Border

- 5.71** Each Annual Report contained a section headed “Modern Slavery at the Border”, highlighting Border Force’s “unique position of being the first point of contact with UK authorities for many potential victims and the criminals who traffic them.” In each case, the text and performance measures concerned the identification of victims and NRM referrals.
- 5.72** The 2017 Annual Report stated that Border Force had identified “nearly 500 potential victims in the year ending 31 March 2017 representing a rise on the previous year when over 300 were identified”, while NRM referrals rose from 110 to 124, which was attributed to “operational intensifications”, including Project AIDANT, and improved training in the identification of victims and traffickers in response to the 2017 ICIBI inspection report.
- 5.73** The 2018 Annual Report recorded that Border Force had identified “more than 1,100 potential victims in the year ending 31 March 2018” and that referrals into the NRM “also increased over the same period”, again citing Project AIDANT and “better Staff awareness”, and also highlighting the work of its “network of specially trained Safeguarding and Modern Slavery officers”. The 2018 ICIBI re-inspection report was cited as evidence of the progress Border Force had made.
- 5.74** According to the 2019 Annual Report, in the year ending 31 March 2019, Border Force identified “more than 1,000 potential victims of modern slavery.” The Report explained that: “Border Force potential victim identification rates and referrals into the NRM have remained steady over the last year as work to combat modern slavery has been embedded as normal operational practice for frontline staff.” The 2019 Annual Report also referred to Border Force having shared training and support materials with airlines, ferry and rail carriers, port operators and travel companies, which “has led to referrals to Border Force via the Modern Slavery Helpline”.

BICS enforcement and compliance activities in the UK

- 5.75** The 2017 Annual Report described the work of Immigration Enforcement, in partnership with other agencies, to identify and protect victims of modern slavery and human trafficking in the UK. It referred to the launch of Operation Magnify,⁵⁰ a cross-government operation, led by Immigration Enforcement, comprising: “a rolling programme of intensive enforcement activity

⁵⁰ The first phase of Operation Magnify ran from 11 to 17 October 2015 and focused on the construction sector. Phase 2 focused on the care sector and ran from 8 to 14 November 2015, and Phase 3 from 6 to 12 December 2015 focused on the cleaning sector. Further Phases in 2016 targeted car washes and the catering industry. Operation Venezia (27 November to 3 December 2016), Operation Lari (targeting Houses of Multiple Occupation (HMO) from May to June 2017 and November 2017 to April 2018, and Operation Weise (targeting illegal working in licensed premises and the hospitality industry from 24 September to 8 October 2017, were all, in practice, further phases of Operation Magnify.

in key high-risk employment sectors designed to complement regulatory and communications activities” which “mobilises the full range of powers and agencies with an interest in the illicit economy.”

- 5.76** Operation Magnify focused on “sectors at high risk of illegal working and/or criminality associated to illegal immigration” with activity “aimed at high volume sectors such as care homes and construction, and sectors prone to organised criminality or trafficking such as car washes and nail bars.” The 2017 Annual Report explained that “This work has particular relevance to preventing modern slavery as the proposed measures will have complementary benefits for preventing both illegal working and modern slavery.”
- 5.77** The 2017 Annual Report provided further details in relation to a strand of Operation Magnify that had targeted illegal working in the nail bar industry, noting that: “The high street nail bar industry was identified as being a high-risk sector (cash business) when it came to illegal working; with the added risk of potential exploitation of vulnerable persons.” According to the 2017 Annual Report:

“Operation Venezia identified a large number of business premises, including a number linked to potential criminality identified through financial investigations. The primary focus was to identify and remove illegal workers from the UK employment market. Due to the high chance of potential victims of trafficking and victims of modern slavery being encountered, there was a greater focus placed on Criminal and Financial teams engaging with Immigration Compliance and Enforcement teams throughout the intensification period. Partnership working with other government departments and non-governmental organisations was also put in place to ensure potential victims were referred to the responsible authorities. A national intensification period commenced in late November 2016, with Immigration Compliance and Enforcement teams taking the lead, supported by Criminal and Financial Investigations and other government departments including HMRC and Department for Work and Pensions.”⁵¹

- 5.78** The 2018 Annual Report referred to Immigration Enforcement has having “a number of Community Engagement leads who work with community and faith groups to raise awareness of modern slavery issues. The leads represent Nigeria, India, Pakistan, China, Albania, and Vietnam”. There was no mention of expected outcomes, and no reference to this work in the 2019 Annual Report.
- 5.79** All three Annual Reports described various operational collaborations within the UK involving the BICS directorates, for example, with the GLAA and with the police. All three mentioned the “national law enforcement Modern Slavery Threat Group”, which was looking to improve the operational response to modern slavery upstream, at the border and across the UK, and of which both Border Force and Immigration Enforcement were members.

51 ICIBI reported on Operation Magnify, and Operations Venezia, Lari and Weise, in ‘An inspection of the Home Office’s approach to Illegal Working (August – December 2018)’, published in May 2019. The report noted that in Operation Venezia 195 immigration offenders were encountered, 70 Civil Penalty notices were issued covering 95 illegal workers, with a potential liability of £1.9 million in fines, but “In November 2018, inspectors were given to understand that there had been no activity associated with Operation Magnify since April 2018. The Illegal Working Threat Lead told inspectors that this was due to delays in resubmitting previously agreed timetables for senior level sign off, but assured inspectors that Operation Magnify remained a rolling programme and that activities were being planned for early 2019. These plans included developing and expanding data sharing with other government departments to create more strategic intelligence, and re-running Operation Lari”. Meanwhile, “stakeholders were clear with inspectors that they considered ICE teams to be ill-equipped in terms of expertise, time and incentive to identify where an individual encountered working illegally was in fact a victim of modern slavery or some other form of exploitation, and the small sample of case records examined by inspectors tended to support this view.” And, “one stakeholder had drawn inspectors’ attention to a 2018 Freedom of Information Act request which revealed that 278 migrants arrested under IE’s Operation Magnify were identified as potential victims of modern slavery only after they had been placed in detention.” https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800641/An_inspection_of_the_Home_Office_s_approach_to_Illegal_Working_Published_May_2018.PDF

Modern Slavery Police Transformation Programme

- 5.80** The 2017 Annual Report noted the allocation of £8.5 million to police forces in England and Wales, in response to the Haughey Review, to transform the policing response to modern slavery.
- 5.81** The Modern Slavery Police Transformation Programme Annual Reports for 2018 and 2019 described the contributions of police partner agencies as part of the law enforcement response to modern slavery. There were sections in both on Border Force and on Immigration Enforcement, referencing Operation AIDANT, and other multi-agency Operations conducted in particular police force areas (e.g. Manchester, East Sussex) or with a particular focus (e.g. unaccompanied migrant children suspected of entering the UK clandestinely via a lorry-drop; labour exploitation in the off-shore fishing industry off the North West coast of the UK; and, the exploitation of Overseas Domestic Workers.)
- 5.82** In terms of improved information flows and intelligence-sharing, the 2018 Annual Report on Modern Slavery explained that the Modern Slavery Police Transformation Unit (MSPTU) became operational in April 2017, with “approximately 80 specialists” supporting the law enforcement response, including “additional resources in Immigration Enforcement, NCA, the Metropolitan Police Service and national policing to improve the flow of NRM and duty to notify information between competent authorities and policing”. The 2019 Annual Report described how NCA has taken responsibility for the Joint Slavery and Trafficking Analysis Unit (JSTAC), formerly funded and situated within MSPTU. Although not mentioned in the 2019 Annual Report, JSTAC included analysts from both Border Force and Immigration Enforcement.

6. Inspection findings: Strategies, plans and operational tasking

Home Office Single Departmental Plan

6.1 The Home Office updated its 'Single Departmental Plan' on 27 June 2019.⁵² The Plan "sets out our objectives and how we will achieve them". It lists four objectives:

1. improve public safety and security
2. strengthen the border, immigration and citizenship system
3. maximise the benefits of the United Kingdom leaving the European Union
4. improve corporate services

6.2 Under the second of these, there are a further four sub-headings, one of which is "Protect vulnerable people and communities". "How we will achieve this" includes "Identify and safeguard vulnerable people to protect victims of trafficking, modern slavery, detainees and children at risk of abduction (contributes to SDGs [Sustainable Development Goals] 5, 8 and 16)".⁵³ This is the only reference to modern slavery except for the following under "Our performance":

"Organised immigration crime: In 2018/19, Immigration Enforcement made 593 disruptions against individuals and organised crime groups involved in the exploitation of people through modern slavery and organised immigration crime. 71 of these were major. This is an increase of 42% and 41% on the previous year for the number of total disruptions and major disruptions respectively."

6.3 The previous Single Departmental Plan, which was withdrawn when the June 2019 version was published, had been more expansive in relation to modern slavery, with "Protect refugees and victims of human trafficking and modern slavery" as a separate sub-heading under the "Protect vulnerable people and communities", one of seven "goals".

6.4 In the earlier Plan, "How we will achieve this" had included two actions that referred to modern slavery:

"Overhaul the support system for identifying and supporting victims of modern slavery (contributes to SDG 8)" and "Ensure that we have the right capabilities in the UK and overseas, and a comprehensive action plan, to identify, disrupt and dismantle the criminal networks involved in modern slavery and immigration crime (contributes to SDG 5, 8 & 16)". The earlier Plan also listed "Tackling modern slavery and people trafficking" under "How we contribute to cross-government priorities".

⁵² <https://www.gov.uk/government/publications/home-office-single-departmental-plan/home-office-single-departmental-plan--3>

⁵³ The Department for International Development lists 17 Sustainable Development Goals. No.5 is 'Gender Equality'; No. 8 is 'Decent Work and Economic Growth'; No. 16 is 'Peace, Justice and Strong Institutions'. <https://www.gov.uk/government/publications/implementing-the-sustainable-development-goals/implementing-the-sustainable-development-goals--2>

6.5 The June 2019 version of the Single Departmental Plan offered no explanations of the changes from the previous version.

Independent Anti-Slavery Commissioner Strategic Plan

- 6.6 The Home Office and the Independent Anti-Slavery Commissioner (IASC) have signed a Memorandum of Understanding (MoU)⁵⁴ detailing how they will work together. This refers to the Director General, Serious Organised Crime Group, as the “Senior Sponsor of the IASC”,⁵⁵ but explains that, although sponsored by the Home Office, the IASC is “a public appointee and operates independently of the Home Office”.
- 6.7 The MoU quotes from MSA 2015 regarding the requirement for the IASC to prepare a Strategic Plan and submit it to the Home Secretary for approval. In October 2019, the Commissioner published her ‘Strategic Plan 2019-2021’.⁵⁶ This set out four priorities:
- “Improving victim care and support
 - Supporting law enforcement and prosecution
 - Focusing on prevention
 - Getting value from research and innovation”

Tackling Slavery & Exploitation Directorate

- 6.8 Within the Home Office, the lead for modern slavery and human trafficking (MSHT) sits with the Tackling Slavery & Exploitation Directorate, part of the Serious and Organised Crime Group (SOCG). This is separate from the Borders, Immigration and Citizenship System (BICS).
- 6.9 The Tackling Slavery & Exploitation Directorate comprises three units: Tackling Exploitation and Abuse Unit; Single Competent Authority (SCA); and, Modern Slavery Unit (MSU). As at the end of 2019-20, the Directorate comprised over 350 staff. The Tackling Exploitation and Abuse Unit and MSU were each around 40-strong.

Tackling Exploitation and Abuse Unit

- 6.10 The Tackling Exploitation and Abuse Unit, headed by a Senior Civil Servant, “[provides] the strategic lead for efforts across Government, law enforcement agencies and the UK intelligence community to tackle child sexual abuse and exploitation, along with providing the strategic lead across Government on missing children and adults.”⁵⁷

Single Competent Authority

- 6.11 Since 29 April 2019, the Single Competent Authority (SCA) has been responsible for making decisions on National Referral Mechanism (NRM) referrals for all potential victims of modern slavery, regardless of their nationality. It is headed by a Senior Civil Servant. The SCA also

54 www.antislaverycommissioner.co.uk/media/1313/memorandum-of-understanding-2019.pdf

55 In the case of ‘Arms-Length Bodies’ (ALBs), departmental ‘sponsors’ provide the link between the department and the ALB, and are responsible for supporting the ALB to be ‘accountable’, ‘high-performing’, ‘delivering value for money services as outlined in their business plan and supporting the parent department in achieving its objectives’. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/686713/Introduction_to_Sponsorship_An_Induction_Handbook_for_New_Sponsors_of_Arms_Length_Bodies.pdf

The Home Office is the sponsor for the Gangmasters and Labour Abuse Authority (GLAA) and, jointly with the Department for Business, Energy and Industrial Strategy (BEIS), for the Director of Labour Market Enforcement (DLME). GLAA and DLME both have key roles in tackling modern slavery.

56 <https://www.antislaverycommissioner.co.uk/media/1329/independent-anti-slavery-commissioners-strategic-plan-19-21-screen-readable.pdf>

57 Taken from the Home Office intranet, Horizon.

oversees the Victim Care Contract (VCC),⁵⁸ which governs provision of support services for adult victims in England and Wales. Since Autumn 2019, the SCA has also been responsible for making Recovery Need Assessment decisions for those receiving VCC support, to support their pathway to recovery and access to mainstream services.

Modern Slavery Unit

6.12 The Modern Slavery Unit (MSU) “deals with policy making and implementation”. Since 2013, it has held the departmental lead for MSHT. The head of unit is a Senior Civil Servant. Horizon, the Home Office intranet, explains that MSU’s “work contributes to all four objectives of the SOC Strategy”.⁵⁹ MSU’s team structure broadly aligns with the ‘4Ps’ approach (Prepare, Prevent, Protect and Pursue) set out in the ‘Modern Slavery Strategy’:

- Team Prepare is responsible for “implementing National Referral Mechanism (NRM) reform and sustainability” and “works closely with the SCA”
- Team Prevent & Protect is focused on improving the evidence of the nature and scale of modern slavery to inform the response and prevent individuals from becoming victims or offenders (Prevent), and on tackling modern slavery in public and private supply chains and holding businesses to account (Protect)
- Team Pursue is responsible for “our law enforcement and prosecution response to modern slavery and aim[s] to disrupt and prosecute those responsible”
- Team International’s “primary focus” is “to reduce trafficking flows to the UK through bilateral engagement with priority countries and delivering upstream programmes, as well as supporting FCO and DFID in their work to reduce the global prevalence of modern slavery”

6.13 MSU told inspectors that it was responsible for setting the overall policy and strategic direction and for implementation of the Modern Slavery Act 2015. This included working in partnership with law enforcement, Devolved Administrations and NGOs to deliver key activities, such as:

- protecting vulnerable people in global supply chains⁶⁰
- prosecuting and disrupting offenders
- tackling and preventing modern slavery upstream
- delivering victim identification and support services

Tackling Slavery & Exploitation Directorate interactions with BICS

6.14 Inspectors sought to understand how the Tackling Slavery & Exploitation Directorate interacted with BICS directorates. In February 2020, MSU senior management told inspectors that the unit regularly engaged with BICS at working level and at senior management level, on operational

⁵⁸ In England and Wales, the Victim Care Contract is delivered by the Salvation Army.

⁵⁹ The four Objectives listed in ‘Serious Organised Crime Strategy’, published in November 2018, are “1: Relentless disruption and targeted action against the highest harm serious and organised criminals and networks; 2: Building the highest levels of defence and resilience in vulnerable people, communities, businesses and systems; 3: Stopping the problem at source, identifying and supporting those at risk of engaging in criminality; 4: Establishing a single, whole-system approach.” https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752850/SOC-2018-web.pdf

⁶⁰ The Home Office had created a Business Against Slavery Forum, which brought together companies it described as industry-leaders in preventing modern slavery and supporting survivors to rebuild their lives. The Forum had identified three priorities for its work: 1. Collaborating to address supply chain risks; 2. Raising awareness and support survivors; 3. Being the voice for responsible businesses. In March 2019, the Home Office delivered an International Conference on Tackling Modern Slavery in Public Sector Supply Chains, in collaboration with the Ethical Trading Initiative and the Organisation for Security and Co-operation in Europe. The conference focused on issues in the construction, electronics, health and general manufacturing sectors and the actions procurement staff should prioritise. It was attended by more than 170 delegates, including ministers and senior government officials from eight countries, public and private sector bodies, international organisations, trade unions and civil society organisations.

and policy matters. At the time of the inspection, MSU was looking to ensure that there was effective senior level collaboration with BICS colleagues regarding the modern slavery risks in the Future Borders and Immigration System (FBIS).⁶¹

- 6.15** Inspectors were told that Deputy Directors⁶² from Tackling Slavery & Exploitation Directorate and BICS directorates met on an ad hoc basis. For example, SCA and BICS had regular catch-ups on operations and casework. Inspectors asked for the minutes of any recurring meetings between MSU and BICS directorates during 2019-20 but were told that there were none. Inspectors saw no evidence that MSU had had any meaningful involvement in setting objectives or targets for BICS directorates or in monitoring or holding them to account for their MSHT performance.

Board-level oversight of MSHT

- 6.16** In June 2020, inspectors asked the Home Office how often Modern Slavery was discussed at the BICS Board (attended by BICS Directors General and chaired by the Second Permanent Secretary) during 2019-20. The Home Office responded:

“The BICS Board has not covered Modern Slavery as a standalone item at a Board meeting between March 2019 and May 2020. Modern Slavery is due to be discussed at a BICS Strategy Directors meeting (the SPRiG) after which we will consider whether it needs to be presented at a BICS Board. The next SPRiG Board is on 2 July 2020 so the item may be discussed then, but confirmation of this agenda item is awaited.”

- 6.17** At the most senior level, Home Office Directors General (DGs), including the DGs for Border Force, Immigration Enforcement, UKVI and the Serious and Organised Crime DG, meet weekly as members of the Home Office Executive Committee (ExCo). ExCo is chaired by the Permanent Under Secretary (PUS), and provides “corporate strategic leadership, setting the medium to long-term vision and strategy whilst understanding and responding to live issues when overseeing the day-to-day running of the department ...It also builds and fosters strategic partnerships, determines accountability for delivery and enhances the reputation of the department.”
- 6.18** In June 2020, inspectors asked the Home Office when was the last time that Modern Slavery was discussed at ExCo. They were told that: “The agendas from last year have been reviewed but there is no record that Modern Slavery was discussed as a substantive item.” Inspectors also asked how often Modern Slavery was discussed at ExCo during 2019-20, to which the Home Office answered: “the NRM was discussed regularly throughout the 2019-20 reporting year as it came up as part of the monthly Performance and Risk discussions”.

Cross-government oversight

- 6.19** The Director General SOCG chairs the National Security Strategy and Implementation Group (NSSIG),⁶³ which brings together the most senior operational and policy leaders from across government, the devolved administrations, law enforcement agencies and the security and intelligence agencies to coordinate activity and ensure implementation and evaluation of the Government’s Serious and Organised Crime Strategy.

61 <https://www.gov.uk/guidance/new-immigration-system-what-you-need-to-know>

62 ‘Deputy Director’ is not used consistently within the Home Office. Grades vary. But, typically, a Deputy Director will be responsible for one or more business units and report to a Director.

63 In September 2020, the Home Office told ICIBI that this group was now called the National Strategic Implementation Group (NSIG).

6.20 A separate Modern Slavery Strategy and Implementation Group (MSSIG) meets quarterly and is usually chaired by a Minister. MSSIG has six thematic sub-groups covering different strands of the modern slavery strategy: Law Enforcement, Prevent, Protect, Prepare, International and Children. The sub-groups decide their own priorities and workplan, with the Chairs from each feeding back to MSSIG.

Modern Slavery Threat Group

6.21 'Modern Slavery Strategy' noted that:

“The Home Secretary has made tackling modern slavery a priority for the National Crime Agency (NCA), which will lead, support and coordinate the law enforcement response.”

6.22 Inspectors were told that UK law enforcement agencies, including Border Force and Immigration Enforcement, came together under the NCA Modern Slavery Threat Group (NCA MSTG), which was chaired by the Chief Constable of Devon & Cornwall Police who, at the time of the inspection, held the MSHT portfolio for the National Police Chiefs' Council.

6.23 Inspectors asked about cross-directorate governance within BICS. Border Force told inspectors that the NCA MSTG provided the governance for its MS activity and that NCA worked closely with all MSTG partners, including Border Force, to create a monitor Strategic Action Plans and drive operational activity. Immigration Enforcement said that MSTG provided overall governance of its MSHT activities and there was no separate governance structure within BICS for this.

Modern Slavery Action Plan

6.24 Inspectors asked the Home Office for evidence of strategic planning in relation to MSHT and were provided with a copy of 'The Modern Slavery Strategic Action Plan'. This was a protectively-marked spreadsheet, compiled by the NCA in collaboration with Border Force, Immigration Enforcement and other stakeholders. It outlined seven key 'Risks':

- deliver coordinated law enforcement activity to tackle the international modern slavery threat impacting on the UK
- tackle the enablers of modern slavery – particularly use of the internet, criminal finances and borders – utilising a whole of Government approach
- continue to improve the national, regional and local intelligence picture
- deliver effective law enforcement investigations – including through the deployment of specialist capabilities
- ensure consistent leadership and assurance is in place
- minimise gaps in our response to MSHT to ensure mitigation of harm
- develop partnerships and communications to provide guidance and support to national objectives

6.25 The Action Plan identified a number of responses to mitigate the risks. In each case, the lead organisation was either the NCA, the Modern Slavery Police Transformation Unit (MSPTU), or the National Police Chiefs Council (NPCC). Border Force was mentioned once against one of the seven risks. Immigration Enforcement and UKVI were not mentioned.

6.26 The multi-agency Pursue Board sits quarterly. The Board is chaired by the NCA and attended by the Home Office. It provides a forum for agencies to discuss joint working or the transfer of enquiries to a partner agency (dependent on skills, resources and capability) with regards to MSHT cases.

‘Modern Slavery and Human Trafficking Roles and Responsibilities Grid’

- 6.27** Inspectors asked about MSHT roles and responsibilities within BICS. In response, the Home Office provided a protectively-marked document entitled ‘Modern Slavery and Human Trafficking Roles and Responsibilities Grid’.
- 6.28** The grid divides the roles and responsibilities geographically into ‘International’, ‘UK Borders’ and ‘Domestic’, and functionally into ‘Lead’, ‘Support’ and ‘Coordinate’. Along with Border Force and Immigration Enforcement, it covers the roles and responsibilities of the NCA, Regional Organised Crime Units (ROCU), the UK intelligence community (UKIC), Gangmasters and Labour Abuse Authority (GLAA), and HM Revenue and Customs.
- 6.29** Inspectors were told that: “The purpose of the grid is to clarify which law enforcement agencies are responsible for leading the response to any one particular sub-threat which falls to be considered under MS. There are a number of law enforcement agencies engaged in tackling MS in different scenarios, and the grid assists in identifying those which have a lead and those which are able to support.”
- 6.30** Inspectors asked about the status of the grid and whether it had been signed off by BICS top management or ministers. They were told that the grid was an “operational document”, owned by the National Crime Agency (NCA). MSU had had no direct input. MSU told inspectors it “assumed that the grid would have been approved by the MSTG attended by various representatives from across BICS”.

Border Force grid responsibilities

- 6.31** Under ‘International’, Border Force is listed as having two “Support” roles:
- “Support: Border Force will liaise and share intelligence with relevant agencies.”
 - “Support: Tactical and strategic intelligence collection and dissemination against NSIRs⁶⁴, documenting trends and new threats through submissions to JSTAC.”
- 6.32** Under ‘UK Borders’, Border Force has a “Lead” and “Support” role:
- “Lead: Undertake intelligence led and opportunist interdictions at borders, seizing assets and disseminating intelligence gathered.”
 - “Support: Tactical and strategic intelligence collection and dissemination against NSIRs, documenting trends and new threats through submissions to JSTAC.”

64 The aim of the National Standard for Incident Recording (NSIR) is that all incidents are recorded in a consistent manner.

Immigration Enforcement grid responsibilities

6.33 The grid contains a wider range of roles and responsibilities for Immigration Enforcement. Under 'International', Immigration Enforcement International (HOIEI) has both "Lead" and "Support" roles:

- "Lead: HOIEI will manage relationships with upstream stakeholders in relation to MSHT, specifically in relation to victims being moved through visa abuse or through air facilitation."
- "Lead: HOIEI will develop upstream capability and capacity building, including training and debriefing in relation to visa abuse and air facilitation."
- "Lead: Liaison with UKVI caseworkers, Border Force and overseas authorities to support live investigations where victims are being moved through visa abuse or air facilitation."
- "Support: Operational activity and upstream trafficking interdiction where there is movement not connected to the intended or subsequent exploitation."
- "Support: Tactical and strategic intelligence collection and dissemination against ISIRs⁶⁵ regarding MSHT, documenting trends through submissions to JSTAC via NCA ILO Network."

6.34 Under 'UK Borders', Immigration Enforcement again has "Lead" and "Support" roles and responsibilities:

- "Lead: Investigation of relevant offences including MSHT, detected at the border of non-EEA nationals."
- "Lead: Utilise IE's Joint Debriefing Team, NCA and police officers, to debrief suspects, PvoTs and migrants at the border."
- "Support: Tactical and strategic intelligence collection and dissemination against NSIRs, documenting trends and new threats through submissions to JSTAC."

6.35 Immigration Enforcement's "Support" role under "UK Borders" is repeated under "Domestic", along with a "Lead" role:

- "Lead: Investigation of relevant MSHT offences detected in country of non-EEA nationals, together with national policing and NCA."

UKVI involvement with MSTG

6.36 Other than in the context of Immigration Enforcement Intelligence's responsibility to liaise with UKVI caseworkers, UKVI was not included in the grid. However, in May 2020, the Home Office informed inspectors that UKVI was now included on the NCA MSTG and its sub-groups.

Collaborations and dependencies

6.37 Most of the activities listed in the 'Roles and Responsibilities grid' involve inter-agency collaborations and dependencies. For example, both Border Force and Immigration Enforcement are shown as seconding staff to the NCA-led Joint Slavery and Trafficking Analysis Centre (JSTAC), while under 'UK Border' the NCA is shown as "Support: Border Force and Immigration Enforcement activities on regular and irregular movement, with a nexus to MSHT

criminality” and police forces “Lead: Investigations and disruption activity against MSHT, many of which involve border activity, with HOIE, BF and NCA as appropriate.”

- 6.38** The grid does not set out how these interactions will be managed. Multi-agency taskings may be commissioned by MSTG but, more generally, UK law enforcement agencies are used to working across organisational boundaries, bilaterally and multilaterally, through formal agreements and memoranda of understanding and dynamically.

Prioritisation and use of BICS resources

National Intelligence Model processes

- 6.39** Border Force and Immigration Enforcement each make use of National Intelligence Model (NIM) tools and techniques to determine and manage their strategic and tactical priorities. NIM is “a business and decision-making model” that “provides a standardised approach to gathering, co ordinating and disseminating intelligence”.⁶⁶

Threat Assessments

- 6.40** The NIM relies on Strategic and Tactical Threat Assessments to underpin planning, and decisions about priorities and the allocation and use of resources. Both Border Force and Immigration Enforcement produce annual assessments and periodic updates, as well as contributing to multi-agency assessments, including those produced by JSTAC.

Joint Slavery and Trafficking Analysis Centre (JSTAC) Assessment

- 6.41** The NCA’s protectively-marked Quarterly Threat Update (QTU) includes JSTAC’s assessment of the threat to the UK from MSHT. In Q2 2019-20 (July-September 2019),⁶⁷ JSTAC described the threat as “consistent”. It noted that UK nationals continued to account for the highest number of referrals into the NRM, followed by Albanians, Vietnamese and Chinese. Of the top ten foreign nationalities, nine were non-EU (Romanians were the exception).
- 6.42** The “claimed exploitation type” for most adults referred into the NRM was “Labour exploitation”, followed by “Sexual exploitation” and “Criminal exploitation”. For minors, the order was different: “Criminal”, “Sexual” then “Labour”. For both, a smaller but significant number claimed to be victims of “Domestic servitude”.

Immigration Annual Threat Assessment

- 6.43** The UK Immigration Annual Threat Assessment (ATA) is a strategic assessment of abuses of the UK immigration system. It is produced by Immigration Enforcement Intelligence on behalf of Immigration Enforcement and UKVI. It is a protectively-marked document, circulated internally to BICS units and other Home Office addressees, and shared with NCA, Regional Organised Crime Units (ROCU), and a small number of government departments and agencies.

ATA 2018

- 6.44** The ‘Immigration Annual Threat Assessment 2018’, dated October 2018, was “based on intelligence collated from October 2017 to June 2018 and looks at how the threats may evolve

⁶⁶ <https://ict.police.uk/wp-content/uploads/2015/03/National-Intelligence-Model-Standard.doc>

⁶⁷ The Quarterly Threat Update is protectively marked ‘Official-Sensitive’.

through 2019, and where possible considers longer term developments”. The Executive Summary explained that the overall threat picture had not changed significantly from the preceding year.

- 6.45** “Modern Slavery and Human Trafficking” (MSHT) was identified as the second highest threat area in 2018, behind ‘Abuse of legitimate routes’. The threat areas had been assessed using the Measurement of Risk in Law Enforcement (MoRiLE) framework.⁶⁸ In 2018, MSHT scored 21%, compared with 41% for ‘Abuse of legitimate routes’. In 2017, both had scored 33%. Seven other threat areas accounted for the remaining 38% in 2018 and 34% in 2017.
- 6.46** The ATA is “segmented ... to better support reporting and the organisational response.” The description of MSHT in 2018 noted that “Although it only consists of a small number of threats, they are high impact due to the level of harm to victims.” Of 82 threats in total, eight were listed under MSHT, while 33 were listed under ‘Abuse of legitimate routes’. However, of the top five threats overall, four related to MSHT. In BRAG terms (Black, Red, Amber, Green (risk or readiness rating system), five MSHT threats were rated Black, two Red, and one Amber.
- 6.47** For MSHT, each threat included details of the victims’ nationalities, gender(s), and in some cases the age group, as well as how victims are trafficked and enter the UK, how they are exploited, and by whom. As with the majority of the threat areas, Organised Crime Groups (OCGs) were listed as a “key enabler”. For MSHT, so too were “complicit employers”.
- 6.48** The ATA 2018 explained that “knowledge [of MSHT] has improved over the past year and will continue to do so. Closer links have been built between law enforcement agencies; intelligence sharing has improved, and increased sharing of best practice and as training increases our capability to deal with MSHT will be enhanced.” The ‘shift’ in the MSHT MoRiLE score (from 33% to 21%) “is mainly due to a better understanding of specific threats. Previous scoring of MSHT threats was based on the attribution of the most serious types of harm to all victims of MSHT. There is now a more proportionate attribution of harm, leading to slightly lowered scores.”
- 6.49** The ATA 2018’s ‘Forward Look’ predicted that the overall intelligence picture relating to MSHT would continue to improve, with the creation of the JSTAC having “led to an increased focus and analytical resource being brought to bear on MSHT issues.” In addition to improving identification of victims, revisions to the NRM were expected to “help to improve our understanding of the scale and impact of MSHT.” And the Police Transformation Programme was expected to “improve law enforcement capability in relation to MSHT ...over the next 6-12 months” by producing MSHT training packages and debriefing MSHT operations and sharing the learning.
- 6.50** Although the ATA did not make the link to MSHT, some of the entries under other threat areas were clearly connected. Under ‘Illegal working’, for example, the ATA noted “Vietnamese migrants are being forced to work illegally in nail bars and are at risk of physical harm, debt bondage and/or labour exploitation.” Similarly, under ‘Concealed entry and exit’, it listed as a threat “Vietnamese nationals are being smuggled or trafficked into the UK in large groups concealed in lorries and are likely destined to work in nail bars and cannabis factories. Many migrants claim to be a minor and subsequently go missing.”

⁶⁸ Management of Risk in Law Enforcement (MoRiLE) risk prioritisation process uses a structured methodology and matrix, which allows a consistent approach to the identification of strategic policing priorities across law enforcement agencies. MoRiLE works in conjunction with the National Intelligence Model (NIM). Through the strategic assessment processes, the model systematically informs the operational, tactical and strategic responses to produce an informed national picture of risk.

Immigration Enforcement Quarterly Threat Assessment

- 6.51** The introduction to the ATA explains that it is “underpinned by an ongoing threat assessment process which provides tactical level reporting against individual threats”. From this process, Immigration Enforcement Intelligence analysts produce Quarterly Threat Assessments (QTAs).
- 6.52** Inspectors reviewed the QTA for April to June 2019. The QTA was structured differently to the ATA 2018. However, it mirrored the ATA’s nine threats, using the same description for each, except for the ‘Abuse of Public and Private Funds’, which the QTA termed “Abuse of Public Services”, and MSHT, which was amended to “Trafficking in 3rd Country Nationals to the UK”.
- 6.53** Overall, the QTA listed fewer “sub-threats” than the 2018 ATA (65 compared with 82). Though expressed differently, six of the eight 2018 ATA MSHT threats were listed. However, the MoRiLe scores/BRAG ratings were generally lower. Only one of the six QTA sub-threats was rated Black, with three Red and two Green. Meanwhile, under ‘Illegal working’ and ‘Concealed entry/exit’, the QTA included the threats relating to the trafficking and exploitation of Vietnamese nationals that had been listed in the ATA 2018, rating both as Green.

ATA 2019

- 6.54** The version of ATA 2019 provided to inspectors was undated. It did not specify when the intelligence on which it was based had been collected. Unlike the ATA 2018, it did not look to forecast how the threats were likely to evolve, stating that “Instead, eight⁶⁹ assessments will be undertaken throughout 2019-20, each looking at a specific thematic area to identify how the immigration abuse threat might evolve in the next 1-2 years”.
- 6.55** Like the April to June 2019 QTA, the ATA 2019 referred to “Trafficking in Third Country Nationals” rather than MSHT. It also repeated the QTA’s six “sub-threats” (described in the ATA as “threats”), retaining the BRAG ratings from the QTA.
- 6.56** Under ‘Illegal working’, in addition to reiterating the threat to nail bar employees, specifically “Migrants (mainly Vietnamese) with no legal right to work” who are employed in nail bars, the 2019 ATA included the threat that “Migrants (mainly Albanians) with no legal right to work are gaining employment in car washes. Some use false documents while others are controlled by OCGs with links to modern slavery and other forms of criminality.” These threats were rated Green and Amber respectively. The description of most other threats under ‘Illegal working’ included indicators of exploitation (for example, false or undocumented employees, working for low rates in unregulated sectors, paid ‘cash in hand’), but without making the link to MSHT.
- 6.57** Under ‘Concealed Entry and Exit’, the ATA 2019 reiterated the threat of Vietnamese nationals who have entered the UK clandestinely subsequently being “encountered working in nail bars, cannabis factories etc.”, but minus the reference to some having been “trafficked”. As before, the threat was rated Green.

Border Security Strategic Threat Analysis

- 6.58** The Border Security Strategic Threat Analysis (BSSTA) was first produced in 2017 to inform a Home Office-led cross-government Border Security Strategy. The BSSTA was updated in October 2018, drawing on “a wide range of intelligence products and expertise in operational partner agencies”, including Border Force and Immigration Enforcement, NCA, HMRC and

69 Excluding “National Security and Counter Terrorism”.

national security bodies. BSSTA is protectively marked. Inspectors reviewed the redacted OFFICIAL-SENSITIVE version.

- 6.59** BSSTA 2018 included a section on MSHT. The ‘analysis’ is high-level, describing in broad terms the types of exploitation, the prominent nationalities (victims and perpetrators), and entry routes, with the focus on the involvement of Organised Crime Groups (OCGs). Because the latter are able to “generate continuous profits” from MSHT, the ‘Outlook’ was that “MSHT is gradually increasing and will continue to do so”. However, “confidence” in the assessment was caveated as “Medium-Low”, as intelligence on the scale of the threat is “limited”.

Border Force Quarterly Threat Assessments

- 6.60** Border Force Intelligence Analysis (BFIA) produces its own, more detailed assessments. The ‘Border Force Intelligence Analysis Threat Update’, is produced quarterly. It is in two sections: ‘People’ and ‘Commodities’. BFIA uses the Management of Risk in Law Enforcement (MoRiLE) framework.
- 6.61** Inspectors were told that the threats Border Force faces are wide ranging, substantial and sustained. Almost all involve organised criminals and cause harm to individuals, families, communities, businesses and the UK as a whole. Border Force intelligence analysts interrogate, evaluate and analyse all available intelligence and data, looking for links, patterns and trends, and distribute intelligence products to the relevant Border Force commands and areas, with the intention of informing decisions about the deployment of frontline resources.

Control Strategies

- 6.62** Under the NIM methodology, Strategic and Tactical Threat Assessments are used to create “Control Strategies”. The Control Strategy informs how resources are deployed. Border Force and Immigration Enforcement each produce their own Control Strategy.
- 6.63** The Border Force Control Strategy,⁷⁰ produced in July 2019, identified 28 priorities banded from A (highest) to E (lowest). MSHT was banded ‘A’.
- 6.64** The Immigration Enforcement Control Strategy, produced in October 2018, identified “Trafficking of Third Country Nationals” as a clear priority with a Red risk rating.
- 6.65** Inspectors asked about an overall BICS Control Strategy and whether there was a process map that showed how tasking flowed from this to operational areas. They were told:
- “We are not aware of any process maps or flowcharts which show the tasking flow from a BICS Control Strategy, via the various Tasking and Coordination Groups, to operational areas. Operational activity and policy are as such divided between the various responsible departments within BICS.”

Tasking and Co-ordination

- 6.66** The NIM Tasking and Co-ordination process enables managers to prioritise the deployment of resources based on regular threat assessments, performance updates and operational capacity data. The NIM describes two types of Tasking and Co-ordination Group (TCG): Strategic and Tactical. In theory, an organisation may have a number of each, depending on its structure and

⁷⁰ The Border Force and Immigration Enforcement Control Strategies are protectively-marked documents.

the nature of its business. In practice, most have one Strategic Tasking and Co-ordination Group (STCG). Frequency of meetings is a matter for each organisation, but Tactical TCGs typically meet more frequently than STCGs. Both receive proposals for operations and projects requiring the commitment of resources, along with regular threat assessments, performance updates and operational capacity data to inform their decisions.

- 6.67** Border Force and Immigration Enforcement run their own STCGs and TTCGs at National and Regional levels. Inspectors reviewed the minutes of the October and November 2019 Border Force National TTCG for references to MSHT. There was just one reference in each. Both were reports from the Heathrow region of MSHT-related activity: awareness raising for airlines, and an update on an ongoing operation.
- 6.68** However, inspectors were told that for Border Force there was a “blanket approval” in place for Project AIDANT. Border Force National TTCG originally agreed to Border Force involvement in Project AIDANT in March 2017, since when each phase has been tasked through NCA with TTCG approval. The National SAMS Team and Border Force Intelligence plan targeted activities at port, regional or functional level for each phase, and submit the Border Force plans to NCA as part of the multi-agency planning process.
- 6.69** Inspectors asked Immigration Enforcement about cross-BICS tasking in relation to MSHT and were told:

“We are not aware of any formal tasking process for MSHT priorities across BICS, although MS is recorded as a priority threat within our control strategies. ...”

- 6.70** But, both are included in multi-agency operational taskings “commissioned by letter from the NCA MSTG to law enforcement partners.” In May 2020, the Home Office explained:

“... operational activity takes place within the framework of the UK law enforcement response led by the NCA and co-ordinated through their MS Threat Group and the various sub-groups which support this. ... NCA and its partners, including BICS, have recently reviewed the structure and remit of these supporting Boards to provide greater focus and co-ordination across the ‘4Ps’. ...”

... The Border Force Control Strategy has MS as a Category A priority. Within Immigration Enforcement, from Intelligence to Operations and Investigations, responding to allegations of MS is categorised as high priority and has remained a key commitment during the current Covid19 crisis. ...”

- 6.71** In relation to Project AIDANT, inspectors were told:

“... Border Force and Immigration Enforcement have consistently supported the tasking and co-ordination of activity under Operation Aidant as part of a UK-wide law enforcement response to MS. ...”

...In Border Force, the SAMS National Team co-ordinates activity through the regional SAMS Leads. Any wider SAMS operational activity⁷¹ is also delivered under the Aidant umbrella and driven by the National Operational SAMS team. The SAMS Team presents operational

⁷¹ For example, Operation Gaddesby was run nationally in September 2019, under the AIDANT ‘umbrella’, targeting perpetrators of Travelling Child Sex Offenders (TCSO) crossing the border. It involved Border Force, NCA and others. This was the first national intensification exercise of its kind. Child Sexual Abuse and Exploitation is category A priority within the Border Force Control Strategy. Operation Mendi, also under the AIDANT ‘umbrella’, aimed to identify vulnerable contract seamen traveling to join ships in UK waters.

taskings for discussion and approval at the Border Force TTCG, which is chaired by National Operations HQ.⁷²

... In Immigration Enforcement, where CFI has participated in Operation Aidant activity this has been supported and co-ordinated historically through regional tasking forums and any results fed back to NCA. [Meanwhile] the tasking of operational activity outside Operation Aidant has been intelligence-led either on a reactive basis in response to referrals for example from the border or from operational ICE colleagues, or as a result of activity tasked via formal TCG forums.”

72 SAMS Operational Delivery Group (ODG) meets monthly to determine operational priorities. It is attended by Border Force Intelligence. ODG Minutes for August, September and October 2019 confirmed that, where a lack of intelligence was identified as an obstacle to operational progress, the Border Force National SAMS Team took responsibility for resolving this.

7. Inspection findings: ‘Frontline staff’, guidance, training

BICS ‘Ownership’ of Modern Slavery

7.1 All three BICS operational directorates (Border Force, Immigration Enforcement and UK Visas and Immigration) are involved in tackling modern slavery and human trafficking (MSHT). They do so largely independently of one another as part of their core functions. There are no MSHT-specific business areas or units within BICS, and no designated cross-BICS ‘owner’ for MSHT. However, inspectors were told that Immigration Enforcement’s Criminal and Financial Investigations (CFI) Directorate “holds the strategic lead for Pursue within Immigration Enforcement. BICS partners are able to refer cases to CFI to undertake investigations into MSHT, subject to tasking criteria”.

‘Frontline staff’

7.2 Home Office guidance issued in 2016 identified those BICS functions where the staff involved were more likely to encounter MSHT victims. ‘Victims of modern slavery – frontline staff guidance’,⁷³ published on 18 March 2016, contained information for “frontline staff in the Home Office to help them identify and help potential victims of modern slavery (including human trafficking) in England and Wales or a potential victim of trafficking in Scotland and Northern Ireland.”

7.3 The guidance explained that “Any frontline member of staff may identify a potential victim of modern slavery. However, frontline officers in the following areas must be particularly alert to the signs of modern slavery:

- Border Force
- criminal casework
- entry clearance staff
- enforcement teams
- immigration crime teams
- local immigration teams
- Asylum Intake Unit
- asylum casework teams
- premium service centre staff
- detention centres”

7.4 The 2016 guidance described various types of MSHT and how to identify a victim. It explained that victims might “not recognise themselves as having been trafficked or enslaved” or be reluctant to self-identify “fearing reprisals from their abusers” or concerned that “the

⁷³ <https://www.antislaverycommissioner.co.uk/media/1057/victims-of-modern-slavery-frontline-staff-guidance-v3.pdf>

authorities will return them to their home country if they try to escape”. It also described the ways that traffickers and “modern slavery facilitators” operated to ensnare and control their victims, noting that “It is not uncommon for traffickers or modern slavery facilitators to provide stories for victims to tell if approached by the authorities. Errors or lack of reality **may**⁷⁴ be because their initial stories are composed by others and learnt.”

- 7.5 The guidance covered NRM referrals,⁷⁵ the “Duty to Notify”, and the requirement to “record all relevant information on the Casework Information Database (CID)”.⁷⁶ Where a person does not consent to an NRM referral, officers were instructed to “send the referral form to your local intelligence unit and note that the person did not consent to be treated as a victim of modern slavery. This information may prove useful to intelligence in developing information on possible traffickers or modern slavery facilitators.”

Modern Slavery Act 2015 – Statutory Guidance for England and Wales

- 7.6 In March 2020, the Home Office published ‘Modern Slavery Act 2015 – Statutory Guidance for England and Wales’.⁷⁷ In describing modern slavery and how traffickers and facilitators operate, it covers the same ground as ‘Victims of modern slavery – frontline staff guidance’, with some updates and additional material. It also provides an up-to-date explanation of the NRM process.
- 7.7 ‘Modern Slavery Act 2015 – Statutory Guidance for England and Wales’ is not written exclusively for BICS frontline staff. It describes the roles and responsibilities of public authorities and ‘First Responder’ organisations. The introduction lists previous guidance that it supersedes. The list includes ‘Victims of modern slavery – frontline staff guidance’.
- 7.8 The bulk of the 167-page ‘Statutory Guidance’ is concerned with the identification and correct handling of victims, and it makes it clear the latter’s safety “must always come first”. References to Border Force, Immigration Enforcement and UKVI relate to their First Responder responsibilities.
- 7.9 Annex C of the guidance covers “Referral pathways for organisations that may encounter potential victims”, describing “some of the situations when First Responder Organisations may encounter potential victims, the immediate next steps to be taken and signposting to relevant further guidance.” It contains separate short sections for Immigration Enforcement, Border Force and UKVI, which are entirely victim-focused.⁷⁸
- 7.10 In order to assist First Responders, in 2019 a ‘Report Modern Slavery’ portal was created on GOV.UK enabling online referrals. This is for First Responders to “refer potential victims of any age to the National Referral Mechanism”, to “help potential victims receive support and medical care”, and to “notify the Home Office of potential victims (Duty to Notify)”.
- 7.11 ‘Modern Slavery Act 2015 – Statutory Guidance for England and Wales’ also refers to information sharing between agencies, noting that “information provided via the Modern

74 **BOLD** in original text.

75 The guidance pre-dates the creation of a Single Competent Authority (SCA), which from 29 April 2019 has been responsible for all cases referred into the NRM.

76 The Casework Information Database (CID), the main system used by BICS staff to record details of individuals and actions.

77 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/875281/March_2020_Statutory_Guidance_under_the_Modern_Slavery_Act_2015.pdf

78 According to the guidance, “Border Force staff may seek advice from their Safeguarding and Modern Slavery (SAMS) Team before completing the NRM referral.” Meanwhile, for UKVI staff, “responding appropriately to discharge their duty of care could be as simple as alerting a line manager, speaking to a colleague for advice, or referring to a senior case worker, officer in charge or Vulnerability Champion in first instance.”

Slavery Portal will be used to build a better picture of modern slavery in England and Wales, and to improve law enforcement response” and “will be passed on to police Regional Organised Crime Units by the SCA.”

7.12 In terms of information sharing with BICS, the guidance states: “The SCA should share information with Immigration Enforcement International (IEI) where it appears a victim or trafficker entered the UK on a genuine visa.”

7.13 However, under ‘Information sharing with Immigration Intelligence’ it notes:

“There is no requirement to make a referral to Immigration Intelligence on every NRM case nor any specific point within the life of the NRM case when a referral should be made. The SCA should make a referral when they have information that would be of value to Immigration Intelligence.

Immigration Intelligence require information that may assist in helping to identify those individuals who may be involved in organised immigration crime so that mitigation can be put in place to protect victims and disrupt criminality.

Staff should follow relevant local procedures at the time to share information with Immigration Intelligence.”

7.14 There is no further explanation of the sort of information that Immigration Intelligence would find of value. The implication is that this will be covered by “local procedures”.

Border Force

Priorities and Responsibilities

7.15 In May 2020, Border Force told inspectors:

“Border Force is a First Responder organisation under the Modern Slavery Act which means all staff have a responsibility to identify and refer potential victims of modern slavery into the National Referral Mechanism (NRM).”

7.16 Inspectors looked to see how this responsibility was reflected in the way Border Force described itself and its functions. According to GOV.UK,⁷⁹ Border Force has five “priorities”.⁸⁰ It also lists five “responsibilities”.⁸¹ There are no references to MSHT or to other responsibilities in respect of vulnerable individuals. However, Border Force told inspectors that:

“Border Force has a statutory duty, under Section 55 of the Borders Citizenship and Immigration Act 2009 to safeguard children when carrying out its core functions. Adults, people over the age of 18, may also be vulnerable for a variety of reasons. Whilst there is no single piece of legislation covering the treatment of vulnerable adults encountered by Border Force staff, vulnerability will always be considered as part of our duty of care and any relevant legislation followed.”

⁷⁹ Accessed in June 2020.

⁸⁰ “Our priorities are to: deter and prevent individuals and goods that would harm the national interests from entering the UK; facilitate the legitimate movement of individuals and trade to and from the UK; protect and collect customs revenues for trade crossing the border; provide excellent service to customers; provide demonstrable effectiveness, efficiency and value for money.”

⁸¹ “We are responsible for: checking the immigration status of people arriving in and departing the UK; searching baggage, vehicles and cargo for illicit goods or illegal immigrants; patrolling the UK coastline and searching vessels; gathering intelligence; alerting the police and security services to people of interest.”

Border Force Operations

- 7.17** GOV.UK does not provide descriptions of the work of the various Border Force directorates and commands, but they can be found on Horizon, the Home Office intranet. However, the latter appeared to inspectors to be both dated and disjointed.
- 7.18** Under ‘Border Force Operations’, Horizon describes the work of the five Border Force regions (Central, Heathrow, North, South, South East and Europe), responsible for securing the border. This refers to: “stopping 100 per cent of passengers arriving by sea or air for immigration controls, and risk-led interception for Class A drugs, cash, tobacco, alcohol, firearms, prohibited goods, counterfeit goods and clandestine entrants.” While some arriving passengers and some ‘clandestine entrants’ will be MSHT victims, MSHT is not mentioned.
- 7.19** In May 2020, Border Force told inspectors that:
- “Intelligence-led operations to identify vulnerable people, disrupt perpetrators and protect victims is key to Border Force’s response to the threat of crimes against vulnerable people.” Border Force fully participates in the NCA-led Project Aidant, a multi-agency operational response tackling modern slavery and human trafficking.”

Safeguarding and Modern Slavery (SAMS)

- 7.20** Equally, there are no references to MSHT in any of the short descriptions of the work of the five regions. However, the Heathrow region has a sub-heading ‘Safeguarding and trafficking team’. This page “explains the work of the safeguarding and trafficking teams at Heathrow” and states that:
- “The teams will identify victims, disrupt organised criminal groups, collect intelligence on trafficked adults and children and provide a point of expertise and guidance for fellow frontline officers.
- The teams have a clear remit to work closely with partner agencies including the police, social services and the United Kingdom human trafficking centre (UKHTC) to safeguard and protect children and vulnerable adults.
- The teams work closely with the National Crime Agency (NCA) to ensure that trafficking cases identified at the border are investigated and prosecuted.
- The teams will engage with national and international counterparts, sharing expertise and experience, so we can prevent or disrupt the activities of those individuals seeking to profit from the exploitation of others.”
- 7.21** Border Force established a cadre of Safeguarding and Trafficking (SAT) officers in 2014. SAT officers were renamed as Safeguarding and Modern Slavery (SAMS) officers in 2018.
- 7.22** ICIBI examined the work of SAT officers in ‘An inspection of Border Force’s identification and treatment of potential victims of modern slavery’, published in February 2017.⁸² At that time, Border Force reported that there were “over 600” SAT officers. However, inspectors found that Border Force did not keep detailed records of their training or locations. The report noted that SAT officers, most of whom were Border Force Officer (BFO) grade, “typically carry out

82 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/614203/Potential-Victims-of-Modern-Slavery-Inspection-report.pdf

frontline duties,⁸³ but are available to support colleagues with advice and practical assistance where they encounter an individual who may be at risk.”

- 7.23** The 2017 inspection found that some SAT officers were not fully-trained and some had received no new training since 2014. The report therefore recommended improvements to training, with input from IASC. A follow-up re-inspection, published in March 2018,⁸⁴ concluded that Border Force had implemented these recommendations.
- 7.24** In May 2020, Border Force told inspectors that:
- “The Border Force SAMS model is a national network of specially-trained, frontline SAMS officers managed locally by SAMS leads at port and regional level. The National SAMS team⁸⁵ oversees this network, providing accurate and consistent training material, guidance and operational support. Communication throughout the network is managed via a national inbox and messages are circulated to port SAMS leads for rapid, but targeted, dissemination.”
- 7.25** The SAMS cadre was “500 plus strong” and there was “an expectation that there will always be a SAMS trained officer on duty”. At ports, “the SAMS Officers are easily recognisable to colleagues and the public as they wear ‘Safeguarding Officer’ lanyards or badges, in English or Welsh.”
- 7.26** However, Border Force managers at Heathrow told inspectors that SAMS resourcing “remained a key issue” and it was “always challenging” to know how best to use the pool of trained SAMS officers. In early 2020, Terminal 5 was piloting the “ringfencing” of its SAMS officers, so that a dedicated SAMS ‘duty officer’ was available between 06.00 and 20.00 each day.
- 7.27** Border Force staff at Terminal 5 saw this as a positive move, and pointed out that forgery detection officers were ringfenced while SAMS were not, yet use of forged travel documents was a Category B threat and MSHT was Category A. They believed the Heathrow estate should be looking to establish 24/7 rostering of SAMS officers. However, as at September 2020, Border Force senior management at Heathrow had not extended the pilot to the other Terminals. This proposal and the balancing of staff resources remained under review.
- 7.28** SAMS officers told inspectors that “working with public sector partners and other stakeholders” was “essential to the effectiveness of Border Force in identifying and safeguarding vulnerable people”. Border Force was involved in raising awareness and had created “a modern slavery e-learning tool to inform and raise awareness amongst carriers and other travel stakeholders” along with a process by which crew who spot indicators can alert Border Force using the MS Helpline.⁸⁶
- 7.29** Border Force also drew attention to its role in “tackling honour-based abuse in all its forms”. SAMS officers had received training in forced marriage, female genital mutilation and other forms of abuse and Border Force worked with police and with international partners to target inbound and outbound traffic to and from countries associated with honour-based abuse at particular times of year.

83 In this context, “frontline” refers primarily to operation of the immigration and customs controls at ports of entry.

84 <https://www.gov.uk/government/publications/a-re-inspection-of-border-forces-identification-and-treatment-of-potential-victims-of-modern-slavery>

85 The National SAMS Team comprises an Assistant Director (Grade 7), two Senior Officers and a Higher Officer. Border Force South Region Director is responsible nationally for the Border Force operational response to SAMS.

86 The Modern Slavery Helpline is a confidential helpline run by the charity Unseen.

Border Force Intelligence Directorate

- 7.30** Within the Horizon descriptions of the work of Border Force’s directorates, the only other references to “human trafficking” (“modern slavery” is not mentioned at all) are found under ‘Intelligence Directorate’. Here, the entry for Central Region Intelligence (CRI) explains that “CRI staff develop intelligence in the priority areas”, which includes “human trafficking”. The entry for Intelligence North refers to the threat of “abuse of the fishing industry with links to exploitation of labour and trafficking”. The entries for Heathrow and South Intelligence and for South East and Europe Intelligence make no mention of human trafficking, although the latter does refer to “the clandestine threat”.
- 7.31** In May 2020, Border Force told inspectors:
- “Border Force Intelligence has dedicated units across the country producing alerts for the frontline. Through these alerts, staff have access to the latest profiles and trends. Border Force Intelligence also analyse port encounters to share with the wider intelligence community and Modern Slavery Threat Group partners. Border Force has an analyst embedded in the Joint Slavery and Trafficking Analysis Centre (JSTAC) of the National Crime Agency to ensure effective sharing of intelligence.”
- 7.32** The Horizon page for ‘Border Force International’ (part of the Intelligence Directorate) includes a description of the work of the ‘International Operations and Engagement Team’. This does not mention MSHT, despite the references in ‘Modern Slavery Strategy’ and in each ‘UK Annual Report on Modern Slavery’ since 2017 to Border Force’s capacity building work in source countries to prevent trafficking.
- 7.33** In May 2020, Border Force told inspectors that its International Targeting and Engagement command comprised over 120 staff, based in the UK and overseas, and that there were two main strands to its work: engagement and capacity building. With regard to the latter, in January 2016, Border Force International secured funding of £124.5 million over five years from the Department for International Development (DfID) to support two Official Development Assistance (ODA) projects: Project Hunter and Project Chaucer.
- 7.34** According to GOV.UK:⁸⁷
- “Project Hunter Chaucer has an overall aim to build international targeting in ODA countries to help deter the movement across national borders of individuals and goods, that would harm their national interests, by enhancing their border control. Project Chaucer (in West Africa only) looks to create highly-skilled multi-agency local teams capable of deterring the use of individuals and freight to smuggle drugs or other harmful commodities within developing countries by criminal gangs. Hunter/Chaucer projects and activities are based in three main geographical areas the Americas, Africa and EurAsia and have officers embedded in various locations around the world working with local law enforcement agencies and key stakeholders.”
- 7.35** Border Force told inspectors that Projects Hunter and Chaucer were designed specifically to reduce, disrupt and displace the upstream threat to the UK border, by developing intelligence and data flows and targeting and intelligence capabilities in host countries.
- 7.36** With regard to MSHT, inspectors were told that Border Force International worked overseas with Immigration Enforcement International and the FCO to deliver aspects of an International

⁸⁷ <https://devtracker.dfid.gov.uk/projects/GB-GOV-6-05>

Modern Slavery Strategy, the policy lead for which sat with MSU. This involved raising awareness, sharing information, and providing training to international partner agencies. A priority for 2020-21 was to help to build capacity globally to prevent child sexual abuse and exploitation.

Training for BICS frontline staff⁸⁸

- 7.37** The BICS approach to training mixes classroom-based courses, generally used for inducting new staff and for teaching core and specialist skills, with e-learning packages, some of which staff must repeat every year or at mandated intervals. Inspectors asked the Home Office for the hyperlinks (or signposting) to all mandatory training products relating to modern slavery and human trafficking used with frontline staff in Border Force, Immigration Enforcement and UKVI.
- 7.38** The Home Office told inspectors that “all frontline officers undertake e-learning in ‘Keeping Children Safe’,⁸⁹ Section 55 safeguarding responsibilities, trafficking indicators, the National Referral Mechanism (NRM), Female Genital Mutilation (FGM) and Modern Slavery.”

Training for Border Force frontline officers

- 7.39** Inspectors were told that since 2017 all new Border Force officers in public-facing roles have completed a four-hour classroom-based training course on ‘Protecting the Vulnerable’ (PTV) as part of their core skills training.
- 7.40** PTV training includes modules on legislation, guidance, responsibilities, behavioural indicators, and the response when a person has been identified as a potential victim of modern slavery (PVoMS). There is some overlap with the indicators identified in the ‘Keeping children safe’ slides, which inspectors found to be generally more specific in their descriptions of suspicious behaviours.
- 7.41** PTV contains slides with trafficker profiles, questions to ask suspected traffickers and facilitators, and what actions to take. The profiles slide identifies behaviours (“not an exhaustive list”) that a frontline Border Force might observe, though some appear too broad to be of much practical value, for example “Regular traveller – male or female, GBR or EEA” and “Can be very assertive, know their rights”.
- 7.42** Similarly, the suggested “right questions” are largely those that a frontline Border Force Officer (BFO) might already think to ask of anyone seeking entry to the UK. The accompanying “Trainer notes” describe them as “Basically your normal desk questions”. However, officers are reminded “make notebook entry for the Q&A as soon as practicable” and “CFI want BFOs to find out as much as possible about the circumstances of arrival and will be asking you what evidence you have to suspect an offence has been committed”.
- 7.43** An e-learning training package, ‘Modern Slavery – Border Force 2017’, sets out the step-by-step actions a frontline Border Force officer must take if they have identified a potential victim of modern slavery (PVoMS). The actions include “speak to the Higher Officer and local SAT team”;

⁸⁸ Across BICS, most new staff are mentored once in post and their performance closely monitored until local management is satisfied that they are fully competent, after which business areas have their own risk-based quality assurance regimes, which typically involve dip-sampling a percentage of decisions. All frontline staff will have a “chain of command”, with a line manager and more senior management providing direction and support. There may also be a ‘go-to’ expert, available to advise on or take over more complex cases.

⁸⁹ The ‘Keeping Children Safe’ is a 60-minute e-learning module. Further ‘Keeping Children Safe’ training takes the form of a one-day classroom-based course.

“separate the passengers and arrange interviews”; and, where the victim is a child, “hand the accompanying person over to the police or local CFI team to consider prosecution”.

7.44 Under ‘Dealing with traffickers’, ‘Modern Slavery – Border Force 2017’ tells BFOs:

“the potential victim may be unlikely to tell the truth as they are under the control of their trafficker whether travelling with them or not. Gathering other evidence will assist a prosecution and help identify whether the person is a victim. For example, linking them to a flight, securing CCTV, securing the flight manifest, making a thorough search and seizing mobile phones, sim cards and any IT.”

7.45 The trainer notes for ‘Modern Slavery – Border Force 2017’ contain a reminder that officers must take care to act lawfully:

“It is vital that everyone in the Border Force follows the legal guidelines when recording, retaining and revealing material which may at a later stage be required to be produced as part of a criminal investigation or civil proceeding.”

Effectiveness of the Border Force frontline training

7.46 ‘An inspection of Border Force’s identification and treatment of potential victims of modern slavery’, published in February 2017,⁹⁰ recommended that the Home Office should “provide training to frontline Border Force officers in evidence gathering in order to increase the prospect that suspected traffickers will be successfully prosecuted”. The recommendation was accepted, and the re-inspection report, published in February 2018 recorded that inspectors had found that Core Skills 1 training for Border Force officers (and Tier 3 training for SAMS officers) had been updated to emphasise “chain of evidence” and the need to ensure that any records made were admissible as evidence.

7.47 However, the re-inspection also noted that the number of referrals to CFI of potential traffickers had actually “dropped away” and it concluded that the recommendation should remain “Open” until the training could be shown to have had a positive effect on the number of referrals and the quality of the evidence supporting them.⁹¹

7.48 In response to the re-inspection report, in March 2018, Border Force wrote:

“Training for frontline staff is key. Border Force will continue to ensure that all frontline officers have received the training necessary to their role in identifying PVoMS. All new Border Force staff undertake a four-hour classroom based module on protecting the vulnerable. As the report suggests, we will need to monitor carefully the impact of new training to ensure operational benefit. A review of training relevant to the management of PVoMS cases therefore will be carried out over the course of 2018.”

7.49 The Home Office later informed ICIBI that, as of August 2018, Border Force considered the recommendation closed: “OAD [Border Force Operational Assurance Directorate] will continue to monitor progress with IE and NCA colleagues. Closed with director authority.” In September 2020, Border Force told inspectors that “the recommendation was closed on the basis that

⁹⁰ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/614203/Potential-Victims-of-Modern-Slavery-Inspection-report.pdf

⁹¹ The 2018 re-inspection report noted that “in the 5 months from 1 April to 31 August 2017, only 2 cases of potential traffickers had been referred to CFI”.

OAD had worked with the National SAMS Team to ensure the training was updated. The impact of the training is set to be evaluated by OAD in 2020-21.”

- 7.50** In January 2020, Border Force managers at Heathrow told inspectors that there were limits to what frontline officers could be expected to do in terms of evidence gathering. One manager explained that while officers on the immigration control desks (PCP) should be “proactive” and “take enquiries as far as practical to look for missing evidence” there was “a balance” and enquiries had to be “justified”. Another said that because of the pressures of the passenger queues, it was difficult to do any more than safeguard victims. While another told inspectors that there was no clarity about the required evidential standards.
- 7.51** CFI managers confirmed that some Border Force frontline officers did not appear to understand what evidence they should be capturing: “There is a difference in quality. On one shift, everything is bagged and tagged – on another it isn’t.” However, this was improving across BICS: “A lot of investment is put in to focusing on writing witness statements, securing evidence correctly. Gathering evidence in the appropriate manner.”
- 7.52** Inspectors spoke to frontline officers about the training they had received in relation to modern slavery. They saw it as heavily focused on the victims: “we have little awareness of the perpetrators, what to look for, how to detect them, how to effectively deal with them” ... “we do everything for victims but are very limited in what we can do on perpetrators – there is no appetite or buy-in to pursue the perpetrator issue.”
- 7.53** The officers recognised that there were opportunities at the PCP to gather evidence to help identify perpetrators and said they were keen to be upskilled to do this. Where they identified a victim or perpetrator at the PCP, they understood they were expected to undertake initial enquiries, with the support of a SAMS officer, and to pass the case across to the SAMS officer at an appropriate point if it became apparent that a “full enquiry” was needed. The SAMS officer would then complete the NRM referral or MS1 form⁹² on the PCP officer’s behalf. The frontline officers told inspectors that it was the responsibility of the SAMS officer to ensure that all relevant information is recorded on CID.

Training for Border Force SAMS officers

- 7.54** A Border Force senior manager at Heathrow described to inspectors a more clear-cut demarcation of frontline roles:
- “All MSHT cases should be picked up only by SAMS officers – in the event that one is not floor-walking, PCP should inform the HO (Higher Officer) in the watchhouse who will then look at who the SAMS officer is and call on them – if no local resource, then look at one across the estate, PCP or non-trained SAMS officers should not be picking up MSHT cases”.
- 7.55** Another manager told inspectors that “the SAMS duty officer gets involved in dealing with cases with a modern slavery/human trafficking aspect early in the process. They certainly should be floor-walking for the high-risk flights where we know SAMS cases originate. They advise desk interviewers on what to ask and enquiries that should be made”.
- 7.56** SAMS officers attend a four-day ‘Tier 3’ training course. Following this, there is no formal refresher training, but SAMS officers can access a national Safeguarding and Modern Slavery Resources folder containing links to guidance, intelligence reports, Modern Slavery briefings

92 If a potential victim does not want to be referred to the NRM, the First Responder must complete an online MS1 (‘Duty to Notify’) form.

and additional support material not available on Horizon, and SAMS managers periodically received additional instructions for SAMS teams via a group email.

- 7.57** A number of the non-SAMS trained PCP officers interviewed said that they would find the specialist SAMS training extremely useful, as sometimes there were no SAMS officers on duty and they had to get on with managing the victim or perpetrator. Some SAMS officers felt that SAMS duties should simply be part of the PCP role as the training was “not that onerous”. However, the training was currently limited to officers who volunteered to take on SAMS duties.
- 7.58** The SAMS training includes a module on ‘Dealing with Traffickers and/or Facilitators’, covering “Trafficker profiles”; “Role of Criminal Financial Investigations (CFI)”; “Referral to police and others”; “Initial questions”; “Referring to CFI”; “Golden Hour”; “Actions other than prosecution”; and “Importance of Intelligence”. The “Golden Hour” slides look at the opportunities to gather evidence, processes to follow and how to maximise the chances of prosecution.
- 7.59** ICIBI’s 2017 inspection report⁹³ found that some SAT (now SAMS) officers were not fully-trained and some had been training prior to the publication of ‘Modern Slavery Strategy’ and the Modern Slavery Act 2015 and had received no new training. It recommended improvements to the training, with input from the Independent Anti-Slavery Commissioner regarding the training content.
- 7.60** The follow-up re-inspection, published in March 2018,⁹⁴ concluded that Border Force had implemented these recommendations, but noted that:
- “Border Force must ensure that it continues to update training content regularly and stays abreast of trends. It should also not lose sight of the Independent Anti-Slavery Commissioner’s recommendation to provide personal training sessions to officers as a more effective method than e-learning.”
- 7.61** In response, the Border Force Director responsible for SAMS commissioned a review. This reported in January 2019. It made five recommendations:
1. Existing staff to receive classroom based SAMS training to bring them into line with newer staff.
 2. All SAMS e-learning should be mandated for regular repeat to maintain knowledge. (Note: every two years was suggested)
 3. Safeguarding procedures, as included in Border Force Guidance and checklists, are made a regular feature of command shift briefings to ensure operational skills match safeguarding knowledge.
 4. Management grades should receive specific SAMS training to assure decisions and identify operational issues as they arise.
 5. SAMS cases should be reviewed on a monthly basis and findings shared with the regional SAMS and Assurance leads for any shortcomings to be addressed.

⁹³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/614203/Potential-Victims-of-Modern-Slavery-Inspection-report.pdf

⁹⁴ <https://www.gov.uk/government/publications/a-re-inspection-of-border-forces-identification-and-treatment-of-potential-victims-of-modern-slavery>

7.62 The Border Force Chief Operating Officer (COO) agreed the recommendations, and in March 2020 the first iteration of the ‘Border Force Safeguarding and Modern Slavery Training Delivery Plan 2020’ was produced. This proposed:

- mandating the following SAMS e-learning every two years;
 - ‘Keeping Children Safe General Awareness’ (1 hour)
 - ‘Modern Slavery – Border Force 2017’ (1 hour)
 - ‘Modern Slavery – BF Only – National Referral Mechanism 2017’ (30 mins)
 - ‘Recognising and Preventing FGM’ (1 hour)
 - ‘Forced Marriage’ (1 hour)
- delivering a one-day classroom-based PTV course to frontline staff, excluding staff who completed this in initial training and trained SAMS Officers
- creating a one-day classroom-based SAMS training package for Border Force Higher and Senior Officers
- creating a two-day SAMS specific ‘train the trainer’ course and have business embedded SAMS trainers in all regions to deliver the classroom-based training elements
- reviewing and improving the specialist three-day training course for SAMS Officers,⁹⁵ introducing a mandatory one-day consolidation training course for SAMS Officers every two years

7.63 The Plan outlines a delivery timetable that ran up to October 2021, after which it proposed that the effect of the training on performance should be evaluated.⁹⁶

Border Force guidance

7.64 BICS produces guidance documents covering policies and processes, which complement staff training.⁹⁷ Some apply across BICS. Others are specific to staff in one directorate or performing a particular function. They are accessible to staff on Horizon and most are also published on GOV.UK, though often with ‘sensitive’ (protectively-marked) passages redacted. From time to time, directorates and business areas also issue and update local instructions.

7.65 ‘Modern Slavery (including Human Trafficking)’ “tells Border Force officers about modern slavery”. Version 4.0 was published on Horizon in October 2019. It “must be read in conjunction

⁹⁵ The Training Delivery Plan acknowledged that the SAMS ‘Tier 3’ training course was over five years old, noting that it was reviewed in 2016 in light of the recommendations in ‘An inspection of Border Force’s identification and treatment of potential victims of modern slavery’ and “Whilst the content of the Tier 3 course has been maintained and is accurate, the format and focus has not changed since its creation. The SAMS training review indicates that whilst knowledge is good, skills lag behind. There is also no structure to refresh the skills and knowledge of SAMS Officers once trained.”

⁹⁶ In September 2020, the Home Office provided an update on the Training Plan. This stated that: “

- eLearning for the four SAMS topics is now mandated for repeat every two years and staff have been informed via Border Briefing/manager’s briefings. Within this, the old e-learning MSHT/NRM modules for staff have been replaced by the new HO Modern Slavery Team created First Responder e-learning issued in June 2020.
- The National training plan is now well underway. Trainers have been creating new content for the SAMS course, including how to identify and refer traffickers. A one-day PTV course is being delivered to managers via skype (due to COVID classroom restrictions) and there are plans for all frontline staff to receive this PTV training in 2021.
- PTV for new entrants is being reviewed by LLCT BF Training. Together with LLCT we are creating/filming SAMS specific videos for new entrants. One of these (PCP13) involves a scenario featuring a trafficker referrals. Filming has been delayed by COVID but is due to start in September.”

⁹⁷ At the factual accuracy stage, the Home Office commented: “The gap in Border Force guidance is acknowledged. It is being addressed by the national SAMS Team who are finalising a new chapter on Dealing with Traffickers, drafted with input from CFI, NCA & HO MSU. We are also working with Border Force Policy to update other sections. The Modern Slavery Chapter has already been updated and is awaiting addition into Border Force A-Z along with the new Trafficker guidance. The report states that interviews at port showed a reliance on SAMS Officers. However, the new national Protecting the Vulnerable training makes it clear that everyone has a role in MSHT /OIC disruption and that it should, therefore, not be automatically delegated to SAMS.”

with general Home Office victims of modern slavery guidance.” A hyperlink⁹⁸ takes the reader to various pieces of guidance, including ‘Victims of modern slavery: frontline staff guidance’, but not to ‘Modern Slavery Act 2015 – Statutory Guidance for England and Wales’.⁹⁹

7.66 ‘Modern Slavery (including Human trafficking)’ carries the caveat “All the content of this guidance is classified as official – sensitive and must not be disclosed outside of the Home Office.” In reality, large parts of it are either factual or repeat information or instructions found in other published guidance for example explaining the NRM and how to make a referral. However, it does contain a longer and more detailed list of “Indicators of human trafficking”, including child-specific indicators, to assist frontline officers.

7.67 The guidance also sets out when and how officers should make an intelligence submission, with the instruction that:

“All suspected trafficking cases must also be referred to the regional intelligence unit through local Field Intelligence Officers where applicable. You are required to complete an IEN¹⁰⁰ or MEN¹⁰¹ on every occasion when there is suspicion that an individual has been or may be the subject of trafficking.”

7.68 A SAMS officer told inspectors: “We liaise directly with our operational intelligence officers using a variety of methods, we email or call them normally. Sometimes we can visit them because they are in the control room just a short walk from our PCP. We might advise them if we perceive an emerging trend in arrivals for them to investigate.”

7.69 Inspectors were told that each port of entry (or terminal) maintains a log or database of safeguarding incidents, including where entry has been granted. This is reviewed by the SAMS team and may lead to further checks or referrals. It may also identify trends.

7.70 Inspectors were told that Border Force managers also “check that SAMS cases have been referred to relevant departments or agencies such as Intel, Police or social services”. However, inspectors found no mandated assurance mechanisms in place to check that intelligence reports were being submitted. A Border Force senior officer explained “If they are doing a live case, the instruction is to make contact with Intel. There should be a dialogue with the Intel Team. Our Intel Team has SAMS officers. We check via CID. I trust that happens”.

7.71 However, another commented “Intel is not a word you hear much of from frontline staff... creating and sharing information is not their immediate concern – it is about landing individuals and the queues”. Another put it more bluntly: “If you have a number of cars lined up you don’t have time to put in intel for every Romanian minibus coming in.”

7.72 Inspectors were told that where Field Intelligence Officers (FIO) were co-located with frontline officers, as at Heathrow, the FIOs were able to promote the importance of intelligence and provide frontline officers with feedback. Elsewhere, frontline officers received less feedback, which affected the quality and quantity of intelligence submissions.

98 Last checked 20 June 2020.

99 In September 2020, in its factual accuracy response, the Home Office reported that ‘Modern Slavery Act 2015 – Statutory Guidance for England and Wales’ was “a hyperlink in the draft of the updated version of ‘Modern Slavery (including Human Trafficking)’, which will be published shortly.”

100 Immediate Event Notification (IEN) – Used by frontline Border Force Officers to notify the Intelligence Directorate about an event at the border

101 Maritime Event Notification (MEN) – Inspectors did not find further information on when this is used.

Immigration Enforcement

- 7.73** GOV.UK describes Immigration Enforcement’s “vision” as “to reduce the size of the illegal population and the harm it causes”. The vision is supported by three “core objectives”.¹⁰² There is no mention of any responsibilities to protect vulnerable individuals or in relation to MSHT, although the objective to “deal with threats associated with immigration offending” encompasses MSHT. Under the heading ‘Jobs and contracts’ there is a link to a ‘Working for Immigration Enforcement’ page which explains that “As part of the Home Office, we help to protect vulnerable people, track immigration offenders, prevent abuse, and uphold immigration law.”
- 7.74** According to the Home Office intranet,¹⁰³ one of Immigration Enforcement’s five operational priorities is to “disrupt organised crime groups involved in immigration crime with a renewed focus on bringing to justice those who exploit the vulnerable, for example cases of modern slavery and human trafficking”. While the priority applies to Immigration Enforcement as a whole, in practice, it mostly affects three business areas: Immigration Enforcement International; Criminal and Financial Investigations; and, Immigration Compliance and Enforcement.

Immigration Enforcement International

- 7.75** At the beginning of 2020, Immigration Enforcement International (the directorate’s overseas network formerly known as Risk and Overseas Liaison Network (RALON)) was deployed in 45 overseas locations. In the UK, IEI had increased its presence in Croydon and Sheffield in line with the “onshoring” of most visa decision making.¹⁰⁴
- 7.76** IEI works with UKVI to support visa decision quality, by analysing suspicious activity linked to visas, producing risk profiles and by targeting the criminality behind forged and fraudulently obtained visas. It works with host country agencies and with carriers to prevent irregular migrants embarking for the UK and, alongside UK law enforcement partners, to disrupt Organised Crime Groups (OCGs) facilitating this activity. The work supports Border and Immigration capability development programmes, designed to improve a host country’s ability to tackle organised immigration crime.

Criminal and Financial Investigations directorate

- 7.77** Immigration Enforcement told inspectors that its Criminal and Financial Investigation (CFI) directorate “holds the strategic lead for Pursue within Immigration Enforcement. BICS partners are able to refer cases to CFI to undertake investigations into MSHT, subject to tasking criteria”.
- 7.78** As at the end of November 2019, CFI had 439 staff spread around the UK in regional teams: London; South East; Heathrow; Midlands & East of England; North East; North West; Wales & South West; Scotland & Northern Ireland. CFI works with partner agencies overseas and in the UK. The 439 included two officers embedded in the National Crime Agency (NCA), one in Police Scotland, and two in the Police Service of Northern Ireland (PSNI).

102 To “prevent migrants from entering the UK illegally and overstaying; deal with threats associated with immigration offending; encourage and enforce the return of illegal migrants from the UK”.

103 Accessed in June 2020.

104 See https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/863627/ICIBI_An_inspection_of_the_Home_Office_s_Network_Consolidation_Programme.pdf

7.79 According to the Home Office intranet, CFI:

“has responsibility for disrupting and dismantling organised criminal groups (OCGs) involved in organised immigration crime (OIC). Including: Trafficking of foreign nationals into the sex industry, forced labour and other forms of involuntary servitude; Facilitation of illegal migration in the United Kingdom; Producing forged or false documents to undermine our immigration controls; Assessing all suspects for enhanced financial investigations and seeking to strip them of their criminal assets.”

7.80 However, ‘An Inspection of the Home Office’s response to in-country clandestine arrivals (‘lorry drops’) and to irregular migrants arriving via ‘small boats’ (May 2019 – March 2020)’, published 11 November 2020,¹⁰⁵ identified that CFI had neither the capacity or capabilities to meet the demand for criminal investigations resulting from BICS encounters at ports of entry and in the UK. CFI was clearly over-stretched, more so since it had had to prioritise ‘small boats’ arrivals, and there was a gap in terms of Level 3 (serious organised crime)¹⁰⁶ investigations, with some cases being beyond CFI’s capabilities but not meeting the NCA’s threshold.

7.81 The report recommended that the Home Office should:

“Carry out a fundamental review of the Borders, Immigration and Citizenship System’s criminal investigation and prosecution capabilities and capacity, looking at clandestine entry (incorporating people smuggling, trafficking and modern slavery) and other immigration-related crimes, and revisiting with the National Police Chiefs’ Council (NPCC) and the National Crime Agency, and others if appropriate, where the underlaps are at National Intelligence Model (NIM) Levels 1, 2 and 3.”

Immigration Compliance and Enforcement teams

7.82 Immigration Compliance and Enforcement (ICE) teams are also spread around the UK, brigaded in three commands: London and South; North Midlands and Wales; and, Scotland and Northern Ireland. As at September 2018, the budgeted headcount for ICE teams nationally was 1,208 full-time equivalents (FTEs).

7.83 The primary function of ICE teams is to “carry out intelligence-led enforcement operations at businesses and residential addresses” in order to “disrupt illegal operations and arrest and detain illegal migrants who have no right to be working and living in the UK”.

7.84 ICE teams do not carry out criminal investigations. In 2015, ICIBI reported that Immigration Enforcement senior managers had “identified a gap in criminal investigation skills and experience in enforcement teams and had arranged for some officers to receive skills training in first-level investigations.”¹⁰⁷ At the time, inspectors were told that it was Immigration Enforcement’s ambition to have at least two members of each ICE team “PIP 1 trained”.¹⁰⁸

¹⁰⁵ <https://www.gov.uk/government/publications/an-inspection-of-the-home-offices-response-to-in-country-clandestine-arrivals-lorry-drops-and-to-irregular-migrants-arriving-via-small-boats>

¹⁰⁶ National Intelligence Model levels see <https://netpol.org/wp-content/uploads/2014/06/National-Intelligence-Model.pdf>

¹⁰⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/547674/ICIBI-Report-on-illegal-working-December_2015.pdf

¹⁰⁸ <https://www.college.police.uk/What-we-do/Learning/Professional-Training/Professionalising-investigation-programme/Pages/professionalising-investigation-programme.aspx>

- 7.85** ICIBI recommended upskilling ICE teams so that they had “the skills, experience and capacity to pursue criminal investigations”. The recommendation was accepted. However, in 2018 inspectors were told that:
- “The decision to remove investigative capability from within ICE teams and transfer this element of work back to CFI was justified in the IE CFI strategy. While it meant that ICE teams were unable to take low-level prosecutions forward, it did allow CFI to allocate a proportion of investigative resource to L1 [NIM Level 1] investigations where they met national priorities. This ensures that even low-level criminal prosecutions are prioritised and delivered in accordance with IE’s strategic objectives.”¹⁰⁹
- 7.86** Within BICS, ICE teams are most likely to be first to encounter migrants who have been trafficked into the UK by organised crime groups and subsequently exploited as forced labour. ‘An inspection of the Home Office’s approach to Illegal Working (August – December 2018)’, published in May 2019,¹¹⁰ examined the work of ICE teams, including in relation to MSHT.
- 7.87** The 2019 Illegal Working inspection report noted that the “disconnect” between ICE teams and CFI, identified in 2015, persisted and that Level 1 crime was still falling into the gap between the two. ICE officers told inspectors that Level 1 immigration crime was not being investigated by CFI as it was not a CFI priority. In 2020, the National Police Chiefs’ Council lead for MSHT echoed the concern that neither ICE teams nor police forces were looking at Level 1 crime in relation to clandestine entry, for example repeat offending by lorry drivers.¹¹¹
- 7.88** As First Responders, ICE teams are responsible for identifying Potential Victims of Modern Slavery (PVoMS) and making NRM referrals. The 2019 Illegal Working inspection report set out stakeholders’ concerns about ICE teams’ competence to do this. Stakeholders considered ICE teams to be ill-equipped in terms of expertise, time and incentives to identify where an individual encountered working illegally was, in fact, a victim of modern slavery or other form of exploitation. The small sample of case records examined by inspectors tended to support this view.

Detention – Criminal Casework and immigration detention

- 7.89** In some cases, ICE teams will judge that a person they encounter should be detained pending their removal from the UK. In order to safeguard vulnerable individuals who would be at risk if they were to be detained in an Immigration Removal Centre (IRC), ICE teams must refer such cases to the Immigration Enforcement Detention Gatekeeper (DGK).
- 7.90** The functioning of the DGK was covered in ‘Annual inspection of ‘Adults at Risk in Immigration Detention’ (2018–19) (November 2018 – May 2019)’, published in April 2020.¹¹² Inspectors were told that all DGK staff received training on modern slavery and were aware that if there were any indicators of this they should revert to the referring team and ask more questions, for example, when ICE teams raided brothels with the police, the DGK would ask whether the National Referral Mechanism (NRM) process had been followed.

109 See Footnote 6 from https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800641/An_inspection_of_the_Home_Office_s_approach_to_Illegal_Working_Published_May_2018.PDF

110 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800641/An_inspection_of_the_Home_Office_s_approach_to_Illegal_Working_Published_May_2018.PDF

111 This was said in the context of ‘An Inspection of the Home Office’s response to in-country clandestine arrivals (‘lorry drops’) and to irregular migrants arriving via ‘small boats’. (May 2019 – March 2020)’.

112 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/881648/Annual_inspection_of_Adults_at_Risk_in_Immigration_Detention_2018-29_.pdf

7.91 Some individuals were detained in IRCs despite the circumstances of the ICE encounter suggesting that they were likely to be MSHT victims. Responding to ICIBI’s ‘call for evidence’ for the Adults at Risk inspection, a number of stakeholders expressed concern about this:

“some of the women we have spoken to have been arrested during immigration raids on brothels or massage parlours ... so there is evidence from the circumstances of their arrest that they may be victims of trafficking. In spite of this, though, they haven’t been referred into the National Referral Mechanism (NRM), and they have been detained.”

7.92 In other instances, an individual may show signs or reveal that they have been a victim once they are in detention. For Home Office and other staff working in IRCs, Detention Services Order (DSO) 08/2016,¹¹³ ‘Management of Adults at Risk in Immigration Detention’, sets out the “indicators of risk within detention”, which include “Having been a victim of human trafficking or modern slavery”. DSO 08/2016 supplemented DSO 03/2013 ‘Reception, induction and discharge checklist and supplementary guidance’. DSO 03/2013 referred to “vulnerability issues”, including “Potential victims of trafficking or slavery”.

7.93 In 2019, a cross-BICS Modern Slavery Steering Group was created to address MSHT issues across the detention estate. The Group had two priorities; “to discharge safeguarding duties” and “to maximise returns”. It met for the first time on 27 September 2019, chaired by the head of Immigration Enforcement’s Detention, Progression and Returns Command. The Minutes for the November 2019 meeting noted 12 Action Points, including, “development and roll-out of a toolkit for First Responders on their roles and responsibilities, and standards of referrals into the NRM”.

7.94 Inspectors reviewed the Version 3 of the toolkit, issued in February 2020, and provided feedback regarding the inclusion of information about perpetrators. This, together with feedback from the police about improving collaborative working, was included in a revised version, issued in April 2020.

7.95 In January 2020, inspectors spoke to staff at Yarl’s Wood IRC. Inspectors were told that insofar as they dealt with MSHT cases, the focus was on identifying and supporting victims. They could not recall having received any training about identifying the perpetrators and would be keen to have some. If they received any information about perpetrators, they understood they should record it on the NRM referral form and submit an intelligence report. However, they told inspectors: “We do not normally submit intelligence”.

Reporting and Offender Management (ROM)

7.96 In addition to those foreign nationals held in immigration detention pending removal, tens of thousands¹¹⁴ of individuals who have been notified of their liability to detention and removal are managed in the community through regular reporting to a Reporting and Offender Management (ROM) centre.

7.97 Home Office guidance was clear that reporting events must have some value beyond compliance. However, in 2017, ‘An inspection of the Home Office’s Reporting and Offender Management processes (December 2016 – March 2017)’ found that they were ineffective at

¹¹³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/816821/DSO_08_2016_Management_of_adults_at_risk_in_immigration_detention.pdf

¹¹⁴ ‘An inspection of the Home Office’s Reporting and Offender Management processes (December 2016 – March 2017)’ noted that in 2015-16 the number required to report hovered around 80,000. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/656588/An_Inspection_of_Home_Office_s_ROM_processes.pdf

moving cases towards a conclusion (either voluntary or enforced removal, or regularisation of status). Inspectors were told that ROM staff had been given basic training on the identification of safeguarding risks, but identifying concerns was not a priority.

- 7.98** In February 2018, 'A re-inspection of the Home Office's Reporting and Offender Management processes and of its management of non-detained Foreign National Offenders (October 2018 – January 2019)'¹¹⁵ was told that staff in the three ROM commands had undertaken core safeguarding training, focusing on 'Adults at risk' and 'Keeping children safe', and that the 'ROM Induction Programme' contained a 'Modern Day Slavery – Awareness and First Response Actions' module. However, it was unable to show that all ROM staff had completed the mandatory e-learning on vulnerability or that all Executive Officer grades had attended a four-day residential course referred to in its response to the 2017 inspection.
- 7.99** The re-inspection concluded that "more thought needs to go into first time reporting event interviews if they are going to be of real value in identifying vulnerabilities, and care needs to be taken that automated reporting events do not result in missed opportunities to identify and safeguard vulnerable individuals within the reporting population".

Training for Immigration Enforcement frontline officers

- 7.100** In November 2019, Immigration Enforcement began rolling out a two-day training course on 'Vulnerability' to all frontline officers. In September 2018, Immigration Enforcement had published its 'Vulnerability Strategy'. The Vulnerability Strategy Team had designed the training, which inspectors were told was now the main source of training on MSHT for frontline staff.
- 7.101** According to the trainer notes, the Course Aims are:
- to provide greater understanding of vulnerability issues, themes and indicators and enhance awareness of the impact of our actions
 - to promote a Person-Centred Approach across Immigration Enforcement to see the person first rather than their immigration status
 - to encourage Professional Curiosity in the way we interact and safeguard vulnerable adults and children
 - to drive the understanding and importance of protecting the vulnerable and supporting a positive culture within Immigration Enforcement
- 7.102** Alongside a module on 'Modern Slavery', there are modules on 'Protecting Vulnerable Children'; 'Mental Health, Suicide and Self Harm'; 'Female Genital Mutilation'; 'Wider Vulnerability – Forced Marriage and Honour Based Abuse, Radicalisation, Substance Misuse, Domestic Abuse and Victims of Crime; and Vulnerability Principles and Resources'.
- 7.103** The Modern Slavery module lists and describes the activities that constitute modern slavery and human trafficking; the risk factors that make people vulnerable to exploitation; the legislation; indicators that someone is a victim and of different forms of exploitation (labour, sexual, criminal, child, domestic servitude); the NRM, including Immigration Enforcement's role as a First Responder, and examples of good and bad referrals.
- 7.104** The balance of the Modern Slavery module is towards the identification and handling of victims, but it makes clear that modern slavery is a crime and attendees are instructed to

¹¹⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800638/A_re-inspection_of_the_Home_Office_s_Reporting_and_Offender_Management_processes_and_of_its_management_of_non-detained_Foreign_National_Offenders.PDF

“Remember the ‘Golden Hour’ is important when dealing with a critical incident or initial investigation when evidence or material may be readily available to an officer or individual.” and that “The opportunity to maximise information gathering may be as simple as talking to a person who appears to be at risk”.

7.105 Criminal Financial Investigations (CFI) was not mentioned in the slides. The instruction, under the responsibilities of an NRM First Responder, is “Refer: if you consider a crime has taken place refer to the **police**, so that they can be considered for investigation as a means to protect others from harm.” However, the Vulnerability Strategy Team told inspectors that officers were informed that they should contact CFI for advice if they had concerns.

7.106 But, an ICE team manager told inspectors that ICE officers did not know what to look for, document and photograph that might later be useful to an investigating officer: “It’s all around the victim, not the perpetrator. We will tell CFI [or] the Police but I don’t think we have the knowledge”.

7.107 Inspectors asked the team why the package did not contain more about evidence gathering and the investigation of perpetrators and were told:

“it might be shared with the victim possibly and there is danger that they may be conflated...thinking about perpetrators, we could possibly include indicators for traffickers, but we need to be cautious on over-keen frontline officers who may overstep their responsibilities.”

“We must ensure that there is no overlap of responsibilities between CFI and IE frontline.”

“IE need to focus on their targets.”

“There are additional complexities relating to evidence, cautions and more (PIP training) so ICE officers should not really get involved in evidence gathering – they can gather intelligence/information though”.¹¹⁶

7.108 Immigration Enforcement’s ‘Vulnerability Strategy’ recognised that a training course alone would not be sufficient. It explained:

“We are embedding vulnerability champions within every department to enhance awareness, facilitate appropriate and consistent response, and equip our staff with the skills to dynamically respond to the fast-changing safeguarding landscape.”

7.109 Vulnerability champions attend a four-day course and have regular refresher training, which includes conferences, dial-ins and email updates. In January 2020, the Vulnerability Strategy Team told inspectors:

“We have developed 150 or so vulnerability champions across Immigration Enforcement. They are in a wide range of units and locations. We consult with them on a regular basis to look at continuous improvement to the approach and structure. ... they are the frontline voice for their individual teams and get approached by frontline staff directly with queries.”

¹¹⁶ In September 2020, in its factual accuracy response, the Home Office commented that “Much of the wording does not reflect IE communications. The wording ‘IE need to focus on targets’ is not something ever mentioned. IE does not focus on targets. This does not reflect the messages or training given to IE staff.”

Training for Criminal and Financial Investigators¹¹⁷

- 7.110** CFI criminal investigation officers follow the Professionalising Investigation Programme (PIP) developed by the College of Policing “to deliver the capability to conduct professional investigations at all levels within the Police Service and in other sectors of Law Enforcement”. There are four levels of PIP accreditation, each achieved through training, examination and work-place assessment.¹¹⁸
- 7.111** According to the CFI Risk Register for May 2020,¹¹⁹ “over 50% of CFI officers are only trained to PIP 1 [priority and volume crime investigations] standards”. Meanwhile, CFI had reduced its pool of seconded police officers and could no longer rely on this for expertise. At the same time, CFI was carrying out “a significant number of complex investigations into serious and organised crime” but had no accredited Senior Investigating Officers (SIOs) and Immigration Enforcement did not hold a licence to accredit SIOs. SIO courses at the College of Policing planned for 2020-21 were on hold because of Covid-19.¹²⁰
- 7.112** With regard to MSHT, inspectors were told that “a number of CFI officers” had completed a four-day MSHT specialist investigator course, sourced through the Modern Slavery Police Transformation Unit (MSPTU), which went into detail about the wide range of considerations and actions required for an investigator within the first ‘Golden Hour’ of a MSHT investigation. Inspectors were told that CFI had plans for at least two officers in each CFI team to receive this training in order to improve the initial response to a referral.

CFI-specific guidance

- 7.113** CFI senior investigators, supervisors and officers in charge of MSHT investigations have been provided with a text book covering strategies and investigation plans, together with a pocket-size quick guide for frontline staff which sets out ‘Golden Hour’ actions, investigative opportunities and useful contacts.

UKVI

UKVI’s Operating Mandate

- 7.114** UKVI’s Operating Mandate¹²¹ refers to modern slavery under the heading ‘Vulnerable adults’, where it explains that “UKVI, designated as a first responder by the Home Office, has a particular responsibility with regard to vulnerable adults, including victims of trafficking. Victims of trafficking come in all shapes and sizes. They may be of any nationality, including from EEA countries, and they may have adverse immigration histories.”

117 <https://www.college.police.uk/What-we-do/Learning/Professional-Training/Investigation/Pages/Investigation.aspx>

118 PIP 1 – priority and volume crime investigations; PIP 2 – serious and complex investigations; PIP 3 – major investigations; PIP 4 – strategic management of highly complex investigations.

119 The Risk Register is protectively marked Official-Sensitive.

120 In September 2020, in its factual accuracy response, the Home Office stated: “Training is delivered by the Training and Skills Unit (TASU) which consists of three parts. One element delivers officer safety training (arrest, Method of Entry), one element delivers initial learning to ICE, ROM and Criminal Casework officers and the final element delivers the training associated with the Professionalising Investigations Programme (PIP) under licence from the College of Policing at PIP Level 1 and 2. TASU Head of Crime Training has confirmed that at this time there are only 12 CFI officers awaiting PIP 2 training, which was cancelled in March 2020 due to Covid-19. None are awaiting PIP Level 1. All of those 12 are already PIP Level 1. The PIP Level 2 course is scheduled to recommence in September 2020 unless PHE guidance changes and this is precluded from happening. Vulnerability training is being rolled out to all IE staff; this includes a specific MSHT module that highlights the indicators of MSHT. An NRM toolkit was sent to all IE staff in April 2020. An updated version is currently in draft.”

121 UKVI’s Operating Mandate “sets out the minimum mandatory identity and suitability checks to be completed as part of each application for entry clearance leave to enter or leave to remain”. Version 3.0 of this a protectively-marked document was published for staff on the Home Office intranet on 27 April 2018.

Visas & Citizenship Operations

- 7.115** UKVI's 'footprint' and ways of working have changed since 2016 and the inclusion of "entry clearance staff" and "Premium Service Centres" in the list of "frontline staff" is less applicable than it was when 'Victims of modern slavery – frontline staff guidance' was produced as the opportunities for UKVI staff working in these areas to observe indicators of MSHT at first-hand have reduced.
- 7.116** UKVI's Visas & Citizenship Directorate processes millions of visa applications each year. In 2018-19, there were over 3 million 'out-of-country' applications from individuals looking to come to the UK and requiring a visa to do so. Almost 90% of these were visitor visa applications, and two-thirds of the remainder were Tier 4 (General Student) visa applications.
- 7.117** Most out-of-country applications are made online. The bulk of 'front-end services' (where applicants are seen and their biometrics captured) have been outsourced to Visa Application Centres (VACs) run by commercial partners. Most visa decision makers are now UK-based (Croydon became the decision-making "hub" for all visitor visas in January 2019; Sheffield had become the hub for Tier 4 visas in 2017 and in 2019 for Work & Family visas (Tiers 1, 2 and 5 and Settlement). Normally, decision makers have no direct contact with the applicant. The facility exists to conduct video interviews, but this is used only for certain routes and then only rarely.
- 7.118** Nonetheless, a decision maker for 'Applications made overseas' who "considers that the individual concerned has been a possible victim of trafficking or other offences associated with modern slavery" is required to make "a referral" to their "relevant Immigration Enforcement International team". The Operating Mandate does not explain how the referral should be made.
- 7.119** 'Modern Slavery Strategy' highlighted concerns about the exploitation of individuals brought to the UK on Domestic Worker visas. Guidance on GOV.UK¹²² sets out the process and requirements for those seeking a 'Domestic Workers in a Private Household visa'. The application is made online, with biometrics captured at a VAC. Individuals may already be victims of domestic servitude at this point, but it is unrealistic to expect the application process to elicit this. However, the guidance also includes sections headed 'Your employment rights' and 'If you're a victim of slavery or human trafficking', aimed at those in the UK. The latter advises victims to "contact the police". It also explains about applying to stay in the UK where a person has entered on a domestic worker visa and has "a letter from UKVI confirming that you're a victim of slavery or human trafficking".
- 7.120** For in-country visa applications, the Operating Mandate provides a hyperlink to 'Victims of Modern Slavery – frontline staff guidance'. The hyperlink takes staff to a protectively-marked version.
- 7.121** In 2018-19, there were an estimated 850,000 'in country' visa applications. In November 2018, the Home Office announced via GOV.UK that "the way you make an application for settlement, citizenship or to stay in the UK for study or work will change for some applicants." It explained that "Over the next few months" most paper application forms would be replaced with online application processes and "From 9 November 2018,¹²³ new UKVCAS centres will begin to open" managed by Sopra Steria.

122 <https://www.gov.uk/domestic-workers-in-a-private-household-visa>

123 In fact, the roll out was delayed until early 2019.

- 7.122** GOV.UK explained that “In January 2019, UKVI will start opening dedicated Service and Support Centres (SSCs)”. The seven SSCs, in Belfast, Cardiff, Croydon, Glasgow, Liverpool, Sheffield and Solihull, would “transform the experience for people who need more support with their applications. Experienced frontline Home Office staff will help those who need extra support to better understand their circumstances and if necessary, take the appropriate safeguarding action.”
- 7.123** Since 2018, the EU Settlement Scheme (EUSS) has been a major new area of business for Visas & Citizenship Directorate. The Scheme opened fully to applicants in March 2019. According to ‘EU Settlement Scheme Statistics, May 2020’, by 31 May 2020 UKVI had received over 3.6 million applications.
- 7.124** The process is automated and in most instances there is no direct contact between UKVI staff and applicants. However, the Home Office set out to provide support for applicants who were experiencing difficulties either with the application process or in demonstrating their right to settled status and the c. 250 staff in its Settlement Resolution Centre (SRC)¹²⁴ had handled 328,611 calls in the Scheme’s first five months of full operation, with calls averaging 10 minutes in length.
- 7.125** In addition, in May 2019, 57 non-government organisations were awarded Home Office funding, initially for one year,¹²⁵ to reach and give practical support to vulnerable individuals and their families and to connect to those individuals that were hard-to-reach.

Immigration and Protection Directorate

- 7.126** While the Visas & Citizenship Directorate’s structures and processes mean that opportunities for its staff to identify victims of modern slavery and human trafficking have become more limited, UKVI staff working in Asylum Operations, part of Immigration and Protection Directorate, remain “frontline”.
- 7.127** The Home Office provided links to two e-learning packages used by UKVI: ‘Modern Slavery – non-Border Force’ and the ‘Modern Slavery – NRM Process’. Inspectors were told that it was mandatory for Asylum staff to complete both annually. The packages contained information on types of modern slavery, how to identify a victim, and the NRM. However, the information about the NRM was out-of-date. It referred to “competent authorities” rather than the Single Competent Authority (SCA).
- 7.128** As implied by ‘Victims of modern slavery – frontline staff guidance’, there are two key points in the asylum process where staff come face-to-face with victims: the initial screening interview¹²⁶ and the substantive asylum interview. Victims may self-declare before or during either. In both, the interviewer is required to gather all relevant information about an individual and their claim, which includes looking out for any indicators of modern slavery and human trafficking.
- 7.129** Most asylum screening interviews are carried out by UKVI’s Asylum Intake Unit (AIU) in Croydon, or the Kent or Midlands Intake Units. A smaller number are carried out by Border Force and Immigration Enforcement officers. Where this is the case, they are required to follow the same ‘Asylum screening and routing’ guidance, version 5.0 which was published for Home Office staff on 2 April 2020 and is available online, with redactions.

124 The Settlement Resolution Centre (SRC) has been set up to receive calls and emails to support applicants through the EU Settlement Scheme application process. It is open 0800 – 2000 Mondays to Fridays and 0930 – 1630 at weekends.

125 In March 2020, this was extended for a further year.

126 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/878626/screening-and-routing-v5.0ext.pdf

- 7.130** ‘Asylum screening and routing’ Version 5.0, published in April 2020, is intended to “support staff who register asylum claims and complete the screening process for asylum claimants”. It lists a range of other “applicable guidance” that “must be read in conjunction”, including: “Victims of modern slavery (home page) • Victims of modern slavery: a guide for frontline staff • Victims of modern slavery: competent authority guidance.”
- 7.131** Under the heading ‘Asylum claims made to Immigration Enforcement’, the guidance instructs UKVI staff to be “mindful” that individuals encountered by Immigration, Compliance and Enforcement (ICE) teams may be “at risk” and “you should look for any indicators of slavery, trafficking¹²⁷ or any other potential risk” and follow the relevant guidance.
- 7.132** The section headed ‘Potential victims of modern slavery (including trafficking)’ alerts screening staff to the fact that “You may be first person in authority to have contact with a potential victim of modern slavery in the UK” and “you must complete the appropriate National Referral Mechanism Form (adults must consent to a referral)”. It explains that “This is very important, both in terms of identifying a potential victim, and improving actionable intelligence on the perpetrators of modern slavery and trafficking”.
- 7.133** Inspectors were told by UKVI senior management that asylum screening interviewers attended a two-week induction course which included a modern slavery module, after which they were supported through regular one-to-one meetings, case discussions and refresher training. However, AIU staff said they were keen to receive more training and several of them had not received any training during the previous 12 months. Furthermore, they lacked confidence in the on-the-job advice they received, describing it as inconsistent.
- 7.134** The screening interview leads to the registration of the asylum claim. The process entails completion of an initial contact and registration questionnaire. The guidance explains that this includes “obtaining information” about “safeguarding concerns or modern slavery indicators” and “may mean ... making a referral to the National Referral Mechanism (NRM) if there are indicators of trafficking or other forms of modern slavery”. The questionnaire asks (Part 2 – Question 2.5):
- “In your country of origin, on the way to the UK or within the UK, have you ever been the subject of exploitation? For example, being forced into prostitution, forced labour, or do you have reason to believe you were going to be exploited?”
- 7.135** Interviewers are instructed: “If answer is “yes”, please use continuation sheet to get brief details that can be used for an NRM referral (who/where/what/when/how).”
- 7.136** The guidance, which contains hyperlinks to other relevant guidance, explains that modern slavery includes “human trafficking [and] slavery, servitude and forced labour”, and cautions that victims may not feel able to identify themselves as such and “it may only be by directly asking that the claimant will indicate they are a victim of modern slavery”. It notes:
- “The difference between people who are smuggled and those who are trafficked will often be blurred. The ‘end’ situation for the individual can determine whether someone has been smuggled or trafficked. Asylum claimants may be encountered before the ‘end’ situation, so the exploitation may not have yet occurred. However, as it is in the mind of the exploiter, the person could still be a victim of trafficking. If in doubt you should proceed on the basis that the person may be a victim of trafficking. The screening form has some initial softer

127 ‘Asylum screening and routing’ explains that these can be found “in the guidance for frontline staff”.

questions that may indicate whether the claimant is a victim of trafficking and there is a direct question in part 5 (sic) – question 2.5.”

- 7.137** The NRM form asks a number of ‘tick box’ questions about the nature of the victimisation, including indicators of modern slavery, forced or compulsory labour, domestic servitude and sexual exploitation that focus on the actions or behaviours of perpetrators. It also asks for a narrative of the encounter with the victim and the information they provided, including the “name of agent, exploiter or trafficker (if known)”, to support the reasons for the referral.
- 7.138** However, screening interviewers told inspectors that since the ‘Method of Entry’ form was replaced with a more streamlined question set, they had lost the opportunity to gather further information from an asylum applicant that may have identified MSHT offences and perpetrators. Some staff said they did not feel that they were encouraged or supported by their managers to find out more information: “Before we would ask a few questions. Now, they say, ‘Just ask the questions on the form, leave the rest for the caseworker’”. One commented “It’s a shame because this is the first stop. They reveal quite a lot to us [but] we’ve been told not to ask other questions”.
- 7.139** Senior management explained that the form had changed in 2015. The previous form had increased to 20 pages as different departments had requested certain questions to be included. They said that local line managers would never discourage staff members from asking further questions in relation to modern slavery: “With a safeguarding case we allow 10-15 minutes longer. We wouldn’t stop it. You will be allowed to continue with it”.
- 7.140** Most asylum applicants have a substantive asylum interview before receiving a decision – grant or refusal. This typically takes place several months after the screening interview. ‘Asylum Interview’ guidance,¹²⁸ published in June 2019, instructs interviewers (decision makers):
- “If indicators of modern slavery first come to light whilst you are conducting the asylum interview, and if the potential victim consents to being entered into the National Referral Mechanism (NRM) process, you, as the first responder, must complete a NRM referral form.”
- 7.141** Unlike ‘Asylum screening and routing’, ‘Asylum Interview’ guidance does not refer or contain hyperlinks to ‘Victims of modern slavery – frontline staff guidance’. The latter notes that “Asylum staff need to know how to handle potential victims of modern slavery they encounter during an asylum interview” but continues “Most modern slavery cases are identified before an asylum claimant is interviewed”.
- 7.142** However, ‘Victims of modern slavery – frontline staff guidance’ details the reasons why “claimants may be reluctant to go into much detail about the full facts of their case” and informing the interviewer that “they may need to establish” the circumstances in which the claimant came into contact with the trafficker and whether “they fear the trafficker and/or associates if returned to their country of origin”. The questions, including whether they can seek protection from the authorities in their country of origin or relocate internally, are clearly intended to address the basis of claim. However, the answers may identify and enable the investigation and prosecution of traffickers in the UK or overseas.
- 7.143** Inspectors spoke to asylum caseworkers. They said that there was little opportunity for them to detect perpetrators. Staff did not see intelligence gathering as part of their role. They made

128 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807031/asylum-interviews-v7.0ext.pdf

intelligence submissions but did not have a good understanding of what information was required: “We know that we should send intelligence, but little more”.

8. Inspection findings: Performance

Performance measurement

Modern Slavery Strategy

- 8.1** In December 2017, the NAO¹²⁹ criticised the Modern Slavery Strategy for its lack of performance measures or targets:

“[The Modern Slavery Strategy] does not have a measure of success for its objectives nor a definition of what success looks like. It states that its aim is to reduce significantly the prevalence of modern slavery in the UK. However, the Home Office has not set out how it could measure a reduction in prevalence, or how it will take account of the impact of increased reporting as a result of raised awareness on the number of NRM referrals, based on its understanding of other hidden crimes.”

Law enforcement

- 8.2** However, the NAO report noted that the Home Office “is now in the process of considering different performance framework options” and that arrangements were in place to monitor parts of the strategy, for example, the National Crime Agency (NCA) Modern Slavery Threat Group produced:

“a detailed data dashboard covering the scale and nature of the threat of modern slavery. It includes victims identified, police recorded crime and prosecutions and convictions, but does not include targets.”

Serious and Organised Crime

- 8.3** The difficulty of measuring performance is not unique to MSHT, or to Organised Immigration Crime more generally, but extends to all types of serious and organised crime. In June 2019, the NAO report ‘Tackling Serious and Organised Crime’ found that:¹³⁰

“Performance measurement is immature and does not yet support effective decision-making. ... We found that information about the performance of government and law enforcement bodies in meeting the strategy’s objectives and of the success of operations was inconsistently measured and used by senior officials. This makes it difficult for senior officials to monitor performance and make evidence-based decisions. The government’s progress since 2013 to establish an effective performance framework has been slow.”

“The [Home Office] should accelerate its work to measure the impact of the collective efforts of government and law enforcement bodies on the prevalence of serious and organised crime. The Department and the NCA have been developing a new performance framework since 2017 but still lack the right information to know whether efforts are working. The Department should bring this development to a quick conclusion and decide on the indicators and information it needs to measure success consistently.”

129 <https://www.nao.org.uk/wp-content/uploads/2017/12/Reducing-Modern-Slavery.pdf>

130 <https://www.nao.org.uk/wp-content/uploads/2019/03/Tackling-serious-and-organised-crime.pdf>

8.4 Following up the NAO report, in September 2019, the Public Accounts Committee wrote:¹³¹

“The Home Office still does not know how successful it has been at reducing serious and organised crime. The Department has been slow to develop a way of measuring the impact its activities are having. It has been collecting data on the performance of its strategy since 2017, but this is mostly focussed on ‘outputs’ such as numbers of arrests or value of drugs seized. Although useful, this does not allow the Department to understand how effective its strategy has been, identify the overall impact of the strategy, or determine whether the threat from serious and organised crime has been reduced. The NCA claims it is developing the way it captures data so it can better measure success but admits that the way data is recorded by law enforcement organisations does not give a complete picture of what is happening at local or regional levels. Raising public awareness of serious and organised crime is an important part of ensuring law enforcement agencies have the intelligence they need and that activities to tackle serious and organised crime are effective, but the Department has not yet done enough to educate the public about serious and organised crime threats.”

8.5 The PAC recommended that: “The Home Office and NCA should write to the Committee within six months, setting out what progress has been made in developing its performance measures, and what the impact of this has been.”

8.6 The Treasury Minutes for January 2020 record the Government’s agreement with the recommendation and notes a “Target implementation date” of “Spring 2020” when the Home Office and NCA will write jointly to the Committee with an update. The accompanying text notes that:

“The NCA is delivering a National Assessments Centre and National Data Exploitation Capability (NDEC) to improve understanding. ... our ambition is to put data and intelligence at the heart of our approach. The NDEC will transform data acquisition, exploitation and visualisation capabilities for law enforcement and enable identification of more criminal activity and more effective intervention. The NCA is currently using the NDEC to better understand the data that currently exists in the system and improve our understanding.”

Performance measurement by the Home Office and BICS directorates

NRM referrals

8.7 Inspectors found that neither the Home Office nor BICS had an overall performance framework for recording and measuring its actions in relation to MSHT. There were no departmental or BICS-level targets and performance measurement was fragmented.

8.8 In the 2018 ‘Single Departmental Plan’, which was withdrawn and replaced in 2019, the relevant ‘Our Performance’ section cited the numbers of NRM referrals:

“In 2017, 5,145 potential victims of human trafficking were referred through the National Referral Mechanism (NRM); this was a 35% increase on the number of referrals in 2016.

131 <https://publications.parliament.uk/pa/cm201719/cmselect/cmpubacc/2049/204905.htm>

Further information on the NRM, including the latest 2017 quarterly statistics, can be found in the National Crime Agency’s National Referral Mechanism statistics.”¹³²

- 8.9** According to data published by the Office for National Statistics (ONS) in March 2020, 6,985 potential victims of modern slavery (PVoMS) were referred through the NRM in 2018. Of these, 1,625 (23%) were UK nationals, while 5,360 were foreign nationals and therefore of potential concern to BICS. Of a total of 3,857 adult referrals, 3,653 (95%) were foreign nationals. In 2018, a further 1,499 adult PVoMS were reported in England and Wales under the ‘Duty to Notify’ provisions of the Modern Slavery Act 2015. The published data did not show how many of these were foreign nationals.
- 8.10** Since 2019, the Home Office has published quarterly ‘National Referral Mechanism Statistics’. These showed that in 2019 the total number of referrals rose to 10,627, an increase of 52% on the previous year. Of these, 4,624 (43.5%) were referred by BICS acting as First Responder (2,494 by UKVI, 1,880 by Immigration Enforcement, and 250 by Border Force).
- 8.11** ‘National Referral Statistics’ Quarter 4 (October – December) 2019, published in April 2020, showed that between 1 October and 31 December 2019 there were 3,350 referrals into the NRM, “a 19% increase in referrals compared to the previous quarter of 2019 (2,809) and a 71% increase from Quarter 4 in 2018 (1,960).” The analysis explained that this continued “the upward trend in referrals since the third Quarter of 2016, which is thought to be a result of increased awareness of modern slavery and the NRM process.”¹³³
- 8.12** Collectively, the three BICS operational directorates were recorded as the First Responder in 1,566 (47%) of the 3,350 cases – see Figure 1. The police with 907 (27%), local authorities with 655 (20%), and NGOs/third-sector organisations with 206 (6%) accounted for almost all of the remainder.¹³⁴

Figure 1

BICS NRM referrals 1 October to 31 December 2019

First Responder	Adult	Minor	Not recorded	Total
Border Force	32	67	3	102
UKVI	375	207	35	617
Immigration Enforcement	667	77	103	847
Total	1,074	351	141	1,566

- 8.13** Inspectors asked the Home Office about the BICS numbers, which appeared to show a push in Q4 by Immigration Enforcement to increase its referrals as well as an increase by Border Force, albeit from a much lower base.
- 8.14** Border Force managers recognised that the Border Force numbers were “particularly low”. There had been no analysis of why, but they pointed out that encounters with arriving

132 ‘Our Performance’ quoted the “number of potential victims referred” for 2015 (3,261); 2016 (3,804); and 2017 (5,145) according to ‘National Referral Mechanism statistics (2017 Annual Report)’.

133 According to NCA’s ‘National Strategic Assessment of Serious and Organised Crime 2019’: “The biggest increases in referrals in 2018 related to exploitation in the UK. However, as many as 34% of referrals related to claims of exploitation abroad.” <https://nationalcrimeagency.gov.uk/who-we-are/publications/296-national-strategic-assessment-of-serious-organised-crime-2019/file>

134 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/876647/national-referral-mechanism-statistics-uk-quarter-4-2019-october-to-december.pdf – pg6

passengers at the PCP were brief compared with the sorts of encounters that UKVI and Immigration Enforcement staff had with individuals, and Border Force officers had to keep the queues moving. Also, when a person enters the UK they may not yet have become a victim, might not recognise themselves as such, or may be afraid to declare themselves to a uniformed Border Force officer who may refuse them entry. Meanwhile, a proportion of the PVoMS referred by UKVI will be individuals who have claimed asylum on arrival and have been passed on to UKVI to complete the asylum screening interview.¹³⁵

- 8.15** Border Force also told inspectors that it carried out “wide-reaching activity” under the Prevent strand of the Modern Slavery Strategy. All of its MSHT awareness-raising activity fell into this category. It recorded SAMS engagement with stakeholders, and it pointed to the increased use of the Modern Slavery Helpline (up 68% in 2018),¹³⁶ including to report information about traffickers, as an indicator of greater awareness, but it explained that the overall impact of this activity was difficult to measure.

Disruptions of serious and organised criminal activity

- 8.16** The 2019 Home Office ‘Single Departmental Plan’¹³⁷ does not mention NRM referrals. Instead, the ‘Our Performance’ section under “[the protection of] vulnerable people and communities” including “victims of trafficking, modern slavery” notes that:

“Organised immigration crime: In 2018/19, Immigration Enforcement made 593 disruptions against individuals and organised crime groups involved in the exploitation of people through modern slavery and organised immigration crime. 71 of these were major. This is an increase of 42% and 41% on the previous year for the number of total disruptions and major disruptions respectively.”

- 8.17** The Government’s ‘Serious and Organised Crime Strategy’, published in 2013,¹³⁸ identified “relentless disruption of organised crime and organised criminals by all available means – not just prosecution” as a “key theme”. The NCA, in consultation with others, including Border Force and Immigration Enforcement, developed a methodology for measuring the disruptive impact of activities under each of the “4 Ps” (Pursue, Prevent, Protect and Prepare). This looks at how long and to what extent the “capability” of an organised criminal group, individual or “vulnerability” have been impacted.¹³⁹ Disruptions are ranked: ‘Major’, ‘Moderate’, ‘Minor’, ‘None’ or ‘Negative’.
- 8.18** Within BICS, Immigration Enforcement’s Criminal and Financial Investigations Directorate (CFI) chairs a monthly Disruption Panel, attended by Border Force and by the NCA, at which operational and investigative activities are assessed. Overall, the number of recorded CFI disruptions had grown by almost 50% since 2016-17.
- 8.19** Inspectors attended the October 2019 Disruption Panel. The discussion and the Panel’s judgements involved an element of supposition, which was unavoidable given the hidden

135 In September 2020, in its factual accuracy response, the Home Office commented: “It should be noted that the NRM figures for UKVI and Immigration Enforcement are also high, in part due to perceived abuse of the NRM system by those who are at the end of the immigration process or in detention and seeking to delay removal. This abuse element is currently being explored by Immigration Enforcement Intelligence Analysts.”

136 According to the Office of National Statistics 26 March 2020 data.

137 <https://www.gov.uk/government/publications/home-office-single-departmental-plan/home-office-single-departmental-plan--3>

138 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/248645/Serious_and_Organised_Crime_Strategy.pdf

139 NCA guidance, ‘National Minimum Standards for Assessing and Recording Disruptions against Serious and Organised Crime’, marked Official-Sensitive, defines and provides examples of the different levels of disruptive impact.

nature of serious and organised crime. However, the process appeared rigorous, with a tendency for the Panel to mark claims submitted for assessment down rather than up.

- 8.20** However, while acknowledging the “changeable” nature of serious and organised crime and the time it takes “for interventions to make a difference” in ‘Tackling Serious and Organised Crime’, the NAO drew attention to the limitations of measuring performance by disruptions:

“The government measures its performance mainly using law enforcement outputs, specifically disruptions of serious and organised crime which lead to an organised criminal or group being unable or less able to operate. Counting disruptions provides a partial picture of success. It does not help the government understand the impact and outcome in reducing the overall scale of the threat.”

Intelligence-led Criminal Investigations

Actionable intelligence

- 8.21** BICS frontline officers are pivotal in identifying MSHT victims and perpetrators and generating information for intelligence colleagues to develop into actionable intelligence which may ultimately result in a criminal investigation and prosecution.
- 8.22** However, inspectors were repeatedly told by frontline staff across BICS that they were unsure about what and how much information they should be looking to collect and report. Where they made submissions, they received little or no feedback on the effectiveness of their reporting. The lack of direction and feedback affected their engagement with the intelligence gathering process, and since they were not performance measured on intelligence submissions, individually or collectively, there was no incentive to engage.

Border Force at the PCP

- 8.23** Border Force officers at Heathrow told inspectors that they tried to be alert to MSHT issues and felt a sense of responsibility to deal thoroughly with any cases. Some said they would welcome further information and guidance on evidence gathering. However, there was pressure “from the watchhouse” to manage the queues, which “will always take priority”,¹⁴⁰ and where passengers enjoyed free movement, they were not encouraged to question them even if they had suspicions because of behavioural indicators they had observed. Meanwhile, an intelligence manager told inspectors: “Border Force are victim-focused, which is good, but I don’t think they know what to do with the intelligence around that victim.”

Safeguarding and Modern Slavery (SAMS)

- 8.24** Where there was a passenger of interest, a SAMS officer would liaise with a Higher Officer in the watchhouse and seek advice from a Field Intelligence Officer (FIO) or from the local Border Force intelligence team. Some non-SAMS-trained officers felt that they did not have the skills to identify MSHT perpetrators as their only training had been a one-hour e-learning package. Inspectors were told that “some officers looked to “game” this training by copying, etc.” and although it was mandatory other pressures meant that no time had been scheduled for them to complete it.

¹⁴⁰ In September 2020, in its factual accuracy response, the Home Office commented: “Border Force has worked hard to change perceptions around queues – We have invested in behavioural detection training for a number of officers. Any indicators around MSHT should be actively pursued and no border security activity should be dropped in favour of management of queues.”

- 8.25** Periodically, a SAMS-led initiative under the Project AIDANT ‘umbrella’ resulted in a drive to collect intelligence on a particular theme, nationally or at certain ports. In late 2019, for example, the SAM Operational Delivery Group (ODG) was informed that the lack of intelligence was hampering an operation targeting perpetrators of Travelling Child Sex Offenders and the National SAMS Team took responsibility for fixing this.
- 8.26** Inspectors were also told about multi-agency efforts to raise awareness of Female Genital Mutilation (FGM) and MSHT on with outbound travellers at St Pancras, Ebbsfleet, Dover, Coquelles, Dunkirk, Brussels and Paris, handing out information leaflets, collating intelligence and identifying potential victims and arranging safeguarding under Project AIDANT (Operation Elmstead).

Border Force regional initiatives

- 8.27** Border Force regions have a considerable degree of operational independence, subject to national priorities and availability of resources. Border Force highlighted the good working relationship it had with Kent Police, and referred to “many examples of regional success stories where potential victims have been successfully safeguarded from positions of potential exploitation”.
- 8.28** Border Force Scotland told inspectors about a month-long multi-agency operation¹⁴¹ run at Glasgow Airport in late 2019 aimed at increasing intelligence about perpetrators and traffickers and improving the collective response. The results were shared with the National Operations Tasking and Co-ordination Group, which meant that other regions were sighted.
- 8.29** Inspectors were also told that the SAMS team at Glasgow Airport had begun working with the first ‘Victim Navigator’ to be embedded in Border Force. Victim Navigators are trained professionals who help identify potential victims of MSHT to understand fully about the NRM and other services available to support them. Victim Navigators also assist in bringing perpetrators to justice by supporting victims in any legal proceedings. They have been successfully piloted in police forces across the UK. The Victim Navigator embedded in Border Force is funded by Justice and Care.¹⁴²

Border Force Field Intelligence Officers

- 8.30** The Border Force Intelligence Directorate (BFID) has a cadre of Field Intelligence Officers (FIOs) whose role, inspectors were told, was to act as a conduit between frontline officers and Border Force Intelligence Analysts.
- 8.31** FIOs told inspectors that they researched, developed and sanitised the information they received from the frontline (via emails, calls and personal contact) and shaped it into intelligence, which they passed to the analysts. FIOs said “[we] expect frontline staff to contact us if they have any concerns.” However, some frontline officers did not appear to know about the FIO role. FIOs had developed presentations to explain their role but had limited capacity to deliver them. The FIOs also tried to provide feedback on the information they received but again there was not always the time to do so.
- 8.32** At Heathrow, the FIOs were based in a central office (in Terminal 5) rather than being embedded with frontline officers at the PCP. Both FIOs and frontline officers commented that

¹⁴¹ Operation Relbia. See <https://www.gov.scot/publications/trafficking-exploitation-strategy-third-annual-progress-report-strategy-review/pages/4/>

¹⁴² <https://www.justiceandcare.org/about-us/>

this did not help with developing close working relationships. Inspectors also spoke to frontline officers at the juxtaposed controls at Calais, who said that they would welcome more face-to-face contact with intelligence officers (“they don’t seem to come out and it would be nice if they did”) and more information sharing, so that they were alerted to trends and what they needed to look for.¹⁴³

- 8.33** FIOs believed the “high turnover” of frontline officers did not help with intelligence awareness but they also felt that the “intelligence brand” might need revisiting as “there are a lot of different intelligence groups and different names. It might be a branding issue”.
- 8.34** With regard to following up on victims and perpetrators of MSHT, FIOs told inspectors that they would like to do more but “we are not just working on MSHT and safeguarding, we have other roles” and “the volume [of work] is more than we can cope with”.

Border Force Intelligence Analysts

- 8.35** Border Force Intelligence Analysts told inspectors that developing the intelligence picture for MSHT was challenging because there was “no clear steer [from TCGs] as to what information is required, what is good, needs to improve or gaps”. The analysts said they needed better, more specific feedback.
- 8.36** Input from the frontline, through FIOs and SAMS officers, was also important in shaping intelligence assessments. However, operational areas captured information and data on locally-maintained spreadsheets that were not shared, and information flows were “disjointed”, so it was difficult arrive at a “single version of the truth”.

Intelligence Management System

- 8.37** The Intelligence Management System (IMS) went live in 2012. IMS ‘Best Practice Guidance’, published July 2015, made it clear that “all information relating to immigration or commodity abuse received by the Home Office must be entered on IMS”. The introduction noted:

“We need to be more consistent in the application of IMS across Immigration Enforcement and Border Force to ensure that IMS can be searched effectively and decision making is understood between teams... the purpose of this guidance is to set out principles that must be followed wherever possible when processing an IMS case to improve consistency of IMS application across Immigration Enforcement and Border Force.”
- 8.38** While Immigration Enforcement was using IMS, inspectors were told that Border Force had determined that IMS did not meet its needs and did not use it. Instead, Border Force National Intelligence Hub (BFNIH) acted as the single point of contact (SPOC) for the receipt and dissemination of intelligence. Intelligence was received via email, attaching ‘Immediate Event Notifications’ (IENs). BFNIH receives intelligence reports from other agencies (NCA, Police) in the same way.¹⁴⁴

143 In September 2020, in its factual accuracy response, the Home Office commented that: “an ‘intelligence link’ officer system is in place at Calais, whereby each brigade has officers who are trained and instructed in a way that bridges the gap between RIU [Regional Intelligence Unit] and port Border Force officers.”

144 In September 2020, in its factual accuracy response, the Home Office commented that it would be “misleading” to suggest that “Border Force Intelligence [is] on a divergent path from Immigration Enforcement IMS (Intelligence Management System) and Home Office SIP (Single Intelligence Platform) ... Border Force Intelligence is currently running a major IT project to convert an outdated IEN into Events at the Border (EB), which the main Central Operations Platform will host. National SAMS is actively engaged with EB Product Developers on SAMS-related information, SAMS-related data and SAMS-related intelligence. Our engagement with EB began after a March 2020 National SAMS data review and EB (SAMS) product development now forms an integral, and cross-cutting, part of our National SAMS intelligence strategy”.

Single Intelligence Platform

8.39 Border Force guidance in relation to the Single Intelligence Platform (SIP) was published on the Home Office intranet, Horizon, in October 2019. This explained:

“Single Intelligence Platform is being rolled out to all operational frontline staff as a key element of the Intelligence-led strategy to secure the UK border...SIP is a cloud-based intelligence system shared by Border Force, Immigration Enforcement and HM Passport Office. It is used to record, develop and share intelligence to combat serious and organised crime and all border-related Control Strategy priorities including commodity fraud, smuggling and immigration abuse. Frontline staff will be provided with read-only SIP access to enable immediate, time-sensitive intelligence checks.”

8.40 In January 2020, inspectors were told that there had been problems with the SIP roll out: staff had been unable to get the necessary training and to acquire login credentials and access rights. Some frontline Border Force officers told inspectors that concerns about data protection and data sharing with other agencies meant they had been discouraged from using SIP, while others suggested that the system was onerous. “it’s quicker for me to email intel to do an intel check rather than look at SIP”. Managers also commented on the difficulty of searching SIP.

8.41 BFNIH senior management acknowledged that more needed to be done to inform frontline officers about SIP, describing it as a key element of the intelligence-led strategy to secure the UK Border, requiring everyone to comply with the terms of use.

Actionable intelligence from UKVI

8.42 UKVI does not have its own intelligence structure or processes. Instead, it relies on Immigration Enforcement for intelligence collection, analysis and assessment. The ‘UKVI Operating Mandate’¹⁴⁵ directs that: “Where an application is made overseas and the decision-maker considers that the individual concerned has been a possible victim of trafficking or other offences associated with modern slavery, a referral should be made to the Decision Maker’s relevant Immigration Enforcement International team.”

8.43 For in-country applications, where UKVI staff are the First Responder, the ‘Operating Mandate’ provides a hyperlink to ‘Victims of Modern Slavery – Frontline staff guidance’. In practice, any information UKVI First Responders collect about victims or perpetrators is reported via the NRM referral form or ‘Duty to Notify’ form. An Immigration Enforcement Intelligence team, based in Leeds, is responsible for actioning information derived from NRM referrals or other UKVI casework information relating to MSHT.

8.44 UKVI staff told inspectors that they would not normally set out to seek information about traffickers and perpetrators of modern slavery but could do so as part of a structured interview, if requested by the Single Competent Authority, for example. However, if they considered an applicant to be in immediate danger, whether as a victim of MSHT or for any other reason, they were instructed to inform the police.

145 A protectively-marked document. Version 3 was published for staff in April 2018.

Joint Debriefing Team

- 8.45** In June 2015, the Prime Minister announced the creation of the Organised Immigration Crime (OIC) Taskforce, bringing together officers from Border Force, Immigration Enforcement, the National Crime Agency (NCA) and the Crown Prosecution Service “to exploit every opportunity at source, in transit countries and in Europe, to tackle organised crime gangs’ criminal operations”.¹⁴⁶
- 8.46** In October 2015, the OIC Taskforce created a UK-based Joint Debriefing Team (JDT), with officers from Border Force, Immigration Enforcement, NCA and Kent Police, to debrief migrants smuggled into the UK to gather intelligence on the methods and structure of organised crime groups responsible. At the time, inspectors were told that, as well as conducting targeted debriefs directed by the NCA, the JDT’s role was to follow up on the most useful debriefs of clandestine entrants encountered by ICE teams around the UK. However, ICE teams told inspectors that they did not see value in conducting debriefs in all cases, as the information gathered was often limited and potentially unreliable. The ICE teams also said that they had not received any feedback to indicate that debriefing was producing useful intelligence.¹⁴⁷
- 8.47** In 2019-20, the JDT was still funded by Project Invigor.¹⁴⁸ The funding paid for 11 Immigration Enforcement officers, six Border Force officers, and two police officers. JDT officers conducted debriefs at both the Kent (KIU) and Midland (MIU) [Asylum] Intake Units, and Leeds, and debriefed migrants who had arrived in the UK clandestinely via ‘lorry drops’ and ‘small boats’. In September 2019, JDT officers at both Intake Units told inspectors in that their priority was now ‘small boats’, with 80-90% of their time spent debriefing ‘small boats’ arrivals. Inspectors were told that it was not unusual for these interviews to yield little of interest, but some were more productive than others.
- 8.48** Inspectors were also told that the JDT did not get to interview minors received at the KIU as they were processed quickly (on average 90 minutes). JDT officers felt this was a missed opportunity to gather intelligence.¹⁴⁹

Referrals to CFI

- 8.49** Most CFI investigations begin in one of two ways: through the Immigration Enforcement National Tasking and Co-ordination process or in response to a ‘live event’. National T&CG referrals may have originated with information from BICS frontline staff or as an “allegation” from a member of the public, received by post, email, fax, telephone or a portal hosted on GOV.UK.

146 <https://www.gov.uk/government/news/uk-steps-up-counter-smuggling-efforts>

147 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/540577/ICIBI_inspection_of_lorry_drops_July_2016.pdf

148 Project Invigor is an NCA-led “taskforce targeting the organised crime group threat to Europe through the Mediterranean region and the UK. Project Invigor includes UK partners such as Immigration Enforcement, Border Force, police and the Crown Prosecution Service.” <https://www.nationalcrimeagency.gov.uk/what-we-do/crime-threats/organised-immigration-crime>

149 The Home Office explained that legislation and caselaw required it to refer unaccompanied children into local authority care as soon as possible after arrival. The only questions it was able to ask at first encounter were limited to what was essential for: a meaningful booking-in process (including bio data); identifying welfare concerns; identifying trafficking concerns.

8.50 The GOV.UK portal¹⁵⁰ is headed ‘Report an immigration or border crime’. The landing page tells users to:

“Contact the Home Office if you think someone is:

- living or working in the UK illegally
- employing someone who isn’t allowed to work in the UK
- involved in smuggling
- involved in illegal immigration”

8.51 The electronic form asks whether the crime being reported is “Immigration crime” or “Smuggling”. The former opens a drop-down menu which has “human trafficking/smuggling/slavery” as an option. There are further tick-box options designed to capture more details of the crime and those involved, plus a free text box to cover “anything else about the crime that you think we should know”, and the facility to attach files. Forms can be submitted anonymously or not, and ask: “Can we contact you if required, to discuss the information you have provided?”

Receipt, Evaluation and Development of information

8.52 Immigration Enforcement Intelligence Receipt, Evaluation & Development (RED) teams triage and assess the information received. In January 2020, the Home Office provided inspectors with data for volumes of information received since April 2016. The overall figure for each completed year (2016-17, 2017-18 and 2018-19) had remained remarkably constant, between 63,000 and 65,000. Allegations from members of the public accounted for over two-thirds of the total in each year.

8.53 From the data, it appeared that the RED teams had become more efficient and effective over time,¹⁵¹ as the number of pieces of information “outstanding” at year-end had reduced year on year, while the number “actioned” had grown and those marked “no further action (NFA)” had decreased, although in each year almost half of the allegations received from members of the public were marked “NFA”.

8.54 A RED team manager told inspectors that “a case takes as long as it takes. [Team members] don’t have individual targets. We don’t want people taking short cuts. No pressures from us saying you must do at least ten a day. Quality and making sure it gets to the right people are important to us”. RED team staff confirmed that there was no pressure from managers to end research early and they were “quality driven rather than quantity”.

8.55 RED teams decide whether intelligence should be passed on to Operational Intelligence Units (OIUs) or Crime Development Teams (CDTs) to carry out further research and develop ‘packages’ for potential enforcement action or for criminal investigation.

8.56 The RED team members told inspectors they did not have an agreed approach to working with Border Force intelligence colleagues. “We send the odd thing to them if we get an allegation from a member of the public ...” They believed it would be useful to be more joined up with other intelligence teams across BICS, a view that was shared by their managers.

150 <https://www.gov.uk/report-immigration-crime>

151 RED teams were created towards the end of 2015.

Crime Development Teams

- 8.57** The primary role for Crime Development Teams (CDTs) is to develop intelligence ‘packages’ for CFI and provide ongoing support, if required. Intelligence assessed as suitable for development is discussed at a weekly intelligence meeting and further research is done. There are three distinct review points: at seven, 14 and 28 days after CDT research has begun, with the 28-day review repeated every subsequent 28 days until research has concluded. At any point in this process, CDT management may decide that a case has merit, obtain an Operation name, and submit it at the relevant TCG for adoption.
- 8.58** In January 2020, CDT staff told inspectors that CDT was approximately 60-strong and that they could each normally manage four investigations concurrently. CDT investigations could be lengthy and involve various phases of intelligence research and development. CDT staff maintained a regular dialogue with CFI teams to ensure that research was provided when required, for example, when new evidence was found. There was also a designated Single Point of Contact (SPOC) within CFI, who acted as a source of advice and direction, helping CDTs improve their efficiency and effectiveness. Both CDT and CFI told inspectors that this “case fostering” arrangement was working well and adding value, enabling CDT to target its effort at developing intelligence that had the potential to lead to prosecutions.
- 8.59** CDT staff told inspectors that MSHT was a priority: “you are continuously looking for indicators of MSHT”. Meanwhile, CFI had agreed informally with Immigration Enforcement Intelligence that as soon as CDT received any MSHT-related allegation it should bring it to the attention of the CFI Lead for MSHT so that CFI could indicate whether it was of interest and provide advice on further intelligence development or referral to another agency for investigation. Inspectors were shown an example of a CDT team member emailing the CFI MSHT Lead with the outline of an intelligence package that they were “in the very early stages of developing” asking if they would like to discuss it.

Referrals from ‘live events’

- 8.60** CFI officers told inspectors that frontline business areas generally took “a very victim-focused approach to MSHT”. They accepted that safeguarding the victim was paramount. However, they did receive some referrals from “live events” attended by frontline Border Force and Immigration Enforcement officers or the police, such as ‘lorry drops’, ‘small boats’ arrivals or criminal activity identified at a port of entry. Typically, these events were reported directly to the nearest regional CFI team.
- 8.61** Some CFI teams received more of this type of referral than others. For example, since late 2018, there had been pressure on the South East team to respond to ‘small boats’ arrivals. CFI management had had to redeploy staff from other regions to cope with the demand.

CFI adoptions

- 8.62** CFI considers each referral against ‘Immigration Enforcement criminal investigation criteria’, a protectively-marked document published for Home Office staff on 27 November 2017. The guidance refers to the fact that CFI resources are finite and that certain types of case are more likely to be adopted than others, for example, those where there is a risk to the public. Operational managers in CFI told inspectors it was their job to ensure that the CFI adoption criteria were correctly applied in each case.

- 8.63** The adoption criteria differ for criminal activity that is judged to be “high-harm” and/or volume immigration crime (NIM Level 1 investigations), and that which is judged to be serious and organised immigration crime (NIM Levels 2 and 3 investigations).¹⁵²
- 8.64** In the first category, adoption decisions are based on the level of harm caused by the offending and the guidance explains that an immigration (or administrative) removal would normally be the right course of action unless the harm was particularly high, for example, the person(s) involved had been convicted of a sex, violent or drugs offence, or had received a sentence of four years or more.
- 8.65** Referrals that fall into the second category are normally adopted. This includes most cases of “trafficking and modern slavery”. However, in practice the more complex organised crimes and those with an international component (Level 3) are routed to the NCA via the monthly ‘Pursue Board’ meeting.
- 8.66** Towards the end of October 2019, inspectors were told that 84 referrals with a link to MSHT had been made to CFI since 1 April 2017. Of the 84, CFI had adopted 52 and declined to adopt 32 “due to insufficient evidence”. See Figure 2.

Figure 2

MSHT-linked referrals to CFI (1 April 2017 to 19 October 2019)

	Referred	Adopted	Not Adopted
2017-18	37	22 (59%)	15
2018-19	26	20 (77%)	6
2019-20 YTD	21	10 (48%)	11
Total	84	52	32

- 8.67** Given the number of NRM referrals made by BICS over the same period, inspectors questioned why there had been only 84 referrals to CFI in 31 months. An Immigration Enforcement senior manager explained that “referrals into the Single Competent Authority (SCA) contain very little detail for Immigration Intelligence to start an investigation for onward referral to CFI”. They added that Immigration Intelligence did not see all NRM referrals as “there are so many that will have no intelligence value”.
- 8.68** Where a referral is adopted, CFI officers are responsible for investigating, gathering evidence and building the case. This may involve taking statements, conducting interviews with suspects, forensically examining electronic devices and obtaining securing evidence, and making arrests. Investigators are trained to PIP Level 2, with additional training Crime Manager (MSCIDP)¹⁵³ training for managers. and “plans to train a limited number of managers to PIP3/SIO”.
- 8.69** Following a decision to charge a person, the CFI investigators work with CPS prosecutors throughout the prosecution process to ensure that the strongest case is presented at court.

¹⁵² <https://netpol.org/wp-content/uploads/2014/06/National-Intelligence-Model.pdf>

¹⁵³ Management of Serious and Complex Investigations Development Programme <https://www.college.police.uk/What-we-do/Learning/Professional-Training/Investigation/Pages/Management-of-Serious-Complex-Investigations.aspx>

CFI investigations

8.70 In September 2019, in response to a request for performance data for the prevention and detection of MSHT, the Home Office provided inspectors with a list of MSHT criminal investigations for the period April 2017 to June 2019. Ten investigations were listed, two of which were annotated “Closed”. Seven of the ten were classed as NIM Level 2 and three as NIM Level 3. One had begun in 2017, six in 2018, and three in 2019. The investigations involved different types of exploitation: labour, sexual and domestic servitude, and “not yet specified”.

Multi-agency MSHT collaborations involving CFI

- 8.71** In addition to its own investigations, CFI works with partner agencies on MSHT “intensification” exercises and programmes, notably Project AIDANT,¹⁵⁴ of which there were 15 operational “phases” between 2017 and 2019, targeting different high-risk source countries or types of exploitation.
- 8.72** As an example, CFI told inspectors about a phase of Project AIDANT that had focused on “labour exploitation” where CFI had committed to respond to any referrals from Immigration Compliance and Enforcement (ICE) teams and the Gangmasters and Labour Abuse Authority (GLAA) throughout the period of intensification.
- 8.73** CFI also told inspectors about an Operation in 2016 where it had carried out a series of visits to the recorded addresses of persons in the UK who had sponsored visas for overseas domestic workers. The purpose of Operation Radix was to identify if visa conditions were being complied with and identify any potential victims of trafficking subject to domestic servitude. Over 300 home visits were made and two PVoMS were identified. In late 2019, CFI was working with the Independent Anti-Slavery Commissioner, NCA, police, CPS, local authorities and the voluntary sector to gather and analyse intelligence in preparation for a further programme of visits.¹⁵⁵
- 8.74** Also in late 2019, CFI had agreed a Memorandum of Understanding with West Midlands Police, Border Force, NCA, and the Regional Organised Crime Unit regarding a multi-agency response to MSHT cases identified at Birmingham airport, including a real-time response from CFI, if possible. CFI told inspectors that it aimed to create a model for partnership working and support that could be replicated elsewhere.

Programme Challenger

- 8.75** CFI (together with ICE and Border Force) also works with Greater Manchester Police, NCA and other agencies as part of Programme Challenger, a multi-agency regional effort to combat serious and organised crime. In 2015, “in recognition that crimes of slavery, human trafficking and exploitation were growing in Greater Manchester, the multi-agency Modern Slavery Coordination Unit was launched” as part of Programme Challenger.
- 8.76** CFI and ICE officers in Manchester told inspectors that Programme Challenger was working well and was having a positive effect on intelligence sharing with other law enforcement agencies

¹⁵⁴ ‘Intensification’ exercises are common across law enforcement. They typically involve the concentration of resources, often from a number of agencies, on a particular problem for a fixed period, usually a week (“a week of action”). AIDANT is an NCA-led intensification operation that began in 2017. In 2017 there were nine intensifications (“phases”) and in 2018 and 2019 a further six. AIDANT’s strategic objectives are: to improve knowledge and understanding of the threat from MSHT; to develop and embed innovative and effective partnerships and process which improve our response to MSHT at the national, regional and local level; and to deliver impact across the ‘4Ps’ of the Modern Slavery Strategy (pursue, prevent, protect and prepare) which reduces the MSHT threat to the UK.

¹⁵⁵ In September 2020, in its factual accuracy response, the Home Office provided an update. This explained that there had been “considerable difficulties in relation to getting reliable intelligence and analysis”, plus concerns from one NGO regarding “why such a programme of visits might not succeed in identifying potential victims.” Covid-19 prevented any further development of the operation.

and joint actions.¹⁵⁶ In contrast, intelligence sharing between Immigration Enforcement and Border Force was regarded as a problem. As one ICE officer with experience of Border Force commented: “Their [Border Force] intel doesn’t filter through to us – or ours to them.”

- 8.77** The ICE officers involved in Programme Challenger explained that where they were assigned tasks that had a modern slavery aspect, it was likely that the police would attend with them and act as the lead agency. If an ICE officer identified a PVoMS without police in attendance they would seek advice from the police. Victims were removed to a place of safety and an NRM or a ‘Duty to Notify’ form (MS1) would be completed.
- 8.78** Inspectors asked about investigation of the perpetrators. For ICE, it was “all victim-focused, [we are] never asked to find the perpetrator. Usually, only the victims are there”. Another ICE officer told inspectors: “If you are tasked with a modern slavery job, you are looking for a victim, the police pick up on the perpetrator.” An ICE manager said: “We deal with the victims. If a perpetrator is identified it goes to CFI. Any jobs I’ve been on, the police have been there, and the police have taken on the prosecution.”
- 8.79** ICE officers were expected to use the Intelligence Management System (IMS) to record and refer intelligence. A senior ICE officer told inspectors that “where there is a need to refer information, teams are required to submit the IMS form to get the intelligence into the system to better inform the bigger picture”. The senior officer acknowledged that some ICE officers did not do so, instead sending emails or leaving it up to the police to record any new intelligence. However, they said: “We are getting better at making intelligence referrals and measuring the numbers of what is being submitted”.

Prosecutions and other enforcement measures

- 8.80** CFI told inspectors that MSHT prosecutions and convictions were recorded in a Case Management System (CMS), which contained data for all successful prosecutions since April 2014.¹⁵⁷
- 8.81** Inspectors were told that 10 individuals were recorded as having been arrested for modern slavery offences in 2018-19 and 2019-20 following a CFI investigation. Five of these were subject to no further action by the Crown Prosecution Service (CPS), three were charged with conspiracy to facilitate and two with the substantive offence of facilitation.¹⁵⁸
- 8.82** CFI told inspectors that the low numbers reflected the complexity of MSHT investigations, which can take months or years. The overall figures for recorded modern slavery crimes, published by the Prime Minister’s Implementation Unit (PMIU), bear this out. These show that despite an increase in recorded offences, the proportion resulting in criminal charges has been falling since 2015. In 2019 Q1, only 2% of cases where there had been an outcome resulted in charges. Meanwhile, the proportion of cases closed due to evidential difficulties continued to grow, reaching 91% in 2019 Q1.

¹⁵⁶ <https://www.programmechallenger.co.uk/>

¹⁵⁷ In early 2020, CFI was migrating to a new crime management database. This was causing some data issues, but investigators had been issued with guidance directing them to local business-embedded trainers in the first instance for help with any problems with access or other queries.

¹⁵⁸ These are internal Home Office figures that have not been quality assured in accordance with the Code of Practice for Statistics produced by the Office for National Statistics.

Disruptions

- 8.83** Inspectors were told that CFI was not focused solely on criminal prosecutions but also looked to disrupt MSHT in other ways, including by confiscating criminal assets. For example, in April 2017 there were four operations where CFI had disrupted MSHT criminals through confiscation orders or cash forfeitures:
- Operation Tavernier resulted in three confiscation orders with a combined value of £11k
 - Operations Maze and Littlejohn together had resulted in three confiscation orders with a combined value of £84k
 - Operation Hydrax had resulted in three cash forfeitures of c. £135k
- 8.84** All claimed disruptions go through the Disruption Panel process. In May 2020, inspectors were told by Immigration Enforcement that “the last successful [MSHT] claim was December 2018”. However, the methodology for recording disruptions the organised crime group’s (OCG) main type of criminal activity only. CFI told inspectors that this meant that some disruptions of MSHT had not been recorded as such. Inspectors were told that the NCA was looking to address this issue, as most OCGs were involved in more than one type of criminal activity.

Slavery and Trafficking Risk Orders and Prevention Orders

- 8.85** The Modern Slavery Act 2015 (MSA 2015) made provisions for Slavery and Trafficking Risk Orders (STROs) and Slavery and Trafficking Prevention Orders (STPOs).
- 8.86** STROs empower a magistrate’s court to impose specific restrictions on the activities of a person where it is satisfied there is a risk that the person may commit a slavery or human trafficking offence and that a STRO is necessary “for the purpose of protecting persons generally, or particular persons, from physical or psychological harm which would be likely to occur if the person committed such an offence”. There is no requirement for the person in respect of whom an order is sought to have been convicted or cautioned previously in relation to a criminal offence.
- 8.87** STPOs are intended to protect “persons generally, or particular persons” from the actions of someone who has already committed or been cautioned in respect of a slavery or human trafficking offence, by imposing such prohibitions as the court deems necessary. The prohibitions could include, for example, preventing a person from participating in a particular type of business, operating as a gangmaster, visiting a particular place, working with children or travelling to a specified country.
- 8.88** In April 2017, the Home Office published ‘Guidance on Slavery and Trafficking Prevention Orders and Slavery and Trafficking Risk Orders under Part 2 of the Modern Slavery Act 2015’.¹⁵⁹ This was intended as “a practical tool ... to help those responsible for applying for STPOs and STROs”, which included police, NCA, Gangmasters and Labour Abuse Authority (GLAA) Labour Abuse Prevention Officers (LAPOs), and Immigration Officers. While the latter applies in principle to anyone in BICS with immigration officer powers, in practice it is CFI who would make use of STPOs and STROs. However, CFI officers said they had received no further instructions or guidance in relation to STROs and STPOs.¹⁶⁰

¹⁵⁹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/610015/110417_-_statutory_guidance_part_2_-_GLAA_updates-Final.pdf

¹⁶⁰ In September 2020, in its factual response, the Home Office reported that: “All CFI Officers who have undertaken PIP 2 are trained in STPOs and STROs as part of the Public Protection Learning Programme as one of the 13 strands of Public Protection. This is delivered under licence from the College of Policing.”

- 8.89** In September 2020, CFI told inspectors that it had obtained four Slavery and Trafficking Risk Orders (STROs) as part of two operations. All four were subsequently discontinued.
- 8.90** In October 2019, PMIU published data for the total number of STROs and STPOs imposed in England and Wales since they were introduced – see Figure 3.

Figure 3
Total STROs and STPOs for England and Wales by year since 2016

Year	STROs	STPOs
2016	14	30
2017	10	30
2018	9	36
2019 Q1	2	16

- 8.91** PMIU commented: “the increased use of Prevention orders [in 2019 Q1] looks set to continue into 2019. However, the number of risk orders remains very low, in line with trends in previous years. Both of these tactics are substantially underutilised, largely due to a lack of capability and experience among officers use of these orders”.

CFI risk mitigation

- 8.92** Operationally, CFI senior managers told inspectors that resources were “a huge issue”. CFI had a large caseload, and some cases could tie up half a dozen officers for the best part of a year. Since 2018 Q4, responding to ‘small boats’ arrivals had added to CFI’s workload. In terms of capacity and capabilities, it was over-stretched at all three NIM levels.
- 8.93** Strategically, the CFI Risk Register recognised the need for a more coherent approach to MSHT, to ensure that opportunities to identify and protect vulnerable persons were not missed, due to the pressures on staff, and to capture better intelligence and make more effective interventions, due to lack of awareness of MSHT indicators, different approaches taken by different tasking groups and competing priorities at the tactical level.
- 8.94** CFI had identified a number of mitigations, including: continued roll-out of vulnerability training across CFI and Immigration Enforcement more widely; embedding MSHT and vulnerability training in the criminal investigator training “pathway”; building MSHT “prompts” into CFI’s case management system and operational visit guidance; creating a network of MSHT-trained investigators; and giving greater focus to MSHT through a Grade 7 CFI lead and increased second-line assurance, with monthly reports to the CFI senior leadership team on performance, workflows, risks and proposals in relation to MSHT.
- 8.95** It also proposed “to reinvigorate and reinstate the Strategic Threat Group for Immigration Enforcement covering the 4 Ps”, involving the Modern Slavery Unit and BICS “partners”, and in May 2020 had circulated Terms of Reference and agreed a meeting date.¹⁶¹

¹⁶¹ “In September 2020, in its factual accuracy response, the Home Office provided the following update: “The MS Steering Group chaired by CFI/IE has now met twice and has drafted a 4P tactical action plan. The steering group includes NCA partners from across BICS, MSU and SCA. Terms of reference have been agreed. The tactical action plan will be used to inform both the national NCA chaired Strategic Threat Board for Pursue as well as the newly commissioned Strategic 3P Board covering MS and OIC.”

Annex A: Role and remit of the Independent Chief Inspector

The role of the Independent Chief Inspector of Borders and Immigration (until 2012, the Chief Inspector of the UK Border Agency) was established by the UK Borders Act 2007. Sections 48-56 of the UK Borders Act 2007 (as amended) provide the legislative framework for the inspection of the efficiency and effectiveness of the performance of functions relating to immigration, asylum, nationality and customs by the Home Secretary and by any person exercising such functions on her behalf.

The legislation empowers the Independent Chief Inspector to monitor, report on and make recommendations about all such functions. However, functions exercised at removal centres, short-term holding facilities and under escort arrangements are excepted insofar as these are subject to inspection by Her Majesty's Chief Inspector of Prisons or Her Majesty's Inspectors of Constabulary (and equivalents in Scotland and Northern Ireland).

The legislation directs the Independent Chief Inspector to consider and make recommendations about, in particular:

- consistency of approach
- the practice and performance of listed persons compared to other persons doing similar activities
- the procedure in making decisions
- the treatment of claimants and applicants
- certification under section 94 of the Nationality, Immigration and Asylum act 2002 (c. 41) (unfounded claim)
- the law about discrimination in the exercise of functions, including reliance on section 19D of the Race Relations Act 1976 (c. 74) (exception for immigration functions)
- the procedure in relation to the exercise of enforcement powers (including powers of arrest, entry, search and seizure)
- practice and procedure in relation to the prevention, detection and investigation of offences
- the procedure in relation to the conduct of criminal proceedings
- whether customs functions have been appropriately exercised by the Secretary of State and the Director of Border Revenue
- the provision of information
- the handling of complaints; and
- the content of information about conditions in countries outside the United Kingdom, which the Secretary of State compiles and makes available, for purposes connected with immigration and asylum, to immigration officers and other officials

In addition, the legislation enables the Secretary of State to request the Independent Chief Inspector to report to them in writing in relation to specified matters.

The legislation requires the Independent Chief Inspector to report in writing to the Secretary of State. The Secretary of State lays all reports before Parliament, which they have committed to do within eight weeks of receipt, subject to both Houses of Parliament being in session.

Reports are published in full except for any material that the Secretary of State determines is undesirable to publish for reasons of national security or where publication might jeopardise an individual's safety, in which case the legislation permits the Secretary of State to omit the relevant passages from the published report.

As soon as a report has been laid in Parliament, it is published on the Inspectorate's website, together with the Home Office's response to the report and recommendations.

Annex B: ICIBI's expectations

Background and explanatory documents are easy to understand and use

(e.g. Statements of Intent (both ministerial and managerial), Impact Assessments, Legislation, Policies, Guidance, Instructions, Strategies, Business Plans, intranet and GOV.UK pages, posters, leaflets etc.)

- They are written in plain, unambiguous English (with foreign language versions available, where appropriate).
- They are kept up to date.
- They are readily accessible to anyone who needs to rely on them (with online signposting and links, wherever possible).

Processes are simple to follow and transparent

- They are IT-enabled and include input formatting to prevent users from making data entry errors.
- Mandatory requirements, including the nature and extent of evidence required to support applications and claims, are clearly defined.
- The potential for blockages and delays is designed out, wherever possible.
- They are resourced to meet time and quality standards (including legal requirements, Service Level Agreements, published targets).

Anyone exercising an immigration, asylum, nationality or customs function on behalf of the Home Secretary is fully competent

- Individuals understand their role, responsibilities, accountabilities and powers.
- Everyone receives the training they need for their current role and for their professional development, plus regular feedback on their performance.
- Individuals and teams have the tools, support and leadership they need to perform efficiently, effectively and lawfully.
- Everyone is making full use of their powers and capabilities, including to prevent, detect, investigate and, where appropriate, prosecute offences.
- The workplace culture ensures that individuals feel able to raise concerns and issues without fear of the consequences.

Decisions and actions are ‘right first time’

- They are demonstrably evidence-based or, where appropriate, intelligence-led.
- They are made in accordance with relevant legislation and guidance.
- They are reasonable (in light of the available evidence) and consistent.
- They are recorded and communicated accurately, in the required format and detail, and can be readily retrieved (with due regard to data protection requirements).

Errors are identified, acknowledged and promptly ‘put right’

- Safeguards, management oversight, and quality assurance measures are in place, are tested and are seen to be effective.
- Complaints are handled efficiently, effectively and consistently.
- Lessons are learned and shared, including from administrative reviews and litigation.
- There is a commitment to continuous improvement, including by the prompt implementation of recommendations from reviews, inspections and audits.

Each immigration, asylum, nationality or customs function has a Home Office (BICS) ‘owner’

- The BICS ‘owner’ is accountable for:
 - implementation of relevant policies and processes
 - performance (informed by routine collection and analysis of Management Information (MI) and data, and monitoring of agreed targets/deliverables/budgets)
 - resourcing (including workforce planning and capability development, including knowledge and information management)
 - managing risks (including maintaining a Risk Register)
 - communications, collaborations and deconfliction within the Home Office, with other government departments and agencies, and other affected bodies
 - effective monitoring and management of relevant contracted out services
 - stakeholder engagement (including customers, applicants, claimants and their representatives)

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