



**Modern Slavery Prisoner Needs Assessment**

**Version 1.0**



# Introduction

The purpose of this document is to provide guidance to prison staff who are involved in the care of prisoners identified as potential or confirmed victims of Modern Slavery and have had a positive ‘Reasonable Grounds’ or ‘Conclusive Grounds’ decision from the National Referral Mechanism (NRM).

It is recommended that a competent designated member of staff completes this assessment.

# Supporting potential victims in their ongoing needs from Modern Slavery

Particular protections and support are afforded to potential and confirmed victims of Modern Slavery in accordance with the Council of Europe Convention on Action against Trafficking in Human Beings (ECAT) as reflected in the [Modern Slavery: Statutory Guidance for England and Wales (under s49 of the MSA Act 2015) and Non-Statutory Guidance for Scotland and NI.](https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims)

This currently includes a Recovery and Reflection period of no less than 30 calendar days following a positive Reasonable Grounds decision, during which time potential victims of Modern Slavery are protected from removal or deportation from the United Kingdom and provided with support to assist in their physical, psychological, and social recovery from their experience.

## Assessing the ongoing needs of potential and confirmed victims of Modern Slavery in prison

Where an individual has received a positive Reasonable or Conclusive Grounds decision or has had a change in circumstances, a Prisoner Needs Assessment should be completed to identify the person’s ongoing needs and to assist victims in their physical, psychological, and social recovery.

A request for an additional assessment can be made if it is felt the ongoing needs have changed. This assessment should be conducted in accordance with the process set out below.

The Modern Slavery Prisoner Needs Assessment is split into 3 parts:

1. First, an interview will take place with the individual in a setting that is private to identify whether they have any specific ongoing needs arising from their experience of Modern Slavery. This interview should be conducted by a competent designated member of staff and appropriate official translation services will be used if required.
2. Second, the individual should be referred to Healthcare for an assessment of any physical and mental health ongoing needs. The competent designated member of staff should advise Healthcare why this referral has been made. Prior to any Healthcare appointment with a non-English speaking prisoner, the competent designated member of staff should be informed so translation services can be arranged. If Healthcare have not been informed prior to an appointment, they should seek support from prison staff to provide translation services.
3. Finally, the information gathered in the first 2 stages should be actioned and all referrals need be made in a timely manner. These should all be recorded on NOMIS by the interviewer. This should then be conveyed to the responsible NRM Home Office casework team by the competent designated member of staff by using the email address nrm@modernslavery.gov.uk citing the NRM reference in the email subject line, if the prisoner has consented to sharing this information.

The ongoing needs of potential and confirmed victims of Modern Slavery may change over time and will be kept under review

If prison staff, a Home Office caseworker or the potential victim (but not their legal representative where one has been appointed) believes that their ongoing needs may have changed, an additional Prisoner Needs Assessment can be requested. For example, a change in circumstances such as a transfer to another prison should prompt a further Prisoner Needs Assessment.

### Accommodation

Accommodation provided in prison is appropriate and secure. Careful consideration should be given to whether an individual has been detained in conditions similar to a prison as part of their Modern Slavery experience and to ensuring that the individual is not at risk of sharing accommodation or being in proximity to any alleged or convicted perpetrators of Modern Slavery, where this is disclosed or suspected.

Prison staff should consider the location of the potential or confirmed victim and any co-defendants when reviewing the Cell Sharing Risk Assessment (CSRA).

Consideration should also be given to alternative accommodation such as a single cell if available, a different location within the establishment, or a different prison if appropriate.

### Material assistance

Where material needs are identified, provisions available in the prison should be utilised and will generally be sufficient to meet essential needs of potential and confirmed victims of Modern Slavery.

### Translation and interpretation services

Translation and interpretation services are available in all prisons where a need for this service has been identified during the assessment process. Prison staff should ensure the prisoner has access to official translation or interpretation services and if a specific gender or dialect of interpreter is preferred.

Staff should ensure that phone or face to face interpretation is conducted in a confidential setting and another prisoner should not be used.

### Medical treatment, assistance, and counselling

Primary physical and mental health care is provided by Healthcare services in prisons. Prison staff should follow existing procedures (including any existing support channels or counselling services) and to ensure access to emergency medical treatment where this is required.

Support in accessing counselling should be provided by the competent designated member of staff and referrals made to Prison Health Care or existing provisions where available.

### Information on rights and services

Staff should provide potential and confirmed victims of Modern Slavery with information on their rights, entitlements, and services available to them. This may include, where appropriate:

* healthcare services
* access to legal services
* assistance in criminal proceedings
* access to social, cultural and faith activities.
* translation and interpretation services
* material assistance
* accommodation, including information on bail accommodation

Any victim of Modern Slavery can appoint their own legal representative where they can afford to do so. If a victim cannot fund a legal representative, they may be eligible for legal aid, or they can try to find a pro bono legal representative. Further details of eligibility for legal aid and the areas where legal aid may be available are set out in the [Modern Slavery: Statutory Guidance for England and Wales (under s49 of the MSA Act 2015) and Non-Statutory Guidance for Scotland and NI.](https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims)

### Assistance during criminal proceedings

Where applicable, the competent designated member of staff should liaise with the police and the responsible prosecuting authority in order to ensure the individual’s interests are represented adequately.

For further details of other assistance available to potential victims during criminal proceedings, including ‘special measures’ see [Modern Slavery: Statutory Guidance for England and Wales (under s49 of the MSA Act 2015) and Non-Statutory Guidance for Scotland and NI.](https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims)

# **Modern Slavery Prisoner Needs Assessment**

This form is to be used to gather information to form the assessment of ongoing needs relating to the potential or confirmed victim’s experience of Modern Slavery. Please ensure that the purpose of the assessment is explained to the individual in a language they understand.

Sections 1 – 10 of this form are to be completed by a competent designated member of staff:

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| **Section 1: General Information**  |
| 1. Date assessment started:  |  |
| 2. Name of interviewer:  |  |

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| **Section 2: Consent**  |
| 3. Do you consent to a Modern Slavery Prisoner Needs Assessment? (This information will be shared with the NRM caseworker if agreed) (If No, prisoner to sign to confirm that consent is not provided) | Yes No  |  |  |
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| 4. If you require support, do you have a preferred gender of the person providing the support? For example, an interpreter.  | Yes No  |  |  |
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| If yes, please specify:  |   |

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| **Section 3: Personal Information**  |
| 5. Full name:  |  |
| 6. NOMIS number:  |  |
| 7. Prison location:  |  |
| 8. Name of keyworker/POM: |  |
| 9. Immigration status: |  |
| 10. NRM reference number:  |  |
| 11. Relationship status:  |  |
| 12. Are you pregnant/do you have any children? (If applicable) |  Yes No  |  |  |
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| If yes, please provide further details:  |   |

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| **Section 4: Nationality and language**  |
| 13. What is your Nationality? |   |
| 14. First, or main spoken language:   |   |
| 15. Do you speak any other languages?   |   |
| 16. Standard of spoken/written English?   | Poor Standard Excellent   |  |  |
|  |
| 17. Do you need help with translation or interpretation of English into a language you are comfortable with to assist in your ongoing needs from your experience of Modern Slavery?  | Yes No  |  |  |
|  |
| If yes, please note the appointments this will be required for and how this will support the person’s ongoing needs from their experience of Modern Slavery.  |   |
| 18. Do you have any other communication difficulties or challenges?  | Yes No  |  |  |
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| If yes, please provide further details:  |   |
| 19. Are there any other communication support needs identified (e.g. BSL, induction loop, learning difficulties or disabilities etc.)? Please specify:  |   |

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| **Section 5: Custody and accommodation**  |
| 20. Do you have any concerns about your prison accommodation, location or do you feel at risk of harm arising from your experience of Modern Slavery? For example, are you sharing the same accommodation with anyone who was involved with your exploitation?  | Yes No  |  |  |
|  |
| If yes, please provide further details of any concerns/risks: (Dependent on the person’s response, interviewer to make necessary arrangements/referrals)  |   |
| 21.Are you or your family in any debt or receiving any threats? This could be in prison, in the community in the UK or another country? |  |
| If yes, please provide further details of any concerns/risks:(Dependent on the person’s response, interviewer to make necessary arrangements/referrals) |  |

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| **Section 6: Material assistance**  |
| 22. Do you have any additional material needs that have not already been provided for? For example, additional clothing, toothbrush and toothpaste, soap, shampoo, feminine hygiene products (if appropriate).  | Yes No  |  |  |
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| If yes, please provide further details of what is needed and how this would assist in your recovery from your Modern Slavery experience:  (If yes, interviewer to source required items or make the request to the appropriate member of staff)  |   |

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| **Section 7: Law enforcement and legal representation**  |
| 23. Would you like any assistance in talking to the police about your experience of Modern Slavery?   |  Yes No    |
| (If yes, interviewer or appropriate member staff to liaise with NRM caseworker regarding details of crime reference number and police force it has been reported to)  | Details: |
| 24. Do you have any current legal representation? Log details of current representative: |  Yes  |  |   No |
|  |
| If no, would you like some assistance in finding legal representation?  (If yes, interviewer to refer/liaise relevant prison contact and to signpost the individual towards information on legal representatives.  |  Yes  |  |   No  |
|  |
| 25. Are you aware of your rights regarding legal services funded via legal aid?  (If no, interviewer to refer/liaise with relevant prison contact to signpost the individual towards information on legal aid)  |  Yes  |  |  No |
|  |
| 26. (If appropriate – not for British nationals)  Would you like any assistance to return to your home country? If yes interviewer or appropriate member of staff to find out details of all schemes available from the FNO team and to explain options to the prisoner. |  Yes  |  |   No  |
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| **Section 8: Legal proceedings**  |
| 27. Do you have any upcoming court hearings?  |  Yes No  |  |  |
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| If yes, please provide the dates and what they are for:   |   |
| If yes, do you require any support towards your court hearing(s)?   |  Yes No  |  |  |
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| If yes, provide details  |   |

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| **Section 9: Other matters**  |
| 28. Do you currently participate in any social/cultural/faith/informal learning activities offered in the prison?  |  Yes No  |  |  |
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| If yes, please provide further details:     |   |
| If not, would you like to? (If yes, interviewer to provide details or refer individual to information on available  activities within the prison)    |  Yes No  |  |  |
|  |
| 29. Would you like to be referred to a counselling service for emotional support, to help with your recovery from Modern Slavery? (If yes, interviewer to refer/liaise with relevant prison contact)  |  Yes No  |  |  |
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| 30. Do you have an existing support network which you deem to be safe?  | Yes No  |  |  |
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| If yes, please give details   |   |

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| **Section 10: Sign off**  |
| 31. Date Prisoner Needs Assessment interview completed:  |   |
| 32. Record of referrals and contacts set up  (Interviewer to record all actions/ referrals and any information provided on NOMIS case notes) |       |
| 33. Name and Signature of interviewing officer:   |   |
| 34. Name and Signature of the prisoner: |  |
| 35. Date of referral to Healthcare:  NB referral to Healthcare should be arranged by the Interviewer or appropriate member of staff  |   |
| NOMIS updated with all actionsand referrals:POM/Keyworker updated:Home Office sent a copy of the Prisoner Needs Assessment and updated:nrm@modernslavery.gov.uk | Yes Yes Yes  |

**Next Steps**

Inform the individual that following this interview:

* **They will be invited to an appointment with Healthcare.**
* **The member of staff who has completed the Prisoner Needs Assessment should communicate the outcome of the Modern Slavery Prisoner Needs Assessment to all relevant Departments, including OMU, Safety Team, and Security.**
* **Remind the prisoner that if they believe their ongoing needs may have changed, they may request an additional Prisoner Needs Assessment.**

The information in this document is correct as of October 2022.