

Independent  
**Anti-Slavery**  
Commissioner

# Independent Anti-Slavery Commissioner

Annual Report 2020-2021



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July 2021



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ISBN 978-1-5286-2622-4

CCS0521518548      07/21

Printed on paper containing 75% recycled fibre content minimum

Printed in the UK by the APS Group on behalf of the Controller of Her Majesty's Stationery Office

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# Foreword

## Dame Sara Thornton – Independent Anti-Slavery Commissioner

In March 2020 Delta 8.7 published an article which argued that the pandemic would impact on modern slavery in at least three ways: by heightening risks for those already exploited, increasing the risks of exploitation and disrupting response efforts.<sup>1</sup> Over the last year we have witnessed this predicted impact both in the United Kingdom and overseas. The pandemic has also greatly affected the way in which I was able to carry out my statutory responsibilities and my work, and that of the whole team, has gone online. While my face to face contact with survivors and frontline workers has not been possible and I have very rarely travelled, the use of online platforms has enabled me to speak at over 80 events, many with international participation.

This annual report sets out my work using the framework of my strategic plan which was laid before parliament in October 2019. It draws attention to the events we have hosted and attended, the reviews that we have published and the letters that we have written during the year. I have continued to develop my approach to

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1 Delta 8.7, 'The impact of COVID on modern slavery' (27 March 2020): <https://delta87.org/2020/03/impact-covid-19-modern-slavery/>.

listen carefully, to take an independent view and base my contribution on evidence and data.

While some progress has been made, there is still much to do to support victims to become survivors living lives of sustainable independence. The successful prosecution of perpetrators of the most egregious offences remains infrequent and organised crime still regards trafficking in human beings as rewarding with a low risk of apprehension. After two years in this role I am even more convinced that the considerable research activity in this area could be contributing so much more to our practical understanding of what works in both survivor support and prosecution of offenders.

EU Exit and the political focus on immigration both have the potential to impact on modern slavery and we have highlighted these risks to politicians and officials, in the media and in published reports. It is not my role to take a political position on either issue but to be constantly alert to the consequences for the identification of modern slavery victims and the potential to increase the vulnerability of people to traffickers and exploitative employers.

The pandemic has illustrated the vulnerability of workers and supply chains and I have placed priority on encouraging good practice in business, financial institutions, and labour market organisations. I am proud of our work on what businesses should learn from the UK's largest anti-slavery prosecution, Operation Fort.

A practical review led to good engagement with the supermarkets, the development of the IASC maturity matrix and a modern slavery intelligence network established by business. We also worked with Themis and the TRIBE Freedom Foundation to collate good practice in financial institutions and our review, 'An agenda for action across the financial services sector' led to constructive engagement with over 40 financial institutions.

The protection of victims who commit criminal offences as a direct consequence of their trafficking has continued to be a focus for our work. The prevalence of child exploitation in the county lines drug dealing model means that the statutory defence is frequently raised. A call for evidence prompted a good response and I concluded that there were considerable grounds for concern. The possibility of criminal exploitation was not being considered at the start of an investigation risking victims being wrongly prosecuted. However, there was also over-reliance on the trafficking decisions made by the Single Competent Authority and a failure to consider properly the legal components of the defence. This risks a case being discontinued when the matter could have been put before a jury. Most worryingly, in many cases it was clear that non-prosecution alone was not protecting a child or vulnerable adult – there needed to be effective safeguarding. This was not happening.

My work is supported by a small team of seven and all have worked with compassion and creativity, always



industrious and focused on making a difference. I am extremely fortunate to have such a strong team and my thanks go to April, Katie, Jenna, Emma, Shelley, Ed and the seconded police officers Jenny, Nick, Helen, Rich and Kieran.

# Glossary

<b>APPG</b>	II-Party Parliamentary Group
<b>BASNET</b>	UK BME Anti-Slavery Network
<b>BICS</b>	Borders, Immigration and Citizenship System
<b>CCE</b>	child criminal exploitation
<b>CPA UK</b>	Commonwealth Parliamentary Association UK
<b>CPS</b>	Crown Prosecution Service
<b>CQC</b>	Care Quality Commission
<b>EEA</b>	European Economic Area
<b>EUSS</b>	EU Settlement Scheme
<b>FCDO</b>	Foreign, Commonwealth and Development Office
<b>GLAA</b>	Gangmasters and Labour Abuse Authority
<b>ICAI</b>	Independent Commission for Aid Impact
<b>ICIBI</b>	Independent Chief Inspector of Borders and Immigration
<b>ICTG</b>	Independent Child Trafficking Guardian
<b>MSHT</b>	Modern slavery and human trafficking
<b>MSOIC</b>	Modern Slavery and Organised Immigration Crime Unit
<b>MSU</b>	Home Office Modern Slavery Unit

<b>NCA</b>	National Crime Agency
<b>NGO</b>	Non-governmental organisation
<b>NPCC</b>	National Police Chiefs' Council
<b>NRM</b>	National Referral Mechanism
<b>OCG</b>	organised crime group
<b>OSCE</b>	Organization for Security and Co-operation in Europe
<b>PEC</b>	Modern Slavery and Human Rights Policy and Evidence Centre
<b>PHE</b>	Public Health England
<b>ROCU</b>	Regional Organised Crime Unit
<b>SCA</b>	Single Competent Authority
<b>SOC</b>	Serious organised crime
<b>TISC</b>	Transparency in supply chains
<b>TOEx</b>	The Tackling Organised Exploitation Project
<b>MSVCC</b>	Modern Slavery Victim Care Contract
<b>VRU</b>	Violence Reduction Unit



**Figure 1: The Commissioner’s strategic priorities 2019-2021**

# The Commissioner's Advisory Panel

## Message from the chair: The Rt Rev Dr Alastair Redfern

*“As Chair of the Commissioner’s Advisory Panel I commend the publication of this annual report which sets out the breadth of activity successfully delivered by Dame Sara and her small team over the year. The volume and quality of activity included in the annual report is testament to the Commissioner’s leadership, understanding of the issues and determination to work across sectors to achieve her strategic aims.*”

*The Advisory Panel supports the Commissioner by providing guidance and challenge in both regular meetings and more informal contact. We are looking forward to working with Dame Sara over the next year as she develops her strategic priorities and champions good practice in tackling modern slavery.”*

## Purpose of the panel

The purpose of the Advisory Panel is to provide me with guidance, challenge and support. The panel meets quarterly and is comprised of a diverse body of experts from the modern slavery sector and beyond.

The Advisory Panel was reconstituted following my appointment as Commissioner in May 2019.

Panel members have agreed Terms of Reference which are available on my website. The Advisory Panel has met four times in 2020-2021 and all meeting minutes are available on the website.

## **Panel members**

### **The Rt Revd Dr Alastair Redfern**

Chair, The Clewer Initiative

### **Lara Bundock**

CEO and Founder, The Snowdrop Project

### **The Rt Hon. The Baroness Butler-Sloss GBE**

Co-Chair, All-Party Parliamentary Group (APPG) on Human Trafficking and Modern Slavery

### **Michael Clarke**

CEO, The Passage

### **Rt Hon. Fiona Mactaggart**

Chair, Agenda and Fawcett Society; former Co-Chair, APPG on Human Trafficking and Modern Slavery

### **Julia Mulligan**

Independent Chair, Police Advisory Board for England and Wales; Non-Executive Director, Gangmasters and Labour Abuse Authority

**Dr Paul Rigby**

Lecturer in Social Work, University of Stirling

**Gillian Rivers**

Partner, Penningtons Manches Cooper

**Sir Bernard Silverman FRS**

Professor of Modern Slavery Statistics, Rights Lab,  
University of Nottingham

**Yasmin Waljee OBE**

Partner, International Pro Bono, Hogan Lovells

**Mel Wiggins MBE**

Former Project Coordinator, Freedom Acts

**The Baroness Young of Hornsey OBE**

Co-Chair, APPG on Ethics & Sustainability in Fashion,  
and APPG on Sport, Modern Slavery and Human Rights

# Priority 1: Improving victim care and support

1.1.1 The pandemic has presented many challenges to identifying and supporting victims and survivors of modern slavery and has required many organisations to change the way that they work significantly. Throughout the year I have been impressed by the continued dedication and commitment of so many working in the anti-slavery sector.

1.1.2 Since my last annual report, there have been a number of areas where progress has been made. However, there are also many areas where further work is needed. In particular, we need to be confident that after identification, the system is empowering and prepares survivors for sustainable independence, in turn reducing the risk of re-trafficking.

1.1.3 Last year the Home Office announced a programme of National Referral Mechanism (NRM) Transformation. At the start of 2021, the new Modern Slavery Victim Care Contract (MSVCC) became operational and over the next few months we will see the launch of a pilot to test NRM decisions for children being made by local safeguarding partners, along with the continued national roll-out of the Independent Child Trafficking Guardian (ICTG) service in England and Wales. These are all significant moments in relation to victim care and support. It is essential that any new



initiatives are informed by evidence and that they are robustly evaluated in order to establish what works.

## Encouraging better identification and referrals

1.2.1 In 2020/2021 10,689 referrals were made into the NRM.<sup>2</sup> Whilst this does not reflect the increasing rates of referrals that we have seen in recent years, perhaps due to the pandemic there were 634 fewer referrals than in 2019/2020. Many businesses including hand car washes and nail bars have been forced to close as the UK has moved in and out of periods of lockdown which have undoubtedly had an impact on opportunities for victim identification. Indeed, as set out in their 2020 Annual Assessment, last year the Modern Slavery and Exploitation Helpline experienced more contacts from statutory agencies and directly from potential victims rather than members of the public.<sup>3</sup>

1.2.2 Training is a fundamental driver of better identification and referral of victims. During 2020 the Home Office produced an e-learning programme for First Responders which was peer reviewed by my office. Whilst e-learning cannot be a substitute for face-to-face learning, it provides an important foundation

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2 Data provided by the Home Office. Data cut taken 3 June 2021. See more: Home Office (2021), 'Collection: National Referral Mechanism statistics': <https://www.gov.uk/government/collections/national-referral-mechanism-statistics>.

3 Unseen Modern Slavery and Exploitation Helpline (2020), 'Annual Assessment 2020': <https://www.modernslaveryhelpline.org/uploads/20210407114600907.pdf>.

for knowledge. I therefore welcome this work and the commitment from the Home Office to develop a second module focusing on children. Since the publication of the Modern Slavery Training Standards Framework,<sup>4</sup> my office has been supporting the Bakhita Centre for Research on Slavery, Exploitation and Abuse to adapt these standards to reflect the skills required by practitioners working with children. Finally, my office has joined the National Modern Slavery Training Delivery Group to assist efforts in co-ordinating training across organisations nationally.

1.2.3 I have also continued to engage with the health sector to identify where further work is needed. I have been pleased to see the formal launch of the VITA network<sup>5</sup> and their efforts to connect, equip and mobilise practitioners. Following my letters to Royal Colleges in March 2020, earlier this year I also wrote to the Royal College of General Practitioners<sup>6</sup> and the Nursing and Midwifery Council<sup>7</sup>, encouraging them to ensure that their curriculum includes reference to modern slavery. Over the past year, colleagues from the health sector, support workers and survivors have raised concerns with

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4 Skills for Care (2020), 'Training Framework: Identification, Care and Support of Victims and Survivors of Modern Slavery and Human Trafficking': <https://www.skillsforcare.org.uk/Documents/Topics/Modern-Slavery/Training-Framework-Identification-Care-and-Support-of-Victims-and-Survivors-of-Modern-Slavery-and-Human-Trafficking.pdf>.

5 See Vita Network, 'Advancing the Health Response to Modern Slavery': <https://vita-network.com/>.

6 Independent Anti-Slavery Commissioner (IASC) (2020), 'Letter to the Royal College of General Practitioners': <http://www.antislaverycommissioner.co.uk/media/1576/iasc-letter-to-professor-amanda-howe-president-of-the-royal-college-of-general-practitioners-january-2021.pdf>.

me regarding the ability of survivors to access mental health support that meets their needs in a timely manner. I am aware that the University of Nottingham Rights Lab has been undertaking a survivor-led research project on mental health recovery and I chaired a discussion at an event to discuss findings in May. This is an important piece of research and I hope that the findings can inform any next steps to address this issue.

1.2.4 My office has developed good links with Border Force and recently provided feedback on their vulnerability training programme for Safeguarding and Modern Slavery Officers. I have since recorded a video introduction for this training package. Given the transnational nature of modern slavery, it is essential that colleagues at the border can spot the signs and are competent in referring potential victims. I was impressed with the content of this training and its efforts to incorporate current trends, its emphasis on taking a victim-centred approach and in highlighting the role of Border Force in gathering intelligence. I have also engaged with the modern slavery leads within Her Majesty's Prison and Probation Service who have a vital role in identifying potential victims both in custodial and community settings. Whilst I have been encouraged by efforts to upskill staff, there is more to be done and I will continue to stress the need for modern slavery, including county lines, to be a priority for the organisation.

1.2.5 Over the past year I have become increasingly aware of concerns in the sector regarding secure

reporting and the risk that some victims may not come forward due to fears that their information will be shared with Immigration Enforcement.<sup>7</sup> There is a detailed history on this issue including a super-complaint made by Southall Black Sisters and Liberty in 2018.<sup>8</sup> In 2020, the National Police Chiefs' Council (NPCC) updated their guidance for law enforcement on information sharing with the Home Office. This suggests that whilst officers will not routinely search police databases for the purpose of establishing immigration status, where officers come to suspect immigration offences "the police will share information about them with the Home Office".<sup>9</sup> I have since been undertaking enquiries to examine the legal basis for this guidance as it is clear that there is currently a tension between the duty to share information and the protection of human rights. Despite publication of the super-complaint report of findings I do not feel that this issue has been resolved.<sup>10</sup> It is a complex legal area and I am of the view that this is a matter for parliament.

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7 Focus on Labour Exploitation (FLEX) (2020), 'Opportunity knocks: Improving responses to labour exploitation with secure reporting': <https://www.labourexploitation.org/publications/opportunity-knocks-improving-responses-labour-exploitation-secure-reporting>.

8 Liberty (2018), 'Liberty and Southall Black Sisters call for investigation into data sharing': <https://www.libertyhumanrights.org.uk/issue/liberty-and-southall-black-sisters-call-for-investigation-into-data-sharing-in-first-police-super-complaint/>.

9 National Police Chiefs' Council (2020), 'Information sharing with the Home Office where a victim or witness of a crime is a suspected immigration offender': [https://www.npcc.police.uk/Guidance%20on%20Info%20Sharing%20with%20Home%20Office\\_Website%202020.pdf](https://www.npcc.police.uk/Guidance%20on%20Info%20Sharing%20with%20Home%20Office_Website%202020.pdf).

10 HM Inspectorate of Constabulary and Fire & Rescue Services (2020): 'Police super-complaints: police data sharing for immigration purposes': <https://www.gov.uk/government/publications/police-data-sharing-for-immigration-purposes-a-super-complaint>.

# Improving the quality of victim support

1.3.1 Due to the pandemic, I have been unable to meet with victims and survivors in person as I usually would. However, I have joined online meetings for survivor groups and have participated in virtual events aimed at survivor audiences, including an International Women's Day event organised by the Sophie Hayes Foundation. I have also spoken at online events alongside those with lived experience, for example at an event exploring the experiences of British survivors of modern slavery.

1.3.2 My Strategic Plan 2019-2021 highlighted the importance of research into victims' experiences and in incorporating survivors' voices within this work. Earlier this year Focus on Labour Exploitation (FLEX)<sup>11</sup> published findings from their participatory research in the cleaning sector. This is an example of innovative practice and I would encourage others to consider how to adopt similar methodologies. In February 2021, my office launched the recruitment process for a paid internship for a project officer to produce a survivor-informed research piece. This is the first time such a role has been offered by this office and I look forward to welcoming the successful candidate to the team.

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11 FLEX (2021), 'If I could change anything about my work... Participatory research with cleaners in the UK': <https://www.labourexploitation.org/publications/if-i-could-change-anything-about-my-work%E2%80%9D-participatory-research-cleaners-uk>.

1.3.3 Over the past year, I have been particularly impressed with how non-governmental organisations (NGOs) have continued to go above and beyond in supporting victims and survivors. This has been despite the significant pressures on their own organisations due to the pandemic and at a time when many of the wider services that victims and survivors would usually access have changed their ways of working. I understand that many NGOs have sought additional funding for digital devices and data, with some also running projects to increase client knowledge of digital platforms.<sup>12</sup> In December 2020 the Scottish Government provided funding to ensure that all women receiving support from Trafficking Awareness Raising Alliance (TARA) were provided with a smart phone and 12 months' unlimited data. Qualitative feedback on this initiative demonstrated significant improvements for women's well-being, understanding of pandemic restrictions and access to services.<sup>13</sup> Unseen has collaborated with the National Institute for Health Research to examine the impact of providing mobile phones to clients during the pandemic and found that access to technology to get online is extremely beneficial to survivors' wellbeing regardless of a pandemic situation.<sup>14</sup> Digital poverty existed prior to the

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12 Hestia (2021), 'Meet the women leading Hestia's digital innovation': <https://www.hestia.org/News/meet-the-women-leading-hestia-digital-innovation-projects>.

13 Information provided by the Scottish Government.

14 Kate Garbers, Alice Malpass, Lauren Saunders, Jeremy Horwood, Hugh McLeod, Eric Anderson and Michelle Farr (2021), 'Impact of mobile technology for survivors of modern slavery and human trafficking: A mixed method study': <https://www.unseenuk.org/uploads/20210517135159199.pdf>.

pandemic, however the pandemic has exacerbated this further. It is therefore timely to be examining this issue in more detail and exploring potential solutions.

1.3.4 Despite lower numbers of referrals being made into the NRM during the first lockdown last year, there remains significant pressure on the system. The timeliness of decision making continues to be a concern and as of 1 January 2021 there were 17,734 cases within the NRM awaiting a conclusive grounds decision.<sup>15</sup> I am aware that the Home Office has committed to a significant uplift in staff, including 240 additional decision makers. This is a welcome and much needed development, but it is essential that the new members of staff hit the ground running. I will continue to monitor the impact of this uplift on the timeliness of NRM decisions and on the backlog of cases. The Multi-Agency Assurance Panels introduced to review negative conclusive grounds decisions under the programme of NRM Reform have now been established for around 18 months. I understand that an evaluation of this process is underway, and I hope that this will be made publicly available.

1.3.5 In my last annual report, I referred to my concerns regarding the interaction between decisions made within the NRM and the asylum system. I outlined plans for my office to undertake an audit of case files to examine the extent to which victims in the NRM are

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<sup>15</sup> Data provided by the Home Office. See Appendix B.

interviewed and the rationale for who is interviewed. Due to the travel restrictions during the pandemic, it has not been possible to visit the Single Competent Authority (SCA) in Leeds to undertake this work. My office is in contact with the SCA and will complete this work as soon as it is practical to do so. My annual report also set out my commitment to understand whether those in the NRM are disproportionately represented among those waiting longer than 12 months for a decision on their asylum claim. Over the year, my office has been liaising with the Home Office on this matter but, due to the complexities of the data, this work is not yet complete.

1.3.6 On 23 July 2020, the Home Office announced in their stakeholder newsletter a programme of NRM Transformation. Over ten years on from the inception of the NRM and in light of the significant increase in referrals, this work intends to reflect on the current system and look at where changes are required with a focus on providing a needs based, end-to-end system of support. My office has been involved in the set-up of the NRM Transformation Programme and has regular meetings with Home Office officials to remain sighted on progress. Whilst I have been pleased to see the efforts made by the Home Office to consult with stakeholders, progress in some aspects of this work has been slow. I am also aware of frustration in the sector regarding the lack of a clear timescale for delivery. Last year the Home Office carried out important research engaging directly with victims and survivors to understand their



experiences of the NRM. I hope that the findings from this research are used to inform future service provision.

1.3.7 On 4 January 2021 the new MSVCC became operational. I have previously highlighted concerns regarding the cessation of support at the end of the NRM, therefore I am encouraged that this contract places a stronger emphasis on partnership working between sub-contractors and local safeguarding partners. As part of the new contract, survivors with a positive conclusive grounds decision can access a 'reach-in' service.<sup>16</sup> This is a welcome development which I hope will improve understanding of survivor journeys post-NRM and reduce the risk of re-trafficking. However, I am disappointed that the 'places of safety' provision will only be tested during the first year and urge the Home Office to introduce this as quickly as possible. Since implementation of the new contract there have been concerns in the sector regarding the absence of an NGO First Responder that is available out of hours. I understand that the Home Office is undertaking work to examine the First Responder role more broadly and I will continue to monitor this.

1.3.8 Following some delay caused by the pandemic, in December 2020 the Care Quality Commission's (CQC) initial roll-out of inspections commenced with a programme of remote inspections of outreach services. The inspection framework finalised last year assesses service providers against five key questions and ensures

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16 The Salvation Army (2021), 'New 2021 Victim Care Contract': <https://www.salvationarmy.org.uk/modern-slavery/new-victim-care-contract>.

a consistent standard of care across the MSVCC. I have since been updated on progress and am aware that as of 31 March 2021, six inspections of outreach services had begun, with two further inspections scheduled to take place in April 2021. I understand that there are some themes emerging where the service could be improved. However, I have also been told that the inspectors have found support provider staff to be dedicated and expert in the work they do to support victims. I am pleased that the inspectors have undertaken training on trauma-informed approaches with the Helen Bamber Foundation and also welcome the efforts to capture the voices and experiences of survivors, supported by a survey that has been developed and translated into 20 languages. The CQC has a full programme of inspections through until April 2022 and my office will continue to engage with the team and ensure that they are updated on my priorities.

1.3.9 Good quality and specialist legal advice can be vital for victims and survivors to access the support they require, to engage with criminal justice processes, to seek compensation and secure their immigration status. However, it is increasingly apparent that many experience difficulties in accessing this in practice,<sup>17</sup> particularly for those in England outside London where legal aid provision can be even more limited. I welcome Anti-Trafficking and Labour Exploitation Unit's (ATLEU) work to develop an online referral system for support

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17 Samantha Currie and Johanna Bezzano (2021), 'An uphill struggle: Securing legal status for victims and survivors of trafficking': <https://www.liverpool.ac.uk/media/livacuk/law/2-research/An,Uphill,Struggle-Currie,and,Bezzano-Research,Report-Feb,2021.pdf>.

workers in order to simplify the process for sourcing legal aid representation.<sup>18</sup> In June 2020, changes to the fixed fee structure for civil legal aid were introduced raising concerns that this will further deter legal aid lawyers from taking on complex cases.<sup>19</sup> I wrote to the minister<sup>20</sup> to set out the potential impact on victims of modern slavery and received assurance<sup>21</sup> that the consultation on future fees would be brought forward.

1.3.10 I am aware of concern in the sector regarding the variation in access to legal aid between those in immigration detention and those who are detained in prisons. Following a High Court judgement which found the legal aid arrangements for immigration detainees in prisons to be unlawful,<sup>22</sup> I understand that the Lord Chancellor will be undertaking a review to identify the best way to provide equal access to specialist immigration advice across the detention estate.

1.3.11 Article 15 of ECAT (Council of Europe Convention on Action against Trafficking in Human Beings) sets out the UK's obligations on victims' access to compensation from perpetrators. However, I am

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18 ATLEU (2020), 'Our online system is now open for referrals': <https://atleu.org.uk/news/2020/11/27/our-new-system-is-now-open-for-referrals>.

19 The Civil Legal Aid (Remuneration) (Amendment) (Coronavirus) Regulations 2020.

20 IASC (2020), 'Letter to Alex Chalk MP on changes to civil legal aid': <https://www.antislaverycommissioner.co.uk/media/1439/iasc-letter-to-alex-chalk-mp-july-2020.pdf>.

21 Ministry of Justice (2020), 'Letter from Alex Chalk MP to Independent Anti-Slavery Commissioner': <https://www.antislaverycommissioner.co.uk/media/1445/letter-to-the-iasc-from-alex-chalk-mp-july-2020.pdf>.

22 Royal Courts of Justice (2021), 'SM, R (On the Application Of) v Bail for Immigration Detainees [2021] EWHC 418 (Admin)': [https://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWHC/Admin/2021/418.html&query=\(duncan\)+AND+\(lewis\)](https://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWHC/Admin/2021/418.html&query=(duncan)+AND+(lewis)).

concerned that in practice there are often many barriers. Section 8 of the Modern Slavery Act 2015 introduced Slavery and Trafficking Reparation Orders yet the number secured remains extremely low. Having spoken to law enforcement colleagues, I am aware that there are multiple challenges, including difficulties in securing assets for confiscation and a requirement for financial investigators to be involved at the earliest stages of an investigation. The Criminal Injuries Compensation Scheme (CICS) provides an alternative route for compensation claims, however I understand this is not accessible for many survivors of modern slavery<sup>23</sup> and that the number of successful claims remains low.<sup>24</sup> In October 2020, I submitted a response to the Ministry of Justice consultation on the CICS to raise my concerns.<sup>25</sup>

1.3.12 In February 2021, I received a letter from the Minister for Immigration, Compliance and the Courts informing me that he had laid the Immigration (Guidance on Detention of Vulnerable Persons) Regulations 2021 before parliament.<sup>26</sup> The purpose of this statutory instrument is to bring those with a positive reasonable grounds decision fully within scope of the adults at risk in

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23 ATLEU (2020), 'Survivors of trafficking and the criminal injuries compensation scheme': <https://drive.google.com/file/d/1I7OUqUgyMnSYy6FsndAdPILfJkqg5pFp/view?usp=sharing>.

24 Freedom of Information request data from 1 January 2012-28 February 2020 confirmed that of 283 applications made to the CICS, just 54 cases were awarded compensation.

25 IASC (2020), 'Response to the Ministry of Justice consultation on the Criminal Injuries Compensation Scheme': <http://www.antislaverycommissioner.co.uk/media/1489/letter-from-iasc-to-moj-cics-consultation-october-2020.pdf>.

26 Home Office (2021), 'Letter to IASC from Chris Philp MP, Minister for Immigration, Compliance and the Courts': <http://www.antislaverycommissioner.co.uk/media/1590/letter-to-iasc-from-minister-chris-philp-february-2021.pdf>.

immigration detention statutory guidance, removing what is currently described as a ‘policy anomaly’.<sup>27</sup> I am aware that there is significant concern within the sector that this will result in an increased number of potential victims of modern slavery being detained and spending longer periods in detention, with their release dependent on weighing up vulnerability against immigration factors, and a requirement for medical evidence demonstrating the harm caused by detention. I have written to the minister to set out these concerns<sup>28</sup> and my key asks include close monitoring of the impact of this change by both the Home Office and the Independent Chief Inspector of Borders and Immigration (ICIBI) in annual inspections of the policy.<sup>29</sup>

## Taking a longer term view

1.4.1 My last annual report highlighted the importance of sustainable independence, and the need for the system to do more to equip individuals to become survivors. Over the past year, I have been disappointed with the pace of progress in this area. Survivors continue to face significant barriers to accessing paid work,

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27 Home Office (2018), ‘Immigration Act (2016): Guidance on adults at risk in immigration detention’: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/721237/Adults\\_at\\_risk\\_in\\_immigration\\_detention\\_-\\_statutory\\_guidance\\_\\_2\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721237/Adults_at_risk_in_immigration_detention_-_statutory_guidance__2_.pdf).

28 IASC (2021) ‘Immigration (Guidance on Detention of Vulnerable Persons) Regulations’: <http://www.antislaverycommissioner.co.uk/media/1589/iasc-letter-to-chris-philp-mp-april-2021.pdf>.

29 Independent Chief Inspector of Borders and Immigration (ICIBI) (2020), ‘Annual inspection of “Adults at Risk in immigration detention” (2018-2019)’: [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](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).

further education courses and accommodation. I am also concerned that the UK's recent withdrawal from the European Union has the potential to exacerbate these issues further with greater restrictions on employment and under current policy, welfare benefits for those granted pre-settled status. The implementation of the new MSVCC and NRM Transformation Programme provides a chance for the system to do more in improving longer-term outcomes for survivors. I urge the Home Office to take this opportunity.

1.4.2 In March 2020 I wrote to the Minister for Safeguarding proposing a pilot that would allow a specific cohort within the NRM to work.<sup>30</sup> The response referred to the Home Office Borders, Immigration and Citizenship System review of asylum seekers' right to work which remains on-going.<sup>31</sup> The Migration Advisory Committee annual report published in December 2020 was clear about the harm caused by not working and suggested that it may be worth considering whether the ban on asylum claimants being able to work is a sensible policy, noting how other research has demonstrated that "significant time out of the labour market can have long-

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30 IASC (2020), 'Letter to Victoria Atkins MP on access to work for victims of modern slavery': <http://www.antislaverycommissioner.co.uk/media/1402/iasc-letter-to-victoria-atkins-mp-march-2020.pdf>.

31 Home Office (2020), 'Letter to the Independent Anti-Slavery Commissioner on access to work for victims of modern slavery': <http://www.antislaverycommissioner.co.uk/media/1403/letter-to-the-iasc-from-victoria-atkins-mp-april-2020.pdf>.

run negative consequences for future employment and earnings”.<sup>32</sup>

1.4.3 Over recent months I have collaborated with the University of Nottingham Rights Lab to carry out research on the benefits of work and the harms of not working. The research found that access to the labour market is beneficial to general and vulnerable population groups, including survivors of slavery, but that transitioning from support to sustainable employment can be challenging. It recommended greater efforts to assess the skills, education and ambitions of survivors in the NRM, as well as the development of a curriculum to help equip survivors for work. I am aware of NGOs already delivering such initiatives, including City Hearts and the Sophie Hayes Foundation, however this offer is not yet accessible to all. Migrant Help offers a similar initiative in partnership with Brightwork, a recruitment agency in Scotland. My office will be working alongside the Rights Lab to encourage the Home Office to implement these recommendations through the MSVCC.

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32 Migration Advisory Committee (2020), 'Annual Report': [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/944234/Annual\\_Report\\_2020\\_BB.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/944234/Annual_Report_2020_BB.pdf).

1.4.4 Access to education can also be a crucial part of a survivor’s recovery journey to enable them to enter the labour market and realise their full potential. I am aware that the immigration bail rules previously restricted access to education for those within the asylum system by imposing ‘no study’ conditions.<sup>33</sup> I have since discovered that access is now usually at the discretion of individual academic institutions, although in many cases, funding remains a barrier. In my last annual report, I referenced the Free Thinking Programme at Northern College. The Bakhita Centre at St Mary’s University has also developed a pilot summer school for survivors. Although this was unable to run last year due to the pandemic, I am encouraged by these efforts and I will continue to emphasise the importance of survivors being able to access education.

1.4.5 The modern slavery statutory guidance states that the MSVCC offers temporary support in relation to accommodation and that other long-term support options “should be pursued where they are available”.<sup>34</sup> Whilst I appreciate the rationale for this approach, I am acutely aware of the difficulties that many practitioners face in finding suitable accommodation for victims and survivors. I had hoped that the local authority pilots

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33 Home Office (2018), ‘Immigration Bail’: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/952910/immigration-bail-v7.0-gov-uk.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/952910/immigration-bail-v7.0-gov-uk.pdf).

34 Home Office (2020), ‘Modern Slavery: Statutory Guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and Non-Statutory Guidance for Scotland and Northern Ireland’: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/974794/March\\_2021\\_-\\_Modern\\_Slavery\\_Statutory\\_Guidance\\_EW\\_Non-Statutory\\_Guidance\\_SNI\\_v2.1\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/974794/March_2021_-_Modern_Slavery_Statutory_Guidance_EW_Non-Statutory_Guidance_SNI_v2.1_.pdf).



would offer insight on how best to transition individuals out of the NRM. The evaluation outlined the challenges faced by some local authorities in securing housing and noted that some areas had developed partnerships with sub-contractors and housing charities.<sup>35</sup> However, it did not go further to offer practical solutions and instead recommended an improved availability of housing stock.

1.4.6 In May 2020 I wrote to the Minister for Safeguarding to encourage her to extend the automatic grant of priority need status for victims of domestic abuse to victims of modern slavery.<sup>36</sup> The response referenced ongoing work between the Home Office and the Ministry of Housing, Communities and Local Government.<sup>37</sup> Last year my office provided feedback on the Homelessness Code of Guidance to help practitioners recognise why a victim of modern slavery may be more vulnerable than another homeless person.<sup>38</sup> This guidance is important, but I am disappointed that over six months later, it still has not been updated. I have also encouraged the London boroughs to explore a reciprocal arrangement

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35 Home Office (2020), 'Evaluation of the modern slavery local authority pilots': [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/930538/RR - Evaluation of the modern slavery Local Authority Pathway Pilot\\_3\\_final\\_2 .pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/930538/RR_-_Evaluation_of_the_modern_slavery_Local_Authority_Pathway_Pilot_3_final_2.pdf).

36 IASC (2020), 'Letter to Victoria Atkins MP on accommodation for survivors of modern slavery': <http://www.antislaverycommissioner.co.uk/media/1434/iasc-letter-to-victoria-atkins-mp-may-2020.pdf>.

37 Home Office (2020), 'Letter to the IASC from Victoria Atkins MP': <http://www.antislaverycommissioner.co.uk/media/1440/letter-to-the-iasc-from-victoria-atkins-mp-july-2020.pdf>.

38 Ministry of Housing, Communities and Local Government (2018), 'Homelessness code of guidance for local authorities': <https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities>.

for housing as already exists in the context of domestic abuse. My office will continue to support this work with a view that any good practice developed can then be shared with colleagues nationally.

1.4.7 Supported return and reintegration can be an important part of an individual's recovery journey and my Strategic Plan 2019-2021 set out my intention to work with partners in the UK and countries of origin to identify and promote best practice. Although a Voluntary Returns Scheme (VRS) exists, this was not designed with the needs of modern slavery victims in mind and is not regularly used for this purpose. Between 1 April 2017 and 31 March 2020, just 12 non-EEA national victims of modern slavery used the VRS.<sup>39</sup> Meanwhile in 2020, 12 EEA victims of modern slavery used the VRS.<sup>40</sup> The numbers using this pathway are low and I have written to the Home Secretary calling for more tailored return and reintegration support for victims and survivors.<sup>41</sup>

1.4.8 I am aware that there are NGOs facilitating supported returns and my office has identified some promising practice. For example, International Justice Mission is using a multidisciplinary approach to put in place support for survivors returning to Romania and to maintain vital links with UK law enforcement. Although

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39 FOI Number 60267.

40 Information provided by the Home Office. Data cut taken 3 June 2021. Broken down by nationality and number: Romania 5, Poland 4, Italy 1, Slovakia 1, Czech Republic 1.

41 IASC (2021), 'Letter to Rt Hon Priti Patel, Home Secretary on returns and reintegration for victims and survivors of modern slavery': [https://www.antislaverycommissioner.co.uk/media/1630/letter\\_to\\_home\\_sec\\_on\\_returns\\_and\\_reintegration\\_09\\_06\\_2021.pdf](https://www.antislaverycommissioner.co.uk/media/1630/letter_to_home_sec_on_returns_and_reintegration_09_06_2021.pdf).

this work is encouraging, I am concerned that the current approach is not consistent for all survivors. I understand that officials in the Home Office have been looking at current provisions to identify areas for improvement, however progress has been slow.

## Improving the support to child victims

1.5.1 In quarter two of 2020, for the first time there were more children than adults referred into the NRM.<sup>42</sup> Of the 10,689 potential victims referred to the NRM in 2020/2021, 4,849 referrals were for children.<sup>43</sup> Despite the restrictions during periods of lockdown and changes to the way that many frontline services operate, criminal exploitation of children, including exploitation by county lines, has continued. I have heard from stakeholders how methods of recruitment have shifted online and how models used for distributing drugs have diversified.<sup>44 45</sup>

1.5.2 Yet identification is not enough. To protect children from further exploitation, there needs to be substantial child protection activity. This year I have been saddened by the serious

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42 842 NRM referrals were for potential adult victims and 1,179 were for potential child victims. Data provided by the Home Office. Data cut taken 3 June 2021. See Appendix B.

43 Data provided by the Home Office. Data cut taken 3 June 2021. See Appendix B.

44 National Youth Agency (2020), 'Hidden in plain sight: Gangs and exploitation: A youth work response to Covid-19': <https://nya.org.uk/2020/06/hidden-in-plain-sight/>.

45 Ben Brewster, Grace Robinson, Vicky Brotherton, Bernard Silverman and Dave Walsh (2021) 'Policing County Lines: Impact of Covid-19: Interim report': <https://www.nottingham.ac.uk/research/beacons-of-excellence/rights-lab/resources/reports-and-briefings/2021/february/briefing-policing-county-lines-during-covid-19.pdf>.

case reviews published on the cases of Jaden<sup>46</sup> and Jacob;<sup>47</sup> two young people who were criminally exploited. These reviews highlighted many common themes including the impact of school exclusion and the significant challenges that practitioners face in responding to extra-familial harm. Many of these issues were also raised by the review I published last year examining the use of the section 45 statutory defence.<sup>48</sup> The findings from my review are discussed in more detail in the law enforcement section of this report, however one of the areas that struck me during this work was the lack of adequate safeguarding interventions for child criminal exploitation (CCE) victims in many of the examples submitted to the call for evidence.

1.5.3 My review therefore made a series of recommendations specifically in relation to children. I have since written to all Local Safeguarding Children Partnerships in England and the Regional Safeguarding Boards in Wales. I encouraged them to review their local child safeguarding pathways to ensure that child trafficking concerns are subject to multi-agency discussion and co-ordination using section 47 of the Children Act 1989. I have also written to the Department

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46 Waltham Forest Safeguarding Children Board (2020), 'Serious Case Review: Child C a 14 year old boy': [https://www.walthamforest.gov.uk/sites/default/files/WFSCB%20-%20SCR%20Child%20C%20May%20final\\_.pdf](https://www.walthamforest.gov.uk/sites/default/files/WFSCB%20-%20SCR%20Child%20C%20May%20final_.pdf).

47 Oxfordshire Safeguarding Children Board (2021), "'Untouchable Worlds': Protecting children who are criminally exploited and harmed: Child Safeguarding Practice Review: Jacob': <https://www.oscb.org.uk/wp-content/uploads/2021/01/CSPR-for-Jacob-.pdf>.

48 IASC (2020), 'The Modern Slavery Act 2015 statutory defence: A call for evidence': <http://www.antislaverycommissioner.co.uk/media/1480/the-modern-slavery-act-2015-statutory-defence-a-call-for-evidence.pdf>.

for Education requesting that they update Working Together to Safeguard Children statutory guidance 2018 to better reflect the circumstances of children who are subject to extra-familial harm.<sup>49</sup> The response from the minister acknowledged the need to update the guidance but did not commit to a timeframe for doing so. My office has therefore begun reaching out to stakeholders to explore opportunities for any further work to assist practitioners in the interim. There are many examples of encouraging practice across the UK, including the Contextual Safeguarding Network at the University of Bedfordshire and the Tackling Child Exploitation Support Programme which aims to support areas in developing strategic responses to exploitation and extra-familial harm. However, it is clear that there is more to be done.

1.5.4 Significant progress has been made in relation to the Home Office's decision to pilot devolved NRM decision making. In empowering local safeguarding partners to make NRM decisions, I hope this will have a positive impact on ensuring a more joined up approach to identifying children who are potential victims of trafficking and in putting in place an appropriate safeguarding response. Along with many others in the sector, I believe that it is in a child's best interest for NRM decisions to be made by children's safeguarding partners at a local level with intrinsic links to child centred local safeguarding

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49 HM Government (2018), 'Working together to safeguard children: A guide to inter-agency working to safeguard and promote the welfare of children': [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/942454/Working\\_together\\_to\\_safeguard\\_children\\_inter\\_agency\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/942454/Working_together_to_safeguard_children_inter_agency_guidance.pdf).

structures. An announcement from the Home Office as to which local authorities will pilot devolved decision making is expected imminently, but I was encouraged to hear that a diverse range of bids were submitted and that a variety of approaches will be tested.

1.5.5 This pilot is a pivotal moment in the future direction of the NRM for children. Any learning may also have an impact on decision making models for adults. Following the publication of the joint review of what works in multi-agency decision making,<sup>50</sup> the chief executive of Every Child Protected Against Trafficking (ECPAT) UK and I wrote to the Home Office to emphasise the importance of a robust process for monitoring and evaluating the pilots.<sup>51</sup> We also urged the Home Office to ensure that the evaluation of the pilots measures the impact on outcomes for children and recommended that an advisory group be established to enable an ongoing dialogue. I am pleased to say that an independent expert advisory panel has since been formed and brings together a range of stakeholders including a representative from my office. I understand that the panel meetings that have taken place so far have been productive and that the Home Office has taken on board much of the feedback given by the group.

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50 IASC and ECPAT UK (2020), 'A review of what works in multi-agency decision making and the implications for child victims of trafficking': [www.antislaverycommissioner.co.uk/media/1451/iasc-and-ecpat-rapid-evidence-assessment-august-2020.pdf](http://www.antislaverycommissioner.co.uk/media/1451/iasc-and-ecpat-rapid-evidence-assessment-august-2020.pdf).

51 IASC and ECPAT UK (2020), 'Letter to Rebecca Kirby on devolved NRM decision making for children': <http://www.antislaverycommissioner.co.uk/media/1516/iasc-and-ecpat-uk-exchange-of-letters-with-rebecca-kirby-director-of-tackling-slavery-and-exploitation-home-office.pdf>.

1.5.6 In my Annual Report 2019-2020, I shared my disappointment that the ICTG service was still to be rolled out nationally in England and Wales. Despite publication of the evaluation for the regional practice co-ordinator role in October 2020 and the positive impacts reported, the Home Office is continuing to take a phased approach to national rollout.<sup>52</sup> In 2021, the ICTG service has been rolled out in a further one third of local authority areas, bringing the total coverage to two thirds of local authorities. As already stated, I continue to have significant concerns about the safeguarding response for child victims of trafficking. I therefore remain extremely disappointed that six years on from the Modern Slavery Act the ICTG service is not yet a national provision. Access to this specialist support for children should not be a postcode lottery and I will continue to stress the importance of this to Home Office ministers and officials. Wales already experiences the benefits of a national service and has been able to embed this as part of their national response as set out in the Wales Safeguarding Practice and Procedures Guides.<sup>53</sup>

1.5.7 Although I am frustrated with the lack of progress in relation to national rollout of the ICTG service, I am pleased that during the next phase, three of the recommendations made by the Independent Review of

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52 Home Office and Ipsos Mori (2020), 'Assessment of Independent Child Trafficking Guardians – Regional Practice Co-ordinators': [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/929762/RR\\_ICTG\\_RPC\\_Qual\\_Assessment\\_HTML\\_edits.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/929762/RR_ICTG_RPC_Qual_Assessment_HTML_edits.pdf).

53 Wales Safeguarding Procedures Project Board (2019), 'Wales Safeguarding Procedures and Practice Guides': <https://www.safeguarding.wales/>.

the Modern Slavery Act will be tested: removing the 18 month limit on support; providing support beyond a child's eighteenth birthday where required; and allowing children with a figure of parental responsibility in the UK to access direct worker support.<sup>54</sup> I have regular meetings with the lead for the Barnardo's Independent Child Trafficking Guardianship Service, and therefore will continue to monitor the impact of this.

## Supporting Partnership Activity

1.6.1 In my Strategic Plan 2019-2021, I underlined the importance of working in partnership to

facilitate a coordinated approach to tackling modern slavery, including the identification and support of victims and the disruption of perpetrators. Last year, the University of Nottingham Rights Lab published an update to their research on anti-slavery partnerships for which I provided the foreword.<sup>55</sup> It revealed how anti-slavery partnerships across the UK have continued to adapt which is essential to respond to the ever-changing nature of exploitation. Over the past year I have been impressed to see the continued commitment of these partnerships, many of which have moved their activity online due to the pandemic. I have attended a number of virtual meetings

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54 Frank Field MP, Maria Miller MP and Baroness Butler-Sloss (2019), 'Independent Review of the Modern Slavery Act 2015: Final Report': <https://www.gov.uk/government/publications/independent-review-of-the-modern-slavery-act-final-report>.

55 University of Nottingham Rights Lab (2020), 'Partnerships for freedom: Improving multi-agency collaboration on modern slavery': <https://www.nottingham.ac.uk/research/beacons-of-excellence/rights-lab/resources/reports-and-briefings/2020/september/partnerships-for-freedom.pdf>.



including the West Midlands Anti-Slavery Network and the National Anti-Trafficking and Modern Slavery Partnership for police and crime commissioners.

1.6.2 Last year, the UK BME Anti-Slavery Network (BASNET) encouraged reflection on equality, diversity and inclusion within the anti-slavery sector. In July 2020 I spoke at a virtual event hosted by BASNET alongside the Human Trafficking Foundation which provided a forum for discussion, to highlight concerns and to consider next steps. I have since met with a group of BASNET CEOs from the sector who raised important issues regarding the need to ensure a diverse workforce to enable effective and sensitive support for victims and survivors, as well as the requirement for more diverse leadership within the anti-slavery sector. I am pleased that BASNET has now appointed a manager who has developed an action plan and my office will continue to engage at an operational level to support this work. I am committed to playing my part as Commissioner and to advocating for this important issue and promoting good practice, as well as holding to account those who have signed up to the plan.

1.6.3 Tackling modern slavery and human trafficking crimes is often complex and even the most experienced colleagues will be challenged by the difficulty of knowing which agencies are able to intervene in operational activity and subsequent investigations. Earlier this year, I welcomed the publication of the National Enforcement Powers Guide produced by the National Network

Co-ordinators Forum<sup>56</sup> and the Modern Slavery and Organised Immigration Crime (MSOIC) Unit in order to fill this gap.<sup>57</sup> I encourage organisations with enforcement powers, along with anti-slavery partnership partners across the UK,<sup>58</sup> to make good use of this resource which I hope will make a positive contribution and improve national responses to modern slavery.

1.6.4 In my last annual report I wrote about my interest in a public health approach to modern slavery. I referenced the roundtable that I convened with Public Health England (PHE) and the commitment from PHE to lead on the development of a framework for multi-agency partnerships to respond to modern slavery through a public health lens. Unfortunately, the pandemic limited PHE's capacity to do so. In November 2020, as part of the Economic and Social Research Council Festival of Social Sciences, I hosted an online event alongside King's College London to discuss the opportunities and challenges afforded by a public health approach to modern slavery.<sup>59</sup> The event was well attended by a diverse range of colleagues, many of whom were supportive of applying public health principles in

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56 This brings together the coordinators of the various regional anti-slavery networks and partnerships operating throughout the UK.

57 Home Office (2021), 'National Enforcement Powers Guide': <https://www.antislaverycommissioner.co.uk/media/1579/national-enforcement-powers-guide-public-version-february-2021.pdf>.

58 It is recognised that some of the enforcement bodies referenced within this guide have a UK-wide remit and that others only cover England and Wales.

59 King's College London (2020), 'A public health approach to modern slavery – opportunities and challenges': [a-public-health-approach-to-modern-slavery-opportunities-and-challenges-november-2020.pdf](https://www.kcl.ac.uk/anti-slavery/2020/11/a-public-health-approach-to-modern-slavery-opportunities-and-challenges-november-2020.pdf).

responding to modern slavery. It was clear however that further work is needed to move towards the realisation of the framework.

1.6.5 Since then Dr Liz Such from the University of Sheffield has secured funding to build on her earlier work to further refine and develop a workable, practical framework for the prevention of modern slavery. My office has been working alongside PHE to support this work and has supported a number of consultation workshops attended by stakeholders from across the anti-slavery sector and beyond. The framework was launched as part of a virtual event in June 2021, with further work planned to test its operationalisation across the south west of England.<sup>60</sup>

1.6.6 Given the overlap between modern slavery and serious violence, I have been interested in the work of the Violence Reduction Units (VRUs) that have been established in 18 police force areas. The VRUs use a public health approach to bring together multi-agency partners to understand what is driving violent crime and deliver co-ordinated initiatives that focus on prevention and early intervention.<sup>61</sup> In October 2020 I wrote to each VRU for details on their strategic priorities and intervention activity. Having examined the responses, one area where there is considerable overlap with my

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60 IASC (2021), 'New research on refining a public health approach to modern slavery': <https://www.antislaverycommissioner.co.uk/news-insights/new-research-on-refining-a-public-health-approach-to-modern-slavery/>.

61 Home Office (2019), 'Funding for Violence Reduction Units announced': <https://www.gov.uk/government/news/funding-for-violence-reduction-units-announced>.

priorities is CCE. I have identified multiple examples of innovative practice, including navigator roles in custody suites, trauma informed mentors in schools and the use of social network analysis to identify emerging risk among peer groups. It is essential that good practice and learning is shared nationally, especially as areas begin to prepare for the serious violence duty.<sup>62</sup>

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62 Home Office (2021), 'Police, Crime, Sentencing and Courts Bill 2021: serious violence duty factsheet': <https://www.gov.uk/government/publications/police-crime-sentencing-and-courts-bill-2021-factsheets/police-crime-sentencing-and-courts-bill-2021-serious-violence-duty-factsheet>.

# Priority 2: Supporting Law Enforcement and Prosecutions

2.1.1 Enforcement of the Modern Slavery Act is important as a deterrent and to bring justice and reparations for victims. This year, police activity in this area has continued to grow, and I have been pleased to learn about good practice in some areas resulting in increased charges for modern slavery and human trafficking (MSHT), focusing new and welcome attention on organised criminals operating exploitative business models. Increases in the use of trafficking charges for county lines offenders are very welcome. Overall, however, prosecutions remain low, and I have examined some of the factors which could improve this, including more consistent treatment of modern slavery as organised crime, and exploiting the opportunities afforded by financial investigation. I have completed a review of the application of the statutory defence for victims of trafficking and found that there are significant issues to address to ensure that it achieves protection for victims and protection for the public.<sup>63</sup>

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63 IASC (2020), 'The Modern Slavery Act 2015 statutory defence: A call for evidence'.

## Coordinating the whole system

2.2.1 Offenders engaged in modern slavery are most likely to operate in organised crime groups (OCGs) or networks.<sup>64</sup> It therefore requires a joined-up response at national, regional and local levels. I have continued to engage regularly with the National Crime Agency (NCA) over the last year. This included constructive meetings with the Director General, senior managers and the Joint Slavery and Trafficking Analysis Centre. I am encouraged that there are now more modern slavery operations on the NCA's priority grid, including several high-profile investigations. NCA officers worked alongside Essex Police throughout the investigation into the tragic deaths of 39 Vietnamese people in October 2019. This included deploying investigative and intelligence assets overseas and in the UK and included immigration crime and victim identification specialists.<sup>65</sup>

2.2.2 Operational activity continues to increase and in March 2021, 2,666 modern slavery police investigations were recorded across the UK, a rise of 46% from a year ago.<sup>66</sup> However, only eight of the investigations were owned by the Regional Organised Crime Units (ROCU) and five ROCUs owned no operations at all. I wrote to the ROCU chairs seeking reassurance that slavery and

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64 National Crime Agency (NCA), 'National Strategic Assessment of Serious and Organised Crime 2020': <https://www.nationalcrimeagency.gov.uk/who-we-are/publications/437-national-strategic-assessment-of-serious-and-organised-crime-2020/file>.

65 See NCA news, 'Four found guilty over Essex lorry deaths': <https://nationalcrimeagency.gov.uk/news/four-found-guilty-over-essex-lorry-deaths>.

66 See Appendix B.

exploitation was receiving attention at regional level and that they were taking steps to develop the skills and capabilities to tackle human trafficking as well as their more traditional remit of drugs and firearms. In analysing their replies, I found consistent themes of a lack of identification, development and scoring of MSHT OCGs, meaning that tasking decisions do not accurately reflect MSHT threats alongside other threats.

2.2.3 Tools such as the Serious and Organised Crime (SOC) Master List<sup>67</sup> are being implemented which should allow MSHT to compete with these other threats for resources on an equitable basis. It will record where ROCUs offer support and assistance rather than ownership, but the new tools alone will not solve the issue of identifying and scoring the threat. There are also discrepancies across the country in ROCU readiness to take on modern slavery operations. Some have implemented MSHT investigator training for large numbers of their detectives, while others lack the capacity and skill set to own these investigations. The uplift to police numbers will give a unique opportunity for ROCUs to recruit and train investigators in this field. It has however been frequently suggested to me that the traditional culture in ROCUs is more comfortable dealing with drug trafficking and illegal firearms than vulnerable victims – this needs to change.

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67 The Serious Organised Crime Master List is a means of analysing and scoring different serious crime threats in a comparable way providing a single picture of risk.

2.2.4 The Tackling Organised Exploitation (TOEx) project intends to address some of these issues with a regional focus on vulnerability, providing analytical and intelligence development functions, and identifying opportunities to target organised crime at this level. I was pleased to see the focus on modern slavery and human trafficking in their worked examples, which included identification of crime groups involved in labour exploitation and sexual exploitation. I will continue to monitor progress as this project moves into the implementation phase.

2.2.5 The strategic focus on organised immigration crime must not undermine the need to identify victims of trafficking. We must be satisfied that a consistent approach is being applied to those who are discovered entering the country clandestinely or come to light as undocumented migrants inland. Effective triaging must ensure that victims are identified and safeguarded. I have raised this issue with the Director General of the NCA and the NPCC portfolio lead for modern slavery and organised immigration crime. National guidance relating to the policing response to undocumented persons is forthcoming and we have worked with the NPCC lead to emphasise identification of trafficking victims among migrant groups. Indicators of trafficking will now be available to First Responders and multi-agency reception centres will be considered where there are large numbers of migrants. In particular I have emphasised the damage



to a trafficking prosecution which can result from avoidable detention of victims in custody suites.

2.2.6 In March 2021 the ICIBI published a report on 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.<sup>68</sup> The report follows a conversation I had with Chief Inspector David Bolt about where the latest inspection could add the most value in light of their previous focus on the identification and treatment of potential victims by Border Force.<sup>69 70</sup> The latest report finds that while operational activity has increased, the work of the Home Office and its Borders, Immigration and Citizenship System (BICS) operational directorates is still 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. However, it is not doing enough to combat the criminals perpetrating and enabling modern slavery, and opportunities to do so are being missed. The Chief Inspector recommended a clearer set of roles

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68 ICIBI (2021), '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': <https://www.gov.uk/government/publications/an-inspection-of-the-work-of-border-force-immigration-enforcement-and-uk-visas-and-immigration-to-identify-investigate-disrupt-and-prosecute-perpe>.

69 ICIBI (2017), 'Inspection report on potential victims of modern slavery': <https://www.gov.uk/government/publications/inspection-report-on-potential-victims-of-modern-slavery-february-2017> .

70 ICIBI (2018), 'A re-inspection of Border Force's identification and treatment of Potential Victims of Modern Slavery': <https://www.gov.uk/government/publications/a-re-inspection-of-border-forces-identification-and-treatment-of-potential-victims-of-modern-slavery>.

and responsibilities for BICS. He also advocated much greater responsibility for the Home Office lead on SOC to provide leadership and coordination. I have discussed the report's findings with the respective directors general and will be scrutinising the Home Office response to ICIBI's recommendations. I look forward to seeing tangible action at both a strategic and operational level to disrupt and prevent these crimes.

2.2.7 Modern slavery is an economic crime which is motivated by gain. Financial investigation of modern slavery offending therefore has the potential to increase prosecutions and maximise the chance of victims receiving reparations. In dealing with serious organised exploitation where victim evidence is often unavailable, the truth of a case can be illuminated by financial evidence, alongside other techniques such as communications data analysis and digital forensics. In March I published a review into financial investigation of modern slavery.<sup>71</sup> The review found that despite literature supporting the value of finances in proving organised crime, in practice MSHT investigations struggle to obtain financial investigator support and make best use of the tools available. I made ten recommendations, including embedding financial intelligence officers in teams investigating MSHT, utilising the Joint Money Laundering Intelligence Taskforce for information sharing, and improve training and communication on victim

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71 IASC (2021), 'Financial Investigation of Modern Slavery: <http://www.antislaverycommissioner.co.uk/media/1586/financial-investigation-of-modern-slavery-march-2021.pdf>.

reparations. I also called for more effective mapping and scoring of modern slavery OCGs to allow operations to better compete for financial investigator resources. The review was discussed at the Modern Slavery Threat Group and actions were set for law enforcement which will be reviewed again in October.

## Increasing prosecutions

2.3.1 In my annual report last year I expressed concern that prosecutions for modern slavery offences were low and appeared to be falling. The most recent data from the Crown Prosecution Service (CPS) shows that completed prosecutions for offences that were flagged as modern slavery have decreased from 349 in 2019 to 267 in 2020, a fall of 23%.<sup>72</sup> This was despite the fact that police referrals increased from 275 to 331. Over the same period, reported convictions also reduced from 251 to 197, a fall of 22%. The conviction rate increased from 72% to 74%. In contrast, the numbers of prosecutions under the Modern Slavery Act both on a principal and all offence basis have increased from 68 to 89 and from 251 to 331 respectively. I am pleased to see this increased use of the Modern Slavery Act. However, it still does not match the numbers of prosecutions on a principal offence basis for the Modern Slavery Act and precursor offences in 2017 at 132, although it exceeds the prosecutions on an all offence basis in 2017 at 315. The number of convictions has fallen dramatically. The

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72 See Appendix B.

closure of courts from March to June 2020 due to the pandemic and a reduction in the number of crown court cases subsequently listed will have had an impact on prosecutions and convictions although it is impossible to tell whether this completely explains the reductions.

2.3.2 The US Government's Trafficking in Persons Report and the Organization for Security and Co-operation in Europe (OSCE) have shown that similar trends are observed internationally. The number of victims identified continue to rise, but prosecutions are stalled or falling. While criminal justice approaches will not address modern slavery on their own, the current levels of prosecutions fail to address the high reward, low risk nature of trafficking in people, or to prevent OCGs acting with presumed impunity.

2.3.3 Establishing reasons for the low prosecutions is not straightforward and in February I convened a roundtable of police investigators to explore this topic. Barriers to prosecution were discussed and it became apparent that although there is variation across the country, many concerns were widely shared:

- Victim vulnerabilities made engagement as witnesses difficult; support structures were not well aligned with helping victims through the criminal justice process. The victim journey to recovery was badly understood and victims were asked to give evidence too early.
- Subject matter expertise in investigators cuts investigation lengths significantly and results in better

evidence gathering. Models which rely on single officers in busy general crime departments owning investigations are not able to service the serious and complex nature of this offending.

- Prosecution files are greatly strengthened by including telecommunication and financial evidence to prove exploitation without relying on victim evidence.
- Investigators need access to specialist capabilities and assistance from resources held at force and regional level, and prioritising modern slavery at strategic level assists with this.
- Investigator and First Responder training is effective, but requires application in practice to embed confidence and skill. MSHT experts and single points of contact can bolster the level of expertise in a force, but the workload on a few experts can be overwhelming.

2.3.4 Roundtable participants voiced significant support for the Victim Navigator role which has been piloted by Justice and Care.<sup>73</sup> Investigators in the pilot forces told me that these embedded professionals were invaluable at offering consistent support to victims and guiding them through the justice process while offering the investigative team an insight into trauma informed communication and building an effective victim liaison strategy.

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73 Justice and Care, 'Victim Navigator Programme': <https://www.justiceandcare.org/our-work/victim-navigator-programme/>.

2.3.5 Victims of modern slavery are often expected to provide evidential accounts very quickly, to assist with custody time limits and other pressures of a criminal investigation. Tailoring victim liaison strategies to a victim's journey to recovery may allow victims who are initially unable to assist police to reach a point where they can give evidence. In March I was pleased to learn that the Medaille Trust has secured funding and NPCC backing to pilot a scheme called 'Victims' Voices' in which the Medaille Trust will assist with obtaining video evidence from victims unwilling to speak to the police directly at the early stages of their recovery. The hope is that this will increase the participation of victims of slavery in the justice system and provide them with more effective support during this difficult transition period in their lives. I encourage police forces to engage with this pilot scheme and look forward to an evaluation of its impact.

2.3.6 The pandemic in its early months led to widespread closures of courts and the suspension of jury trials. Once courts re-opened, there was a significant logistical challenge in bringing them back to normal capacity in a safe manner. The backlog of cases therefore grew considerably through 2020, from 39,000 in January to 55,000 in December in the Crown Courts. In March 2021, the backlog was reported to be at 57,000.<sup>74</sup> Victims of modern slavery offences already

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74 HM Courts & Tribunals Service (2021), 'Management information during coronavirus - March 2020 to March 2021': <https://www.gov.uk/government/statistical-data-sets/hmcts-weekly-management-information-during-coronavirus-march-2020-to-march-2021>.

wait a long time for their cases to reach court and I was concerned about the impact this fresh delay would have, especially as slavery trials are often multi defendant and therefore more difficult to hold safely. I have raised these issues with Her Majesty's Courts and Tribunal Service throughout the year and will continue to do so.

2.3.7 In October, the Sentencing Council launched a consultation on their sentencing guidelines for the offences under the Modern Slavery Act. I welcomed this consultation and the guidelines as I have argued that sentences given for this offending are often remarkably lenient given its severity. I responded to this consultation, and while I was pleased that the guidelines were progressing to a more nuanced understanding of the offence and away from the stereotype of physical locks and chains, I felt that there were several areas for improvement remaining. The factors which determine the starting point for the sentence were still focused on physical and sexual violence, and needed flexibility to consider other methods by which offenders can control victims. Additionally, I argued that sentencing should take into account wider harm to society which results from running modern slavery as a criminal business model, and the substantial financial loss to victims such as unpaid wages over long periods. Despite the apparent intention of parliament to increase sentences for modern slavery and trafficking, this does not appear to have happened. The new guidelines present an opportunity to rectify this.

2.3.8 The Modern Slavery Act created two valuable ancillary orders, Slavery and Trafficking Risk Orders (STROs) and Slavery and Trafficking Prevention Orders (STPOs).<sup>75</sup> STROs can be particularly helpful when investigations are lengthy or a trial date is set for 12-18 months ahead and make it possible to protect victims prior to prosecution. 29 STROs were granted by Magistrates' Courts in England and Wales during 2020/2021 compared to 26 in 2019/2020. There were no Trafficking and Exploitation Risk Orders granted in Scotland in 2020/2021. I noted in last year's annual report that in Northern Ireland the legislation did not include risk orders and that I had met with the Minister for Justice to ask her to consider their value. I was therefore pleased to see a commitment in the Department for Justice Modern Slavery and Human Trafficking Strategy 2021-22 to 'engage with key stakeholders to consider the potential benefits and implications of introducing Slavery and Trafficking Risk Orders in Northern Ireland based on evidence and experience from other jurisdictions.'<sup>76</sup>

2.3.9 The number of STPOs granted in England and Wales reduced substantially from 28 in 2019/2020 to five in 2020/2021. While undoubtedly the 22% reduction in prosecutions and 23% reduction in convictions over the previous year will have impacted on the number of STPOs granted, the percentage reduction in STPOs

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75 See Appendix B.

76 Northern Ireland Department of Justice (2021), 'Modern Slavery and Human Trafficking Strategy 2021-22': [https://www.justice-ni.gov.uk/sites/default/files/publications/justice/modern-slavery-strategy-27-05-v2\\_0.pdf](https://www.justice-ni.gov.uk/sites/default/files/publications/justice/modern-slavery-strategy-27-05-v2_0.pdf).



without further context appears alarming. There were no Trafficking and Exploitation Prevention Orders granted in Scotland in 2020/21. I raised concern in last year's report that forces were not consistently putting ancillary orders onto the Police National Computer (PNC) and was pleased to learn from the National County Lines Coordination Centre that there are currently 151 STPOs and 70 STROs recorded and live on the PNC.

2.3.10 The last two years have seen a significant increase in the identification of county lines activity, in which children and young people are exploited by criminal enterprises to transport and sell drugs, as well as getting involved in violence, intimidation and cuckooing in the drug market. This is a form of human trafficking and offences should be charged under section 2 of the Modern Slavery Act. The Home Office's County Lines Programme funds policing intensification and has enabled the Metropolitan, Merseyside and West Midlands police forces, which cover the exporting areas, to work closely together with importing county forces to identify and prosecute those who control the phone lines and who exploit the vulnerable. I welcome this focus and have been impressed to see new methodologies under Operation Orochi leading to successful prosecutions of exploiters. The operation currently has 20 defendants charged with 37 counts under the Modern Slavery Act.

## Protecting victims of trafficking

2.4.1 In 2020, I called for evidence on the way that the statutory defence under section 45 of the Modern Slavery Act was being used in practice.<sup>77</sup> This defence enshrines into law the principle of non-punishment of people compelled to a commit crime as a consequence of their being trafficked. The evidence submitted to the review revealed the significant extent to which the statutory defence under the Modern Slavery Act is being used, predominantly in drug trafficking cases. Many cases raised were problematic and I concluded that there was considerable concern.

2.4.2 On the one hand, failure to consider the possibility of criminal exploitation at the start of an investigation is risking victims being wrongly prosecuted. On the other hand, over-reliance on the trafficking decisions made by the SCA and failure to consider properly the legal components of the defence is risking prosecutions being discontinued when the matter could have been put before a jury. In addition, when victims are correctly identified that identification is not triggering effective protection from the considerable harm posed by the traffickers. Non-prosecution alone will not protect a child or vulnerable adult; it must be supported by effective safeguarding. I concluded that the operation of the statutory defence is neither adequately protecting victims nor adequately protecting the public.

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<sup>77</sup> IASC (2020), 'The Modern Slavery Act 2015 statutory defence: A call for evidence'.

2.4.3 Having analysed the cases, we interviewed experts and held two roundtable discussions. Four issues were identified:

- Police are not consistently considering from the outset of an investigation whether a suspect could be a victim of trafficking and whether the statutory defence may apply;
- Discontinuation of investigations and prosecutions as soon as the defence is raised;
- Over-reliance throughout the criminal justice system on the decision making of the SCA;
- The statutory defence being raised late in the criminal justice process.

And these were leading to three consequences:

- Abuse of the statutory defence;
- Victims for whom the statutory defence was intended are not benefitting from it;
- Inadequate child protection interventions following NRM referrals triggered by the statutory defence.

2.4.4 I was not persuaded of the need to amend legislation until the operational issues raised in the review are addressed and made ten practical recommendations aimed at making the current system work better. I then wrote to the Home Secretary, the Secretary of State for Education, the Director of Public Prosecutions, the

NPCC, regional safeguarding panels and the Judicial College with a copy of the review and asked them to respond to my recommendations in their sector. The review's recommendations and a synopsis of the responses I received are included at Appendix C.

## Equipping professionals

2.5.1 Modern Slavery training for police and other professionals remains an issue of importance, and I have taken steps this year to understand the nature and scope of the training currently delivered, and where gaps remain. In the first quarter of 2020/21, the MSOIC Unit passed responsibility for modern slavery national training to the College of Policing, which also has oversight of the Authorised Professional Practice resource. In December I wrote to the college to understand the current position and to seek reassurance that training materials were being updated and promoted appropriately.

2.5.2 I understand from the college's reply that there are currently three training products licenced for police forces to use: an e-learning package aimed at raising awareness of the crime type and the initial actions of First Responders, a one-day course, and the four-day modern slavery investigator's course developed by the MSOIC Unit. A fourth training product, a two day course for victim liaison officers is awaiting licensing. I have reviewed these training packages and the learning descriptors are appropriate although I was disappointed that reparations for victims are not included. The course material is dated

January 2020, and I am assured by the college that they will maintain and update this as the field develops.

2.5.3 The college provided three years of data evidencing that there has been a good take up of the e-learning awareness raising training product across police forces. Four years of training data provided by the MSOIC Unit showed that almost all forces ran at least one, four day modern slavery investigator's course in 2018 and 2019, but in 2020 this had dropped to 19 forces. There is no centrally collected data on take up of the one day course that is delivered by force trainers.

2.5.4 The four Welsh police forces (South Wales, Gwent, Dyfed-Powys and North Wales) together coordinate the delivery of a modern slavery and organised crime three day investigator's training course. The course differs from the four day investigator's course licensed by the College of Policing in that it is attended by police, crown prosecutors and other agencies (the Department for Work and Pensions, the NCA, Gangmasters and Labour Abuse Authority and Border Force) and is delivered using the hydra approach that has the benefit over traditional classroom teaching of exploring real time leadership and naturalistic decision making.

2.5.5 Training for professionals on the statutory defence under section 45 of the Modern Slavery Act has been a priority this year following my review of the use of the defence. I have been impressed to learn

that the CPS has completed widespread training on the subject to ‘trainer’ prosecutors. More generally, the CPS continues to focus its modern slavery training on lawyers working on regional complex case units (CCUs) and the national organised crime division that prosecutes NCA cases. I was pleased to hear that a new CPS initiative will enrol CCU crown prosecutors onto the Metropolitan Police’s four day investigator’s courses from April through to September as students. Subject to the success of the Metropolitan Police’s experience, they are looking to expand the initiative by enrolling lawyers from the organised crime division on similar courses outside London.

2.5.6 The Judicial College advised me that although due to the pandemic they have been unable to run a full programme of training since March 2020, section 45 of the Modern Slavery Act is incorporated into judicial training and is a priority for magistrates and legal adviser training as they return to a full programme. A new edition of the Equal Treatment Bench Book was launched in February 2021. This resource aims to increase judicial awareness and understanding of the different circumstances of people appearing in courts and contains a chapter on modern slavery with specific reference to the section 45 defence at other sections of the guide.

2.5.7 The UK Financial Intelligence Unit has made equipping professionals in both law enforcement and the financial sector to address trafficking a priority over recent months. In doing so they have liaised with my office

providing valuable assistance in our review of financial investigation of slavery. In November 2020, a week of activity under the Project AIDANT initiative focused on illicit finances in exploitation. Included in this work was a podcast and publication designed to draw financial institutions' attention to modern slavery risk indicators and explain how they can report them. In addition, a new aide memoire has been produced for law enforcement using the information gathered during AIDANT to assist in identifying modern slavery related Suspicious Activity Reports. This is a useful document and complements one produced earlier in the year for the county lines threat type. A further illicit finance AIDANT is planned for 2021 and I will continue to monitor its success.

# Priority 3: Focusing on prevention

3.1.1 The pandemic that dominated the 2020-2021 reporting period created severe challenges for business but also underscored the negative impact that common commercial practices can have on the most vulnerable workers. While some supply chains stalled during the lockdowns, others went into overdrive to meet unprecedented global demand for items such as personal protective equipment. In April 2020, retailers and brands cancelled orders worth US\$3 billion from Bangladesh's garment suppliers, leaving two million jobs at risk.<sup>78</sup> At the same time, NGO and media reports highlighted the plight of migrant workers in some Malaysian rubber glove factories, in debt bondage due to illegal recruitment fees, forced to surrender their identity cards and work long and under-paid shifts.<sup>79</sup> Workers suffered at both ends of the spectrum: either unpaid, due to work drying up or alternatively forced into excessive hours and unpaid overtime in unhygienic and unsafe conditions.

3.1.2 In the UK, food production and logistics supply chains were under intense pressure, while suppliers in the Leicester garment sector came under scrutiny for

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78 Reuters, 'Bangladesh unions urge government to act as garment workers lose jobs' (14 April 2020): <https://www.reuters.com/article/us-health-coronavirus-bangladesh-workers-idUSKCN21W1L5>.

79 Independent, 'If you think NHS workers have it bad, just look at the people who equip them' (16 April 2020): <https://www.independent.co.uk/voices/coronavirus-nhs-workers-asia-thailand-ppe-factory-gloves-a9468016.html>.



exploitative practices such as non-payment of wages and lack of social distancing. As towns and cities shut down, workers in less formal sectors, such as nail bars and hand car washes, disappeared from view. It is suspected that some forms of exploitation became even more hidden in supply chains.

3.1.3 As we move out of the pandemic, it is essential that we focus on building back better in business and in society. The private and public sectors should take this opportunity to reconfigure their operational and procurement models to create more transparent supply chains, minimising risk of harm to the most vulnerable.

## Working with the private sector

3.2.1 With an estimated 16 million victims of modern slavery working for the private sector globally,<sup>80</sup> businesses have a responsibility to ensure that their commercial practices are not fuelling exploitation at home or abroad. Section 54 of the Modern Slavery Act requires businesses with a turnover of £36 million or more to write an annual statement, setting out the steps they have taken to address modern slavery risks in their operations and supply chains.

3.2.2 Business response to this ground-breaking piece of legislation has been uneven. While some companies have set targets and developed a narrative of change, many have failed to comply with the basic requirements,

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80 Alliance 8.7 website: <https://www.alliance87.org/the-challenge/>.

such as having the statement approved by the board, signed off by a director and linked to the company homepage. A report by the Business and Human Rights Resource Centre found that only 60% of in-scope companies are reporting, and within this, the majority are publishing general statements that fail to disclose risks in their sectors.<sup>81</sup>

3.2.3 The Independent Review of the Modern Slavery Act recommended strengthening section 54 legislation.<sup>82</sup> In its response to the subsequent consultation in September 2020, the government committed to extending section 54 to public bodies in England and Wales with a budget of £36 million or more, introducing mandatory topics of reporting and a new annual reporting deadline for all organisations.<sup>83</sup> The government also committed to building a new centralised registry on which all organisations must file links to their statements. The registry was launched on 11 March 2021 and over 3,500 statements covering over 12,000 organisations have been updated on a voluntary basis.

3.2.4 I am pleased to see these developments and hope that the legislation required to implement them is developed at pace. Expanding reporting duties to the public sector should widen the influence on supply

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81 Business and Human Rights Centre (2021), 'Modern Slavery Act – 5 years of reporting': [https://media.business-humanrights.org/media/documents/Modern\\_Slavery\\_Act\\_2021.pdf](https://media.business-humanrights.org/media/documents/Modern_Slavery_Act_2021.pdf).

82 Field et al. (2019), 'Independent Review of the Modern Slavery Act 2015: Final Report'.

83 Home Office (2020), 'Transparency in supply chains consultation, Government Response': [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/919937/Government\\_response\\_to\\_transparency\\_in\\_supply\\_chains\\_consultation\\_21\\_09\\_20.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/919937/Government_response_to_transparency_in_supply_chains_consultation_21_09_20.pdf).

chains. The mandatory topics could provide a useful framework for structuring reports. I hope that the centralised registry of statements will make it easier for civil society, academics, investors and consumers to search for and compare the efforts of different organisations, benchmarking their annual progress.

3.2.5 However, this will be no easy task. Research led by the Bonavero Institute of Human Rights and the Bingham Centre for the Rule of Law has found that even as modern slavery statements have increased in length and sophistication, this has not necessarily translated into increased action, or provided insight into a company's risks and preventative measures.<sup>84</sup>

3.2.6 The government has also said that it will introduce financial penalties for organisations which fail to meet their statutory obligations to publish modern slavery statements. I welcome this announcement, but the rules must be enforced if the legislation is to be effective. The Modern Slavery Act already contains powers for the Home Secretary to apply for an injunction against non-compliant businesses, but these powers have not been used since the Act was passed in 2015.

3.2.7 The government's announcements are a positive step, but they lead to a broader question of whether the measures around section 54 are enough to address the deep imbalances of power within supply chains. The

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84 Modern Slavery and Human Rights Policy and Evidence Centre (2021), 'Effectiveness of Section 54 of the Modern Slavery Act': <https://modernslaverypec.org/assets/downloads/TISC-effectiveness-report.pdf>.

majority of businesses still fail to connect the impact of their operational and purchasing decisions on workers in farms, fields and factories around the world, and the most vulnerable workers continue to pay the social costs of private company profits.

3.2.8 Auditing and corporate social responsibility have also failed to prevent human rights abuses across a range of business and procurement models. This has been more apparent during the pandemic, where demand for products such as personal protective equipment escalated globally. Migrants in Malaysia working for Top Glove, the world's largest manufacturer of medical gloves, reported being forced to work illegally high levels of overtime, while suffering unlawful deductions from wages.<sup>85</sup> Some claimed to be in debt bondage. Nevertheless, the products continued to be supplied to the UK during the pandemic, entering the supply chains of at least one NHS hospital.<sup>86</sup> In the UK, fashion giant boohoo commissioned Alison Levitt QC to investigate allegations of labour exploitation in its Leicester supply chains.<sup>87</sup> Levitt found evidence of unacceptable working conditions, including underpayment of workers, serious

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85 Channel 4 News, 'Shocking conditions in PPE factories supplying UK' (16 June 2020): <https://www.channel4.com/news/revealed-shocking-conditions-in-ppe-factories-supplying-uk>.

86 The Guardian, 'UK government sourcing NHS PPE from company repeatedly accused of forced labour' (25 September 2020): <https://www.theguardian.com/global-development/2020/sep/25/nhs-sourcing-ppe-from-company-repeatedly-accused-of-forced-labour-top-glove>.

87 Alison Levitt (2020): 'Independent Review into the boohoo Group PLC's Leicester supply chain': <https://www.boohooplc.com/sites/boohoo-corp/files/final-report-open-version-24.9.2020.pdf>.

health and safety violations and widespread neglect of employee's rights in the company's suppliers. But Levitt also concluded that there was no evidence that boohoo broke the law.

3.2.9 Levitt's findings may be correct. Companies do not have legal responsibility for their supply chains. However, given the power that brands have in shaping the market it would be unfair to shift all the blame onto suppliers. Expecting enforcement agencies to police every supply chain is also unrealistic.

3.2.10 I welcome the efforts that some responsible companies have taken to nurture more ethical corporate eco-systems. For example, Marks and Spencer commissioned Oxfam to review its supply chains in India and the UK. It subsequently took measures to remediate and resolve all worker concerns that Oxfam found, and is now rolling out worker voice programmes and sharing its learnings with peers and stakeholders. My office has also attended meetings this year with Tesco and The Body Shop, in which panels of NGOs and experts were invited to scrutinise and challenge their anti-slavery and forced labour strategies.

3.2.11 However, if the majority of businesses fail to clean up their supply chains voluntarily, stronger legislation may be required. This year, I have been looking at levers that could accelerate and incentivise corporate improvement, including joint liability and extending labour licensing to new sectors. I am also

monitoring the EU's introduction of mandatory human rights due diligence (MHRDD). There are many different interpretations of how MHRDD could be applied, from an enhanced reporting requirement to legal liability modelled on section 7 of the Bribery Act 2010. I hope that the EU legislation will bring more clarity to the discussions. Two other options look promising. The first is joint responsibility between businesses at the top of supply chains and their suppliers. Proposed by former Directors of Labour Market Enforcement, businesses would work privately with suppliers to resolve and remediate labour exploitation issues. They could be named and shamed if they failed to take sufficient action, within an agreed time period of (potentially) 90 days. Evidence from around the world shows that naming and shaming can have a real impact on corporate practices.<sup>88</sup>

3.2.12 My second area of interest is Withhold Release Orders (WRO) or 'hot goods', a mechanism that is being increasingly used by the US government to seize and ban goods that are suspected of being made with forced labour. Using this mechanism, any individual or civil society group can bring evidence of serious labour violations to US Customs and Border Protection (CBP).

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88 IASC (2021), 'Incentivising businesses to tackle labour abuses': <http://www.antislaverycommissioner.co.uk/news-insights/incentivising-businesses-to-tackle-labour-abuses/>.

The US Government also has the power to issue substantial fines if the business fails to reform.<sup>89</sup> US CBP issued an unprecedented 13 WROs in the US fiscal year 2020, including nine on goods from China.<sup>90</sup> My office spoke to leading experts in the US and worked with officials in CBP to understand the process. In February I held a closed roundtable with businesses, NGOs and the US Embassy in London to explore the possibilities and wider considerations of WROs. While there is concern that import bans can be a blunt instrument and have unintended consequences, it was clear that many businesses recognised the clarity and simplicity of the approach.

3.2.13 I have continued to engage with the private sector to encourage greater responsibility, putting people and planet before profit. The British Academy is clear that the purpose of business is to solve the problems of people and planet profitably and not profit from causing problems.<sup>91</sup> Purpose-led strategies that care for all stakeholders, employers and suppliers make for better businesses as well as a better society. However, the Financial Reporting Council reports that while work on

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89 US Customs and Border Protection website, 'CBP Collects \$575,000 from Pure Circle U.S.A. for Stevia Imports Made with Forced Labor' (13 August 2020): <https://www.cbp.gov/newsroom/national-media-release/cbp-collects-575000-pure-circle-usa-stevia-imports-made-forced-labor>.

90 US Customs and Border Protection website, 'CBP Issues Withhold Release Order on Seafood Harvested with Forced Labor by Lien Yi Hsing No. 12' (31 December 2020): <https://www.cbp.gov/newsroom/national-media-release/cbp-issues-withhold-release-order-seafood-harvested-forced-labor>.

91 The British Academy (2019), 'Principles for Purposeful Business' : <https://www.ggs.uk.com/british-academy-principles-for-purposeful-business/>.

purpose and culture has improved, many companies set out a purpose which is more of a marketing slogan.<sup>92</sup>

3.2.14 Responsible procurement is central to the ethical treatment of supply chains, and I was pleased to take part in two events last year with the Chartered Institute of Procurement and Supply (CIPS). I joined a panel at the CIPS annual conference to discuss modern slavery risks and the impact of the pandemic on global supply chains. I also spoke at a session of the Northern Ireland Human Rights and Business Forum and took part in a podcast for Scotland Against Slavery, the newly launched platform for Scottish businesses. I spoke at a business webinar on modern slavery and the impact of the pandemic run by Linklaters, presented at an APPG for Ethics and Sustainability in Fashion event in September and was also guest speaker at an online event that compared the new EU human rights due diligence laws with the Modern Slavery Act, run by Doughty Street Chambers.

3.2.15 Even though small businesses fall out of the scope of section 54 reporting, they have a crucial role to play in the fight against modern slavery. Placed at the lower tiers of supply chains, they are better placed to spot and address modern slavery issues, but do not always have the knowledge or resources to act. I supported Stop the Traffik and Shiva Foundation's SME (small and medium-sized enterprises) toolkit which is a

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92 Financial Reporting Council (2020), 'Review of corporate governance reporting': <https://www.frc.org.uk/getattachment/c22f7296-0839-420e-ae03-bdce3e157702/Governance-Report-2020-2611.pdf>.



practical guide to help small businesses mitigate the risk of modern slavery in their operations.<sup>93</sup> I also took part in a Sainsbury's training and education video on modern slavery, which was rolled out to SMEs in its supply chains.

3.2.16 Cross sector working is vital, as clients and brands will never be able to tackle complex supply chain problems alone. This was highlighted in my review of Operation Fort, the UK's largest modern slavery case to date, published in June 2020.<sup>94</sup> Operation Fort involved an estimated 400 Polish victims being forced to work in the supply chains of some of the biggest supermarkets and DIY stores. My review assessed the progress that the major brands were making in tackling modern slavery risk, and included a maturity framework, by which companies can assess their activities.

3.2.17 I have since written to 15 CEOs in the sector to ask them where they see themselves on the framework, and what their next steps are in tackling modern slavery risk. I am pleased to see many are being proactive. Several companies commented that Operation Fort has had a marked impact on the industry, triggering internal reviews and investigations, and some were improving their procedures in high risk areas, such as engaging with temporary labour. Many were also doing more to support

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93 Stop the Traffik and Shiva Foundation (2021), 'SME toolkit': [https://shivafoundation.org.uk/wp-content/uploads/2021/02/SF\\_STT\\_SMEToolkit\\_2102.pdf](https://shivafoundation.org.uk/wp-content/uploads/2021/02/SF_STT_SMEToolkit_2102.pdf).

94 IASC (2020), 'Operation Fort - What businesses should learn from the UK's largest anti-slavery prosecution': <http://www.antislaverycommissioner.co.uk/media/1421/iasc-operation-fort-review-june-2020.pdf>.

their colleagues and suppliers in training and education. Risk analysis within global supply chains is also increasing. Several companies were leading strategically on the human rights agenda at board level, with some CEOs personally leading on initiatives.

3.2.18 The most innovative development in response to Operation Fort has been the launch of the Modern Slavery Intelligence Network (MSIN), a pilot initiative from brands and suppliers in the food sector. The initiative will see members experimenting with sharing data at scale, creating a more in-depth picture of trends in labour exploitation. The initiative aims not only to improve detection of cases, but also to feed into prevention activities with the workforce, and work more effectively with law enforcement partners. There are now 15 companies involved, including household brands and strategic suppliers. The MSIN is a powerful example of the potential of multi-stakeholder partnerships and I will be following its progress closely.

## **Harnessing the power of the financial community**

3.3.1 As the Liechtenstein Initiative's Blueprint for Mobilizing Finance against Slavery and Trafficking correctly identifies, the world's bankers, investors, insurers and financial partners have unparalleled influence over global business and finance is a lever

by which the entire global economy can be moved.<sup>95</sup>

The financial community should be at the heart of the global effort against slavery. All financial institutions have a significant role to detect and disrupt this serious crime within their own operations, but those that provide credit and capital can do so much more, ensuring that they do not directly or indirectly support businesses that harm people. I have often heard from companies who deplore the absence of a level playing field. They know that businesses that tolerate modern slavery and human trafficking have lower labour costs, an unfair competitive advantage and are able to access capital unfairly.

3.3.2 However, my joint report with Themis and the TRIBE Freedom Foundation has found that, despite pockets of good practice, there are low levels of awareness of modern slavery, or activity to combat it, within financial institutions.<sup>96</sup> A survey of 1,000 professionals in the sector found that 43% of board level managers and director level employees either did not know if their organisation had a modern slavery policy to manage slavery risks or confirmed they did not have one at all. In addition, 68% of financial industry employees did not believe the subject had been raised more than a few times by senior management, if at all, in the last 12 months. Only 28% believed that their company

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95 Liechtenstein Initiative's Financial Sector Commission on Modern Slavery and Human Trafficking (2019), 'A Blueprint for Mobilizing Finance Against Slavery and Trafficking': <https://www.fastinitiative.org/wp-content/uploads/BlueprintExecutive-DIGITAL-1.pdf>.

96 IASC (2021), 'New joint report on modern slavery and financial services': <http://www.antislaverycommissioner.co.uk/news-insights/new-joint-report-on-modern-slavery-and-financial-services/>.

factored in modern slavery risks when making investment decisions.

3.3.3 The report covers four major themes: monitoring and reporting companies' due diligence on their operations and supply chains; detecting and disrupting illicit financial flows; responsible investing and client engagement; and empowering and supporting survivors of modern slavery. In January, I wrote to 51 CEOs asking them what concrete steps they were taking, in the light of the report's findings, to address modern slavery risk internally and with their supply chains, clients and investments. I also set out the importance of setting the tone at the top of the organisation. Subsequently, I jointly held a roundtable with Themis that was attended by more than 20 CEOs and senior managers from across the sector.

3.3.4 I have received 43 responses that paint a mixed picture. I was pleased to see some CEOs pledging new initiatives in the light of the report, such as a commitment to strengthen or increase staff training or review policies and procedures. The majority of financial institutions stressed their compliance to the legislation and codes of conduct, but not all went beyond this. In the best examples, CEOs were personally involved with the anti-slavery agenda and there was a strong internal culture and strategy driven by human rights working groups and task forces that reported at board level. Some organisations were embedding the UN Guiding Principles

on Business and Human Rights<sup>97</sup> into their strategy and were also consulting with outside experts and NGOs on social risks globally. There were also examples of institutions helping survivors and vulnerable people access financial products more easily.

3.3.5 Overall, institutions gave more detail on the onboarding and vetting processes for their own supply chains, rather than their engagement with customers or investee companies. Some financial institutions failed to acknowledge the part that their investment and lending activities could play in influencing the business community at all. However, there was also good practice, with some institutions already systematically including environmental, social and corporate governance (ESG) principles in their customer research and engagement, and some innovation, including the development of bespoke social and environmental ratings frameworks. Other institutions were prioritising engagement with clients in high risk sectors, such as construction, hospitality, agriculture and healthcare. The best have engaged in ongoing dialogue with customers for some years. I was pleased to see examples of institutions increasing public disclosure of their ESG activities – including publishing annual sustainability reports.

3.3.6 I have been supporting two other initiatives that represent best practice in the investment community.

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97 United Nations Human Rights Commission (2011), 'Guiding principles on business and human rights': [https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR\\_EN.pdf](https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf).

Last year, Votes Against Slavery, a 20-strong coalition of investors led by Rathbones, targeted 22 FTSE 350 companies that were not compliant with section 54 of the Modern Slavery Act. Twenty companies complied as a direct result of the engagement. I spoke at the launch of the Rathbones report in February and am encouraged to see that the initiative continues to grow. It is now backed by 97 investors representing £7.2 trillion assets under management (AUM). I will be supporting Votes Against Slavery as it engages with more businesses this year.

3.3.7 I am also a partner of charity fund manager CCLA's Find it, Fix it, Prevent it initiative which is supported by 51 investors with £4 trillion AUM. This initiative involves direct engagement with companies, asking what they have done to find modern slavery in their supply chains, and what they have done to address the issues and remediate victims. Last year the coalition worked with the hospitality industry, and my office will continue to support the coalition as it expands into new sectors, including construction materials in 2021.

## **Encouraging the role of the public sector**

3.4.1 Public sector procurement accounts for £290 billion spend across all public bodies, including £81 billion by central government. It has a powerful role to play in driving ethical behaviour through supply chains. In response to the transparency in supply chains (TISC)

consultation, the Home Office committed to extending TISC reporting requirements to public sector bodies in England and Wales with budgets of £36 million or more. Some public bodies are already producing statements, but the quality remains variable. My office is supporting a new public sector procurement working group, convened by the Home Office Modern Slavery Unit (MSU) which aims to champion best practice and develop guidance, tools and strategies for diverse public sector organisations.

3.4.2 Last March the government published its own modern slavery statement.<sup>98</sup> As the first national government to take such a step, it set an important example, both internationally and to other public bodies in the UK. The statement focused on three severe and strategic risk areas across all ministerial departments: ICT hardware and electronics, construction, and service staff working on government sites and in its supply chains.

3.4.3 In accordance with good reporting practice, the government's statement set a number of key performance indicators (KPIs) for the year, including appointing anti-slavery advocates in each ministerial department, and ensuring that departments start their own risk assessments and also set KPIs in preparation

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98 Home Office (2020), 'Modern Slavery Statement': [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/875800/UK\\_Government\\_Modern\\_Slavery\\_Statement.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/875800/UK_Government_Modern_Slavery_Statement.pdf).

for their own statements, which are due to be published from September 2021 onwards.

3.4.4 The Modern Slavery Assessment Tool, developed by the MSU to help procurement teams engage with businesses, has been rolled out to other government departments. So far more than 1,800 companies have completed this and 67% have acknowledged the recommendations for improvement that arose from the process. Out of those participating, more than 1,000 businesses had been targeted through central government or public sector campaigns, but 809 had participated voluntarily. Meanwhile, during the last financial year, 520 public sector staff took and passed the ethical procurement e-learning module, which was developed in partnership with CIPS. This takes the number of public sector officials (from central government and arm's length bodies) that have passed the CIPS training to 1,442.<sup>99</sup>

3.4.5 These are all positive initiatives and although it is too early to assess the impact on procurement and supply chains, I am pleased that each department has now appointed an anti-slavery advocate at director level to coordinate activities and raise awareness internally, and the MSU is supporting their development with guidance and materials. The advocates will help to set the internal strategy as departments prepare their annual

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99 Data provided by the Home Office.



statements. I will continue to encourage the government to measure and monitor progress in coming months.

3.4.6 An online platform was launched in June 2020 to provide easier access for buyers across the public sector in Scotland to the national sustainable procurement tools. So far over 100 Scottish public sector bodies have registered, as well as public, third sector and private organisations in other parts of the UK and further afield. The tools have been designed to help Scottish public bodies comply with policy and legislation, and to help them identify and achieve economic, social and environmental outcomes through their procurement activity. The guidance for practical application of sustainable procurement is also on the platform enabling buyers to access information on how to take an ethical approach in their procurement activity including the consideration of human trafficking and exploitation. I welcome this initiative.

3.4.7 Over the past year, I have been encouraging the devolved governments to write their own modern slavery statements, and I am pleased to see that Wales and Scotland are developing early drafts. I continue to engage with the government in Northern Ireland, which recently embarked on a six month consultation on eradicating modern slavery from public and private sector supply chains.<sup>100</sup> The proposed changes include

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100 Northern Ireland Department of Justice (2021), 'Modern Slavery transparency in supply chains': <https://www.justice-ni.gov.uk/consultations/modern-slavery-transparency-supply-chains>.

strengthening section 54 arrangements for businesses and extending reporting requirements to the public sector, in line with the changes proposed by the UK government. I am pleased that Northern Ireland is taking this important step to align with the national strategy. A coherent approach is essential for levelling the playing field across business and the private sector.

## Labour market regulation

3.5.1 Non compliances in the labour market, such as failure to pay sick pay or meet the minimum wage threshold, are not necessarily modern slavery. However, they can create an environment where more severe forms of labour abuse are tolerated or become the norm. Recently published research illustrates how sectors that rely heavily on low skilled labour and outsourced workers, such as agriculture,<sup>101</sup> warehousing and cleaning,<sup>102</sup> could be at greater risk of creating conditions that align with the International Labour Organization's forced labour indicators.<sup>103</sup> This year, weaknesses in the system have been further magnified by the pandemic, leaving workers on zero hours contracts in an even more precarious work situation, and many of those in work complaining of a

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101 FLEX (2021), 'Assessment of the risks of human trafficking for forced labour on the UK Seasonal Workers Pilot': <https://www.labourexploitation.org/publications/assessment-risks-human-trafficking-forced-labour-uk-seasonal-workers-pilot>.

102 FLEX (2021), 'If I Could Change Anything About My Work... Participatory Research With Cleaners In The UK'.

103 International Labour Organization (2012), 'ILO indicators of Forced Labour': [https://www.ilo.org/global/topics/forced-labour/publications/WCMS\\_203832/lang--en/index.htm](https://www.ilo.org/global/topics/forced-labour/publications/WCMS_203832/lang--en/index.htm).

lack of social distancing, health and safety risks and a lack of personal protective equipment.<sup>104 105 106</sup>

3.5.2 The pandemic has created challenges for the Gangmasters and Labour Abuse Authority (GLAA) in visiting and engaging with businesses. The GLAA introduced temporary licencing in April to June to create more flexibility to meet demands in food supply chain sectors. Temporary licences had to be sponsored by existing GLAA licence holders, and labour providers were still expected to abide by all GLAA standards. Throughout the past year the GLAA has continued to deploy officers in intelligence-led operations where there was a risk of harm to individuals. Nevertheless, there was concern about the lack of visibility of vulnerable workers during the pandemic. Last summer, I chaired two meetings that brought together NGOs and the GLAA to improve the exchange of intelligence and explore the issues. Subsequently, the GLAA has continued to meet with NGOs regularly to discuss proposals for reporting concerns.

3.5.3 The GLAA has launched industry protocols for sectors where there is a high risk of labour exploitation. Businesses signing up to the protocols agree to share information that could help stop or prevent exploitation

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104 FLEX (2021), 'If I Could Change Anything About My Work... Participatory Research With Cleaners In The UK'.

105 Alison Levitt (2020): 'Independent Review into the boohoo Group PLC's Leicester supply chain'.

106 The Guardian, 'Poor conditions in meat plants fuel Covid-19 outbreaks, say unions' (22 June 2020): <https://www.theguardian.com/environment/2020/jun/22/poor-conditions-in-meat-plants-fuel-covid-19-outbreaks-say-unions>.

and pledge to raise awareness of modern slavery risks with their suppliers. There are GLAA protocols in various stages of maturity in retail, construction, apparel and soon to be launched in the hospitality sector. In total, more than 1,300 organisations have joined the protocols. The GLAA now has the challenge of continuing this engagement with diverse businesses and is consulting with industry on what direction the protocols should take. I support the proposals to develop the apparel and general merchandising protocol into a formal public private partnership to build capacity and capability.<sup>107</sup>

3.5.4 The hand car wash sector, dominated by migrant workers, has frequently been highlighted for its lack of compliance. Former Directors of Labour Market Enforcement ranked hand car washes as a sector at high risk of labour exploitation both in their 2019-2020 strategy<sup>108</sup> and in the 2018-2019 annual report.<sup>109</sup> Prior to 2004, hand car washes were virtually non-existent in the UK.<sup>110</sup> However, more recently, Nottingham Trent University estimated that there were 6,000 in operation

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107 Gangmasters and Labour Abuse Authority (2020), 'Apparel and general merchandise public private protocol': <https://www.gla.gov.uk/i-am-a/i-use-workers/apparel-and-general-merchandise-public-private-protocol/>.

108 HM Government (2021), 'UK Labour Market Enforcement Strategy 2019 to 2020: government response': <https://www.gov.uk/government/publications/labour-market-enforcement-strategy-2019-to-2020-government-response/uk-labour-market-enforcement-strategy-2019-to-2020-government-response-html-version>.

109 Director of Labour Market Enforcement (2020), 'UK Labour Market Enforcement Annual Report 2018-19': [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/898213/United\\_Kingdom\\_Labour\\_Market\\_Enforcement\\_Annual\\_Report\\_2018-19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/898213/United_Kingdom_Labour_Market_Enforcement_Annual_Report_2018-19.pdf).

110 Ian Clark and Trevor Colling, 'Work in Britain's Informal Economy: Learning from Road-Side Hand Car Washes', *British Journal of Industrial Relations* 56, no. 2 (2018).

before lockdown. Research in the sector has found widespread reports of labour violations that include working excessive hours, working without contracts or being paid below the minimum wage.<sup>111</sup>

3.5.5 Licensing has been proposed as one means of raising standards and creating a more compliant sector. As we come out of lockdown in 2021, I am supporting the next phase of the Responsible Car Wash Scheme, which has secured Home Office funding to run a new pilot in several locations. The pilot aims to build an evidence base for licensing and will be monitoring the effectiveness of law enforcement and council interventions.

3.5.6 The challenges around poor compliance, both in informal sectors and major industrial supply chains, highlight the need for a coherent enforcement strategy that tackles the full spectrum of labour abuses, from failure to pay National Minimum Wage (NMW) to severe labour exploitation. The Department for Business, Energy and Industrial Strategy and the Home Office launched a joint consultation in 2019 on the creation of a single labour market enforcement body which proposes to bring together the GLAA, Employment Agency Standards and Her Majesty's Revenue and Customs' minimum wage unit.<sup>112</sup> The response was eventually published in June

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111 University of Nottingham Rights Lab (2018), 'Labour Exploitation in Hand Car Washes': <http://www.antislaverycommissioner.co.uk/media/1238/labour-exploitation-in-hand-car-washes.pdf>.

112 Department for Business, Energy and Industrial Strategy (2019), 'Good work plan: establishing a new single enforcement body for employment rights': <https://www.gov.uk/government/consultations/good-work-plan-establishing-a-new-single-enforcement-body-for-employment-rights>.

2021.<sup>113</sup> However, it was disappointing that there was nothing in the most recent Queen's Speech to suggest that there will be consequent legislation in the next session of parliament meaning that any change is likely to be in the distant future.

## Raising public awareness

3.6.1 Consumers have a powerful role to play in the fight against modern slavery, but due to a lack of awareness, understanding or motivation, this potential is yet to be realised. Over the past year, NGO-led research<sup>114 115</sup> has triggered national media coverage of labour exploitation in Leicester garment factories<sup>116</sup> and the Scottish farming sector.<sup>117</sup> Internationally, there have also been high profile campaigns on the plight of the Uyghurs and other Turkic and Muslim majority peoples in the Xinjiang Uyghur Autonomous Region.<sup>118</sup> Despite this, a lack of ongoing data on public attitudes makes it difficult to gauge whether these stories are creating a lasting impression to public awareness, and even less whether

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113 HM Government (2021), 'Good work plan: establishing a new single enforcement body for employment rights': <https://www.gov.uk/government/consultations/good-work-plan-establishing-a-new-single-enforcement-body-for-employment-rights>.

114 Labour Behind the Label (2020), 'Boohoo and Covid 19': <https://labourbehindthelabel.net/wp-content/uploads/2020/06/LBL-Boohoo-WEB.pdf>.

115 FLEX (2021), 'Assessment of the risks of human trafficking for forced labour on the UK Seasonal Workers Pilot'.

116 Financial Times, 'Leicester labour abuse leads to call for tougher investigating powers' (17 July 2020).

117 Financial Times, 'Brexit: the low paid workers "trapped" on British farms' (16 March 2021).

118 Evening Standard, 'Adidas, Nike, Zara and Amazon among western brands facing pressure over China Uighur ties' (25 September 2020): <https://www.standard.co.uk/news/world/uighur-china-forced-labour-brands-amazon-nike-zara-adidas-pressure-a4506301.html>.

they are influencing individual purchasing decisions. In September, in a financial analysis commentary The Times concluded that the negative coverage of boohoo had not “caused long-term damage with consumers”.<sup>119</sup> This, in turn, was positively influencing investment into the company.

3.6.2 The Independent Review of the Modern Slavery Act recommended that research be carried out into how consumer attitudes can be influenced.<sup>120</sup> My office proposed work on consumer attitudes to the Modern Slavery and Human Rights Policy and Evidence Centre (Modern Slavery PEC) to further earlier research undertaken by Royal Holloway University of London, the University of Melbourne and the University of Glasgow. The Modern Slavery PEC has since commissioned a project by those universities. This research explores whether consumers could have a greater role to play in holding business to account for preventing modern slavery in their operations and is assessing the factors underpinning the gaps between consumer attitudes, intentions and actual consumption behaviour. We are in contact with the researchers and I look forward to promulgating the findings.

3.6.3 I believe that an essential part of my role is to raise awareness through public speaking and I have presented at over 80 events in the last year. The events are recorded at pages 58 – 62. Most were focused on

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119 The Times, ‘Boohoo investors smiling again after slavery row’ (24 September 2020).

120 Field et al. (2019), ‘Independent Review of the Modern Slavery Act 2015: Final Report’.

modern slavery but some have been about the economic and social drivers that can contribute to it. For example, I chaired the Ditchley Foundation's New Economic Insecurity virtual conference which brought together academics, policy experts and influencers from around the world to explore how the pandemic has increased economic insecurity globally, leaving the most vulnerable at greater risk.

3.6.4 NGOs and other organisations play a valuable role in raising awareness of modern slavery. I supported the Clewer Initiative's online course for Lent (Women in the Shadows),<sup>121</sup> the Crimestoppers #SlaveryOnYourDoorstep campaign<sup>122</sup> and Police Scotland's #EndLabourExploitation media campaign.<sup>123</sup> The week around Anti-Slavery Day in October is always a particular focus and I supported events organised by Hestia, the University of Liverpool, Justice in Motion and the International Justice Mission.

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121 Clewer Initiative (2021), 'Women in the shadows online course for Lent': <https://www.theclewerinitiative.org/womenintheshadows>.

122 Crimestoppers (2021), '#Slavery on Your Doorstep campaign': <https://crimestoppers-uk.org/campaigns-media/campaigns/modern-slavery-how-you-can-make-a-difference>.

123 Police Scotland (2021), '#End labour exploitation media campaign': <https://endlabourexploitation.co.uk/about/>.



# Priority 4: Getting value from research and innovation

4.1.1 Over the past year I have sought to encourage research that will improve the evidence base on modern slavery and I have used my convening power as Commissioner to help bridge the gap between research, policy and practice. Relevant and timely research is needed to inform policy and practice, with practitioner evidence and survivor views embedded in these dialogues.

4.1.2 I have a statutory remit to undertake or support the carrying out of research that facilitates my functions as Commissioner. My office does not have the resource to produce research so instead I have established a number of research partnerships and I am supporting many promising projects. This activity reflects a set of research priorities on modern slavery which I have developed this year.

4.1.3 There is a need for agile research which responds to the key challenges but there is also a need for effective knowledge consolidation which synthesises existing and emerging evidence. This is essential to bring together research findings and to understand what works in modern slavery interventions. The Modern Slavery PEC has an important role as a knowledge broker and I will continue to work with the Modern Slavery PEC to encourage such an approach.

## Defining the scale of the problem

4.2.1 There have been various attempts to assess the prevalence of modern slavery in the UK and globally using different definitions and methodologies. The Home Office estimated the number of potential victims at 10,000 to 13,000 in 2013.<sup>124</sup> In 2018 the Home Office stated that improving evidence about the scale and nature of modern slavery is a priority for the government, however little progress has been made to update the 2013 estimate.<sup>125</sup> Understanding the scale and nature of child trafficking in the UK has been recognised as a research priority by the Home Office,<sup>126</sup> the Modern Slavery PEC<sup>127</sup> and many other organisations across the sector. I was pleased to support ECPAT UK's child trafficking snapshot report, which highlighted the growing number of child trafficking victims in the UK.<sup>128</sup> My office has agreed to co-produce these reports from now on and I look forward to building on this good work.

4.2.2 The National Data Analytics Solution (NDAS) previously briefed me on the use of advanced data analytics to support police to identify cases of modern

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124 Home Office (2014), 'Modern Slavery: an application of multiple systems estimation': <https://www.gov.uk/government/publications/modern-slavery-an-application-of-multiple-systems-estimation>.

125 Home Office (2018), '2018 UK Annual Report on Modern Slavery': <https://www.gov.uk/government/publications/2018-uk-annual-report-on-modern-slavery>.

126 Home Office (2018), '2018 UK Annual Report on Modern Slavery'.

127 Modern Slavery and Human Rights Policy and Evidence Centre (2021), 'Consultation on the Modern Slavery PEC's research priorities': <https://modernslaverypec.org/assets/downloads/Research-consultation-report-final.pdf>.

128 Every Child Protected Against Trafficking UK (2020), 'Child trafficking in the UK 2020: A snapshot': <https://www.ecpat.org.uk/child-trafficking-in-the-uk-2020-snapshot>.

slavery and to develop a new prevalence estimate. The methodology was used to estimate prevalence in one police force area which was extrapolated to produce a national estimate of 100,000 potential victims as reported by the Centre for Social Justice in a recent report.<sup>129</sup> Whilst the approach requires validation, I welcome innovation in this space and will monitor the NDAS work closely.

4.2.3 I recognise the challenges in assessing the scale and nature of a phenomenon which exists across a spectrum of exploitation. Methodologies underpinning prevalence estimates must be robustly scrutinised and rooted in data. Overall there has been a modest amount of activity to improve understanding of prevalence but we need to go further to ensure that policymaking, public perception and media reporting is informed by the evidence.

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129 Centre for Social Justice (2020), 'It still happens here: Fighting UK slavery in the 2020s': <https://www.centreforsocialjustice.org.uk/library/it-still-happens-here-fighting-uk-slavery-in-the-2020s>.

## Developing strategic partnerships

4.3.1 My office is supporting a number of research projects, providing in-kind support and encouraging academics to consider the policy impact of research as recommended by my review published last year with the UK Research and Innovation Partnership for Conflict, Crime and Security Research.<sup>130</sup> I will be holding a conference to examine the issues raised in the review such as how to measure the policy impact of research later this year.

4.3.2 I frequently receive requests for interviews and other forms of support for academic research and have set up a portal on my website to record and respond to requests. This sets out my focus on research for impact as well as the importance of joining up research efforts. I have agreed to support a range of initiatives submitted through an online form hosted on the portal and have built a diverse network of hundreds of researchers from academia as well as from think tanks and civil society organisations.<sup>131</sup>

4.3.3 This activity complements a number of existing research partnerships such as my support for a University of Manchester research project on modern

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130 IASC and Partnership for Conflict, Crime and Security Research (2020): 'Preparing for Impact - How we can overcome barriers and cultivate a culture of collaboration, understanding, and respect to achieve impact on survivor support': <http://www.antislaverycommissioner.co.uk/media/1433/iasc-review-preparing-for-impact-july-2020.pdf>.

131 See 'Online Form: Research Requests to the Independent Anti-Slavery Commissioner': <https://www.antislaverycommissioner.co.uk/contact-us/>.

slavery perpetrators. I have offered to provide support to 12 ongoing and proposed research projects as a policy stakeholder and have also explored opportunities to commission or influence research through student placements in my office. I have set out the ways in which I am able to provide in-kind research support on my website which typically involves feedback on research aims and methodology, participation in stakeholder working groups, support with convening roundtables or events, making requests for data and supporting dissemination of research outputs.

4.3.4 I continue to support inter-disciplinary work across the UK by universities and consortia including the Scottish Institute for Policing Research (SIPR) and the Consortium for Anti-Trafficking Research in Scotland (CATRiS). CATRiS held an encouraging first conference in 2019 with researchers and policymakers although has been unable to sustain funding for its activities despite significant resources dedicated to modern slavery research in recent years. I will continue to advocate for this partnership-led consortium which seeks to collaboratively tackle human trafficking using an evidence-based approach.

4.3.5 Since my appointment I have supported the important work undertaken by the University of Nottingham Rights Lab. In addition to quarterly meetings on Rights Lab current and forthcoming research, my office and the Rights Lab have agreed a protocol on designing a collaborative approach to research and

innovation. The protocol has been published on my website and aims to develop a more structured approach to collaborate on emergent research which aims to improve the evidence base and which aligns with my strategic priorities.<sup>132</sup> The first collaborative project was a rapid piece of research examining the benefits of work for survivors of modern slavery and the harms caused by not working. We have recently initiated a series of meetings between researchers at the Rights Lab and my wider team to facilitate early conversations on emergent research and policy needs.

4.3.6 Last year I was appointed Honorary Professor in Modern Slavery at the University of Liverpool and I have been working to support the activities of the Centre for the Study of International Slavery (CSIS) and Liverpool's International Slavery Museum.<sup>133</sup> In October I spoke in an online international forum hosted by CSIS on eradicating modern slavery, which was my inaugural event as Honorary Professor and which was opened by the University of Liverpool's Vice Chancellor Dame Janet Beer.<sup>134</sup> I am supporting a range of activities with CSIS including research to scope museum heritage agendas and exhibitions on modern slavery. My office continues

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132 See 'Designing a collaborative approach to research and innovation': <https://www.antislaverycommissioner.co.uk/media/1581/iasc-and-rights-lab-collaborating-on-research-and-innovation.pdf>.

133 University of Liverpool (2020), 'UK's Independent Anti-Slavery Commissioner appointed Honorary Professor in Modern Slavery': <https://news.liverpool.ac.uk/2020/07/02/uks-independent-anti-slavery-commissioner-appointed-honorary-professor-in-modern-slavery/>.

134 The debate can be viewed online: <https://www.liverpool.ac.uk/humanities-and-social-sciences/research/research-themes/slavery-unfree-labour/slavery-theme-news/>.

to support the International Slavery Museum to curate an exhibition on contemporary forms of slavery and I presented opening remarks at a conference hosted by Wisbech and Fenland Museum on their Articles for Change project. These initiatives provide an important opportunity to raise public awareness and to represent survivor views and experiences.

4.3.7 I am convinced that practitioners best understand what works to support survivors. Evidence from practice-based research and evaluations must be shared in an accessible way with other practitioners and with researchers and policymakers. I commissioned research by the Bakhita Centre at St Mary's University which examined the role that practice-based research can play in policy development and survivor support.<sup>135</sup> I gave the keynote address at the re-launch of the Bakhita Centre (formerly the Centre for the Study of Modern Slavery) where this research was discussed and will participate in a conference hosted by the Bakhita Centre on their work in October.

4.3.8 I am looking forward to developing thinking on sharing best practice which will be explored at a conference held at Cumberland Lodge later this year on practitioner evidence and child trafficking interventions. My office will run a call for evidence ahead of the conference which will examine the role of practitioner

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135 Ruth Van Dyke with Anta Brachou, St Mary's University Twickenham (2021), 'What Looks Promising for Tackling Modern Slavery: A review of practice-based research': <https://www.stmarys.ac.uk/research/centres/bakhita/docs/modern-slavery-report-what-looks-promising-a4-brochure-21-031-feb21-proof-2.pdf>.

evidence in informing and improving child trafficking policy and practice in the UK.

4.3.9 I have been encouraged by the critical insight demonstrated by the research community as they seek to tackle the complexities of modern slavery and have welcomed the opportunity to engage with academics and experts through programmes and events over the past year. In February I presented a webinar at Durham University on the scale and nature of modern slavery in the UK. Later that month I took part in a panel discussion on modern slavery hosted by the Bonavero Institute of Human Rights which formed part of a three-part public seminar series on the past and present of slavery.<sup>136</sup> In March I was delighted to present the Frank Dawtry Memorial Lecture 2021 hosted by the University of Leeds on the subject of policing modern slavery.<sup>137</sup> I am also sponsoring two members of my office to undertake the University of Cambridge MSt in Applied Criminology and Police Management which will enable my office to undertake evidence-based research on modern slavery with the support of the Cambridge Institute of Criminology.

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136 University of Oxford Faculty of Law (2021), 'Panel Discussion: Modern Slavery': <https://www.law.ox.ac.uk/events/panel-discussion-modern-slavery>.

137 IASC (2021), Frank Dawtry Memorial Lecture 2021 slides: <https://www.antislaverycommissioner.co.uk/media/1583/iasc-frank-dawtry-lecture-12-march-2021.pdf>.



## Defining research priorities

4.4.1 I have developed a series of research priorities to address the most pressing research needs which builds on my ambition to establish a set of 'grand challenges' for the research community. These research priorities reflect my strategic priorities and are published on my website and at Appendix D.

4.4.2 More data on modern slavery should be made available to inform the work of academics, civil society and businesses and to enable public scrutiny of the issues and trends. The term modern slavery encompasses many forms of exploitation and there is a need to better understand the nature of exploitation in all its forms to generate evidence-based interventions. While I welcome the disaggregation of criminal exploitation data from the broader labour exploitation category there is still a need to provide further information on the sub-categories of exploitation. We also need more detailed geographic information and breakdown of ethnicity data across all categories.

4.4.3 Academics are increasingly recognising the value of incorporating the expertise of survivors within research design as well as facilitating survivor input into research practice and participation. Participatory action research by FLEX looking at the experiences and drivers of labour exploitation in high-risk sectors<sup>138</sup> and by the Rights Lab on the journeys and experiences of survivors of modern slavery in the UK outside of the NRM<sup>139</sup> are examples of good practice in this space. These efforts must be supported to reflect the diversity of survivor views and experiences.

4.4.4 I have supported the Modern Slavery PEC as a member of its advisory group and through monthly meetings between my office and the PEC core team. I gave keynote addresses at the PEC's first two major conferences last year. The first was a global conference held online in partnership with the Commonwealth Parliamentary Association UK (CPA UK) to launch the PEC's work, and the second was an online conference to mark Anti-Slavery Day in October focused on collaborating in modern slavery research. My office supported a consultation on the PEC research priorities and I chaired a roundtable as part of this consultation on business and public sector supply chains. My office has supported the work of the PEC as the organisation has

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138 FLEX (2021), 'Experts by Experience: Conducting Feminist Participatory Action Research with Workers in High-Risk Sectors': <https://www.labourexploitation.org/publications/experts-experience-conducting-feminist-participatory-action-research-workers-high-risk>.

139 Forthcoming research. See: <https://www.nottingham.ac.uk/research/beacons-of-excellence/rights-lab/research-projects/pathways-through-liberation-revealing-survivors-support-journeys-outside-of-the-uk-national-referral-mechanism.aspx>.

developed its strategy and become operational. I have discussed a possible memorandum of understanding with the PEC setting out how I would work with the PEC in pursuit of my statutory remit to support research relevant to my functions as Commissioner. I hope to establish effective ways of collaborating on research where there is joint interest.

## Maximising government investment

4.5.1 Independent evaluation of UK government spend is crucial to deliver value for money and ensure there is a relentless focus on what works to deliver effective change. The Independent Commission for Aid Impact (ICAI) published an important review of the UK's approach to tackling modern slavery through £200 million UK aid programming.<sup>140</sup> I met with the ICAI Commissioner Sir Hugh Bayley as part of the process and my office regularly engaged with the ICAI Secretariat as it conducted the review. The review recommended that UK government departments should take a more systematic approach to filling knowledge and evidence gaps on modern slavery and draw on survivor voices to develop effective programming reflecting lived experiences. I hope that these recommendations help to support an

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140 Independent Commission for Aid Impact (ICAI) (2020), 'The UK's approach to tackling modern slavery through the aid programme': <https://icai.independent.gov.uk/report/the-uks-approach-to-tackling-modern-slavery-through-the-aid-programme/>.

evidence-based and survivor informed aid portfolio that achieves long-term impact to tackle modern slavery.<sup>141</sup>

4.5.2 My office peer reviewed a Home Office evaluation of a pilot in six local authority areas to support victims to transition out of NRM support. The evaluation did not measure the impact of the pilots on outcomes for victims and overall, the recommendations did not go far enough to instil changes in policy and practice and overcome these barriers for the recovery of survivors. The Ministry of Housing, Communities and Local Government provided significant funding for the pilot sites which ranged between £155,000 and £196,000. Independent evaluation of government programming is essential to provide robust challenge and inform better policymaking and outcomes.

4.5.3 The Modern Slavery PEC has £10 million UK Research and Innovation funding over five years until the end of the financial year 2023/2024. This is a substantial investment and provides a huge opportunity to influence change in law, policy and practice and to do this in innovative ways, through new collaborations and making knowledge accessible to the wider public. I have encouraged the PEC to seize the opportunity and undertake significant cross-cutting research able to provide a strategic research response to the challenges of tackling modern slavery which would not be possible

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141 IASC (2020), 'ICAI publish review - the UK's approach to tackling modern slavery through the aid budget': <https://www.antislaverycommissioner.co.uk/news-insights/icai-publish-review-the-uks-approach-to-tackling-modern-slavery-through-the-aid-budget/>.

without its substantial endowment. Whilst the PEC's vision, mission and objectives are bold there is a risk that a proliferation of small-scale research projects will not be able to generate lasting policy change.

# International

5.1.1 Although my remit is predominantly domestic, the inherently global nature of modern slavery inevitably results in my work having international dimensions. Many victims and survivors identified in the UK are foreign nationals, exploited during the course of their search for a better future. Goods and services in the UK are linked to global supply chains and many criminal investigations span international borders. Effective prevention begins with building resilience in countries of origin; I therefore have an interest in the role of official development assistance in tackling modern slavery.

5.1.2 I am also concerned about the devastating effect of the pandemic globally. Widespread job losses, closure of regular migration pathways and reduced scrutiny of labour standards increase vulnerability to modern slavery. Those working in the informal economy have been hit hard by lockdown measures and the garment industry saw mass layoffs as brands cancelled orders and factories closed. People already in situations of exploitation have experienced delays in accessing criminal justice and difficulties in accessing protection and rehabilitation services. The pandemic has also had a devastating impact on organisations supporting victims and survivors. Many have lost significant amounts of funding, lockdowns have limited their ability to conduct

outreach work and prevention programmes have been severely disrupted.<sup>142</sup>

5.1.3 The UK has demonstrated considerable leadership on modern slavery internationally. In 2017 the Prime Minister, Theresa May, launched a Call to Action to end forced labour, modern slavery and human trafficking.<sup>143</sup> The call, to which over 90 countries have now signed up, outlined practical actions that countries can take to achieve Sustainable Development Goal 8.7. In 2018 the government also committed to allocate £200 million in UK aid fighting modern slavery.<sup>144</sup> I am, however, concerned about the impact of cuts to the UK aid budget and recently wrote to the Foreign Secretary to reiterate the importance of the UK's continued international leadership on modern slavery.<sup>145</sup>

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142 Global Policy Journal (2020), 'The Effects of Covid-19 on Migration and Modern Slavery': <https://www.globalpolicyjournal.com/blog/09/10/2020/effects-covid-19-migration-and-modern-slavery>.

143 Department for International Development and the Prime Minister's Office (2017), 'A Call to Action to End Forced Labour, Modern Slavery and Human Trafficking': <https://www.gov.uk/government/publications/a-call-to-action-to-end-forced-labour-modern-slavery-and-human-trafficking>.

144 ICAI (2020), 'The UK's Approach to Tackling Modern Slavery Through the Aid Programme'.

145 IASC (2021), 'Letter to the Rt Hon Dominic Raab MP': <http://www.antislaverycommissioner.co.uk/media/1575/iasc-letter-to-foreign-secretary-dominic-raab-mp-february-2021.pdf>.

A recent Foreign, Commonwealth and Development Office (FCDO) commissioned report by the United Nations University also clearly articulates how tackling modern slavery contributes to sustainable development by protecting and maximising people's economic agency.<sup>146</sup> This important research seeks to provide a conceptual and programming approach to more effective development sector engagement with the anti-slavery agenda and I hope that it will tangibly inform government's future efforts.

5.1.4 The government's work to combat modern slavery involves cross-government efforts from a range of departments and agencies including the Home Office, FCDO, Department for Business, Energy and Industrial Strategy, Border Force, Immigration Enforcement International and the NCA. In October 2019 the government appointed Jennifer Townson as Migration and Modern Slavery Envoy, with whom I have regular and constructive engagement. Based within the FCDO, the Envoy's role is to represent the UK in a range of bilateral and multilateral discussions in support of the government's international modern slavery objectives. I meet quarterly with the Home Office and FCDO to discuss priorities and current workstreams. I was pleased to participate in a constructive challenge session to help shape prioritisation criteria, metrics and where and how the UK can have the most impact.

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146 United Nations University (2021), 'Developing Freedom: The Sustainable Development Case for Ending Modern Slavery, Forced Labour and Human Trafficking': <https://www.developingfreedom.org/>.



5.1.5 The Integrated Review 2021 sets out the government's vision for the UK's role in the world over the next decade and the action that will be taken to 2025. In response to the call for evidence, I set out my desire that opportunities and vulnerabilities relating to modern slavery be considered in the government's broader position. The review reflects a renewed commitment to the UK as a force for good in the world, with a focus on supporting open societies and defending human rights. It is important that the Global Britain agenda carefully considers modern slavery risks. I am pleased that, in discussing resilience and migration, there is a specific commitment to protecting the most vulnerable, including by offering support to victims of modern slavery and human trafficking.<sup>147</sup> It is vital that this intent translates into effective policy and action.

## The impact of immigration policy on modern slavery

5.2.1 With the end of free movement for EU nationals and introduction of a new immigration system, the UK is experiencing a period of profound change. My concern is where immigration policy has the potential to create or impact on vulnerability to exploitation. We know that traffickers are swift to adapt and will seek to abuse new

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147 HM Government (2021) 'Global Britain in a Competitive Age: The Integrated Review of Security, Defence, Development and Foreign Policy': [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/975077/Global\\_Britain\\_in\\_a\\_Competitive\\_Age- the Integrated Review of Security Defence Development and Foreign Policy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/975077/Global_Britain_in_a_Competitive_Age- the Integrated Review of Security Defence Development and Foreign Policy.pdf).

arrangements. I have therefore been clear with ministers and government officials that the new immigration system must be stress-tested against this, and that protecting the vulnerable must be at the forefront of the debate. In September 2020 the Migration Observatory published a report on which EU citizens are at risk of failing to secure their rights post-EU Exit, highlighting the potential challenges faced by victims of modern slavery.<sup>148</sup> A recent report by the Resolution Foundation set out the significant impact migrant workers have had on the UK labour force over the past two decades, disproportionately taking less attractive jobs in the economy. Workforce shortages are therefore likely to be first observed in sectors employing a higher-than average proportion of EU-born workers, in roles that don't qualify for a skilled worker visa, with above average turnover.<sup>149</sup>

5.2.2 In January 2021 my office published a briefing outlining key concerns regarding the EU Settlement Scheme (EUSS) and the UK's new points-based immigration system that I had raised with ministers and government officials during 2020. There are concerns that certain vulnerable communities are still not aware of the need to apply to the EUSS and may therefore miss the deadline for applications. For those who have been granted pre-settled rather than settled status, they

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148 Migration Observatory (2020) 'Unsettled Status – 2020: Which EU Citizens are at Risk of Failing to Secure their Rights after Brexit': <https://migrationobservatory.ox.ac.uk/resources/reports/unsettled-status-2020/>.

149 Resolution Foundation (2020) 'Home and Away – the UK Labour Market in a Post-Brexit World': <https://www.resolutionfoundation.org/app/uploads/2020/12/Home-and-away.pdf>.

also need to be made aware of the need to convert this to settled status following five years' continuous residency. The circumstances for many victims of modern slavery will be extremely complex and they may need specialist support to navigate the system and evidence eligibility. Those with pre-settled status may not have clear recourse to public funds and some victims may have criminal convictions linked to their exploitation. It is essential that guidance is clear and that communication around the scheme takes account of language needs, literacy levels and digital poverty for this particularly vulnerable group. The Home Office helpfully provided me with clarification on the position in respect of several key concerns, which I was able to share with the sector. I have also written to MSVCC sub-contractors to encourage them to look at how raising awareness of the EUSS among clients in their service is operating in practice. My office continues to engage with the Home Office on these important issues.

5.2.3 When considering the potential impact of the new points-based system, the biggest risks appear to be around the continued demand for low skilled labour. In the absence of low skilled labour routes, there is a real risk that the visitor route could increasingly be used to facilitate entry of those intending to work informally and who may be at risk of exploitation. EU nationals, upon whom certain sectors of the economy have been highly reliant, will not require a visit visa and can use the e-Passport gates, limiting opportunities to identify

vulnerability. Ongoing monitoring of this route is key. There are also potential risks with the new skilled worker route. For example, high costs for both employers and individuals may increase the risk of debt bondage and therefore compulsion.

5.2.4 I have raised with the Home Office three important areas relevant to reducing these risks. Firstly, quality and compliance of sponsors under the new points-based system is vital. Steps must be taken to ensure not only that individuals are paid the correct amount, but that employers aren't able to reclaim money or pass on costs to individuals. Secondly, effective labour market enforcement is more important than ever. Certain sectors will be disproportionately impacted and trends in exploitation and changes to the labour market must be closely monitored. Resourcing for more inspection and enforcement requires careful consideration. Finally, communication of migrant workers' rights is crucial. I will continue to raise these issues and other concerns that emerge as processes are embedded.

5.2.5 I have also raised with the Home Secretary my concerns regarding the new immigration rules which make rough sleeping grounds for cancelling or refusing permission to stay in the UK for non-UK nationals.<sup>150</sup> Her response emphasised that these rules will be used sparingly and only as a last resort where individuals have

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150 IASC (2020), exchange of letters with the Rt Hon Priti Patel MP: <http://www.antislaverycommissioner.co.uk/media/1559/iasc-exchange-of-letters-with-priti-patel-mp-home-secretary-january-2021.pdf>.

engaged in persistent anti-social behaviour and have refused all other support that is offered to them. Whilst this may be the case, the fear of the rules being enforced remain and may become a barrier to individuals seeking support, or alternatively, may be used by traffickers as a recruitment tool. Several reports have highlighted the existing risks of modern slavery for homeless people and I will be closely monitoring the impact of this change.<sup>151 152</sup>

5.2.6 Whilst the pandemic has severely disrupted international travel, the number of people arriving on small boats has significantly increased. In 2018, 299 people crossed the Channel using small boats. In 2019 the number was 1,844 and in 2020 the number increased to at least 8,200.<sup>153</sup> In October 2020, I visited Kent Intake Unit (KIU) at Dover and whilst there was a clear focus on preventing loss of life, I had concerns as to whether enough questions were being asked to identify both potential victims of trafficking and traffickers among those arriving on small boats. My office subsequently met with a number of organisations supporting individuals in such circumstances. Early on in the pandemic the Home Office made a decision to conduct abridged asylum screening interviews. A subsequent High Court case, DA

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151 The Passage (2017), 'Understanding and Responding to Homelessness Within the Modern Slavery Sector': <https://passage.org.uk/wp-content/uploads/2020/05/understanding-and-responding-to-modern-slavery-within-the-homelessness-sector.pdf>.

152 Hestia (2019), 'Underground Lives: Homelessness and Modern Slavery in London': <https://www.hestia.org/Handlers/Download.ashx?IDMF=7c01ce39-fded-468f-bca3-6163ed16844e>.

153 House of Commons Home Affairs Committee (2020), 'Oral Evidence: Channel Crossings, Migration, and Asylum-Seeking Routes Through the EU': <https://committees.parliament.uk/oralevidence/1310/pdf/>.

& Ors v Secretary of State for the Home Department, reflected the omission of questions about an individual's journey relevant to the detection of potential victims of trafficking. In line with interim relief granted in November 2020, the relevant questions have been returned to the asylum screening questionnaire and the asylum screening guidance updated to include these as minimum requirements where contingency processes are being followed.<sup>154 155</sup> There are, however, other important opportunities to identify potential victims during the various stages of an individual's journey from the KIU to initial asylum accommodation. I am also acutely aware of concerns regarding the suitability of initial asylum accommodation, and particularly the use of military barracks. In November 2020 organisations representing medical professionals and patients wrote to the Home Secretary and Secretary of State for Health and Social Care setting out their concerns. This included reference to the unsuitability of such accommodation for survivors of trafficking.<sup>156</sup>

### 5.2.7 I have met separately with the Director General, HM Passport Office and UK Visas and Immigration

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154 Abi Tierney, Director General HM Passport Office and UK Visas and Immigration (2021) letter to Rt Hon Yvette Cooper, Chair, Home Affairs Select Committee: <https://committees.parliament.uk/publications/4359/documents/44295/default/>.

155 Home Office (2020), 'Asylum Screening and Routing Guidance V6.0': [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/967262/screening-and-routing-v6.0ext.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/967262/screening-and-routing-v6.0ext.pdf).

156 Organisations representing medical professionals and patients (2020) letter to the Rt Hon Priti Patel MP and the Rt Hon Matt Hancock: [https://www.doctorsoftheworld.org.uk/wp-content/uploads/2020/11/Letter-on-the-use-of-MoD-sites-as-accommodation\\_26.11.2020.pdf](https://www.doctorsoftheworld.org.uk/wp-content/uploads/2020/11/Letter-on-the-use-of-MoD-sites-as-accommodation_26.11.2020.pdf).

and the Minister for Immigration, Compliance and the Courts to discuss my concerns. I have challenged how the Home Office made the decision to conduct abridged asylum screening interviews. Whilst I understand the unprecedented difficulties posed by the pandemic, I have strongly emphasised that such policy changes need to be considered in the broader context of vulnerability. I have been assured that NRM referrals are being made by KIU, however, I am still trying to confirm exact numbers. I have requested data on referrals linked to both small boats and clandestine entry from the SCA. I also understand the significant challenges in accommodating asylum seekers during a pandemic. I am, however, concerned by findings from site visits undertaken by ICIBI and Her Majesty's Inspectorate of Prisons at Penally Camp and Napier Barracks in February 2021. There have been clear public health issues surrounding cramped and communal accommodation. But I am also troubled by findings that the Home Office has been slow to recognise the impact of prolonged isolation in accommodation that was not designed for long-term stays.<sup>157</sup>

5.2.8 The New Plan for Immigration sets out the government's intentions to significantly reform the asylum system and tackle illegal migration.<sup>158</sup> Aside from the

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157 ICIBI (2021), 'An Inspection of the Use of Contingency Asylum Accommodation – Key Findings From Site Visits to Penally Camp and Napier Barracks': <https://www.gov.uk/government/news/an-inspection-of-the-use-of-contingency-asylum-accommodation-key-findings-from-site-visits-to-penally-camp-and-napier-barracks>.

158 Home Office (2021), 'New Plan for Immigration': [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/972517/CCS207\\_CCS0820091708-001\\_Sovereign\\_Borders\\_Web\\_Accessible.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/972517/CCS207_CCS0820091708-001_Sovereign_Borders_Web_Accessible.pdf).

plans specifically aimed at supporting victims of modern slavery, the proposed asylum reforms have the potential to impact victims and survivors. Whilst those applying via new legal pathways will be granted the right to remain indefinitely, proposals will also make it easier to remove those crossing the Channel in small boats or arriving clandestinely in lorries. Under the new proposals, most people who are inadmissible but cannot be returned to their country of origin will be granted a temporary protection status with less generous entitlements. I have already raised the importance of consistent triaging and identification of potential victims among these cohorts. We must be certain that the introduction of new policy and legislation does not negatively impact on identification of potential victims or increase vulnerability to exploitation. I have outlined my position in response to the government's consultation on the New Plan for Immigration and will be closely monitoring the impact of new policies as they are introduced.<sup>159</sup>

5.2.9 In my last annual report I noted ongoing concerns about the government's lack of progress in implementing the recommendations from James Ewins QC's 'Independent Review of the Overseas Domestic Worker Visa', which was published in 2015. Specifically, I was concerned that information sessions for overseas domestic workers had still not been implemented. The government is now considering significant reform of the

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159 IASC (2021), 'Letter to Rt Hon Priti Patel, Home Secretary': [iasc-letter-to-home-secretary-priti-patel-mp-may-2021.pdf](https://www.iasc.org.uk/letter-to-home-secretary-priti-patel-mp-may-2021.pdf).



route and I have written to the Minister for Future Borders and Immigration, seeking an update on plans for reform and the position with respect to information sessions in light of this. It is vital that protecting the vulnerable is central to further policy development in this area and I have urged the Home Office to engage with organisations supporting migrant domestic workers.

5.2.10 Following media reporting and discussions with policy advisors in Downing Street, my office has also explored concerns regarding potential links between Tier 4 student visas and trafficking. I wrote to the Boarding Schools Association, the Independent Schools Council, the Association for Education and Guardianship of International Students and the Independent Schools' Bursars Association. I wanted to encourage schools to be vigilant, but also to acknowledge existing good practice in the sector. My office has since had positive engagement with each of these bodies and I have been encouraged by the sector's commitment to safeguarding and developing understanding of modern slavery. Discussions identified several concerns that extend beyond my statutory remit, namely absence of statutory regulation of guardians for international students and lack of cross-Whitehall coordination. I have raised these concerns with the Secretary of State for Education.<sup>160</sup>

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160 IASC (2020), 'Letter to the Rt Hon Gavin Williamson CBE MP': <http://www.antislaverycommissioner.co.uk/media/1544/iasc-exchange-of-letters-with-gavin-williamson-mp-august-november.pdf>.

# International trade and human rights

5.3.1 In 2017 the Joint Committee on Human Rights encouraged the government to use EU Exit as an opportunity to set higher human rights standards in future trade agreements.<sup>161</sup> In September 2020 I wrote to the Secretary of State for International Trade and President of the Board of Trade to emphasise the importance of this.<sup>162</sup> The UK has produced a National Action Plan to implement the UN Guiding Principles for Business and Human Rights and this is an opportune moment to reflect on principle 9, which includes specific reference to states' obligations to protect human rights when pursuing economic agreements with other states.<sup>163</sup>

5.3.2 I have also closely monitored developments in relation to human rights abuses in the Xinjiang Uyghur Autonomous Region. I welcome the measures announced by government in January 2021 to help ensure that British organisations are not complicit in, nor profiting from, human rights violations. Businesses need to be held to account, but we also need to recognise the significant challenges in conducting due diligence in this

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161 Joint Committee on Human Rights (2017) 'Human Rights and Business 2017: Promoting Responsibility and Ensuring Accountability': <https://publications.parliament.uk/pa/jt201617/jtselect/jtrights/443/443.pdf>.

162 IASC (2020), exchange of letters with the Rt Hon Liz Truss MP: <http://www.antislaverycommissioner.co.uk/media/1557/iasc-exchange-of-letters-with-liz-truss-mp-secretary-of-state-for-international-trade-october-2020.pdf>.

163 United Nations Human Rights Commission (2011), 'Guiding Principles on Business and Human Rights'.

region. There are also other locations across the world where business is not able to exercise the level of due diligence required. I am persuaded that there is a role for government in supporting and advocating for businesses when they are operating in difficult environments. There are examples of brands working collectively and putting pressure on governments, for example, the unpaid wages during the pandemic in Sri Lanka. But when the exploitation appears to be state sponsored, I support the desire for government to be more engaged. It is agreed that tackling supply chain abuses in the UK is greatly assisted when business collaborates in a pre-competitive space. As the UK builds up international trade, I would hope the potential for government to support information sharing to tackle supply chain abuse will be explored.

## Engagement with international fora

5.4.1 Over the last year I have engaged with a range of overseas and multilateral organisations.

I have had positive engagement with the OSCE and participated in two important events. I presented on good practice in prevention, protection and prosecution in the context of the pandemic at the OSCE annual meeting of national coordinators and rapporteurs in November 2020. My office presented on good practice and challenges in implementation of the NRM at a roundtable to support updates to Uzbekistan's NRM. The Migration and Modern Slavery Envoy and I also met jointly with the OSCE

## Special Representative and Co-ordinator for Combatting Trafficking in Human Beings, Valiant Richey.

5.4.2 I have placed significant emphasis on the role of the financial sector in tackling modern slavery, both domestically and internationally. Investors also have unparalleled influence over global business, which should be used to stop the abuse of workers. The Liechtenstein Initiative for Finance Against Slavery and Trafficking (FAST) is a public-private partnership between the governments of Liechtenstein, Australia, the Netherlands and Norway, a consortium of Liechtenstein foundations and private sector institutions. The UN University Centre for Policy Research acts as its Secretariat. FAST works with financial sector stakeholders – banks, investors, stock exchanges, regulators, governments, and customers – worldwide to mobilise finance against slavery and trafficking by implementing the FAST Blueprint.<sup>164</sup> I have had constructive engagement with H.E. Mr Christian Wenaweser, Ambassador and Permanent Representative of Liechtenstein to the UN in New York and the FAST Secretariat. We agreed to co-convene an event on modern slavery risks in capital markets for senior representatives from City of London asset owners, asset managers, funds and stock exchange stakeholders. This event took place in April 2021 and will therefore be reported on in my next annual report.

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<sup>164</sup> FAST (2019), 'A Blueprint for Mobilizing Finance Against Slavery and Trafficking'.

5.4.3 I have regular meetings with the UN Special Rapporteur on Contemporary Forms of Slavery, providing an opportunity to discuss the synergies between international challenges and trends and those in the UK. I regularly engage with the CPA UK, and set out my hopes for their continued leadership on modern slavery in response to their recent strategy consultation.<sup>165</sup>

In support of GRETA's (Group of Experts on Action against Trafficking in Human Beings) virtual visit to the UK, I chaired an open session with civil society and participated in a one to one session with GRETA rapporteurs. I have also met with the International Bar Association to discuss their plans for a multifaceted initiative against forced labour, human trafficking and child labour that looks at ways to improve the existing legislative framework. I have agreed that my office will support this important initiative, which looks at policy coherence, public-private interaction and the non-punishment principle. My office has also started to engage with civil society organisations that work internationally, including the International Anti-Human Trafficking Network co-chaired by the Human Trafficking Foundation and Chab Dai, International Justice Mission and Mission 89.

5.4.4 In support of my role to encourage good practice I have continued engagement with the Gulf States, and in particular the Bahraini Labour Market Regulatory

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165 IASC (2020), 'Letter to Stephen Twigg, CPA Secretary-General': <http://www.antislaverycommissioner.co.uk/media/1546/iasc-letter-to-stephen-twigg-secretary-general-of-the-commonwealth-parliamentary-association-november-2020.pdf>.

Authority. In June 2020, I presented at a conference hosted by Global Partners Governance aimed at bridging the gap between source and host countries, with a particular focus on Sudan, the Horn of Africa and Bahrain's efforts to combat human trafficking. In October 2020, I was pleased to participate in the second Inter-Governmental Forum Against Trafficking in Persons in the Middle East. I spoke about challenges in combatting trafficking in the UK including the particular vulnerability of overseas domestic workers and encouraged efforts to reform the sponsorship system in the Middle East. I was also keen to emphasise the importance of international collaboration, particularly in light of the global impact of the pandemic.

## Case study: Vietnam and the Grays tragedy

5.5.1 Vietnam has consistently featured among the most common countries of origin for potential victims of modern slavery referred into the NRM. 931 Vietnamese people were identified as potential victims of trafficking in 2019/20.<sup>166</sup> Despite the disruption to international travel caused by the pandemic, 634 potential victims from Vietnam were identified in 2020/21.<sup>167</sup> The tragic deaths of 39 Vietnamese people in Grays in October 2019 focused attention on the dangerous journeys

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166 Home Office (2021), 'Collection: National Referral Mechanism statistics': <https://www.gov.uk/government/collections/national-referral-mechanism-statistics>.

167 Data provided by the Home Office. Data cut taken 3 June 2021. See Appendix B.

vulnerable migrants take in search of a better life and sparked debate about the nexus between smuggling and trafficking. In light of this case I commissioned the NCA National Assessment Centre to undertake a review of the nature and scale of modern slavery linked to Vietnamese people. The NCA provided a high level summary of this which I published alongside a blog following the trial in December.<sup>168</sup> The assessment provides a valuable case study, finding it almost certain that the majority of Vietnamese irregular migration to the UK, including that which results in exploitation, is perpetrated by organised immigration crime groups and offenders. The creation of debt bondage, through artificially inflated travel costs, is the most significant defining factor in the exploitation of Vietnamese irregular migrants. Although the Grays deaths were widely reported in Vietnam, the assessment concludes that this is highly unlikely to have had a notable impact on the intent of prospective migrants seeking to reach the UK.

5.5.2 I have also been updated by Essex police on the Grays investigation, Operation Melrose, which resulted in seven people being sentenced to a combined total of more than 90 years in prison. The scale of this investigation should not be underestimated and I have been impressed by the dedication of individual officers and the force's central focus on dignity and respect for the victims. There is much to be learnt from this important

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168 IASC (2020), 'Understanding Perilous Journeys' <http://www.antislaverycommissioner.co.uk/news-insights/iasc-blog-understanding-perilous-journeys/>.

investigation about how OCGs operate and how we can prevent such a tragedy from happening again. I have emphasised the vital importance of promulgating good practice and learning from the investigation across law enforcement. In response to Operation Melrose, Crimestoppers has launched a nationwide organised immigration crime campaign in partnership with the government aimed, in part, at haulage drivers. I am also encouraged that Essex police and wider law enforcement are beginning to engage directly with industry on this issue. Businesses, particularly sectors involving transport and distribution, have a vital role to play in prevention.



# Taking a UK-wide approach

## Scotland

6.1.1 Due to the travel restrictions of the pandemic, I was limited during the year to two virtual meetings with the Scottish Government's human trafficking team. This included a very informative roundtable discussion in December 2020, hosted by Scottish Government and attended by Police Scotland, NGOs, the Crown Office and Procurator Fiscal Service and other government departments. In addition to these meetings, my office attended a series of multi-agency forums focusing on the three strategic action areas: victims, perpetrators and addressing the conditions that foster trafficking and exploitation. I also supported discussions on transparency in supply chains and the development of a Scottish Government Modern Slavery Statement. The Scottish Government's continued commitment to tackling human trafficking is set out in the third annual progress report on Scotland's Trafficking and Exploitation Strategy, published in May 2020.<sup>169</sup>

6.1.2 In December I was interviewed for a podcast supporting 'Scotland against Modern Slavery'.<sup>170</sup> This was one of several exciting modern slavery and anti-

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169 Scottish Government (2020), 'Trafficking and Exploitation Strategy - Third Annual Progress Report and Strategy Review': <https://www.gov.scot/publications/trafficking-exploitation-strategy-third-annual-progress-report-strategy-review/>.

170 Scotland Against Modern Slavery, interview with IASC (1 December 2020): <https://goodwork.staffline.co.uk/scotland-against-modern-slavery-ep3>.

trafficking initiatives taken forward in Scotland during the year. Other examples were Police Scotland hosting two Vietnamese police officers for six months in Glasgow; a £1.5 million funding award for victim support services;<sup>171</sup> the publication of a new NRM toolkit for First Responders in Scotland;<sup>172</sup> the publication of research on Child Trafficking in Scotland<sup>173</sup> and the launch of a Police Scotland media campaign on labour exploitation.<sup>174</sup> Police Scotland also carried out Operation Perceptive which targeted labour exploitation in the agriculture, forestry and fishing sectors. Officers visited over 50 premises covering more than 5,000 staff and gathered information on 26 gangmasters to seek out potential victims and exploiters. Three follow-up multi-agency visits took place with the GLAA. I used our website and social media platforms to promote the Scottish initiatives.

## Northern Ireland

6.2.1 I met with the Northern Ireland Department of Justice in December 2020 who brought together the Police Service Northern Ireland (PSNI), NGOs and government departments providing me with a great opportunity to listen to their first-hand experience of

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171 Scottish Government (2020), 'Increased funding to support victims of human trafficking': <https://www.gov.scot/news/increased-funding-to-support-victims-of-human-trafficking/>.

172 Scottish Government (2021), 'National Referral Mechanism: Toolkit for First Responders in Scotland': <https://www.antislaverycommissioner.co.uk/media/1580/national-referral-mechanism-toolkit-feb-21-version-1.pdf>.

173 Scottish Government (2020), 'Child Trafficking in Scotland': <https://www.gov.scot/publications/child-trafficking-scotland-research/>.

174 Police Scotland (2021), '#End labour exploitation media campaign'.

policing and survivor support challenges but also of the joined-up, positive partnership work. The session gave me the opportunity to discuss my priorities and identify areas where I could add value to the work of the agencies and NGOs present. As well as other good work already mentioned in the report, I was pleased to learn that the PSNI is rolling out bespoke training for modern slavery victim liaison officers and deploying them to support investigations. I was also interested to hear that the Northern Ireland Government was reviewing how their Compensation Service responded to claims from survivors of modern slavery and trafficking.

6.2.2 During the year I responded to the Department of Justice's consultation on amendments to the Human Trafficking and Exploitation Act,<sup>175</sup> consultation on the Northern Ireland Modern Slavery Strategy 2021-22 and the Criminal Justice Inspectorate Northern Ireland's consultation on how the criminal justice system deals with human trafficking. I understand that the Department of Justice, as part of their future strategy, has committed to considering the Duty to Notify obligation that places a requirement on specified public authorities to make a notification if they come into contact with suspected victims of modern slavery. Collecting this information

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175 Northern Ireland Department of Justice (2020), 'Consultation – amendments to human trafficking and exploitation legislation': <https://www.justice-ni.gov.uk/consultations/consultation-amendments-human-trafficking-and-exploitation-legislation> and Northern Ireland Department of Justice (2021), 'Consultation on the Northern Ireland Modern Slavery and Human Trafficking Strategy 2021-22: Consultation Report, Summary of Responses and Next Steps': [https://www.justice-ni.gov.uk/sites/default/files/publications/justice/consultation-responses-to-msht-strategyv2\\_0.pdf](https://www.justice-ni.gov.uk/sites/default/files/publications/justice/consultation-responses-to-msht-strategyv2_0.pdf).

improves our understanding of modern slavery and I would hope that this mechanism is supported. I am pleased that the Department of Justice also intends to further explore the case for the introduction of Slavery and Trafficking Risk Orders, which I had discussed with the Minister for Justice last year. The Department of Justice has published an annual strategy for 2021-2022 which builds on the good practice developed over recent years and reinforces the commitment to identify and eradicate human trafficking.<sup>176</sup> A new three year strategy to disrupt and prevent organised crime further recognises modern slavery and human trafficking as a key area of focus for the Department for Justice. One of the priorities in the strategy is to improve understanding of existing and emerging threats, including the motivation and opportunities for modern slavery and human trafficking.<sup>177</sup>

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176 Northern Ireland Department of Justice (2021), 'Modern Slavery and Human Trafficking Strategy 2021-22'.

177 Northern Ireland Department of Justice (2021), 'Organised Crime Strategy Northern Ireland 2021-2024: A multi-agency strategy to protect individuals, communities and businesses in Northern Ireland from organised crime': <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/oc-strategy-2021-2024-v3.pdf>.

# Communications

7.1.1 I have continued to use communications to support delivery of my strategic plan, to engage with stakeholders from across the sector and to support efforts to raise awareness and inform understanding of modern slavery and human trafficking.

7.1.2 My core messaging as Commissioner is embedded within all communications and reflects my statutory independence: to be objective, impartial, evidence based, fair and accurate. I aim to embed a victim-centred approach within all communications and uphold the values of Freedom United's My Story, My Dignity pledge.<sup>178</sup>

## Impact of the pandemic

7.2.1 Over the past year I have increasingly used digital means to share information and engage with stakeholders. At the start of the pandemic, I used my website's homepage to signpost users towards a list of useful resources and information on the pandemic produced by the sector and my office.<sup>179</sup> The shift to online meetings and events has increased my office's reach and I have welcomed the opportunity to engage with a broader range of stakeholders who may not

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178 See IASC policy on media requests: <https://www.antislaverycommissioner.co.uk/contact-us/>.

179 IASC (2020), 'Coronavirus: A message from the Independent Anti-Slavery Commissioner, Dame Sara Thornton': <https://www.antislaverycommissioner.co.uk/news-insights/message-from-dame-sara-impact-of-coronavirus/>.

otherwise have been able to attend such meetings in-person.

## Media coverage and public events

7.3.1 This year I have spoken at over 80 conferences, roundtables and events hosted by NGOs, research institutions, business groups, statutory bodies and governments. As events have been held online I have been able to take part in more international conferences as well and conducted virtual visits to Scotland, Northern Ireland and Wales.

7.3.2 Media interviews and my commentary on modern slavery, vulnerability and exploitation were featured in over 100 publications and platforms across the UK and internationally. Interviews, letters and opinion pieces were featured in Thomson Reuters Foundation, The Independent, The Times, The Sunday Times, Daily Telegraph, Evening Standard, Policing Insight, City AM, The Sunday Post, Belfast News Letter and more. Radio interviews were aired on BBC Radio 4's Today programme, World at One and Any Questions?; on BBC Radio 5 Live with Emma Barnett and Adrian Chiles; and on Times Radio with Matt Chorley and John Pienaar. Television interviews were featured on ITV News, Sky News and BBC Look East.

# Speaking engagements 2020-2021

Date	Event
April 2020	Human Trafficking Foundation NGO Advisory Forum Covid-19 Meeting
April 2020	Sophie Hayes Foundation Casework Forum
April 2020	Gangmasters and Labour Abuse Authority Board Meeting
May 2020	National Anti-Trafficking and Modern Slavery Network Meeting hosted by Mark Burns-Williamson, Police and Crime Commissioner
May 2020	West Yorkshire Modern Slavery District Leads Meeting
May 2020	Human Trafficking Foundation Covid-19 Forum
May 2020	Human Trafficking Foundation's International Anti-Human Trafficking Network Covid-19 Forum
June 2020	Ditchley Foundation Conference: The New Economic Insecurity
June 2020	Global Partners Governance Conference: Establishing a Regional Approach to Human Trafficking and Forced Labour
June 2020	Gangmasters and Labour Abuse Authority Staff Presentation and Question and Answer Session
June 2020	Launch of IASC review on Operation Fort
June 2020	Human Trafficking Foundation Covid-19 Forum
June 2020	All-Party Parliamentary Group on Human Trafficking and Modern Slavery Meeting on IASC Research Review: Preparing for impact: How we can overcome barriers and cultivate a culture of collaboration, understanding, and respect to achieve impact on survivor support
July 2020	Chatham House Webinar: Coordinating the Fight Against Financial Crime
July 2020	Launch of IASC Research Review Preparing for impact: How we can overcome barriers and cultivate a culture of collaboration, understanding, and respect to achieve impact on survivor support

Date	Event
July 2020	Ditchley Transatlantic virtual panel discussion: The economic response to the crisis: how do we mitigate a collapse in economic insecurity for the most vulnerable in our communities?
July 2020	Doughty Street webinar: The new EU human rights due diligence law and the Modern Slavery Act 2015 update
July 2020	IASC Section 45 Modern Slavery Act 2015 Roundtable
July 2020	National Anti-Trafficking and Modern Slavery Network Meeting hosted by Mark Burns-Williamson, Police and Crime Commissioner
July 2020	Hestia Criminal Exploitation Report Launch
July 2020	The UK BME Anti-Slavery Network (BASNET) and Human Trafficking Foundation Online forum on Diversity and Inclusion in the Anti-Trafficking Sector
July 2020	Themis/Tribe Project Report Launch Webinar: Modern slavery and the financial sector
July 2020	Launch of Commonwealth Human Rights Initiative report on assessing State progress towards achievement of SDG Target 8.7
July 2020	Survivor Alliance Chapter Meeting
August 2020	IASC Roundtable on the Child Criminal Exploitation, the National Referral Mechanism and the Child Protection response
August 2020	Every Child Protected Against Trafficking (ECPAT UK) and IASC: A rapid evidence assessment on multi-agency decision making models
September 2020	Commonwealth Parliamentary Association UK and the UK Modern Slavery and Human Rights Policy and Evidence Centre: Virtual international conference on Assisting and Protecting Survivors of Modern Slavery, Human Trafficking and Forced Labour
September 2020	IASC Annual Report launch



Date	Event
September 2020	Modern Slavery and Human Rights Policy and Evidence Centre: Modern Slavery in Business Supply Chains
September 2020	Skills for Care Launch of Training Framework: Modern Slavery and Human Trafficking
September 2020	Linklaters Webinar – IASC discusses modern slavery, supply chains and next steps by the government
September 2020	All-Party Parliamentary Group for Ethics and Sustainability in Fashion Evidence Session: Modern Slavery
September 2020	Office to Monitor and Combat Trafficking in Persons: A conversation moderated by Ambassador Richmond: Challenges to Identifying Victims
September 2020	Gangmasters and Labour Abuse Authority Board Strategy Planning Day
September 2020	Group of Experts on Action against Trafficking in Human Beings: Open Session for Civil Society
October 2020	The Centre for Social Justice Social Justice Conference: How can we secure justice for victims of modern slavery?
October 2020	All-Party Parliamentary Group Panel event: Human Trafficking and its impact at Channel Ports
October 2020	International Conference hosted by National Museums Liverpool: 10th anniversary conference of the Federation of International Human Rights Museums
October 2020	Northern Ireland Business and Human Rights Forum meeting
October 2020	Online Premiere of BOUND: Post Show Panel Discussion
October 2020	International Justice Mission - Event to discuss the role of the new FCDO in tackling modern slavery around the world
October 2020	Second Inter-Governmental Forum on Combatting Trafficking in Persons in the Middle East

Date	Event
October 2020	Modern Slavery and Human Rights Policy and Evidence Centre Anti-Slavery Day event: Building new collaborations in modern slavery research
October 2020	Chartered Institute of Procurement & Supply Virtual Conference: Combating modern slavery and championing good working conditions
October 2020	Latin American Women's Rights Service, Focus on Labour Exploitation and Labour Exploitation Advisory Group Event: Migrants reporting crime: building trust and improving police efficiency
November 2020	Meeting of National Anti-Trafficking Co-ordinators and Rapporteurs or equivalent mechanisms, organised jointly by the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings and the Council of Europe
November 2020	International Justice Mission Online Sexual Exploitation of Children Sentencing Roundtable
November 2020	Economic and Social Research Council Festival of Social Sciences event: A public health approach to modern slavery: opportunities and challenges
November 2020	Wellington College Lecture: Did you know that there are 40 million modern slaves in the world today?
November 2020	London Modern Slavery Leads Network Meeting
November 2020	West Midlands Anti Slavery Network Meeting
November 2020	Department of Labour Market Enforcement Workshop: Forthcoming changes to the UK Immigration System and Potential Impacts on Labour Market Compliance and Enforcement
December 2020	The British Red Cross: First Steps to Safety? Early support for people leaving exploitation
December 2020	U.S. Embassy: Virtual Roundtable to mark International Day for the Abolition of Slavery

Date	Event
December 2020	East Midlands Modern Slavery and Child Trafficking Summit
December 2020	West Yorkshire Anti-Slavery Partnership Meeting
December 2020	Border Force Webinar on The Role of the Independent Anti-Slavery Commissioner
January 2021	Themis/TRIBE/IASC Preventing Modern Slavery and Human Trafficking: An agenda for action across the Financial Services Sector
January 2021	Human Trafficking Foundation Online Forum: The Voice of British Survivors of Human Trafficking – the challenges faced before, during and after the NRM
January 2021	All-Party Parliamentary Group on Human Trafficking and Modern Slavery Panel to discuss labour exploitation in the UK
January 2021	Westminster Legal Policy Forum keynote seminar: Next steps for tackling modern slavery - the impact of Covid-19, UK policy and organisational practice, and the global response
January 2021	National Network Coordinators Forum - Enforcement Powers Guide Launch
February 2021	St Mary's University - Launch of Bakhita Centre for Research on Slavery, Exploitation and Abuse
February 2021	Joint Meeting with Cross-Party Group on Human Trafficking and Cross-Party Group on Violence against Women and Children
February 2021	Durham University - Van Mildert College talk: Did you know that there are 40 million modern slaves in the world today?
February 2021	Rathbones Modern Slavery Webinar: Votes Against Slavery Investor action on supply chain transparency report launch
February 2021	IASC Roundtable on Hot Goods

Date	Event
February 2021	Bonavero Institute of Human Rights Panel Discussion: Modern Slavery
February 2021	IASC Barriers to Prosecuting Modern Slavery Offences Round Table
February 2021	Themis CEO Roundtable with IASC
February 2021	Investigating Human Trafficking and Modern Slavery online conference
February 2021	Cambridgeshire's Abolitionists: Thomas Clarkson's Articles for Change
March 2021	Spanish Ministry of Foreign Affairs: International Seminar against Human Trafficking: A deeper analysis on international global supply chains, illegal financial flows and the role of new technologies in the fight against human trafficking
March 2021	Chatham House Event on Illicit Financial Flows 2021: The Victims of Financial Crime
March 2021	Sophie Hayes Foundation International Women's Day 2021: Inspiring Women. Individual Stories
March 2021	ROMILDAMOR: Human Trafficking in the UK: the impact of Covid-19 and Brexit on Human Trafficking Survivors and Victims
March 2021	Department for International Trade: Secretary of State round tables on Xinjiang
March 2021	Centre for Criminal Justice Studies Leeds: Frank Dawtry Lecture
March 2021	Stronger Together: Webinar: Clandestine Migrants and your Business
March 2021	Human Trafficking Foundation Online Forum co-hosted with SPACE – Child Criminal Exploitation and County Lines
March 2021	Birds Solicitors and Garden Court Chambers: Practical Guidance for Practitioners Representing Victims of Modern Slavery - The Case of VCL v UK

Date	Event
March 2021	Commonwealth Human Rights Initiative and Walk Free: Delivering a Common Future to Eradicate Modern Slavery High Level Dialogue - Virtual Event from London

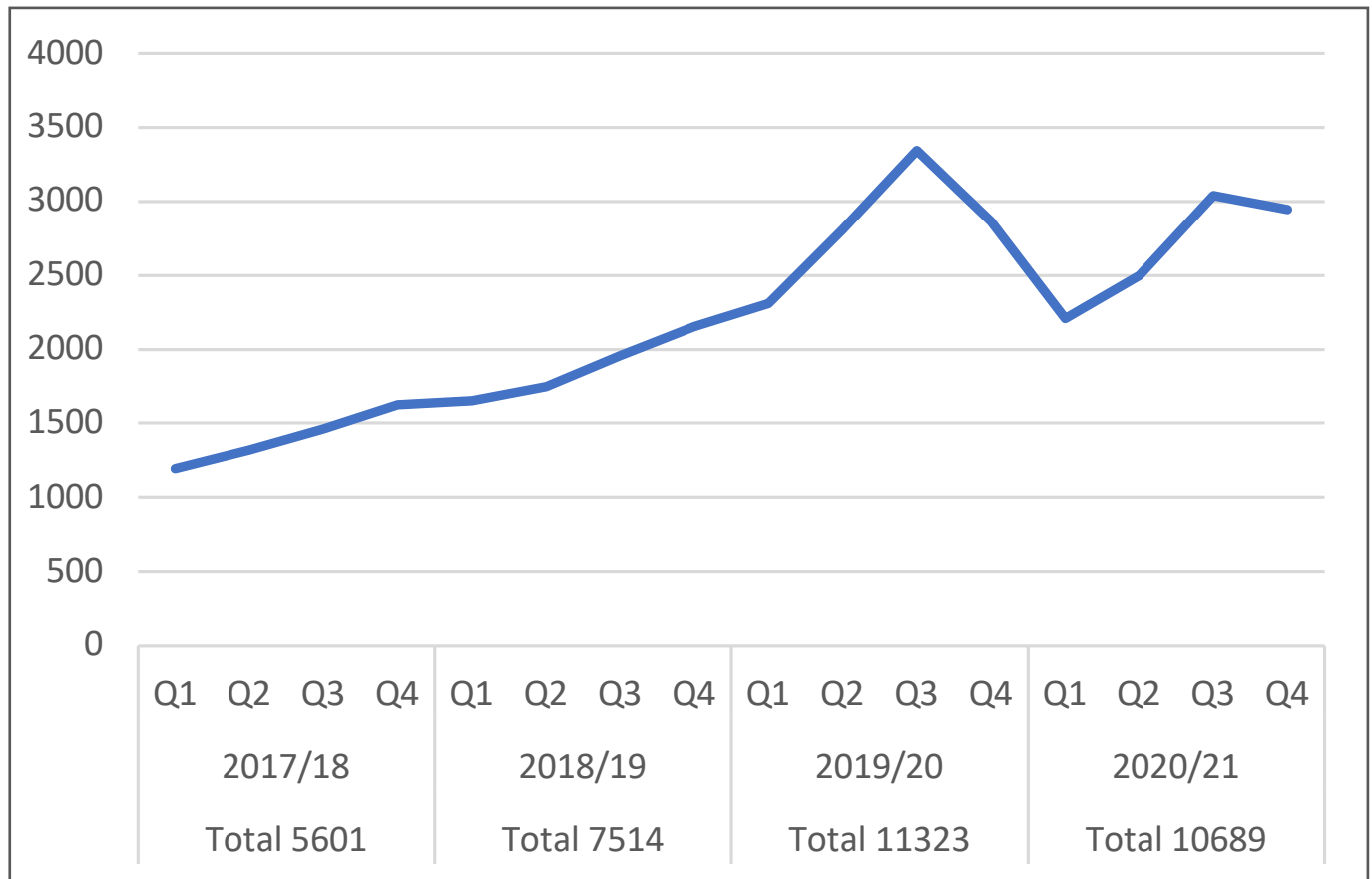
# Appendix A: Budget for the IASC office (financial year 2020/2021)

	£ Budget	£ Expenditure
<b>TOTAL BUDGET</b>	<b>605,000</b>	<b>608,900</b>
<b>Pay</b>		576,053
<b>Non-pay</b>		32,847
<b>Non-pay</b>		
Travel and subsistence		965
Office supplies and services		7,164
Training and recruitment		24,000
IT and communications		277
Other costs and services		441
<b>Income</b>		
NI	30,000 (contribution to budget and included in total)	
Scotland	30,000 (contribution to budget and included in total)	

# Appendix B: Data tables

## Improving victim care and support

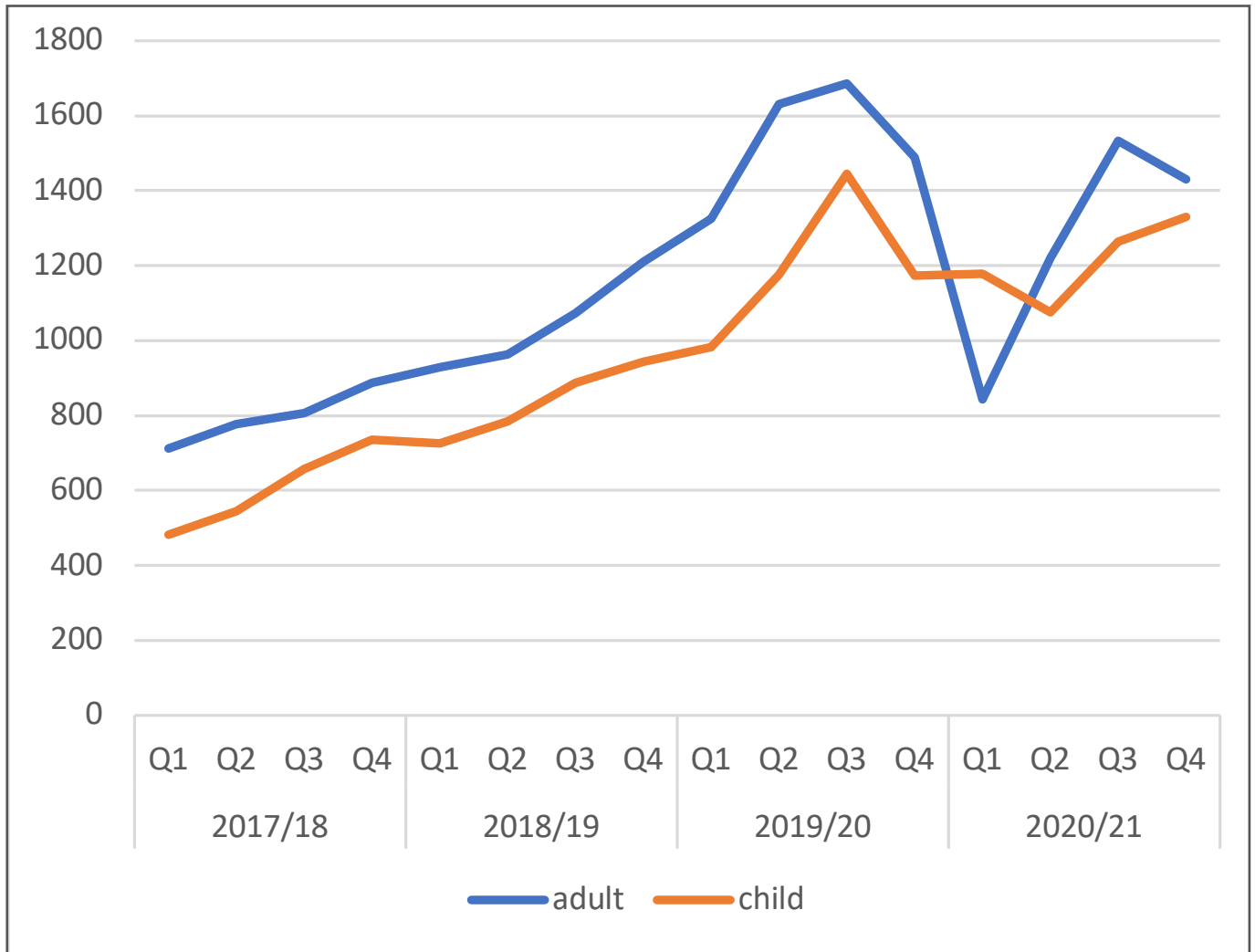
### Number of quarterly NRM referrals, 2017/2018 to 2020/2021<sup>180</sup>



**Figure A1**

180 Data provided by the Home Office. Data cut taken 3 June 2021. See more: Home Office (2021), 'Collection: National Referral Mechanism statistics': <https://www.gov.uk/government/collections/national-referral-mechanism-statistics>.

# Number of quarterly NRM referrals by age at time of exploitation, 2017/2018 to 2020/2021<sup>181</sup>



**Figure A2**

181 Data provided by the Home Office. Data cut taken 3 June 2021.

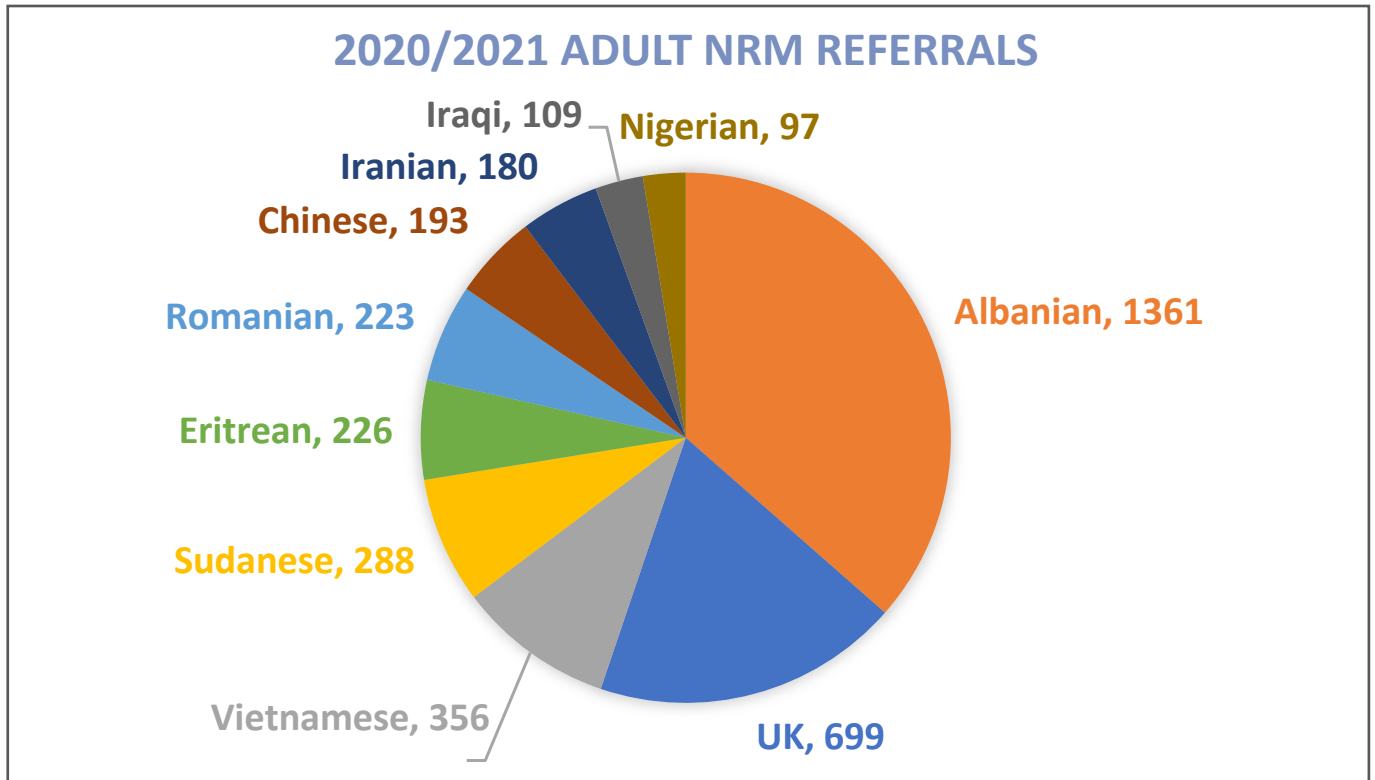


# Top 10 nationalities referred into the NRM, 2020/2021<sup>182</sup>

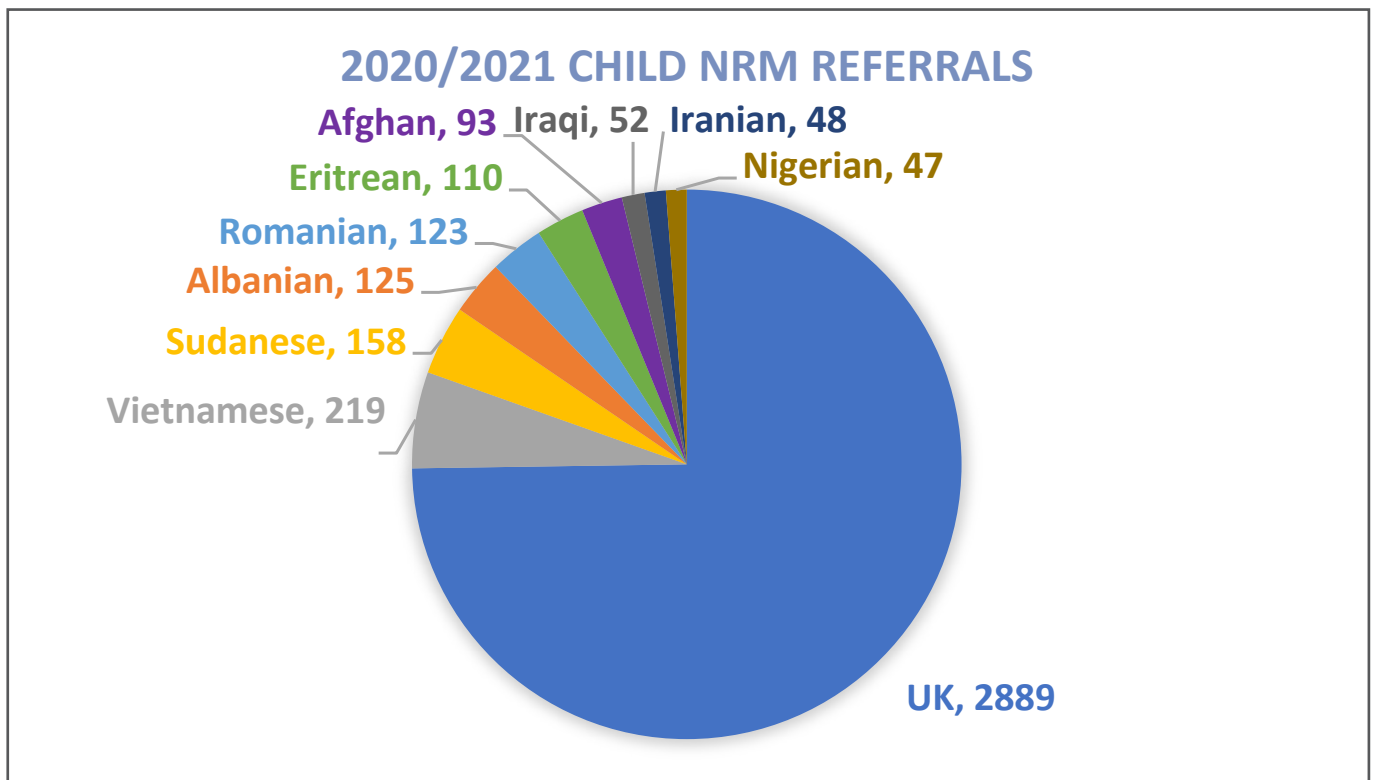


**Figure A3**

<sup>182</sup> Data provided by the Home Office. Data cut taken 3 June 2021. Excludes dual nationalities and where nationality is unknown.

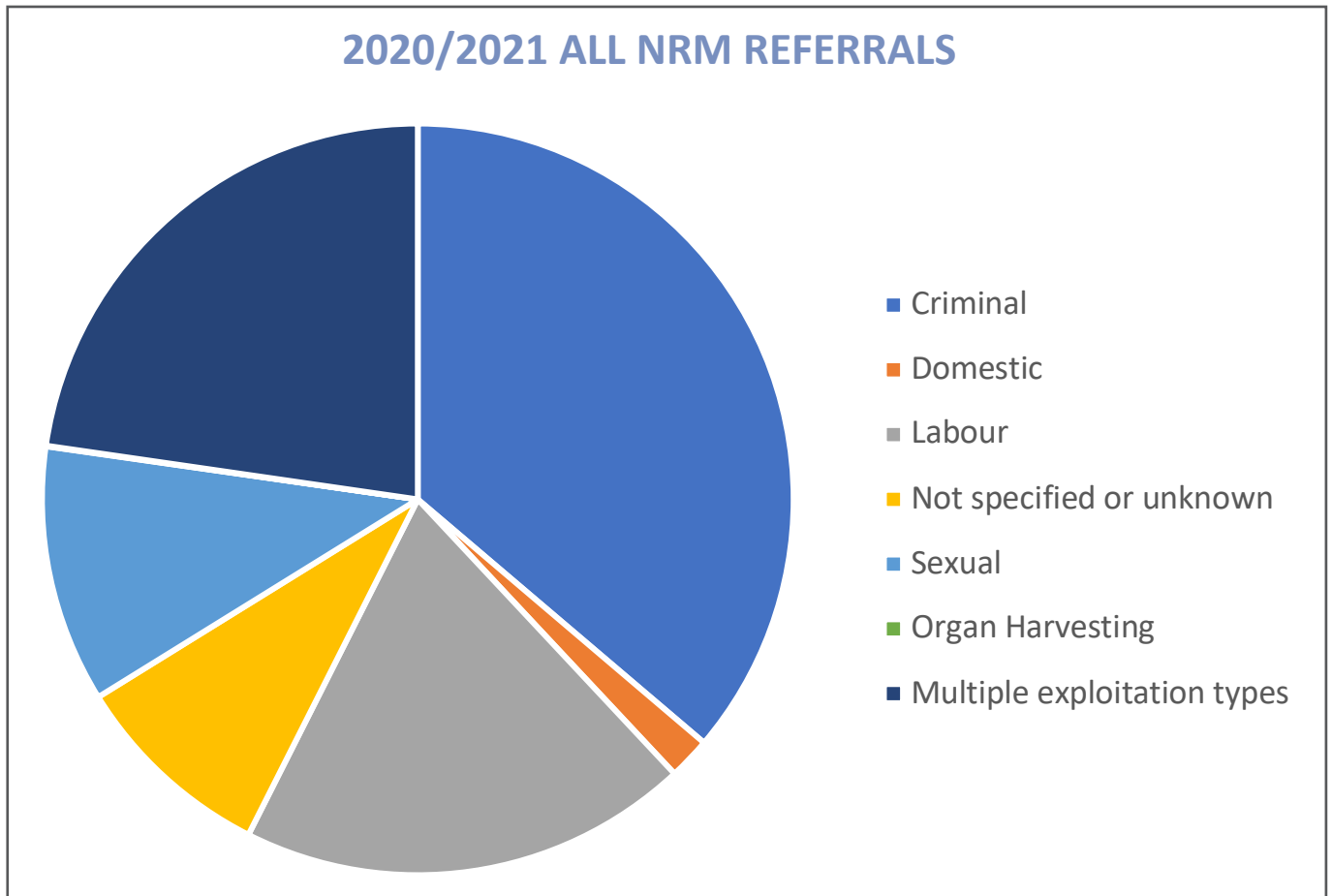


**Figure A4**



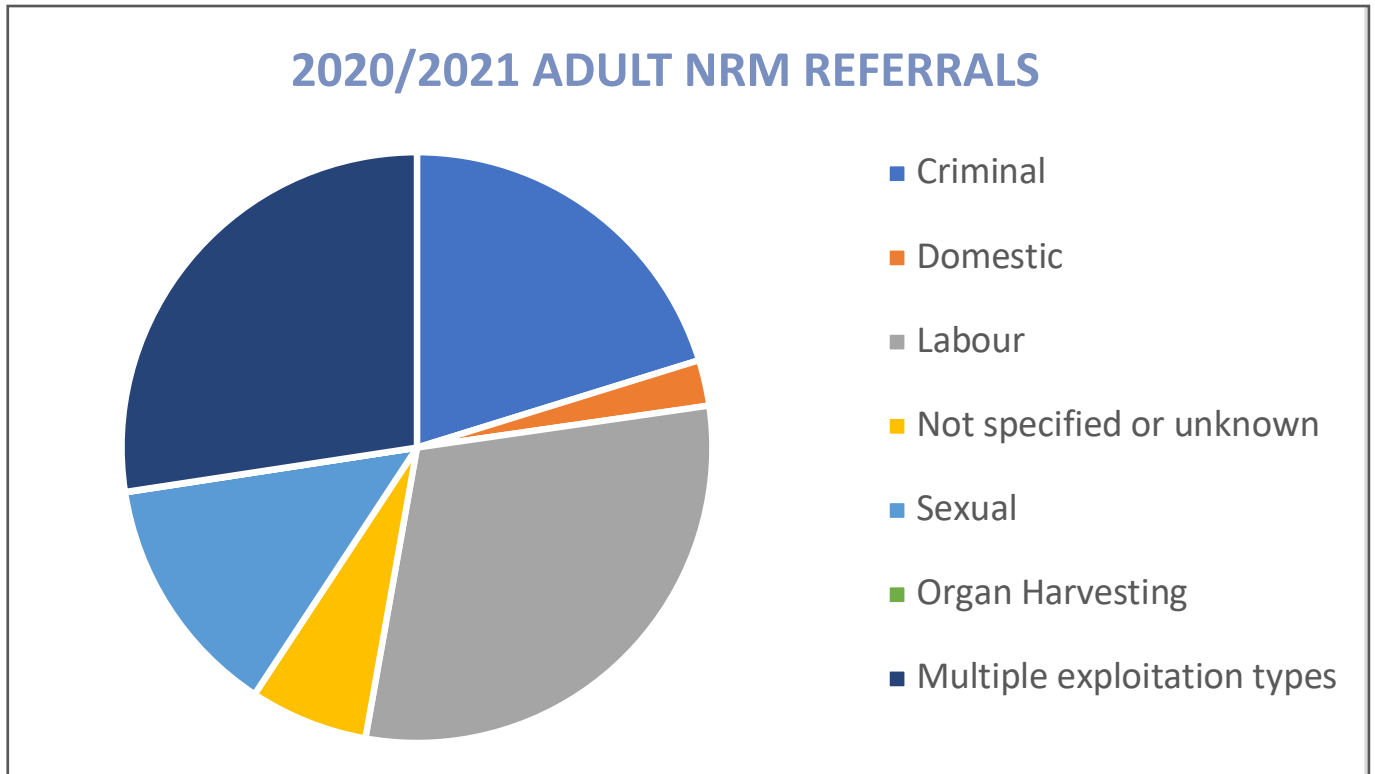
**Figure A5**

# NRM referrals by exploitation type 2020/2021<sup>183</sup>

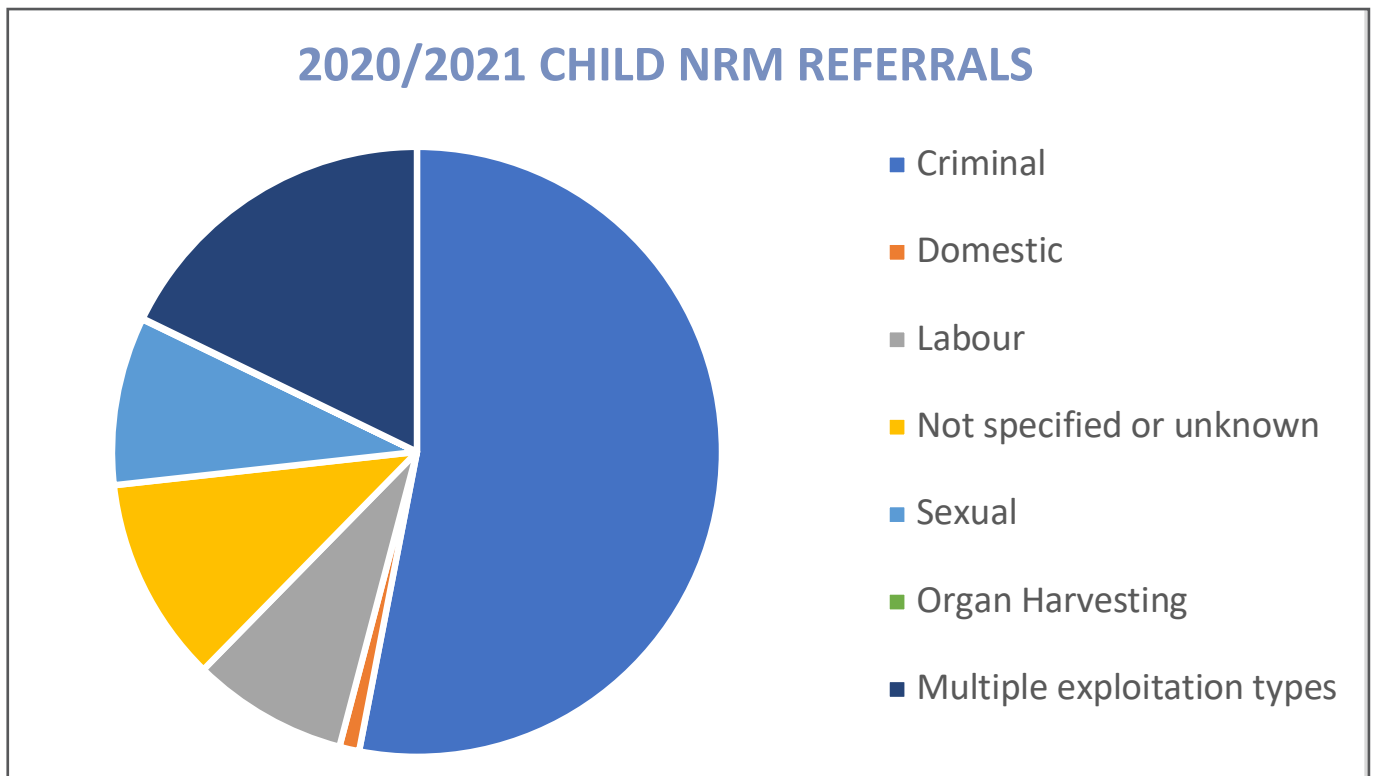


**Figure A6**

<sup>183</sup> Data provided by the Home Office. Data cut taken 3 June 2021. In 2020/21 there were three referrals for organ harvesting that are not reflected in these charts.



**Figure A7**



**Figure A8**

## Number of NRM referrals by First Responder 2017/2018 to 2020/2021<sup>184</sup>

	First Responder organisation										TOTAL
	Immigration Enforcement (IE)	UK Visas and Immigration (UKVI)	UK Border Force (UKBF)	GLAA	NCA	Local authorities	NGOs	Police	Not recorded		
2017/18	299	1872	129	18	9	916	756	1602	-	5601	
2018/19	675	2206	161	33	18	1540	795	2086	-	7514	
2019/20	2275	2426	258	7	7	2447	888	3012	3	11323	
2020/21	1077	1779	111	8	10	3140	864	3698	2	10689	

### Table A1

## Number of Duty to Notify referrals 2017 to 2020<sup>185</sup>

	First Responder organisation										TOTAL	
	IE	UKVI	UKBF	Home Office (other)	GLAA	NCA	Local authorities	NGOs	Police	Other <sup>186</sup>		Not recorded
2017	55	370	353	-	59	8	60	25	746	19	-	1695
2018	18	480	230	1	57	18	106	20	755	14	-	1699
2019	46	820	275	7	36	5	143	31	849	61	1	2274
2020	77	796	167	-	92	1	132	11	852	-	1	2129

### Table A2

<sup>184</sup> Data provided by the Home Office. Data cut taken 3 June 2021.

<sup>185</sup> Data provided by the Home Office. Data cut for 2020 taken 3 June 2021; data cut for previous years taken 10 February 2020.

<sup>186</sup> This includes the NHS and other organisations that are not designated First Responders but that have made referrals.

## Reasonable grounds (RG) decisions, 2020<sup>187</sup>

Date of decision	UK nationals and dual-nationals <sup>188</sup>			EEA nationals and dual-nationals <sup>189</sup>			Non-EEA and non-UK			Unknown/not recorded/stateless		
	Negative RG	Positive RG	Total RG decisions	Negative RG	Positive RG	Total RG decisions	Negative RG	Positive RG	Total RG decisions	Negative RG	Positive RG	Total RG decisions
Q1	14	758	772	16	211	227	271	1573	1844	1	26	27
Q2	12	1009	1021	26	201	227	92	900	992	2	22	24
Q3	14	886	900	29	218	247	130	1139	1269	6	14	20
Q4	15	1005	1020	25	216	241	172	1558	1730	1	14	15
Total	55	3658	3713	96	846	942	665	5170	5835	10	76	86

**Table A3**

## Conclusive grounds (CG) decisions, 2020<sup>190</sup>

Date of decision	UK nationals and dual-nationals			EEA nationals and dual-nationals			Non-EEA and non-UK			Unknown/not recorded/stateless		
	Negative CG	Positive CG	Total CG decisions	Negative CG	Positive CG	Total CG decisions	Negative CG	Positive CG	Total CG decisions	Negative CG	Positive CG	Total CG decisions
Q1	1	205	206	9	55	64	91	350	441	0	1	1
Q2	11	376	387	8	64	72	64	304	368	0	6	6
Q3	6	420	426	7	56	63	62	357	419	1	6	7
Q4	15	354	369	4	38	42	77	486	563	1	3	4
Total	33	1355	1388	28	213	241	294	1497	1791	2	16	18

**Table A4**

187 Information provided by the Home Office. Data cut taken 3 June 2021.

188 Excludes dual EEA nationals. Also applies to second column of Table A4.

189 Dual nationals includes those who have EEA dual-nationality, including UK. Also applies to third column of Table A4.

190 Information provided by the Home Office. Data cut taken 3 June 2021.

## Average waiting times for RG decisions, for decisions made during each quarter of 2020191

	Median total days	Median working days	Mean total days	Mean working days
Q1	5	5	13	10
Q2	6	5	16	12
Q3	4	4	12	10
Q4	5	5	14	11

**Table A5**

## Average waiting times for CG decisions, for decisions made during each quarter of 2020192

	Median total days	Median working days	Mean total days	Mean working days
Q1	302	206	457	310
Q2	322	218	431	291
Q3	344	231	443	300
Q4	429.5	282	528	358

**Table A6**

191 Information provided by the Home Office. Data cut taken 3 June 2021.

192 Information provided by the Home Office. Data cut taken 3 June 2021.

# Number of outstanding RG and CG decisions at the end of each quarter in 2020<sup>193</sup>

	<b>RG</b>	<b>CG</b>
Q1	311	13414
Q2	229	14660
Q3	237	15939
Q4	235	17734

**Table A7**

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<sup>193</sup> Information provided by the Home Office. Data cut taken 3 June 2021.



# NRM referrals flagged as county lines cases 2017 to 2020<sup>194</sup>

	TOTAL	Adult				Child				Age group not known					
		Female		Male		Female		Male		Female		Male		Not known total	
			total		total		total		total		total		total		total
2017	Q1	0	0	4	30	0	34	0	0	0	0	0	0	0	0
	Q2	0	0	8	46	0	54	0	0	0	0	0	0	0	0
	Q3	1	3	7	67	0	74	0	0	0	0	0	0	0	0
	Q4	3	8	10	101	0	111	0	0	0	0	0	0	0	0
2018	Q1	1	4	16	128	0	144	0	0	0	0	0	0	0	0
	Q2	1	9	7	134	0	141	0	0	0	0	0	0	0	0
	Q3	3	19	23	149	0	172	0	0	0	0	0	0	0	0
	Q4	6	26	18	192	0	210	0	0	0	0	0	0	0	0
2019	Q1	9	30	12	261	0	273	0	0	0	0	0	0	0	0
	Q2	10	39	15	243	0	258	0	0	0	0	0	0	0	0
	Q3	7	31	19	231	0	250	0	0	0	0	0	0	0	0
	Q4	9	35	14	245	1	260	0	0	2	5	1	8	0	0
2020	Q1	3	18	20	165	1	186	1	0	1	8	0	9	0	0
	Q2	5	24	27	334	2	364	4	1	4	29	0	33	0	0
	Q3	6	31	31	313	0	344	4	0	4	32	0	36	0	0
	Q4	8	59	36	375	0	412	4	1	4	30	0	34	0	0

## Table A8

<sup>194</sup> Information provided by the Home Office. Data cut taken 3 June 2021. County lines referrals were classified as a sub-type of labour exploitation prior to quarter 4 2019. Since January 2020, county lines referrals are identified by a 'flag' on the system.

## Victims supported in accommodation and outreach support by calendar year, England and Wales, 2017 to 2020

	2017	2018	2019	2020
Accommodation	636	742	915	543
Outreach support	2384	3171	4247	1944

### Table A9

Notes:

Data provided by The Salvation Army.

The support provided is only on last placement in the Modern Slavery Victim Care Contract. If an individual moved between accommodation and outreach, only the most recent support would be shown in the table.

The data held on exit destination is of poor quality. It should therefore be used with caution.

## Victims' destination upon exit from support in England and Wales, 2020

No. of victims	Exit from service
535	Asylum Support Accommodation (NASS)
6	Deceased
19	Homeless Services
2	Hospital in-patient
45	Living with Friends/Family/Partner - EEA (not UK)
8	Living with Friends/Family/Partner - Non EEA Country
302	Living with Friends/Family/Partner - UK

No. of victims	Exit from service
106	Mainstream accommodation - LA
144	Missing/Absconded
1	NGO supported accommodation - EEA Country (other than UK)
18	NGO supported accommodation - UK
6	Non UK Govt funded support abroad
22	Prison
10	Private accommodation - EEA (other than UK)
5	Private accommodation - Non EEA Country
344	Private Accommodation - UK
9	Street Homeless
83	Supported accommodation - LA
15	Voluntary Return - Govt funded
1	Voluntary Return - La Strada (Poland)
13	Voluntary Return - NGO funded
1694	Total

**Table A10**

## Victims' destination upon exit from NRM support in Scotland 2020/2021<sup>195</sup>

Trafficking Awareness Raising Alliance (TARA) - 37 individuals exited TARA support during 2020/2021 (34 cases were referred to the NRM)

### Reasons for case closure<sup>196</sup>

Grants of leave to remain	Repatriations	Missing persons	UK relocation	Client disengagement / declined ongoing support	Alternative / mainstream support
9	0	0	1	6	33

**Table A11**

### Outcomes achieved<sup>197</sup>

Increased safety	Community integration	Increased independence	Improved legal understanding
33	30	32	29

**Table A12**

195 Data provided by the Scottish Government. The figures include all individuals who have exited support in 2020/2021, regardless of when they entered support.

196 Please note that there may be more than one reason selected per case.

197 Outcomes achieved which are used by the service to assess if a case can be closed and reflects individual needs and recovery achievements. Please note cases may have achieved one or more of the listed outcomes.

## NRM status at time of case closure<sup>198</sup>

NRM decision	Positive	Negative	Outstanding
RG	34	0	0
CG	8	0	26

### Table A13

## Migrant Help - 255 individuals exited Migrant Help support during 2020/2021

### Reasons for case closure

Transferred to asylum support/voluntarily left care	Never returned contact	Detained	Transferred to other agency	Resettled in UK	Returned to country of origin	Absconded
196	7	10	21	4	3	14

### Table A14

<sup>198</sup> Breakdown (as recorded by TARA) of NRM status at the time of case closure. All women whose cases are closed whilst a CG decision is outstanding are advised that their case can be reopened if they require additional advocacy at any time.

## Number of individuals who have moved on from NRM support in Northern Ireland 2020/2021<sup>199</sup>

In 2020/2021, 40 individuals moved on from NRM support

### Victims' destination upon leaving NRM support<sup>200</sup>

Asylum support accommodation	17
Living with family/friends	4
Living in Community Housing	3
NGO accommodation	4
Temporary accommodation	2
Private accommodation/employed	1
Prison	2
Refugee status in receipt of benefits	1
Deceased	1
Voluntary return – Government funded	2
Returned to country of origin on own accord	3
Total	40

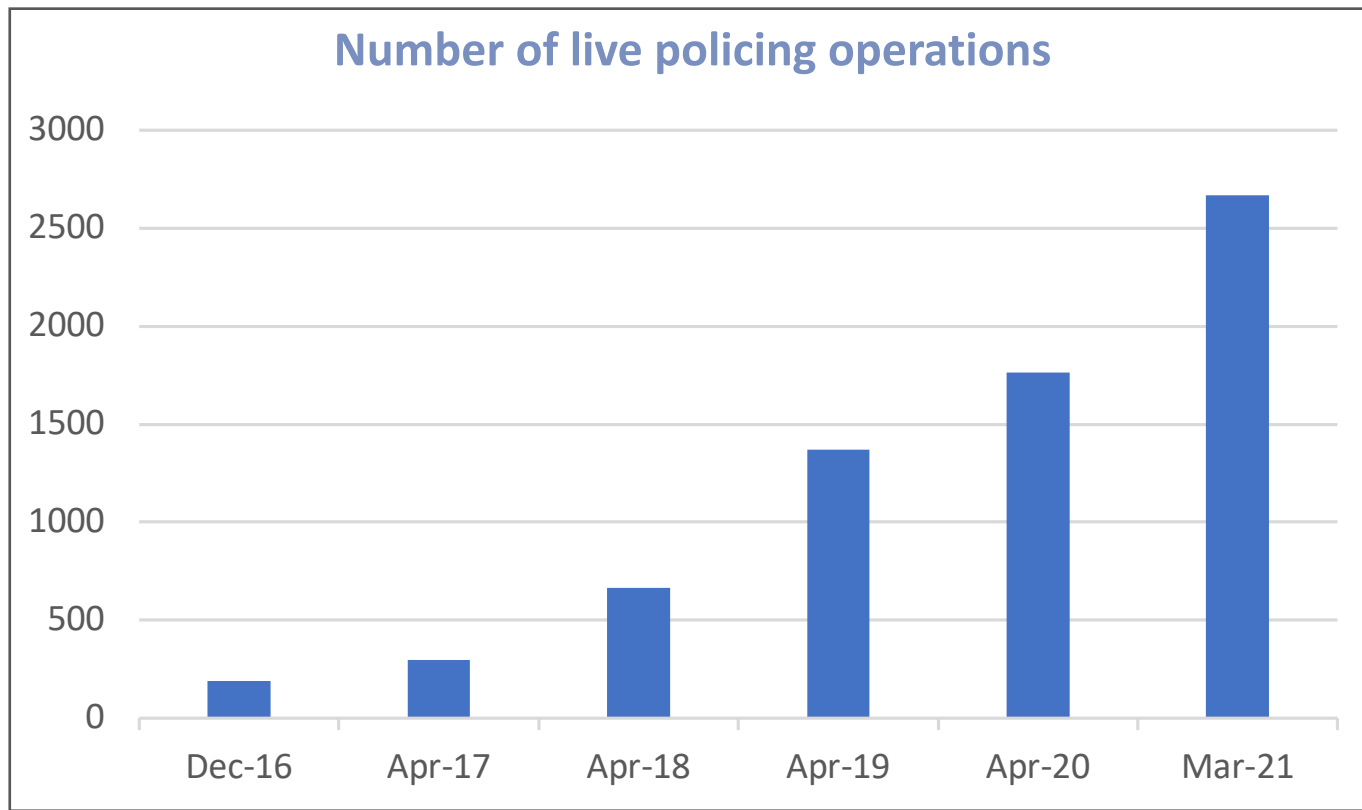
## Table A15

199 Data provided by the Department of Justice Northern Ireland from the Community Safety Division.

200 Data provided by the Department of Justice Northern Ireland from the Community Safety Division and support providers.

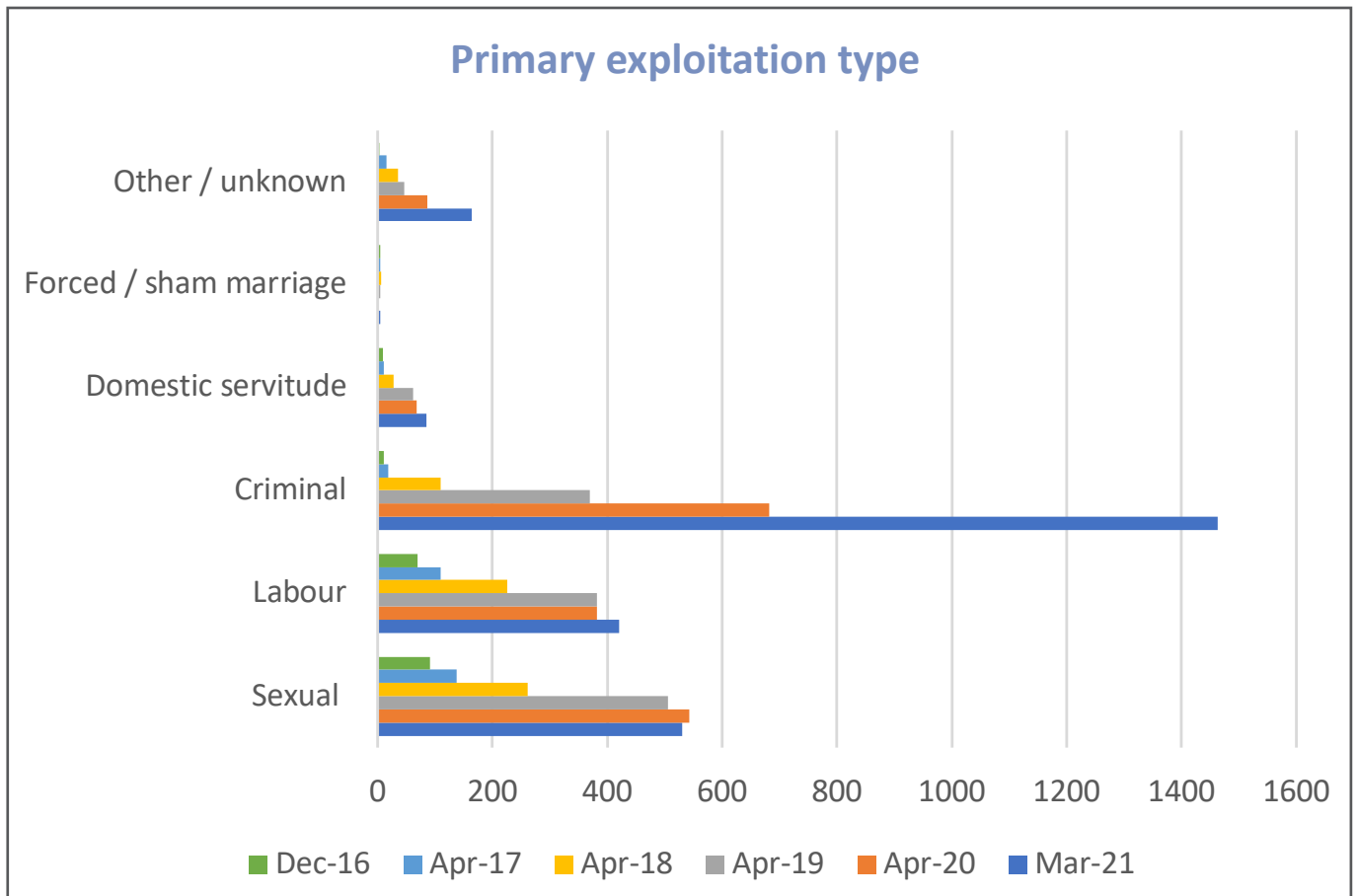
## Supporting law enforcement and prosecutions

### Live policing operations across the UK<sup>201</sup>



**Figure A9**

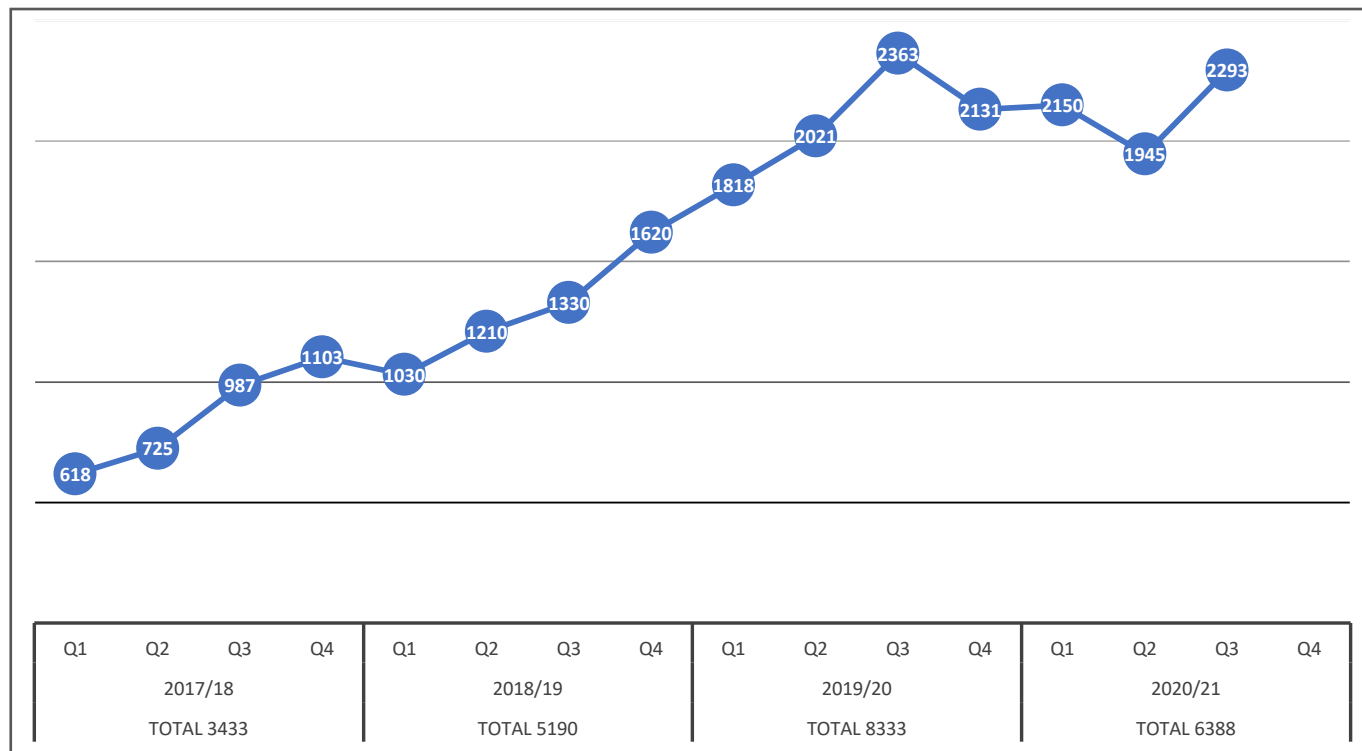
<sup>201</sup> Data provided by the Modern Slavery and Organised Immigration Crime (MSOIC) Unit, May 2021. This includes operations being undertaken by police forces across the UK, including PSNI and Police Scotland in December 2016, April 2017, April 2018, April 2019, April 2020 and March 2021. This only includes operations that the MSOIC Unit have been made aware of.



**Figure A10**



# Police recorded crime for modern slavery in England and Wales, 2017/2018 to 2020/2021<sup>202</sup>



**Figure A11**

202 As of Q3 2020/21. Figures obtained from published police recorded crime data updated 13 May 2021. Available at: <https://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables>. It is important to note that increases in recorded modern slavery offences reflect improvements in recording practices and general awareness of modern slavery in addition to any actual changes in prevalence.

## Police recorded crime for human trafficking and exploitation in Scotland, 2017/2018 to 2019/2020<sup>203</sup>

Group	Crime code	2017/18	2018/19	2019/20
Group 1 Non-sexual violence (Other violence)	Slavery or forced labour	68	144	244
Group 1 Non-sexual violence (Other violence)	Human organ offences	0	2	0
Group 2 Sexual crimes (Crimes associated with prostitution)	Immoral traffic	21	31	23
Group 5 Other crimes (Crimes against public justice)	Breach of trafficking and exploitation order	0	2	0
Total		89	179	267

**Table A16**

<sup>203</sup> Data provided by the Scottish Government. There are four main crime codes relating to human trafficking and which are spread across three different crime groups. Charges that relate to the Human Trafficking and Exploitation (Scotland) Act are included in all of these crime codes.

## Police recorded crime for human trafficking and exploitation in Northern Ireland, 2017/2018 to 2020/2021<sup>204</sup>

	2017/18	2018/19	2019/20	2020/21
Number of recorded crimes for human trafficking and exploitation offences	30	37	41	36

**Table A17**

<sup>204</sup> Data provided by the Department of Justice Northern Ireland from PSNI statistics published by Northern Ireland Statistics and Research Agency. Available at: <https://www.psnipolice.uk/inside-psni/Statistics/>.

# Pre-charge receipts and modern slavery flagged prosecutions and convictions, England and Wales, 2017 to 2020<sup>205</sup>

	2017	2018	2019	2020
Pre-charge receipts	321	190	275	331
Prosecutions	265	294	349	267
Convictions	180	191	251	197

**Table A18**

205 Data provided by the CPS and available at: <https://www.cps.gov.uk/publication/violence-against-women-and-girls> and <https://www.cps.gov.uk/publication/cps-data-summary-quarter-4-2019-2020>. Case volumes have been impacted due to court closures and recovery during Covid-19 from Mid-March 2020 to the end of June 2020, particularly for the data on completed prosecutions/convictions. Pre-charge receipts: The total number of suspects referred by the police to the CPS for a charging decision. The number of **pre-charge receipts, for different crime types, referred by the police** relies on (a) the police identifying and flagging the cases, by suspect, prior to being referred to CPS and (b) CPS administrators identifying and flagging those cases on the CPS Casework Management System, when they are first registered. Prosecution outcomes data: CPS outcomes are recorded on a defendant basis. CPS maintains a central record of prosecution outcomes with reference to a number of case monitoring flags, including modern slavery. Although charges specifically related to a flag may be considered at the time of the pre-charge decision, the defendant may in fact be charged with another offence. Similarly, there may be cases where a person is convicted of a lesser offence than that with which they were proceeded against.

## Defendants prosecuted for modern slavery offences on a principal offence basis, England and Wales, 2017 to 2020<sup>206</sup>

	2017		2018		2019		2020	
	Prosecuted	Convicted	Prosecuted	Convicted	Prosecuted	Convicted	Prosecuted	Convicted
Slavery, servitude and forced labour	12	10	10	3	2	6	2	0
Human trafficking for sexual exploitation	10	6	3	5	0	2	0	1
Human trafficking for non-sexual exploitation	1	6	4	0	2	3	0	2
Modern Slavery Act 2015	132	26	81	12	68	40	89	10
Total (all slavery and trafficking offences)	155	48	98	20	72	51	91	13

**Table A19**

<sup>206</sup> Available at: <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2020>. The figures in this table relate to defendants for whom these offences were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences it is the offence for which the heaviest penalty is imposed. There will be other modern slavery prosecutions that are not counted in this data set as defendants may have been prosecuted for a more serious offence. A defendant who appears before both Magistrates' Court and Crown Court may not do so within the same year, meaning for a given year convictions may exceed prosecutions or sentences may not equal convictions. Defendants who appear before both courts may be convicted at the Crown Court for a different offence to that for which they were originally proceeded against at Magistrates' Court.

## Defendants prosecuted for modern slavery offences on an all offence basis, England and Wales, 2017 to 2020<sup>207</sup>

	2017		2018		2019		2020	
	Prosecuted	Convicted	Prosecuted	Convicted	Prosecuted	Convicted	Prosecuted	Convicted
Slavery, servitude and forced labour	41	11	17	16	5	24	2	3
Human trafficking for sexual exploitation	69	22	28	34	2	21	11	1
Human trafficking for non-sexual exploitation	19	9	32	1	28	13	0	3
Modern Slavery Act 2015	315	73	300	55	256	72	331	49
Total (all slavery and trafficking offences)	444	115	377	106	291	130	344	56

**Table A20**

207 Available at: <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2020>. The figures in this table relate to defendants prosecuted for modern slavery offences on an all offence basis, that is, the total number of offences a defendant is prosecuted for (principal offences plus non-principal offences).

## Human trafficking prosecutions and convictions, Scotland, 2017/2018 to 2020/2021<sup>208</sup>

	2017/2018	2018/2019	2019/2020	2020/2021
Number of persons reported to COPFS	23	15	39	43
Number of persons prosecuted	13	8	22	22
Number of persons convicted	3	2	0	0

**Table A21**

<sup>208</sup> Data provided by the Scottish Government. Data is provided based on the date on which the initial police report was submitted to the Crown Office and Procurator Fiscal Service (COPFS). 'Prosecuted' means that the Procurator Fiscal has placed the accused person(s) on petition. This is an initial step which is followed by a period of investigation. It does not necessarily mean that an indictment was served on the accused person(s). Decisions about whether to place a number of people on petition are being considered (particularly in relation to people reported to COPFS in 2020/21). Proceedings in respect of a number of accused persons are ongoing. Accordingly, the data on prosecutions and convictions will change as a decisions are made and proceedings conclude. The data is accurate as of 12 May 2021. Covid-19 significantly impacted court business and courts did not sit for parts of the reporting period. Since resuming, they have been operating at reduced capacity. Proceedings which may have concluded during the reporting period are likely to have been postponed beyond 31 March 2021.

## Human trafficking prosecutions and convictions, Northern Ireland, 2017/2018 to 2020/2021

	2017/2018	2018/2019	2019/2020	2020/2021
Number of persons prosecuted <sup>209</sup>	5	4	0	3
Number of persons convicted <sup>210</sup>	2	0 <sup>211</sup>	2	0

**Table A22**

209 Data provided by the Department of Justice Northern Ireland. Source: Public Prosecution Service for Northern Ireland Case Management System; based on 'most serious decision issued' – relates to the number of defendants for whom a decision issued by the PPS for prosecution in respect of a human trafficking offence.

210 Data provided by the Department of Justice Northern Ireland. Source: Public Prosecution Service for Northern Ireland Case Management System; based on 'indictable disposal date' – relates to outcomes at court in respect of defendants for whom a decision issued by the PPS for prosecution in respect of a human trafficking offence.

211 Two persons were convicted of other offences (controlling prostitution) arising from modern slavery / human trafficking investigations. Source: Public Prosecution Service for Northern Ireland Case Management System.



# Slavery and Trafficking Risk Orders (STROs) and Slavery and Trafficking Prevention Orders (STPOs), England and Wales, 2017/2018 to 2020/2021<sup>212</sup>

STROs and STPOs issued by Magistrates' Courts<sup>213</sup>

	2017/2018	2018/2019	2019/2020	2020/2021
Interim STROs	20	3	12	22
STROs	4	8	14	7
Interim STPOs	0	0	0	2
STPOs	1	1	2	0
STPOs on application	0	0	2	0
Total	25	12	30	31

## Table A23

<sup>212</sup> Data provided by HM Courts & Tribunals Service 13 May 2021.

<sup>213</sup> (1) Every effort is made to ensure that the figures presented are accurate and complete. These data have been extracted from large administrative data systems generated by the courts. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when data are used. (2) There is the potential for movement between the classification types from interim to full order. These data inaccuracies cannot be retrospectively rectified within the case management system so have therefore been excluded from this dataset (analysis suggests these equate to less than 10%). (3) The figures supplied have been extracted from live administrative data systems and have not been verified to the same standards as National Statistics. (4) Figures quoted for the Magistrates' Courts are for each case where an 'Interim' or 'Full' Order was issued in the year specified, rather than a count of defendants. Where a defendant has more than one case for which the relevant result code has been applied, each case will be counted separately. Where an Interim Order is made in one period which is then extended, only the original grant of the Interim Order will be counted irrespective of the period. Once an Interim Order has become a 'Full' Order, only the 'Full Order' has been annotated in the table.

## STPOs issued by Crown Courts<sup>214</sup>

	2017/2018	2018/2019	2019/2020	2020/2021
STPOs	29	49	24	3

### Table A24

## Trafficking and Exploitation Risk Orders (TEROs) and Trafficking and Exploitation Prevention Orders (TEPOs), Scotland, 2017/2019 to 2020/2021<sup>215</sup>

	2017/18	2018/19	2019/20	2020/21
TEROs	0	0	0	0
TEPOs	2	2	4	0

### Table A25

## Slavery and Trafficking Prevention Orders STPOs, Northern Ireland, 2017/2018 to 2020/2021<sup>216</sup>

	2017/18	2018/19	2019/20	2020/21
STPOs	2	0	0	0

### Table A26

214 If a defendant receives the same order type on different occasions during the same month then it has been counted only once. If a defendant receives the same order type in different months, then it has been counted for each month. The figures supplied have been extracted from live administrative data systems and have not been verified to the same standards as National Statistics.

215 Data provided by the Scottish Government. Data is provided based on the date on which the TERO/TEPO was imposed.

216 Data provided by the Department of Justice Northern Ireland.

# Breakdown of dedicated modern slavery and human trafficking resource

## England and Wales<sup>217</sup>

### Box A1

Nearly half of all forces in England and Wales are believed to have a specialist investigative capability for modern slavery or wider exploitation offences and other forces are currently working on implementing a specialist investigative capability. Many forces have focused resources such as investigation, triage and intelligence towards exploitation offences (such as child sexual exploitation and abuse, child criminal exploitation, county lines and adult sexual exploitation). In some examples these units started as a dedicated modern slavery team but have since evolved into exploitation-focused teams. There is a large crossover with these types of offences, in terms of supporting victims and understanding their vulnerabilities, the complexities that can arise during investigation and the knowledge and tactics needed to investigate exploitation offences effectively. There are therefore efficiencies, especially for smaller forces, in combining resources to investigate all exploitation offences.

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<sup>217</sup> Information provided by the MSOIC Unit.

## Scotland<sup>218</sup>

### Box A2

In the reporting period Police Scotland further expanded their National Human Trafficking Unit to consist of a detective chief inspector, two detective inspectors, four detective sergeants, ten detective constables and access to a range of specialist officers. This has allowed the formation of a human trafficking inquiry team with dedicated intelligence cell. These specialist officers are supported by a network of 48 human trafficking champions and 53 tactical advisors who have completed bespoke training and provide assistance to officers. Over 15,000 Police Scotland officers and staff have also completed human trafficking training to enable them to identify and take appropriate measures to tackle human trafficking and exploitation.

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218 Information provided by the Scottish Government.

## Northern Ireland<sup>219</sup>

### Box A3

Police Service Northern Ireland human trafficking resource comprises 15 dedicated officers:

- One detective inspector
- Two detective sergeants
- 12 detective constables

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<sup>219</sup> Information provided by the Department of Justice Northern Ireland.

# Appendix C: The Modern Slavery Act 2015 statutory defence: A call for evidence - Recommendations and responses

## Recommendations

1. The CPS legal guidance should clarify precisely what requirements there are on defendants and prosecutors when considering and deploying the statutory defence.
2. Training in the statutory defence needs to be prioritised by the police, CPS, defence lawyers, magistrates and judiciary.
3. The CPS should in all cases request the full trafficking consideration minute from the SCA in order to weigh and test the evidence in line with Home Office statutory guidance and CPS guidance.
4. The SCA should develop and implement information sharing protocols with a range of bodies.
5. The police, together with other criminal justice partners, should consider adopting Northumbria Police good practice of a national disclosure document to prompt consideration of the statutory defence.

6. Every child within the NRM should be referred to the relevant local authority Children's Social Care who should convene a Strategy Discussion under section 47 of the Children Act 1989.
7. The Department for Education should review and update Working Together to Safeguard Children as recommended by the Child Safeguarding Practice Panel Review.
8. The Home Secretary should write to all local authorities to ensure that they understand what the NRM means in the context of children.
9. The SCA should provide clear guidance to First Responders about the circumstances in which a separate NRM referral should be submitted.
10. The SCA should improve the recording and monitoring of repeat referrals to the NRM to better understand the scale of continued trafficking and re-trafficking.

# Responses

	Recommendation	Responses
1	The CPS legal guidance should clarify precisely what requirements there are on defendants and prosecutors when considering and deploying the statutory defence.	The CPS Director of Public Prosecutions (DPP) accepted the recommendation and will review and revise the CPS legal guidance on modern slavery and human trafficking.
2	Training in the statutory defence needs to be prioritised by the police, CPS, defence lawyers, magistrates and judiciary.	The Law Society responded that the statutory defence is covered in both their written guidance and in training seminars. Police responded that they had developed a new section 45 webinar to roll out to forces. The DPP accepted the recommendation and said that training to all prosecutors is underway. The Judicial College replied that section 45 training is incorporated into judicial training and is a priority for magistrates and legal advisors.
3	The CPS should in all cases request the full trafficking consideration minute from the SCA in order to weigh and test the evidence in line with Home Office statutory guidance and CPS guidance.	The Home Secretary responded that the SCA regularly shares NRM decision information with police and they should share it with the CPS. The DPP responded that the CPS legal guidance reminds prosecutors that the duty of disclosure under the Criminal Procedure and Investigations Act 1996 may apply to the SCA minute and other material relating to the decision making process and therefore the material will be requested by the police and the SCA should supply it to them in an unredacted form.



	<b>Recommendation</b>	<b>Responses</b>
4	The SCA should develop and implement information sharing protocols with a range of bodies.	The Home Secretary responded that the SCA is currently developing information sharing protocols with police and would consider further arrangements if they would strengthen this work.
5	The police, together with other criminal justice partners, should consider adopting Northumbria Police good practice of a national disclosure document.	Police responded that they accepted the recommendation and that the principles of the Northumbria Police good practice document have been incorporated into training and accompanying guidance documents.
6	Every child within the NRM should be referred to the relevant local authority Children's Social Care who should convene a Strategy Discussion under section 47 of the Children Act 1989.	The Home Secretary responded that her department has an initiative to pilot a devolved model of decision making for child victims of modern slavery. Police responded that their training requires officers to consider referring any child at risk of harm to children's services. The Association of Directors of Children's Services (ADCS) offered to meet the Commissioner to discuss recommendation 6.
7	The Department for Education (DfE) should review and update Working Together to safeguard Children as recommended by the Child Safeguarding Practice Panel Review.	The DfE responded that they are in regular discussion with the National Panel about how best to take forward the recommendations in their thematic review 'It was hard to escape'. The DfE is committed to a full revision of the statutory guidance. The ADCS offered to meet the Commissioner to discuss recommendation 7.

	<b>Recommendation</b>	<b>Responses</b>
8	The Home Secretary should write to all local authorities to ensure that they understand what the NRM means in the context of children.	The Home Secretary responded that her officials have worked to ensure that local authorities are aware of their responsibilities set out in the Modern Slavery Act statutory guidance and the standardised training module for First Responders (July 2020). She will write to local authorities when changes are made to the NRM as a result of the ongoing transformation programme.
9	The SCA should provide clear guidance to First Responders about the circumstances in which a separate NRM referral should be submitted.	The Home Secretary responded that statutory guidance under the Modern Slavery Act 2015 published in March 2020 includes the requirements for First Responders to make a referral of a child victim of modern slavery to the local authority and to the NRM.
10	The SCA should improve the recording and monitoring of repeat referrals to the NRM to better understand the scale of continued trafficking and re-trafficking.	The Home Secretary responded that the SCA is currently testing appropriate methods to record repeat referrals into the NRM using the new digital system to ensure there is an accurate picture across the UK.

# Appendix D: IASC Research Priorities

<b>Improving victim care and support</b>
Understanding victim and survivor experiences and longer-term outcomes. How can survivor experiences best be captured? How can outcomes be measured (quantitatively and qualitatively) and what does a positive outcome look like?
Understanding what makes people vulnerable to trafficking and re-trafficking to inform prevention efforts and build resilience at a structural level and among vulnerable communities.
Identifying support needs of child victims of trafficking including during transition into adulthood. Understanding the scale and nature of child trafficking in the UK and effective models of intervention such as contextual safeguarding.
Focusing on primary prevention as per a public health approach to determine vulnerability factors at a population level. Exploring a public health approach to modern slavery.
Developing an evidence base for the benefits of access to work and the harms of not working for victim and survivor outcomes, agency and sustainable independence.
Researching the scale and nature of domestic servitude in the UK, and how challenges linked to identification and a lack of awareness impacts the response to this exploitation type.
Researching the impact of digital poverty for victims and survivors in the NRM and evaluating efforts to provide practical support such as digital access and literacy within the NRM.
<b>Supporting law enforcement and prosecutions</b>
Understanding barriers to prosecution. Why has an increase in operational activity by the police not translated into successful prosecutions using the Modern Slavery Act 2015? How can victim engagement in the criminal justice process be improved and what can be learned from rape and sexual assault and domestic abuse offences?

<p>Researching the key challenges undermining effective financial investigation of modern slavery crimes and ability to seize assets. How do we ensure modern slavery is seen as a priority for financial investigators? How can we move towards greater levels of victim reparations?</p>
<p>Developing understanding of the transitions from a victim of exploitation to offender (and vice versa). Where are the indicators and intervention points? What forms of exploitation is this most prevalent in and why? Can contextual safeguarding and interventions prevent this?</p>
<p><b>Focusing on prevention</b></p>
<p>Exploring consumer attitudes and their impact on businesses. Does increased public awareness of modern slavery lead to behavioural change of consumers and does the purchasing power of consumers influence businesses to change procurement and manufacturing practices?</p>
<p>Understanding links between low or non-compliance with labour regulations, and labour exploitation. Are low levels of compliance or non-compliance evidence of non-compliance in other areas? How can we establish a baseline of evidence for this?</p>
<p>What does success look like in the detection of trafficking in supply chains? What best practice exists in terms of business efforts to examine and understand their supply chains and to mitigate trafficking and exploitation risks?</p>
<p>How effective is leadership in reorienting the business practices and expectations of suppliers and investors towards a focus on sustainability which values people and planet, as well as profit?</p>
<p><b>Getting value from research and innovation</b></p>
<p>Understanding the impact of research on modern slavery on policy and practice, including research and practice by academics and practitioners. Identifying good practice in the translation of research which improves policy and outcomes, as well as preventing exploitation.</p>
<p>Adopting a what works approach to monitoring, evaluating and informing modern slavery policy and practice, with a focus on synthesising and translating evidence into effective policy.</p>

Building the evidence base on modern slavery, including understanding differing approaches to assess prevalence of modern slavery in the UK to support policy and practice which is underpinned by accurate data.
Exploring the use of data analytics to provide insight on trafficking-related issues such as identifying illicit financial flows and other suspicious activity resulting from human trafficking.
Scoping out opportunities to conduct systematic reviews, gap maps and evaluations of survivor interventions, criminal justice responses and prevention efforts. Synthesising cost-benefit analyses related to modern slavery support and interventions.
<b>International</b>
Assessing and evaluating the impact of immigration policy on modern slavery and vulnerability, including the points-based system and Domestic Worker Visas.
Evaluating returns and reintegration programmes, developing and sharing best practice, and understanding what works through longitudinal analyses.
Exploring the links between human trafficking and related socio-economic and humanitarian issues such as climate change and migration.

# Role of the Independent Anti-Slavery Commissioner

Part 4 of the Modern Slavery Act (2015) created the role of the Independent Anti-Slavery Commissioner. The Commissioner has a UK-wide remit to encourage good practice in the prevention, detection, investigation and prosecution of slavery and human trafficking offences and the identification of victims.

Dame Sara Thornton was appointed as the Independent Anti-Slavery Commissioner by the Secretary of State following consultation with the Scottish Ministers and the Department of Justice in Northern Ireland. She took up post at the beginning of May 2019 and her appointment is for three years.

The Commissioner is given an annual budget with which to appoint staff and carry out her duties. She is accountable through her strategic plan and annual reports, which the Secretary of State lays before parliament, setting out the extent to which objectives and priorities are achieved. The Commissioner will publish her expenses and all Freedom of Information requests she receives.

To carry out her function the Commissioner can:

- Make a report on any permitted matter to the Secretary of State, the Scottish Ministers and the Department of Justice in Northern Ireland (reports

must be requested by the Secretary of State, the Scottish Ministers or the Department of Justice in Northern Ireland; or be as detailed in the strategic plan)

- Publish reports (as laid out in the Act)
- Make recommendations to any public authority about the exercise of its functions
- Undertake or support the carrying out of research
- Provide information, education or training
- Consult and co-operate with public authorities, voluntary organisations and other persons

The Commissioner published her Strategic Plan 2019-2021 in October 2019, which stated the objectives and priorities for the period 2019-2021 and identified matters on which she proposed to report.

This document, the Annual Report 2020-2021, sets out the exercise of the Commissioner's functions and activities during 2020-2021.

Public authorities have a duty to co-operate with the Commissioner, share data with her and comply with requests (to the extent specified in the Act).

The Commissioner does not exercise any function in relation to individual cases save to draw conclusions for the purpose of considering a general issue.

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CCS0521518548

978-1-5286-2622-4