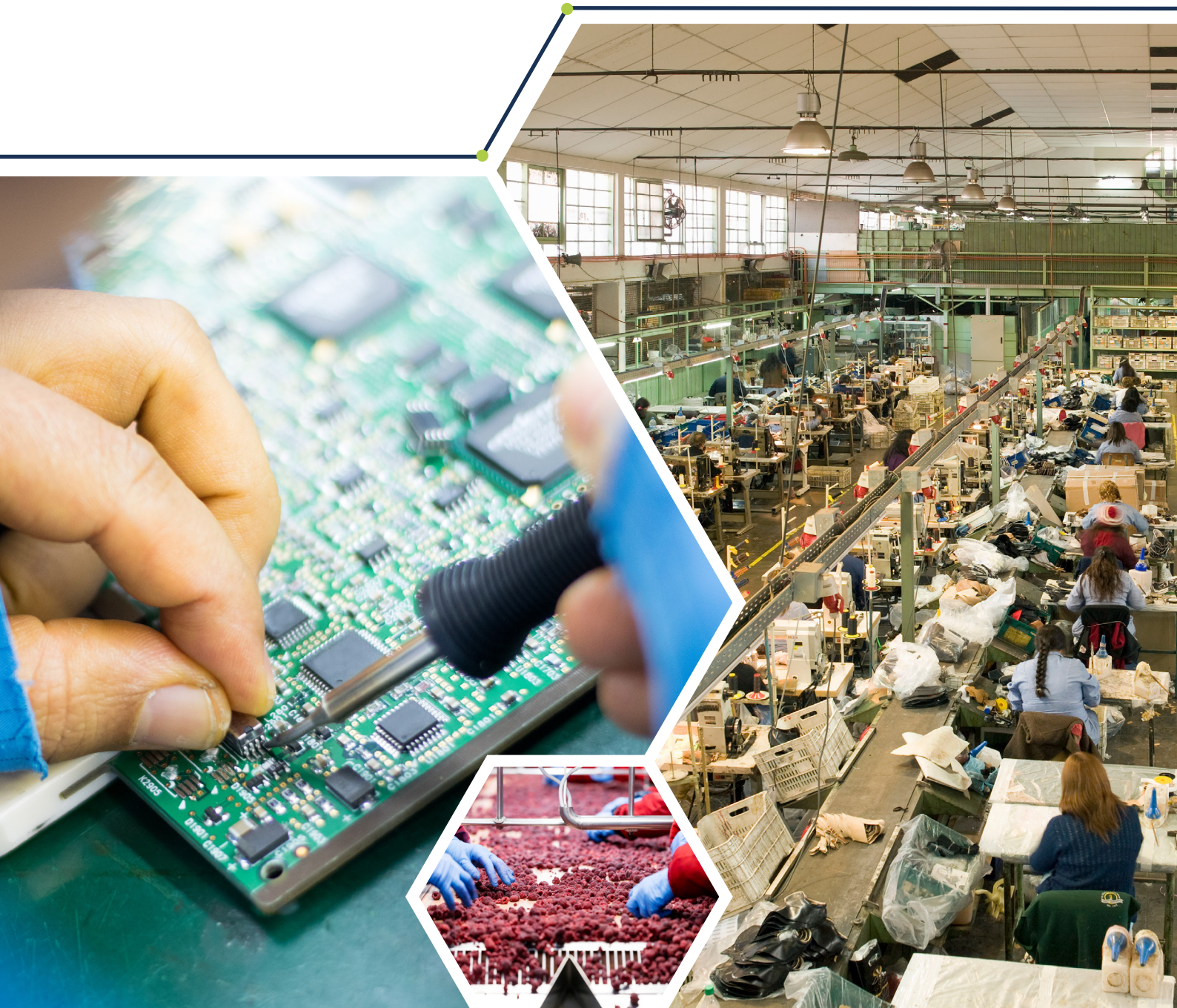




Ministry
of Justice

Modern Slavery Transparency Statement 2020 - 2021



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Foreword from the Lord Chancellor and Secretary of State for Justice and Deputy Prime Minister



Our purpose is to deliver a robust and effective justice system that serves everyone – especially the most vulnerable. That’s why we’re moving to better protect some of the most traumatised victims in society through our first modern slavery statement.

This appalling practice, characterised by violence and the abuse of power to exploit and deprive people of their dignity and freedom, has no place in a modern world. Each government department has a responsibility to protect vulnerable workers, and with more than 1,000 contracts and 700 suppliers connected to the MoJ, we take this responsibility seriously. We have made progress and worked to raise awareness, but there is more to be done to build on this to further support and protect victims and survivors.

This statement sets out MoJ’s approach to guard against modern slavery in our supply chains and operations. It confirms our commitment to identify and minimise the risk of exploitation and our ongoing commitment to continuous improvement.

We will continue to be relentless in our opposition to these grave violations of human rights by implementing a strong programme of work to combat the issue wherever it occurs.

Section 1

Organisational structure and supply chains



This section sets out the organisational structure of the MoJ, the internal governance that facilitates the prevention of modern slavery in our operations and highlights the breadth and diversity of our supply chain.

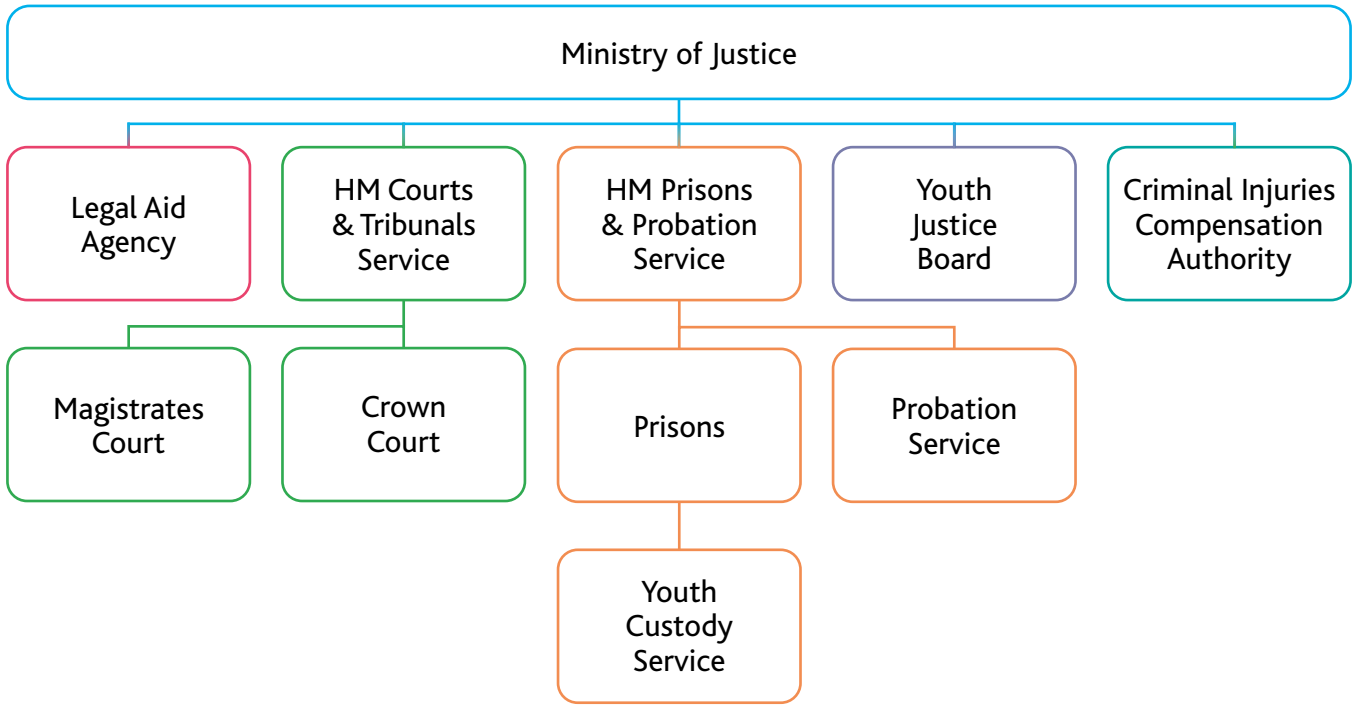
The MoJ is a major government department at the heart of the justice system. The MoJ manages vital public services that deliver our strategic objectives: to protect the public from serious offenders, improve the safety and security of our prisons, reduce re-offending and deliver swift access to justice. [The MoJ Outcome Delivery Plan](#) sets out the priorities and key objectives of the MoJ for 2021/22. Whilst we recognise our role and obligations, we will also work with other parts of the wider justice sector (as shown in Fig.1) in fulfilling our commitments.

Our inaugural statement applies to the MoJ group, including our agencies: Her Majesty's Prisons and Probation Service (HMPPS), Her Majesty's Courts and Tribunal Service (HMCTS), and our arm's-length bodies (ALBs) to whom we provide core services, including legal, commercial and human resources. The MoJ also procures on behalf of the Office of the Secretary of State for Wales, and as such, they are within the scope of our statement. The Legal Aid Agency (LAA), our largest ALB by budget, is publishing its own modern slavery statement as it procures some of its own services. Additional information on our ALBs (including those with a budget above £36 million) and the Wales Office are listed in Appendix A.



The MoJ manages vital public services that deliver our strategic objectives to protect the public from serious offenders, improve the safety and security of our prisons, reduce re-offending, and deliver swift access to justice.

Figure 1: MoJ Structure



Anti-Slavery Internal Governance

The Modern Slavery Leadership Group, chaired by the Director of Social Value and Corporate Responsibility, meets monthly and brings together leads from commercial, the operational line, HR, policy, legal and communications to support actions to prevent modern slavery risks in MoJ’s supply chains. The group helps identify any gaps and proportionate actions to raise awareness and strengthen the MoJ’s modern slavery provisions. The group provides leadership of the MoJ’s modern slavery goals at a corporate level, and is supported by the Modern Slavery Working Group (led by Commercial and Contract Management Directorate) which also meets monthly.

The MoJ Director of Social Value and Corporate Responsibility has overall responsibility for embedding a strategic approach and the publication of the Statement, and represents the MoJ as our Anti-Slavery Advocate. The Modern Slavery Leadership Group will continue to meet post-publication of our first statement to monitor progress against areas identified for continuous improvement.

The MoJ engages with the Home Office through its Anti-Slavery Advocate meetings and the Modern Slavery Policy and Implementation Group.



We are committed to sourcing in a fair, ethical and responsible way and are working towards identifying and mitigating against the potential risks of modern slavery occurring in our supply chains.

Commercial and Contract Management

Directorate (CCMD)

With over 370 staff, CCMD provides expert commercial advice to support the delivery of front-line justice services, sourcing and managing circa £3,950 million of contracted spend through our third-party contracts each year. CCMD takes on responsibility for commercial activity across the three main agencies (HMPPS, HMCTS and the LAA) in addition to the ALBs, Wales Office, functions and professions. With over 700 suppliers servicing over 117 prisons, as well as 300 courts and tribunals, gaining a high level of transparency in increasingly complex global supply chains can be challenging. CCMD have started the process of risk assessing contracts to understand where to apply extra focus.

The MoJ has over 1,200 contracts, which we classify according to three main types: gold, silver and bronze. Gold contracts are typically larger, longer contracts for complex or critical works and services.

Silver contracts tend to be important but not critical works and services. Bronze contracts are generally smaller, simpler contracts for non-critical works and services. Not all contracts need to be classified, for example grants.



With over 700 suppliers servicing over 117 prisons, as well as 300 courts and tribunals, gaining a high level of transparency in increasingly complex global supply chains can be challenging.

Figure 2: MoJ Contracts Summary

Total number of contracts classified as Gold, Silver and Bronze (as of August 2021):



MoJ Supply Chain

The MoJ procures a range of goods and services in sectors such as construction, facilities management, catering, fleet management, ICT hardware and passenger transport from hundreds of suppliers (which we define as third-party spend) across the UK and globally. We are committed to sourcing in a fair, ethical and responsible way and are working towards identifying and mitigating against the potential risks of modern slavery occurring in our supply chains. We recognise that we are at the start of a journey with our supply chain, one which we are seeking to improve year-on-year.

As well as our work on risk assessing all our contracts, we will also develop procedures to support contract manager discussions with suppliers around modern slavery.

In 2020-21, MoJ third-party spend equated to approximately £5,550 million, of which £1,550 million is distributed by the LAA in the form of payments to solicitors and barristers who provide crucial advice to eligible people under our legal aid scheme. The remaining £4,000 million is split between monies spent directly by our ALBs (£67 million) and spend on behalf of the MoJ by CCMD (circa £3,950 million).

The infographic below shows our top five highest spending areas by category.

Figure 3: Top five areas of MoJ spend by category:



Information entered on the MoJ supplier registration portal show that the majority of our suppliers are located in the UK. However, of greater interest is understanding where sub-contractors supplying services to our primary contractors are located globally, given there may be modern slavery risks associated with manufacturing hubs and factories.

We will investigate opportunities over the coming year to capture this information from our strategic suppliers and with contracts assessed to be at a higher risk of modern slavery occurring.

Section 2

Policies in relation to modern slavery



This section highlights MoJ policies and actions to ensure modern slavery risks are identified and managed at an organisational level and in our supply chains.

Policies and Commitments

As well as having robust processes and due diligence in place, addressing modern slavery is one of our core values and a genuine concern for our department. The department is committed to ensuring there is no room for modern slavery in our organisation or any part of our supply chain.

The MoJ works closely with other departments to tackle modern slavery and supports the implementation of cross-government policies including those listed in the [Procurement Policy Note \(PPN\) 05/19](#) and [Tackling Modern Slavery in Government Supply Chains](#). The PPN has been circulated widely to CCMD colleagues; events organised by Crown Commercial Services were held on risk assessing contracts; the Chartered Institute of Purchasing and Supply (CIPS) delivered training sessions, and CCMD ran bespoke sessions. CCMD Commercial Standards team regularly interpret and communicate new and updated policies to all commercial staff. This is followed up with lunch and learn sessions where appropriate.

Commercial Guidance

CCMD have mandated all staff, commercial and non, to undertake the annual CIPS Ethics e-learning and assessment which has a significant section on modern slavery. Modern slavery is also included in our CCMD induction process for all new staff which covers some of the areas outlined in the PPN.

Alongside this, the CCMD Contract Management Handbook, the main source of guidance for commercial teams, was updated to incorporate the PPN to support teams in their day-to-day procurements. The Handbook acknowledges that effective early-market engagement will help ascertain how mature the market is in dealing with modern slavery issues. It highlights the importance of understanding the types of measures and actions suppliers have already put in place to identify issues and manage risks, and the requirement for specific clauses to be included in contracts that pose high risk to modern slavery to strengthen our contractual position.

Modern slavery is addressed at various stages from pre-procurement, through sourcing to contract management. Suppliers bidding for MoJ contracts must provide evidence that they have met the requirements of the Modern Slavery Act 2015 which includes confirming whether they are required to publish a modern slavery statement as well as their compliance with the annual reporting requirements.

Post contract, the Handbook further specifies, if appropriate, that suppliers be invited to complete the Modern Slavery Assessment Tool (MSAT).

Legislation

In terms of legislation, the Public Contracts Regulations (PCR) 2015 provide the framework for all public procurements in the UK. They include seven Procurement Principles which require public authorities to promote greater transparency, equal treatment of all suppliers and non-discrimination.

HR Policy

All civil servants are bound by the Civil Service code, which sets out core values: integrity, honesty, objectivity and impartiality. If an individual is asked to do something, or is aware of the actions of others, which they consider to be wrong, illegal, has the potential to endanger others or breach the Civil Service code, they can raise a concern using the MoJ 'Raising a Concern' policy. Nominated officers will consider cases and the appropriate response, including whether a referral needs to be made.

MoJ's Safeguarding Policy focuses specifically on concerns relating to a child or vulnerable adult being at harm or at risk of harm, offering guidance on how to raise a concern.

Our department has an important role in tackling modern slavery, not only through our commercial contracts, but also addressing this through the important work of our delivery agencies, HMCTS and HMPPS. In these roles we both supervise those convicted of modern slavery offences and also make referrals to first responder organisations where staff have concerns about modern slavery. This work is multifaceted and ranges from the role of our probation service in courts when preparing pre-sentence reports, through to prison and probation staff making referrals to first responder organisations and providing support. It takes place in our youth, female and male custodial estate, as well as in our work in the community when supervising people. Further information is detailed in section 4.



The department is committed to ensuring there is no room for modern slavery in our organisation or any part of our supply chain. As well as having robust processes and due diligence in place, it is one of our core values and a genuine concern for our department.

Section 3

Risk assessment and due diligence



Included in this section is data and analysis on our risk assessment of contracts and our approach to strengthen this work through engagement with our supply base.

The MoJ has taken the approach that contracts of almost any value could be subject to modern slavery risks, whether those supply chains are in the UK or abroad. For this reason, MoJ will review and risk assess all contracts (starting with our gold level contracts, then silver and bronze) to understand and prioritise the risk of modern slavery occurring using the Home Office Prioritisation Tool (HOPT). The HOPT has been designed to support government departments to undertake light-touch modern slavery risk assessment of contracts and help determine which suppliers to invite to complete the [MSAT](#) and conduct other modern slavery due diligence measures.

For all new contracts awarded from September 2021 the commercial contract manager must risk assess their contract within three months of the contract start date. Where a contract is identified as high or medium risk, the supplier of the contract will be asked to complete the MSAT. The MSAT is a modern slavery risk identification and management tool that helps organisations understand where there may be risks of modern slavery and to help public sector organisations work in partnership to improve protections and reduce the risk of exploitation of workers in their operations and supply chains.

Based on the responses given in the MSAT, performance ratings are generated to quantify a measure of performance in each section of the assessment, as well as an overall total score. This rating can be used to identify areas of strength and weakness and as a benchmark for assessment-to-assessment growth.

The MoJ are in the process of updating guidance and advice to contract managers so that they are clear on their responsibilities to regularly discuss modern slavery actions from the MSAT with the supplier.

Commercial staff also assess the potential risk of modern slavery occurring in their categories through an understanding of the supply market and through pre-procurement discussions with suppliers. Where appropriate, commercial staff are proactively including a relevant contractual Key Performance Indicators (KPIs), for example, in the construction of our new prisons.

To ensure we can monitor ongoing compliance, risk prioritisation data (high, medium or low risk) will be captured within our e-procurement system along with whether the contract manager has requested an MSAT to be completed. This data will be monitored quarterly by the Social Value Lead.

The department will address any incidences of modern slavery in our supply chains on a case by case basis and will investigate and proactively seek to work in partnership with the supplier to understand and seek a resolution. We will look to review our current processes for workers within our supply chain who may wish to raise a concern in relation to modern slavery and will engage with our commercial team and suppliers to strengthen the procedure.

Findings from risk assessment

To date, all of our Gold contracts have been risk assessed and an analysis is provided in figure 4. It is our intent to complete assessment of all silver and bronze contracts over the autumn 2021. Looking to the future, all new contracts will include an assessment of modern slavery risk as an integral part of the procurement process.

To complete the risk assessment, we have adopted the HOPT which enables government departments to undertake a consistent, light touch modern slavery risk assessment of each of their contracts.

Completion provides a judgement against five key categories of risk, and suppliers rated as high or medium risk are required to complete the MSAT if this has not already been done (for example as a result of a request from a different government department). Additionally, the commercial contract manager may conduct other modern slavery due diligence measures or agree actions to address specific risks.

The HOPT assessment covers five key risk areas which together determine the overall risk rating assigned to each contract. These areas are:

1. Industry type
2. Supply chain location
3. Nature of the workforce
4. Supply chain model
5. Operating context

A summary of the gold contract assessments is shown in figure 4:

Figure 4: Summary of high, medium and low risk gold contracts

| Modern Slavery Risk Rating | Number of contracts | % of contracts | Number of suppliers |
|---------------------------------|---------------------|----------------|---|
| Low risk (Rating of 0 to 2) | 71 | 60% | 44 |
| Medium Risk (Rating of 3) | 9 | 8% | 9 |
| High Risk (Rating of 4 to 5) | 38 | 32% | 31 |
| Total | 118 | 100% | 79 different suppliers¹ |

1 This column does not total because there were 79 different suppliers. Of these, 20 held multiple contracts and five of the 20 had contracts with a mix of high, medium and low risk ratings

In total, 79 suppliers were assessed in the initial phase of the exercise, 20 of whom held multiple gold contracts with the MoJ. Of these 20, five suppliers held contracts with different risk ratings, based on the varying nature of the goods and services provided. For example, one supplier provides electronic goods under one contract, and professional services under another contract. The provision of electronic goods relies upon manufacturing based in a high-risk location, therefore yields the contract high risk. However, the professional services are delivered solely from the UK and are reliant on skilled labour, therefore relatively lower risk.

Analysis of the contracts noted several recurring trends in the overall classification of risk ratings assigned. Industry types such as manufacturing, electronics (IT) and services (including facilities management) formed most of the high-risk assessments, whereas the majority of low-risk ratings were professional services contracts. In general, professional services contracts are delivered by UK based staff with more simple supply chains and no reliance on goods or labour provided by high-risk locations.

Of the 47 contracts deemed medium (9) or high-risk (38), it was assessed that:

- 42 considered some part of the supply chain to operate within a high-risk location. In general, this relates to the location of secondary rather than primary supply, for example, the provision of electronic hardware for the MoJ in the UK relies upon manufacturing in China and Taiwan. Where products or services were manufactured or sourced from high-risk geographies (such as India, China or Russia²) the economic and environmental landscape of these countries would, in most cases, result in a high risk rating for operating context due to factors such as: inadequate labour laws and

regulations with little or no enforcement, high levels of poverty and unemployment which leads to the presence of cheap labour, and a high number of vulnerable workers likely occurring within the onward supply chain;

- 45 considered the supply chain models to be a risk factor, with 40 of 45 citing evidence of complex subcontracting relationships (with complexity relating to either the volume or structure of those relationships). The larger and more complex the supply chain, the harder it is for our suppliers to understand the conditions for workers in their supply chains, which increases the risk of modern slavery. Contracts with non-complex subcontracting relationships, such as professional design services using specialist fire consultants to assist in the design of specific-category prisons, were generally deemed low-risk;
- 38 contracts considered the nature of the workforce to be a risk factor, with an even split between contracts considered to rely upon low or unskilled labour and dangerous or physically demanding work, and contracts where high numbers of temporary and/or agency workers are involved. Low-paying and undervalued work (i.e. low or unskilled labour) and greater employment uncertainty (i.e. work utilising high numbers of temporary and/or agency workers) is often undertaken by vulnerable workers, which increases the risk of modern slavery occurring in our supply chains.

In general, contract managers considered their primary supplier to be low risk for modern slavery, due to the majority of primary supply being delivered from the UK only, but consideration of second tier supply revealed indicators generating a high-risk outcome. The risk assessment of gold contracts did not identify any specific historical incidents of modern slavery within the portfolio.

2 Although modern slavery can occur anywhere in the world, there are some countries where the risk is perceived to be higher. The US Department of Labour produces an annual list of higher risk countries where goods may be produced by child labour or forced labour (see <https://www.dol.gov/sites/dolgov/files/ILAB/2020ListofGoodsExcel.xlsx>). During risk prioritisation, MoJ contract managers considered whether they understand or expect the supplier or the supplier's supply chain to operate in any one of these higher risk countries.

For each of the 47 contracts deemed medium or high-risk the contract manager has obtained or is in the process of requesting the supplier to complete an MSAT. These 47 contracts cover a range of goods and services purchased (see table below) with the most frequent categories being the operation of custodial services (17) and the provision of software and/or communication assistance (10).

In general, the operation of custodial services category refers to facilities management contracts which are typically higher risk due to the origin of materials used (e.g. glass) and the prevalence of sub-contracting relationships which add to supply chain complexity. Typically, the provision of software and/or communication assistance also includes the provision of electronic hardware which is often manufactured in higher risk locations (e.g. China and Taiwan).

| Categorisation of Medium/High risk contracts | Number of contracts | % of contracts |
|--|---------------------|----------------|
| Custodial services | 17 | 36% |
| Software and/or communication assistance | 10 | 21% |
| Other goods & services | 8 | 17% |
| Court buildings | 7 | 15% |
| Other construction or maintenance work | 5 | 11% |
| Total | 47 | 100% |

MSAT completions

As of June 2021, 38 suppliers representing 161 MoJ contracts have completed the MSAT. This includes 26 gold, 24 silver and 108 bronze contracts, as well as three that have yet to be given a classification.

The MSAT rates suppliers' performance based on a green, amber, yellow and red scorecard across several areas of risk and provides an overall total risk score. Of the 38 supplier MSAT results analysed:

- the most common overall total risk rating was green followed by amber – no supplier had an overall 'red' risk score

- the 'Governance' and 'Managing Risks' sub areas received the most green performance ratings across all suppliers
- the amber rating was most assigned to the sub areas of 'Due Diligence' and 'Key Performance Indicators'
- there were mixed scores for 'Training, Policies and Procedures' and the 'Business Context' across all suppliers' MSAT reports

Supplier responses are also analysed against best practice, and areas of improvements are recommended for consideration and action to be taken, so that suppliers can be in a stronger position to mitigate modern slavery risks.

The most common recommended actions issued to suppliers who completed the MSAT were:

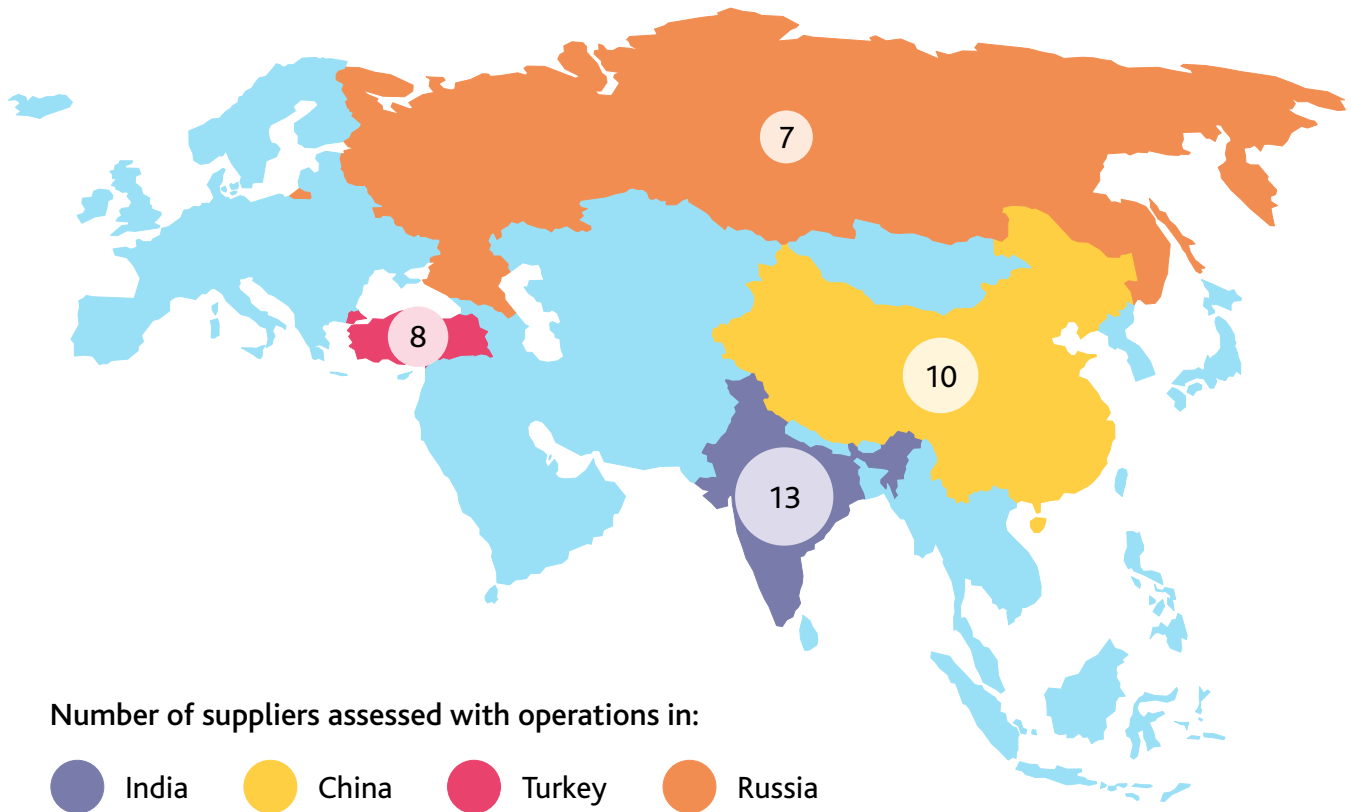
| Top four improvement recommendations for suppliers: | No. of suppliers with recommendation |
|--|--------------------------------------|
| 1. Your organisation should consider developing key performance indicators relating to its policy on modern slavery. | 17 (44%) |
| 2. Your organisation should consider having a Service Level Agreement (SLA) in place for suppliers to follow if an incident or suspected incident of slavery is encountered. | 17 (44%) |
| 3. Your organisation should ensure its corporate policy on modern slavery includes access to remedy, compensation and justice for victims. | 13 (34%) |
| 4. Your organisation should have processes in place for responding to a report of suspected instances of modern slavery that follows good practice. | 11 (29%) |

| The next most common improvement recommendations: | No. of suppliers with recommendation |
|--|--------------------------------------|
| Your organisation should consider modern slavery during each stage of its procurement process. | 10 (26%) |
| Your organisation should consider undertaking activity that helps workers in your supply chains have access to representation. | 10 (26%) |
| Your organisation should consider carrying out the following due diligence measures to ensure workers in your organisation and supply chain are not trapped in debt bondage. | 10 (26%) |
| Your organisation should consider auditing its suppliers on their business activities. | 10 (26%) |
| Your organisation should put measures in place to mitigate the risk of modern slavery in its supply chain. | 10 (26%) |

Although modern slavery can occur anywhere in the world, there are some countries where the risk is predicted to be higher. A summary of MoJ suppliers with operations in high risk locations (according to the US Department of Labour, who produce an annual list of goods produced by child labour or forced labour) is shown in figure 5.

Several suppliers are in the process of completing their MSATs and all suppliers will be invited to share their MSAT reports. We will continue to review, analyse and follow up on the findings from these risk assessments.

Figure 5: The top four high risk locations where MoJ suppliers have operations



Section 4

Training and raising awareness



This section highlights targeted work completed within MoJ to increase awareness, provide training and guidance on modern slavery and associated risks across our organisation.

Commercial Training

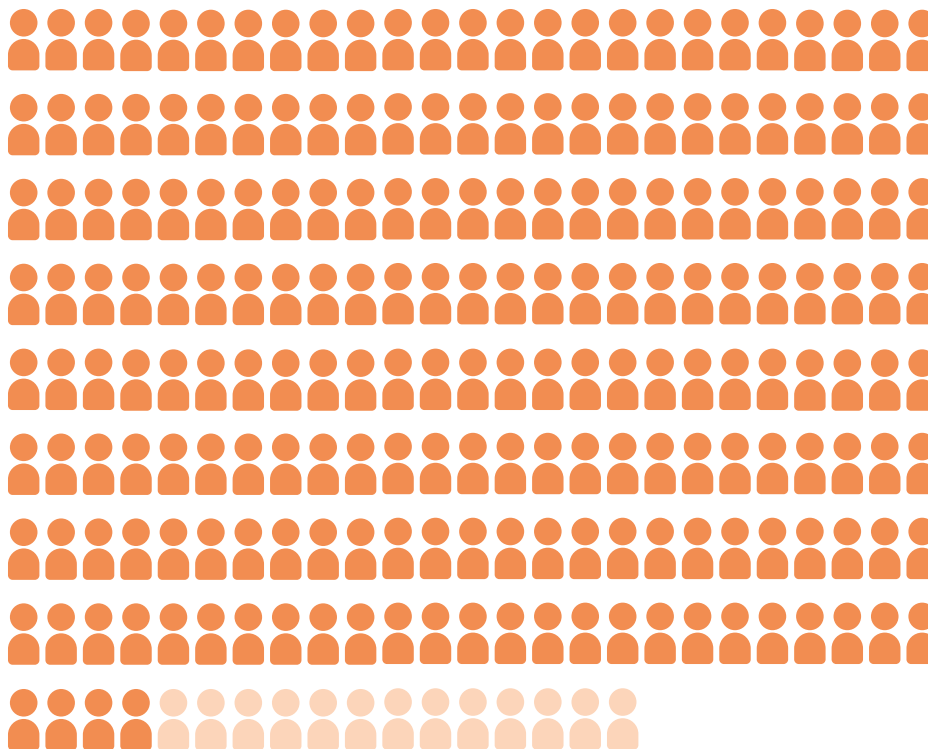
CCMD have completed a range of professional CIPS e-learning and bespoke modern slavery training in 2019. During 2020/21, 217 CCMD staff (94% of those in eligible commercial and non-commercial roles) have completed the CIPS Ethics e-learning course and assessment (which has a significant Modern Slavery element).

This will continue to be mandated on an annual basis for all permanent commercial and contract management members of staff.

In June 2020, CCMD organised a Modern Slavery and Human Trafficking (MSHT) awareness session, which was attended by 87 members of staff. In November 2020, the Prosecution Christian Fellowship (PCF) at the Crown Prosecution Service organised an MoJ-wide MSHT listening session, presented by Stop the Traffik Kent, which was widely attended.



94% of CCMD staff completed the CIPS Ethics e-learning course and assessment in 2020/21



CCMD provides modern slavery training for all new joiners as part of our quarterly induction sessions. The induction session includes a 20-minute session led by a senior CCMD Commercial Manager, focusing on Modern Slavery in the PPN 05/19. It covers areas such as what is modern slavery, which sectors and products are most often impacted, and specifically highlights the actions commercial teams must take to guard against modern slavery in our supply chains.

Going forward, CCMD will continue to deliver modern slavery awareness sessions as part of our induction, mandate CIPS Ethics e-learning courses for new joiners, and annual renewal for permanent commercial and contract management members of staff at all levels. CCMD will also look to rollout the Home Office developed modern slavery e-learning course which consists of five modules over 2.5 hours and additional category specific awareness sessions. CCMD will continue to improve our training and awareness within procurement and the wider organisation. Staff whose primary role is commercial will undertake continual professional development on modern slavery in the supply chain.

HMPPS

HMPPS have launched a Modern Slavery and Human Trafficking (MSHT) e-learning package for practitioners working in custodial and community settings. The package covers the different types of slavery and trafficking, prevalence by country and where to seek support and further guidance. Users can follow the links to learn more about this subject, partake in multiple choice quizzes and case studies to test their knowledge.

Over the course of 2020, HMPPS ran a Prison Radio Campaign to raise awareness of MSHT, including the key indicators that someone has been a victim of slavery or trafficking, the specialist support services available to victims of slavery or trafficking and the new victim support helpline.



Over the course of 2020, HMPPS ran a Prison Radio Campaign to raise awareness of MSHT, including the key indicators that someone has been a victim of slavery or trafficking, the specialist support services available to victims of slavery or trafficking and the new victim support helpline.

The campaign consisted of six 40-second advertising spots on air 50 times per week over a period of six months, and one 51-minute studio-based discussion and music programme on air three times in one week, with a second broadcast week of three transmissions later in the six-month period. Whilst the campaign was aimed primarily at victims of MSHT, it is believed it also helped inform prison staff.

A module on MSHT has been developed and included within the new prison officer entry level training and gender specific training manual.

HMPPS has continued to liaise with colleagues from the Home Office and the Salvation Army, facilitating contact between the Salvation Army and potential victims of MSHT in custody. The Salvation Army have also highlighted the importance of engaging with them around resettlement activity of victims of MSHT in a timely manner so that support around transport and accommodation can be planned based on the needs of the individual.

HMPPS has developed and implemented a simple escalation protocol to improve access to [National Referral Mechanism \(NRM\)](#) assessment for potential victims of MSHT by communicating with individual prisons before escalating via governors, prison group directors, and ultimately, the Director General's office as required.

Process maps and guidance around MSHT have also been produced that includes information on the [NRM](#) and a link to the e-learning package.

HMCTS

Due to COVID-19, HMCTS has changed the way courts and tribunals work so they continue to run safely, and that vulnerable people can still access the justice system. This means ensuring court and tribunal users can take part in proceedings without being disadvantaged or discriminated against.

In April 2021, HMCTS introduced the revised Victims' Code which sets out enhanced rights for vulnerable and intimidated victims. Intimidated witnesses are defined by section [17 Youth Justice and Criminal Evidence Act 1999 \(YJCEA\)](#), as those suffering from fear or distress in relation to testifying in a case and include victims of a sexual offence or human trafficking. Enhanced rights include the provision of special measures, (as set out in [Chapter 1 YJCEA 1999](#)) to facilitate the giving of evidence or information for purposes of criminal proceedings.

The HMCTS ushers learning programme also includes a module about our role in supporting vulnerable and intimidated victims and witnesses.

HMCTS published its [vulnerability action plan \(VAP\)](#) as part of its response to COVID-19, to make sure any unintended effects on vulnerable users are considered so that they can continue to engage with new ways of working. The plan recognises the importance of vulnerable people being able to access the justice system without being disadvantaged or discriminated against.

Other measures to support vulnerable persons include Family Procedure Rules 2010 Practice Direction 3AA, which states that the court must consider whether a party's participation in the proceedings (other than by way of giving evidence) is likely to be diminished by reason of vulnerability and, if so, whether it is necessary to make one or more participation directions. In addition, every party in family court proceedings is sent information about how to request special measures for their protection. Court forms provide details of the special measures which may be available, for example, separate entrances and exits, separate waiting rooms, protective screens and video link.

Each court also has a vulnerable person's protocol setting out the arrangements they have in place to protect vulnerable persons.

Section 5

Continuous improvement



In each section of this Statement we have highlighted our commitment to continuous improvement. This section captures our goals for the financial year 2021/22 and additional plans not reported elsewhere.

The MoJ recognises that we are at the start of a journey and will continue to work collaboratively with teams across the department and with the supply chain to combat the impacts of modern slavery over the next 12 months. Our planned areas of focus to strengthen how we manage the risk of modern slavery include:

| Area | Continuous Improvement |
|---------------------------|--|
| HMPPS Women's Team | Reconvene the modern slavery meetings that cover issues and raising awareness across National Probation Service and to progress work around development of an MoJ/HMPPS policy. |
| HMPPS Women's Team | Refresh of the process maps and guidance around MSHT. |
| Prison Safety Team, HMPPS | Development of a policy framework document and associated guidance that sets out how victims of crime (staff and prisoners) can and should be supported within the custodial environment, to include a specific focus on MSHT and County Lines. |
| CCMD - Training | By the end of 2021 we will have comprehensively reviewed our training needs and have a modern slavery training plan in place. This will ensure commercial teams continue to update their knowledge around potential modern slavery risks and can facilitate discussions with suppliers on modern slavery issues. |
| CCMD - Training | Continue to deliver induction awareness sessions for all new starters and support the annual renewal of the CIPS Ethics e-learning for commercial and contract management staff. New employees are inducted in the importance of modern slavery and human trafficking risks when they join the MoJ. They will also continue to learn how to ensure modern slavery risks are mitigated against in their day to day roles. |

| Area | Continuous Improvement |
|-------|--|
| CCMD | Development of additional guidance for commercial teams drafting questions relating to modern slavery in procurement documents. This will further embed rigorous due diligence throughout the commercial lifecycle. |
| CCMD | All silver and bronze contracts to be risk assessed using the Home Office Prioritisation tool. By the end of 2021 we will be able to identify high, medium and low risk contracts (approximately 1,200) and therefore can plan appropriate steps to further engage with those suppliers. |
| CCMD | Update Contract Management guidance to reflect work to risk assess contracts and engage with suppliers on the MSAT. This will enable our contract managers to understand and implement their role in combatting modern slavery through discussions with suppliers. |
| CCMD | Capture within our e-procurement system where contracts have been prioritised as high or medium risk of modern slavery and if the MSAT has been requested from the supplier. Capturing this data will improve visibility of risk across our contracts. |
| CCMD | Development of clear processes and escalation routes where instances of modern slavery are suspected or identified in order to effectively investigate, respond and seek remedies. |
| HMCTS | HMCTS is developing witness liaison officer training, which includes modules on victims and witnesses' legislation, children and young people and special measures. The training is based around the victim's code and specifically designed for witness liaison officers working in the Crown and magistrates' courts. |
| HMCTS | HMCTS is currently developing a safeguarding operational policy and guidance for staff where they have concerns which relate to a child or vulnerable adult being at harm or at risk of harm. This will underpin the new MoJ Safeguarding Policy Statement. A safeguarding 'named persons' structure is being implemented with bespoke training to support our staff with more complex cases. A broader safeguarding e-learning package is also being developed to raise awareness of what safeguarding is, our responsibilities and how to act when a safeguarding issue is identified. |
| HMCTS | Pilot currently in place to provide early notification to the police when a Female Genital Mutilation (FGM) or Forced Marriage Protection Order is made. |

Section 6

Approvals




This Statement has been reviewed and approved by: the members of the Executive Committee; Antonia Romeo, Permanent Secretary of the Ministry of Justice; and, the Rt Hon Dominic Raab MP, Lord Chancellor and Secretary of State for Justice and Deputy Prime Minister.

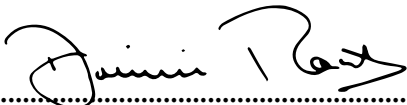
This Modern Slavery Statement was approved by Dr Jo Farrar, as Second Permanent Secretary on behalf of the Ministry of Justice Executive Committee on 20 August 2021

Signed: 

This Modern Slavery Statement was approved by Antonia Romeo, Permanent Secretary of the Ministry of Justice on 13 September 2021

Signed: 

This Modern Slavery Statement was approved by the Rt Hon Dominic Raab MP, Lord Chancellor and Secretary of State for Justice and Deputy Prime Minister on 19 October 2021

Signed: 

Appendix A

In Scope Organisations

MoJ ALBs with £36 million plus budgets and Wales Office:

Office of the Secretary of State for Wales

The Office of the Secretary of State for Wales (OSSW) supports the Secretary of State for Wales in promoting Welsh interests within a strong United Kingdom. We are the face of the UK government in Wales and the voice of Wales across Whitehall.

The Office works closely with other UK government departments, the Welsh Government and stakeholders in Wales, to ensure Wales is at the heart of UK government policies and programmes and that the Welsh devolution settlement works effectively.

The OSSW is a small UK department, and the Ministry of Justice (MoJ) provides the majority of our corporate and support services including HR, IT, finance and facilities management.

Staff in Corporate Services have access to Civil Service e-learning courses on propriety, ethics and regularity and on the practical steps they can take throughout the commercial lifecycle to identify and mitigate modern slavery risks. All policies are in line with MoJ policies.

The office has a whistleblowing policy against which suspected modern slavery could be reported. Recruitment checks are undertaken on all new entrants to the Civil Service. All staff undergo security vetting appropriate to their role.

The OSSW uses MoJ contracts for the majority of its support services. There are a few exceptions to this, whereby the office has bought goods and services under government framework agreements:

- Vodafone, for the provision of internet access.
- Custom Security, for the provision of maintenance of the Office's CCTV system.
- Essex Flags, for the raising and lowering of flags at our London office.

The following ALBs have an annual turnover above threshold of £36 million:

Children and Family Court Advisory

Support Service (Cafcass)

Cafcass represents children in family court cases in England. Operating under the rules and directions of the family courts, they are independent of the courts, social services, education and health authorities and all similar agencies. Their duty is to safeguard and promote the welfare of children going through the family justice system, supporting over 140,000 children every year.

Cafcass staff who are involved with sourcing of suppliers, evaluating tenders, implementing contracts or contract management are undertaking online training in ethics which includes Modern Slavery from CIPS. 40 staff are scheduled to complete the training by the end of July 2021. Moreover, Cafcass frontline staff are trained in safeguarding covering safety and welfare risks to children and safeguarding checks are carried out. Any suspected instances of modern slavery would be included within safeguarding. Cafcass internal whistleblowing policy also covers unlawful activity where staff can notify for breaches of legislation.

Government Facilities Services

Limited (GFSL)

The GFSL provides facility maintenance services to prisons across the south of England and helps HMPPS reduce reoffending by providing opportunities for prisoners to develop skills and gain work experience. In 2020-21 GFSL spent £81 million to deliver this service. The MoJ manages contracts on behalf of GFSL but they are also embarking on awarding their own longer-term contracts, i.e., with greater than 12-month terms. GFSL has delivered training on modern slavery awareness and action to be taken, for their commercial, supply chain and projects teams. GFSL's whistleblowing policy is also a mechanism staff can use to raise the alert for any modern slavery offences.

Legal Aid Agency (LAA)

The LAA provide civil and criminal legal aid and advice in England and Wales to help people deal with their legal problems. At the end of the financial year 2020/21, the LAA had 2,549 contracts in place, with a total of 2,136 providers. Of these providers, around 94% are small and medium sized enterprises and 6% are voluntary, community and social enterprise sector organisations.

These providers of legal aid are required to operate in England and Wales where they deliver their services. Providers are members of regulatory bodies that set obligations for their members in relation to professional conduct. Some regulators have issued guidance to their members in dealing with clients who may be victims of modern slavery.

The LAA holds one gold level contract for debt collection and enforcement, procured by MoJ and managed by the LAA. Other contracts held and managed by the LAA are:

- Contact Centre Services – Delivery of the Defence Solicitor Call Centre and Community Legal Advice Operator Service.
- Peer Review – Individual contracts held with peer reviewers to review legal aid provider case files; contract for Peer Review expert consultancy services; and contract for Peer Review Worldwide licence agreement.
- Specialist Quality Mark – A concession contract for SQM audit and award.

LAA's Public Defender Service staff received online training on the following key areas:

- What is modern slavery, exploitation and trafficking? The forms it takes, how to spot it and signs that clients may be a victim of it.
- What are the UK's obligations towards victims of trafficking under the 2007 Council of Europe Convention against Trafficking in Human Beings? This includes:
 - Article 10: Duty to identify and protect – implemented through the National Referral Mechanism; and
 - Article 26: Non-punishment provision (where victims have been compelled to commit crimes) – implemented through the defence in s45 of the Modern Slavery Act 2010.
- Practical steps for solicitors if they suspect a client is a victim of modern slavery.
- In-depth examples of Crown Court cases where modern slavery has been an issue.

The LAA are publishing their own modern slavery statement in September 2021.

The following ALBs with a budget below £36 million are integral to the MoJ's statement:

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| 1 | Independent Assessor for Miscarriages of Justice | The Independent Assessor of Compensation for Miscarriages of Justice is appointed by the Secretary of State for Justice, under section 133 of the Criminal Justice Act 1988. The Assessor's role is to gauge the amount of compensation to be paid once the Secretary of State has decided that the eligibility criteria is met. |
| 2 | Advisory Committees on Justices of the Peace (ACJP) | ACJP's interview candidates in Local Justice Areas and make recommendations to the Lord Chief Justice, delegated to the Senior Presiding Judge, about who to appoint to their local benches as Justices of the Peace (magistrates). |
| 4 | Civil Justice Council (CJC) | The CJC is an Advisory Public Body which was established under the Civil Procedure Act 1997 with responsibility for overseeing and co-ordinating the modernisation of the civil justice system. |
| 5 | Criminal Injuries Compensation Authority (CICA) - Executive Agency | The CICA was set up in 1996 to provide compensation to blameless victims of crime. |
| 6 | Criminal Procedure Rule Committee | The Criminal Procedure Rules are rules about criminal court procedure in magistrates' courts, the Crown Court, the Court of Appeal and, in extradition appeal cases, the High Court. |
| 7 | Civil Procedure Rule Committee | The Civil Procedure Rule Committee was set up under the Civil Procedure Act 1997 to make rules of court for the Civil Division of the Court of Appeal, the High Court and the County Court. |
| 8 | Criminal Cases Review Commission (CCRC) | The CCRC impartially investigates suspected miscarriages of justice in England, Wales and Northern Ireland, having the power to refer criminal cases back to an appeal court for a fresh appeal. The CCRC are independent of the courts, police, the prosecution or of individuals who apply for a review of their cases. |
| 9 | Family Justice Council | The primary role of the Family Justice Council is to promote an inter-disciplinary approach to family justice. It monitors how effectively the family justice system delivers the service that the government and the public need. |
| 10 | Family Procedure Rule Committee (FPRC) | The FPRC makes rules of court that govern the practice and procedure followed in family proceedings in the High Court and family court. |

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| 12 | HM Inspectorate of Prisons for England Wales (HMI Prisons) | HMI Prisons is an independent inspectorate that provide independent scrutiny of the conditions for and treatment of prisoners and other detainees. |
| 13 | HM Inspectorate of Probation | The independent inspector of probation and youth offending's mission is to promote positive changes in these services leading to improved outcomes for adults on probation and children in contact with youth offending services, better information and support for victims, and better protection of the public. |
| 14 | Independent Advisory Panel on Deaths in Custody (IAPDC) | The role of the IAPDC, a non-departmental public body co-sponsored by the MoJ, Home Office and Department of Health and Social Care, is to provide independent advice and expertise to the Ministerial Board on Deaths in Custody, with the central aim of preventing deaths in custody. |
| 15 | Independent Monitory Authority for the Citizens Rights Agreements (IMA) | The IMA protects the rights of EU and EEA and EFTA citizens (EU, Iceland, Liechtenstein and Norway) in the UK and Gibraltar. |
| 16 | Independent Monitoring Boards (IMB) | IMB members are independent members of the public who monitor day-to-day life in local prisons, removal centres and some short-term holding facilities at airports to ensure that proper standards of care and decency are maintained. |
| 17 | Insolvency Rules Committee | The Insolvency Rules Committee considers amendments to the rules arising out of a review of secondary insolvency legislation, giving their recommendations to the Lord Chancellor. |
| 18 | Judicial Appointments Commission (JAC) | The JAC selects candidates for judicial office in England and Wales, and for some tribunals with UK-wide powers. |
| 19 | Judicial Appointments & Conduct Commission (JACO) | The JACO investigate the handling of complaints about the judicial appointments process, and the handling of complaints involving judicial discipline or conduct. |
| 20 | Judicial Office of England & Wales (JO) | The JO is a unique branch of the Civil Service, independent from the machinery which supports the government, and dedicated to supporting the judiciary as the third arm of the state. We promote and safeguard judicial independence to maintain confidence in the rule of law. |

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| 21 | Law Commission | <p>The Law Commission is a statutory independent body, whose aims are:</p> <ul style="list-style-type: none"> • to ensure that the law is as fair, modern, simple and as cost-effective as possible • to conduct research and consultations to make recommendations for consideration by Parliament • to codify the law, eliminate anomalies, repeal obsolete and unnecessary enactments and reduce the number of separate statutes |
| 22 | Lay Observers (LO) | <p>LO are independent, unpaid, public appointees made by the Secretary of State for Justice under the Criminal Justice Act 1991. They have a duty to inspect the conditions in which detained persons are transported or held by escort and custody contractors in England and Wales.</p> |
| 24 | Legal Services Board (LSB) | <p>The LSB role and responsibilities include:</p> <ul style="list-style-type: none"> • regulation of approved regulators and the Solicitors Disciplinary Tribunal • oversight of the Office for Legal Complaints (responsible for administering the Legal Ombudsman scheme) • making recommendations to amend the list of reserved legal activities • setting up voluntary arrangements to improve standards |
| 25 | Legal Ombudsman | <p>The Legal Ombudsman was set up by the Office for Legal Complaints and established under the Legal Services Act, to help resolve disputes between consumers and legal service providers.</p> |
| 26 | Official Solicitor & Public Trustee (OSPT) | <p>The OSPT helps people who are vulnerable because of their lack of mental capacity or young age to take advantage of the services offered by the justice system. This helps them to avoid being socially excluded.</p> |
| 27 | OPG | <p>The OPG helps people in England and Wales to stay in control of decisions about their health and finance and make important decisions for others who cannot decide for themselves.</p> |
| 28 | Parole Board | <p>The Parole Board is an independent body that carries out risk assessments on prisoners to determine whether they can be safely released into the community.</p> |

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| 29 | Prisons & Probation Ombudsman (PPO) | The PPO carries out independent investigations to make custody and community supervision safer and fairer. |
| 30 | Prison Service Pay Review Body | The Prison Service Pay Review Body provides independent advice on the pay and remuneration for governing governors, operational managers, prison officers and support grades in the England and Wales Prison Service, and equivalent posts in the Northern Ireland Prison Service. |
| 31 | Sentencing Council for England & Wales | The Sentencing Council for England and Wales was set up to promote greater transparency and consistency in sentencing, while maintaining the independence of the judiciary. Their primary role is to issue guidelines on sentencing, which the courts must follow unless it is in the interests of justice not to do so. |
| 32 | Tribunal Procedure Committee | The Tribunal Procedure Committee makes rules governing the practice and procedure in the First-tier Tribunal and the Upper Tribunal. |
| 33 | Victims' Commissioner | The Victims' Commissioner represent the views and needs of victims and witnesses, research into victim services and produce comprehensive reviews and monitors how victims' support agencies are complying with the Victim's Code and Witness Charter to encourage good practice. |
| 34 | Youth Justice Board for England & Wales (YJB) | The YJB for England and Wales is an independent non-departmental public body established by the Crime and Disorder Act 1998. The YJB are appointed by the Secretary of State and are responsible for overseeing the operation of the youth justice system and the provision of youth justice services, the only statutory body to have oversight of the whole system. |

