

THE NATIONAL REFERRAL MECHANISM PILOTS: A REVIEW OF THE TRAINING

RESEARCHERS

DR JESSICA ELLIOTT

Dr Jessica Elliott has been a Senior Lecturer in Law at UWE since September 2009, and Head of the Criminal Justice Research Unit since March 2014. Prior to this post, Jessica was a doctoral candidate and postgraduate teaching assistant in the School of Law at the University of Birmingham. Jessica successfully studied for her LLB at Swansea University (1999 - 2002), LLM at Exeter University (2004 - 2005), and PhD at the University of Birmingham (2005 - 2009). Her doctoral thesis focused upon the role of consent in human trafficking. Her areas of expertise are: Human trafficking, sexual exploitation, prostitution, consent and migration. Dr Elliott has previously conducted and published research focusing on the identification of trafficked persons.

KATE GARBERS

Kate Garbers, is the Managing Director of Unseen (www.unseenuk.org), a charity working towards a world without slavery by working directly with exploited people whilst also tackling the wider systemic issues of slavery. Kate is regarded as an expert on trafficking; she has contributed to the newly enacted Modern Slavery Act and the National Referral Mechanism Review and recently was invited to write a research paper for the Pontifical Academy of Social Sciences. She has advised and collaborated with law enforcement, statutory agencies and businesses to assist them to identify and eradicate modern slavery in their sectors.



CONTENTS

Preface	6
Background	8
Modern Slavery Strategy	10
Modern Slavery Act	12
The National Referral Mechanism Overview	14
Critique of the NRM System	19
The NRM Review	22
The NRM Pilot	25
Aims and Objectives of the Research	29
Findings	35
Qualitative Interviews	46
Trainers Feedback	60
Summary of Initial Impressions of the Pilot	62
Conclusions	64
Recommendations	69
Wider Considerations	71
Further Research	73

PREFACE

Modern slavery is an illicit trade in which human beings are turned into commodities to be bought, sold and exploited for vast profits.

It is predicted by Government that there may be as many as 13,000 victims of slavery and trafficking in the UK.¹ Recent statistics released by the National Crime Agency (NCA) show that in 2015, 3,266 victims came forward and wanted assistance, this figure represents a 40% increase from 2014. Victims came from 102 different countries, 53% of victims were women and the most common form of exploitation was labour exploitation.²

It is recognised across civil society and government agencies that the systems the UK uses to identify and support potential victims and prosecute perpetrators of this crime are far from perfect, practical or financially sustainable. With the implementation of the UK Government's Modern Slavery Strategy,³ the enactment of the Modern Slavery Act⁴ and the recommendations produced in the National Referral Mechanism (NRM) Review⁵ there is a clear commitment from all involved in the sector to work towards improving the system and ensuring better outcomes for victims. The NRM review acknowledged failings within the current system and recommended the establishment of an NRM pilot to test a new approach with the aim of identifying potentially better models and solutions to the issues identified.

Whilst agreeing with the notion of change being required the researchers and others in the sector⁶ raised concerns about the implementation of the review recommendations, specifically in relation to piloting a new system of victim identification, referral and the subsequent decision making process regarding victim status. Concerns were raised⁷ in regards to the practical

1 Home Office Science Research Report 73 (2013) Understanding organised crime: estimating the scale and social and economic costs <https://www.gov.uk/government/publications/understandingorganised-crime-estimating-the-scale-and-the-social-and-economic-costs>

2 NCA (2016) National Referral Mechanism Statistics 2015 <http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics/676-national-referral-mechanism-statistics-end-of-year-summary-2015>

3 HM Government (2014) Modern Slavery Strategy https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/383764/Modern_Slavery_Strategy_FINAL_DEC2015.pdf

4 HM Government (2015) Modern Slavery Act 2015 <http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>

5 Home Office (2014) Interim Review of the National Referral Mechanism for victims of human trafficking (2014) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/360482/Interim_review_of_the_NRM_for_victims_of_human_trafficking.pdf and Home Office (2014) Review of the National Referral Mechanism for victims of human trafficking (November 2014) <https://nrm.homeoffice.gov.uk/documents/2014/11/nrm-final-report.pdf>

6 Home Office invited interested parties in the Anti-Slavery sector to various meetings to discuss the review recommendations and how these should best be implemented

7 Letter sent to the Home Office and Mr Oppenheim 24th March 2015 from a range of third sector organisations expressing dissatisfaction with the review and the recommendation implementation process

workability of the pilots as outlined and if they would afford the best care and support to victims. There was also a debate as to whether the proposed changes were in fact a ‘complete overhaul’ or just a reframing the current defunct system. However, there is no disagreement that current practices are not working.

This is the first report in a series of research reports that will follow the progress of the NRM pilot and implementation of the subsequent recommendations. This initial report focuses on the training modules received by the Multi-Disciplinary Panel (MDPs) members and Slavery Safeguarding Leads (SSLs). The main aim was to ascertain if the training delivered was effective and sufficient to perform the roles expected. The report also seeks to address other issues, as identified by the NRM Review, specifically in light of the pilot, and if it has improved processes in relation to identification of victims, awareness of frontline professionals of modern slavery and the NRM, streamlined and tightened the initial referral, and made for more expedient decisions across the mechanism.

BACKGROUND

WHAT IS MODERN SLAVERY?

Within a UK context and based upon the Modern Slavery ACT (2015),¹ modern slavery encompasses; human trafficking, slavery, servitude and forced or compulsory labour.

HUMAN TRAFFICKING		
ACT	MEANS	PURPOSE
Recruitment; transportation; transfer; harbouring; receipt	The threat or use of force; abduction; fraud; deception; the abuse of power or of a position of vulnerability; the giving or receiving of payments or benefits	Sexual exploitation; forced labour or services; slavery or practices similar to slavery; servitude; forced criminality; removal of organs (also known as organ harvesting)

FORCED OR COMPULSORY LABOUR	
<i>'all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily'</i> ³	
MEANS	SERVICE
Threat of penalty – e.g. threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability	As a result of the means an individual provides a service for benefit, e.g. begging, sexual services, manual labour, domestic service

1 HM Government (2015) Modern Slavery Act 2015 <http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>

2 International Labour Organisation (1932) ILO CO29 Forced Labour Convention http://www.ilo.org/dyn/normlex/en/f?p=NORMLXPUB:12100:0::NO::P12100_ILO_CODE:C029

3 ILO Convention

SERVITUDE

An ‘aggravated’ form of forced or compulsory labour. The fundamental distinguishing feature between servitude and forced or compulsory labour is in the victim feeling that their condition is permanent and that the situation is unlikely to change.

SLAVERY

The 1926 Slavery Convention defines slavery as ‘the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.’ This concept of ownership is what makes slavery distinct – for example a situation where an individual was being controlled by another would not meet this threshold, unless there was clear evidence the person was being used as a commodity. It is a form of servitude with the additional concept of ownership.

MODERN SLAVERY STRATEGY

The UK Government's Modern Slavery Strategy¹ was launched in December 2015 and builds on and adapts the serious organised crime framework, consisting of four elements, known as the 4 P's. Pursue, Prevent, Protect and Prepare. The Government has committed to prosecuting and disrupting individuals and groups responsible for modern slavery (Pursue); preventing people from engaging in modern slavery crime (Prevent); strengthening safeguards against modern slavery by protecting vulnerable people from exploitation and increasing awareness and resilience against this crime (Protect); and reducing the harm caused by modern slavery through improved victim identification and enhanced support and protection (Prepare).

Success in *Prepare* will mean that;

- More victims of modern slavery are identified.
- Victims are provided with appropriate and effective support and protection to help them recover.

Our objectives are to:

1. Proactively identify victims of modern slavery;
2. Provide victims of modern slavery with appropriate and effective support;
3. Provide specialist support to child victims of modern slavery that recognises their unique vulnerabilities;
4. Support the reintegration of victims into society, both here in the UK and in their countries of origin, safeguard against re-trafficking and ensure that there are avenues for victims to receive reparation and compensation;
5. Support victims and witnesses of modern slavery through court proceedings to ensure effective criminal justice outcomes;
6. Ensure effective safeguards to prevent victims from being convicted of offences they have been compelled to commit as a direct consequence of their enslavement; and
7. Ensure that we have the necessary capabilities to respond to major modern slavery incidents.

¹ HM Government (2014) Modern Slavery Strategy https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/383764/Modern_Slavery_Strategy_FINAL_DEC2015.pdf

Prepare Strand of Modern Slavery Strategy:² The National Referral Mechanism, the NRM review and pilot are referred to in the prepare section of the strategy where it clearly states that the Government welcomes all the recommendations made in the review and will work with partners and via the pilots to implement the suggestions and changes.³

² Modern Slavery Strategy p. 60

³ Modern Slavery Strategy p. 60-63

MODERN SLAVERY ACT

The Modern Slavery Act 2015 (“the Act”) received Royal Assent on 26 March.¹ The Act ensures that the National Crime Agency, the police and other law enforcement agencies have the powers they need to pursue, disrupt and bring to justice those engaged in human trafficking and slavery, servitude and forced or compulsory labour. The Act introduces measures to enhance the protection of victims of slavery and trafficking, consolidates existing offences, increases sentences for offences, and introduces a statutory defence for victims as well as risk and prevention orders. It commits to the trialling of independent advocates for children and a duty to notify clause for public authorities. The Act also creates the role of the Anti-Slavery Commissioner, implements Transparency in Supply Chains legislation and increases maximum sentencing to life imprisonment.

The NRM is not enshrined in law and does not have a statutory footing. In specific relation to the NRM the Act places a statutory duty upon specified public authorities to respond to incidents of suspected trafficking and slavery, this is referred to as the Duty to Notify and can be found in Section 52 of the Act.²

Section 52 of the Modern Slavery Act is intended to further improve identification of victims by creating a statutory duty for specified public authorities to notify the Secretary of State where they have reasonable grounds to believe that a person may be a victim of slavery or human trafficking. The section requires that where a specified public authority to which the section applies has reasonable grounds to believe that a person may be a victim of slavery or human trafficking, it must notify the Home Office, regardless of whether the individual has consented to be entered into the NRM.

1 Home Office (2015) Home Office Circular Modern Slavery Act 2015 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/443797/Circular_242015Final_1_.pdf

2 Home Office (2015) Home Office Circular Duty to Notify <https://www.gov.uk/government/publications/circular-025-2015-duty-to-notify-the-home-office-of-suspected-victims-of-modern-slavery/circular-025-2015-duty-to-notify-the-home-office-of-suspected-victims-of-modern-slavery>

The public authorities currently required to report under the Duty to Notify are as follows:

- a chief officer of police for a police area
- the chief constable of the British Transport Police Force
- the National Crime Agency
- a county council
- a county borough council
- a district council
- a London borough council
- the Greater London Authority
- the Common Council of the City of London
- the Council of the Isles of Scilly
- the Gangmasters Licensing Authority

Other public authorities and NGOs are also able to make a voluntary notification despite not being bound by the duty, in order to help build the picture of modern slavery in the UK.³

³ Home Office (2015) Home Office Circular Duty to Notify

THE NATIONAL REFERRAL MECHANISM OVERVIEW

The National Referral Mechanism (NRM) is the mechanism by which trafficked persons are identified as victims of modern slavery in England and Wales and was introduced in 2009 to meet the UK's obligations under the Council of European Convention on Action against Trafficking in Human Beings.¹ Reporting cases to the NRM not only provides victims of modern slavery with access to a range of support, it assists in developing our understanding of modern slavery, which can be used to improve our operational response and support for victims. It is accepted that of all potential victims of modern slavery encountered by public authorities and third sector organisations only a small proportion are actually ever referred into the NRM.

The review of the National Referral Mechanism¹ was published in November 2014 and recommended that the current system of identification and support for victims of human trafficking needed to be reconsidered and overhauled.²

Article 10 of the Council of Europe Convention on Action against Trafficking in Human Beings, 2005 (referred to as the Convention) provides that:

“Each Party shall provide its competent authorities with persons who are trained and qualified in preventing and combating trafficking in human beings, in identifying and helping victims.”

The UK also opted into Directive 2011/36/EU (EU Trafficking Directive),³ which contains comparable provisions applicable to victims and victim identification.

The UK Government signed the Council of Europe Convention on Action against Trafficking in Human Beings on 23 March 2007. The Convention was ratified by the UK on 17 December 2008, and came into force on 1 April 2009. This led to the creation of the UK's National Referral Mechanism (NRM) in 2009.

1 NCA website <http://www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-human-trafficking-centre/national-referral-mechanism>

2 NRM Review (2014) p. 8 and p. 30

3 Directive 2011/36/EU ([2011] OJ L101/15.4) of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (hereafter EU Trafficking Directive)

The NRM system specifically allows the UK to comply with the following convention articles:

- Article 10 – Identification of the victims
- Article 12 – Assistance to victims
- Article 13 – Recovery and reflection period
- Article 16 – Repatriation and return of victims

NRM ESTABLISHMENT AND HISTORY

The domestic NRM process has several stages, from initial referral to identification. Primarily, a ‘First Responder’ (FR)⁴ makes an initial assessment⁵ as to whether or not an individual may be a potential trafficked victim. The potential victim is then referred on to a ‘Competent Authority’ (CA). The domestic CAs are the UK Human Trafficking Centre (UKHTC) and UK Visas and Immigration (UKVI, formerly UKBA), as well as Immigration Enforcement in a small number of cases.⁶ The CAs primarily make a determination (which should be completed within approx. 5 days according to policy)⁷ as to whether there are ‘reasonable grounds’⁸ to believe that someone may have been trafficked, and then following an evidence gathering stage (which should be completed in 45 days, according to policy) a ‘conclusive grounds’ decision is made as to whether or not the person is in fact a victim of trafficking. UKHTC are responsible for identifying potential victims who originate from the UK, EU, or EEA, whereas UKVI deal with the identification of potential victims originating from beyond the UK, EU or EEA.

4 There is an exhaustive list of First Responders provided on the NCA website <http://www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-human-trafficking-centre/national-referral-mechanism>

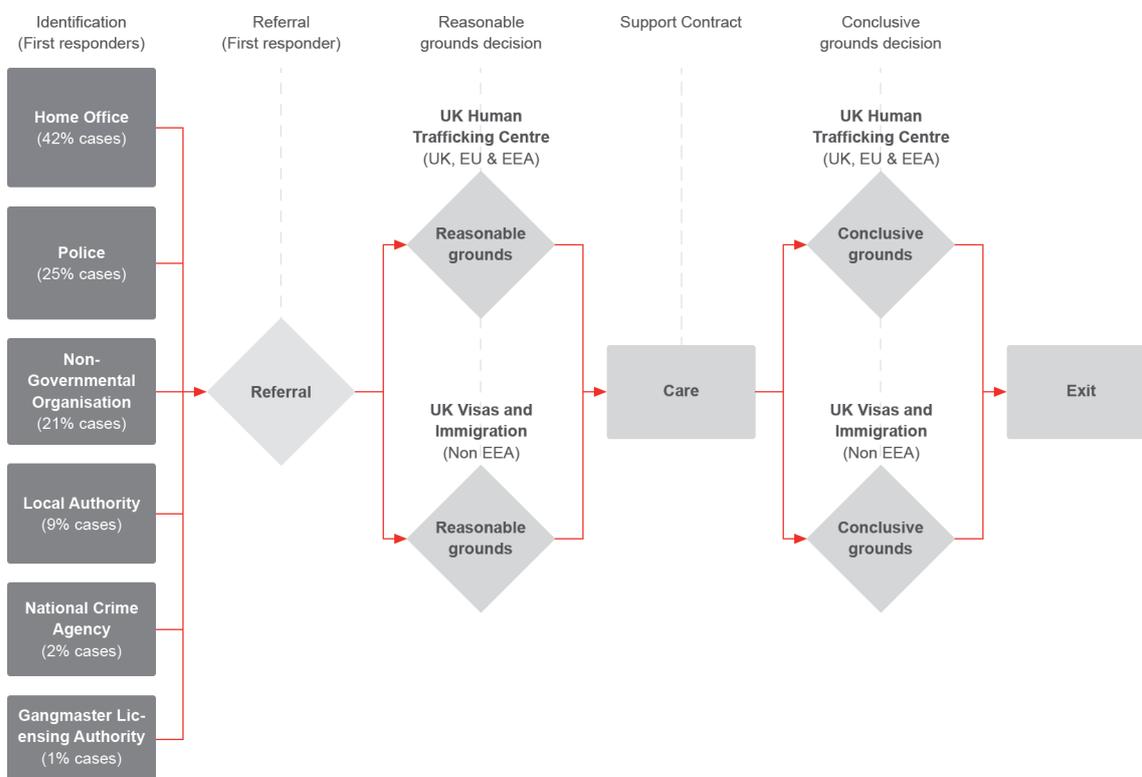
5 The initial assessment is supposed to take place within 5 days

6 NRM Review (n. 5) p. 13

7 See National Crime Agency, ‘National Referral Mechanism’ <http://www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-human-trafficking-centre/national-referral-mechanism>

8 Measured against a standard of ‘I believe but I cannot prove’

OVERVIEW OF THE CURRENT NRM SYSTEM⁹



There is no formal route of appeal where a negative decision is reached, which leaves those cases which are disputed with few options available to them save judicial review.

Since July 2015, for cases identified in England and Wales, if there are not sufficient grounds to make a decision regarding human trafficking, then the Competent Authority must go on to consider if there are sufficient grounds to decide that the individual is a victim of slavery, servitude, or forced or compulsory labour

The Convention (2005) requires that potential victims of trafficking are provided with a minimum of 30 days reflection and recovery, during which they will receive support, including accommodation, subsistence and access to relevant medical and legal services, and potential eligibility for discretionary leave if they are recognised as a victim.

⁹ Home Office NRM Review (2015) Context: Overview of Current System p. 13

The UK provides this support to potential victims referred to the NRM for a longer period of 45 days.

During the NRM period potential victims are eligible to access the Adult Care contract.¹⁰ The Ministry of Justice and the Home Office jointly fund the provision of services to adults identified as trafficked via this contract which is administered by the Modern Slavery Unit in the Home Office. The responsibility for the delivery of the contract sits with The Salvation Army (the government's prime contractor) and thirteen sub-contractors across the country to directly deliver support to victims. During the 45 days potential victims are able to access support and safe accommodation as well as;

- Material assistance
- Access to psychological support
- Access to legal advice and assistance
- Counselling
- Emergency medical treatment
- Translation and interpretation services when appropriate
- Education for children¹¹

¹⁰ The Salvation Army Website <http://www.salvationarmy.org.uk/specialist-support>

¹¹ The Salvation Army Website <http://www.salvationarmy.org.uk/specialist-support>

Once a victim has been referred to the NRM, two decisions are made:

To establish whether a person is a victim of any form of modern slavery (including trafficking) identified in England and Wales two decisions are made by the relevant Competent Authority:

1. A reasonable grounds decision to establish whether someone is a potential victim.
2. A conclusive grounds decision on whether they are in fact a victim.

1. Reasonable Grounds decision made by the Competent Authority to determine whether it either:

- suspects but cannot prove this person is a potential victim of human trafficking on any UK referral
- suspects but cannot prove this person is a victim of slavery, servitude, or forced or compulsory labour
- concludes there are not Reasonable Grounds to believe this individual is a victim of any form of modern slavery

Suspect but cannot prove is a relatively low threshold, lower than the criminal standard of proof, or Conclusive Grounds test. **If there is a positive reasonable grounds decision the person is given a 45 day recovery and reflection period and support** relating to the immediate and ongoing needs of the potential victim **while the Competent Authority makes a substantive conclusive grounds decision.**

The reasonable grounds decision acts a filter for referring potential victims to the NRM based on the information available at that time. This will be followed by a substantive conclusive grounds decision on whether someone is formally recognised as a victim, with a higher threshold.

2. Conclusive Grounds decision made by the Competent Authority

- the conclusive grounds decision should generally be made after 45 calendar days
- the test to use for the conclusive grounds decision is whether, 'on the balance of probabilities,' there are sufficient grounds to decide that the individual being considered is a victim of modern slavery
- this threshold is higher than the reasonable grounds test, but lower than the criminal standard of proof

The Competent Authority must first decide whether there are sufficient grounds to decide that the individual is a victim of trafficking.

CRITIQUE OF THE NRM SYSTEM

There are various problems with the existing NRM which are frequently cited in literature. These include:

INCONSISTENT TRAINING AND AWARENESS

The existing NRM has been criticised for, inter alia, a perceived lack of adequate and consistent training for those responsible for victim identification. It was felt that some professionals involved in the identification process too frequently failed to recognise incidences of trafficking, and that even where victims had disclosed their experience in whole or in part it was still the case that they may not be identified as 'trafficked' until much further down the line¹. The training given to first responder agencies, if given at all, has not been approved, accredited or standardised by any formal system, which is surprising given the investment to set up the NRM.²

The Anti-Trafficking Monitoring Group (ATMG)³ noted that:

"The system appears to be relying excessively on the discretion of officials who receive minimal training to staff a mechanism supported by flawed legal guidance relating to who should be identified as victims of trafficking, and without a formal appeals process. This fails to consistently identify and assist people who have been trafficked. Furthermore, the system appears to be putting more emphasis on the immigration status of the presumed trafficked persons, rather than the alleged crime committed against them."

OVEREMPHASIS ON IMMIGRATION STATUS

There is an overemphasis on immigration status as regards the identification of potential victims originating from beyond the UK, EU or EEA. The use of UKVI as a competent authority has received criticism,⁴ due to the inherent immigration focus of that body and also due to the separating out of potential victims of trafficking (PVoT) for conclusive grounds decisions based

1 See cases such as R v. N and LE [2012] EWCA Crim 189, R v O [2008] EWCA Crim 2835 OOO et al v Commissioner of Metropolitan Police [2011] EWHC 1246 QB

2 NRM Review (n. 5) p. 21

3 The Anti Trafficking Monitoring Group, 'Wrong Kind of Victim? One year on: An analysis of UK measures to protect trafficked persons' (June 2010) p. 9 http://www.antislavery.org/includes/documents/cm_docs/2010/a/1_atmg_report_for_web.pdf

4 The Anti Trafficking Monitoring Group, 'In the Dock: Examining the UK's Criminal Justice Response to Trafficking' (June 2013), p. 69

upon their country of origin. In 2013 – 2014, 69% of referrals into the NRM were made by UKVI, and so this particular body has a significant and important part to play in victim identification.⁵

The ATMG Report found that, one year after the implementation of the NRM, the positive identification rate of non-EU/EEA Nationals in the UK stood at 11.9%, compared with UK citizens who were identified at a rate of 76%, and nationals of other EU states at a rate of 29.9%.⁶ Two years after the NRM had been implemented, the UK-specific report by the Group of Experts on Action against Trafficking in Human Beings (GRETA), who are responsible for monitoring implementation of the Council of Europe Trafficking Convention, raised the issue of the disparity in victim identification rates dependent upon country of origin, with statistics from that period in the UK showing that 86% of UK nationals, 71% of other EU/EEA nationals, and 21% of non-EU/EEA nationals received conclusive grounds decisions.⁷ The NRM Review identified the need to change the process and sole decision-making capacity of UKVI and Immigration Enforcement as well as the UKHTC, stating decisions should be made in a multi-disciplinary manner.⁸

CONFLATION OF TRAFFICKING AND ASYLUM DECISIONS

The conflation of asylum and trafficking decisions have not gone unnoticed and is a clear abuse of process – the two interviews should be separate as they are for separate statuses which rely on separate tests and different approaches, especially as to victim/claimant credibility. It has been noted in previous research that:

"...quite often there is a cut and paste ... so you read the same paragraph in a negative asylum decision that you read in her negative NRM decision."⁹

It is imperative that the asylum and trafficking decision processes are seen and treated as entirely separate processes, otherwise the quality of decision-making as to potential victim status is significantly hindered by the gathering and using of information for one decision (as to asylum)

5 60% by UKVI, 9% by UKVI Hosted within UKHTC – see National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary', 2014, Date published: 19/01/2015, Reference: 0125 – UKHTC <http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics/502-national-referral-mechanism-statistics-end-of-year-summary-2014/file>

6 The Anti Trafficking Monitoring Group, (2010) Wrong Kind of Victim? One year on: An analysis of UK measures to protect trafficked persons, June, p. 9

7 GRETA UK Country Report, 2012, paragraph 217

8 NRM Review (n.5) p. 9

9 J Elliott 'The National Referral Mechanism: Querying the Response of 'First Responders' and the Competence of 'Competent Authorities'', JIANL (2016), 30(1), p. 9-30

being ‘transplanted’ into another context and being used for another, separate decision (as to trafficking). This feeds into the issue of understanding thresholds for decision-making. It is crucial for trafficking decisions that the thresholds for trafficking victim status are applied, as opposed to the differing thresholds for asylum decisions. It is worth noting that many victims do not in fact receive a trafficking interview and it is only when an asylum process is running in parallel that interview notes are available and used to inform a conclusive grounds decision. The threshold for a trafficking decision places the burden on the state to evidence trafficking and not on the individual and is far lower than that of an asylum decision and threshold.

MULTI-AGENCY INVOLVEMENT

The lack of communication between agencies involved in the identification process has been cited as problematic, and has resulted in some high-profile missed opportunities to positively identify potential victims.¹⁰ It has been recognised that:

“*The legal basis behind the NRM clearly envisages multi-agency co-operation.*”¹¹

Article 10 (1) of The Convention requires State parties to ensure that ‘the different organisations collaborate with each other as well as with relevant support organisations...’ Article 10 (2) also refers to collaboration between Parties and ‘relevant support organisations’, thereby clearly espousing a multi-agency approach to referral and identification. The EU Trafficking Directive, Article 11 (4) states that ‘Member States shall take the necessary measures to establish appropriate mechanisms aimed at the early identification of, assistance to and support for victims, in cooperation with relevant support organisations’, making it clear that the intention is that for the identification system to work, the agencies involved must work together.

Chandran (2011) is critical of the current arrangement whereby potential victims are referred into a system and are ultimately identified by Government agencies, and notes that “(The) recommended multi-agency approach to determining victim identification...still remains aspirational in the UK.”¹² It seems clear an increased multi-agency approach is desirable, but that the functionality and success of such an approach will depend upon how the multi-agency approach is structured.

10 See R v O [2008] EWCA Crim 2835; OOO et al v Commissioner of Metropolitan Police [2011] EWHC 1246 QB; R v N and LE [2012] EWCA Crim 189

11 J Elliott ‘The National Referral Mechanism: Querying the Response of ‘First Responders’ and the Competence of ‘Competent Authorities’, JIANL (2016), 30(1), p. 9-30

12 P Chandran, ‘The Identification of Victims of Human Trafficking’ in Human Trafficking Handbook: Recognising Trafficking and Modern Day Slavery in the UK, Parosha Chandran (Ed) (Butterworths, LexisNexis, 2011)

THE NRM REVIEW

Report of the review's of the NRM was undertaken in 2014. An interim¹ and full² report of the reviews findings were published in November 2014. The report highlighted and agreed with the majority of critiques of the NRM system that are referred to in the previous section. The NRM interim report gave some insight into why victims are not correctly or speedily identified, citing:

“...an inconsistent approach to the proactive work to search out and find victims; secondly, once found ... victims who do not see themselves as victims or choose not to leave their trafficker; thirdly ...that the statutory authorities may not recognise victims when they do encounter them”³

Specific problems were identified. Some reflect those outlined in the previous section of this report. The issues identified by the review included:

INCONSISTENT TRAINING AND AWARENESS

The review notes that “training and awareness is patchy”⁴ among First Responders, and that this led to, for example, errors being made on referral forms. Clearly, then, any new system to be piloted needs to have a solid and reliable training programme in order to address this particular gap. The Review gave strong warning that awareness of what trafficking is, as well as knowledge of the NRM process more generally, is lacking among frontline staff,⁵ and that “...staff employed by public bodies may not recognise victims when they encounter them or may not refer them into the National Referral Mechanism.”⁶

CONFLATION OF HUMAN TRAFFICKING AND ASYLUM DECISIONS

Referrals for non-EEA nationals are generally made by immigration staff, who may have encountered a potential victim as part of an asylum screening interview, or during enforcement

1 NRM Interim Review (n. 5)

2 NRM Review (n. 5)

3 NRM Interim Review (n. 5) p. 3

4 NRM Review (n. 5) p. 24

5 NRM Review (n. 5) p. 17

6 NRM full review (n. 5) p. 4.2.2

activity.⁷ The possibility for the lines to become blurred between decision-making on trafficking and asylum cases when these are carried out by the same body is clear. The NRM Review recognises that there are concerns over the ‘...conflation of human trafficking decisions with asylum decisions...’⁸ The Review states that “we believe the UK Border Agency legacy significantly damages the credibility of making decisions in this particular area.”⁹ As previously mentioned, this feeds into the issues of complexity of the process and thresholds for decision-making, as correct thresholds were not being applied.

DELAYS IN DECISION-MAKING

The Review cited various reasons for delays in decision-making, including errors on NRM forms,¹⁰ and police investigations into victim criminality.¹¹

NUMBER OF REFERRALS INTO THE NRM BEING LOW

As regards victim identification, the Review recommended “developing, with key partners, a comprehensive awareness strategy leading to increased recognition of human trafficking by the public and professionals.”

IDENTIFICATION-SPECIFIC RECOMMENDATIONS INCLUDED

- *‘[A]n overhaul of the referral process of the National Referral Mechanism by professionalising the current First Responder role, replacing it with Slavery Safeguarding Leads (SSL) and replacing the reasonable grounds decision with an alternative referral mechanism once the successful implementation of accredited Slavery Safeguarding Leads has occurred.’*
(Executive Summary to the Review)¹²

7 NRM Interim Review (n. 5) p. 4

8 NRM Review (n. 5) p. 8

9 Ibid, p. 44

10 Ibid, p. 25

11 Ibid, p. 41

12 NRM Review (n. 5) Executive Summary

- *'[A] process of conclusive identification of trafficking victims through regional multi-disciplinary panels should be tested with a view to ceasing the sole decision-making roles of UK Visas and Immigration and UK Human Trafficking Centre and Immigration Enforcement.'* (Executive Summary to the Review)¹³

The key recommendations in the report suggested:

- extending the NRM to cover all adult victims of modern slavery;
- strengthening the first responder role - the point when potential victims are first identified and referred by creating new Slavery Safeguarding Leads, supported by increased training and feedback;
- streamlining the referral process;
- establishing new multi-disciplinary panels, headed by an independent chair, with a view to ceasing the sole decision-making roles of UKVI and the UKHTC; and
- creating a single case working unit within the Home Office to replace the current case-working units in the National Crime Agency and UK Visas & Immigration.¹⁴

Suggested in the review as a 'next step' (11.1.2)¹⁵ was the creation of a system of trained and accredited Slavery Safeguarding Leads (SSLs), who make reasonable grounds decisions, a Case Management Unit (CMU) to provide an administrative function and a Multi-Disciplinary Panel (MDP) who make decisions within the 'normal' NRM timeframes.¹⁶ Whether this qualifies as a 'complete overhaul' or just a reframing the current defunct system is debatable, however there is no disagreement that what is currently in place is not working.

Essentially, the design of the pilot involves transferring decision making powers from First Responders and Competent Authorities to SSLs and Multi-Disciplinary Panel Members (MDPs). The new model being proposed is expected to counteract some of the criticisms of the system. The aim of this report and research is to identify and evaluate if this had been the case.

13 NRM Review (n. 5) Executive Summary

14 NRM Review (n. 5) passim

15 NRM Review (n. 5) p. 71-73

16 NRM timeframes <http://www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-human-trafficking-centre/national-referral-mechanism>

THE NRM PILOT

In order to fully test the NRM recommendations and their potential effectiveness, the Home Office established a pilot.

Post the publication of the review and recommendations, the Home Office's Modern Slavery Unit held two stakeholder events (19th March 2015 and 9th June 2015) to engage with those who had contributed to the review and those for whom the recommendations would directly impact via implementation of the pilot.

Consultations were held about the positions of SSLs, MDPs, the role of the CMU and the training that would need to be delivered. The Home Office's Modern Slavery Unit maintained responsibility for the development and delivery of the pilot and used the expertise and opinions of both third sector and statutory partner agencies as and when applicable.

April 2009	NRM Introduced
April 2014	NRM Review commences
November 2014	Recommendations from the review conducted include an overhaul of the current NRM system
April 2015	Modern Slavery Act reaches Royal Assent
July 2015	NRM extended to all victims of modern slavery in England and Wales
August 2015	Home Office launch a pilot to test NRM recommendations
September – December 2015	Training of Multi-Disciplinary Panel members (MDP), Slavery Safeguarding Leads (SSL) and Panel Chairs
November 2015	SSL's making first set of referrals
November 2015	First panel sits to make conclusive grounds decisions
March 2016	Interim review by the Home Office of the Pilot's progress

TIMEFRAMES OF NRM AND INTRODUCTION OF THE PILOT

In order to test assumptions in the review and ensure any future implementation is successful across the country, two different and distinct locations were chosen as pilot areas – West Yorkshire Police Force area and the South West Region (Avon and Somerset, Devon and Cornwall, Dorset, Wiltshire and Gloucestershire Police Force areas).

The pilots were established to specifically test three core recommendations from the NRM review:

1. The introduction of Slavery Safeguarding Leads;
2. The establishment of a central Case Management Unit;
3. The establishment of Multi-Disciplinary Panels.

Agencies responsible for safeguarding and protection of vulnerable persons were contacted by the Home Office and asked to participate in the pilots. Local Authorities, Police and Health were approached as agencies who have a key role in identifying, referring and supporting potential victims of human trafficking and modern slavery. It was decided that non-governmental organisations (NGO) and current NGO first responder agencies would not be invited to be SSLs.

The aim of the NRM pilot was to establish and train SSLs at a local level who would then be able to make the initial reasonable grounds decision in regards to an individual presenting as a potential victim of trafficking and/or slavery. The pilot also aimed to identify and train MDP members from the aforementioned agencies as well as other professionals from other Home Office departments and the third sector to be responsible for making a multi-disciplinary conclusive grounds decision.

The CMU will be staffed by civil servants and linked to the current Modern Slavery Unit, mainly performing an administrative role to assist SSLs, MDPs and chairs with the decision making process.

The new positions and expectations of these roles within the NRM Pilot are set out below:

Slavery Safeguarding Leads (SSL) – accept referrals from other agencies and make decisions on individuals as to whether they believe they are a victim of modern slavery. The threshold for this decision is low and based upon ‘I suspect but cannot prove’.

Multi-disciplinary panels (MDP) – will make decisions on whether an individual is a confirmed victim of modern slavery based upon evidence and information provided to them by the Case Management Unit.

Multi-disciplinary panel Chairs – will lead the panel discussion, make the final decision on the case and report findings to the CMU.

Case Management Unit (CMU) – receive cases from SSLs and then prepare the case file and coordinate panel meetings in order for them to make a conclusive grounds decision.

In order for an individual to be eligible to be considered part of the pilot the individual or the frontline worker must be located in the pilot region at point of referral. Exclusions from the pilot include cases that are within immigration detention, the prison estate, or that are being managed by Home Office Criminal Case Work Directorate. The NRM system (as outlined in The National Referral Mechanism Overview section) has continued to be implemented outside of the pilot areas and cases has been managed by existing Competent Authorities within the Home Office throughout the pilot.

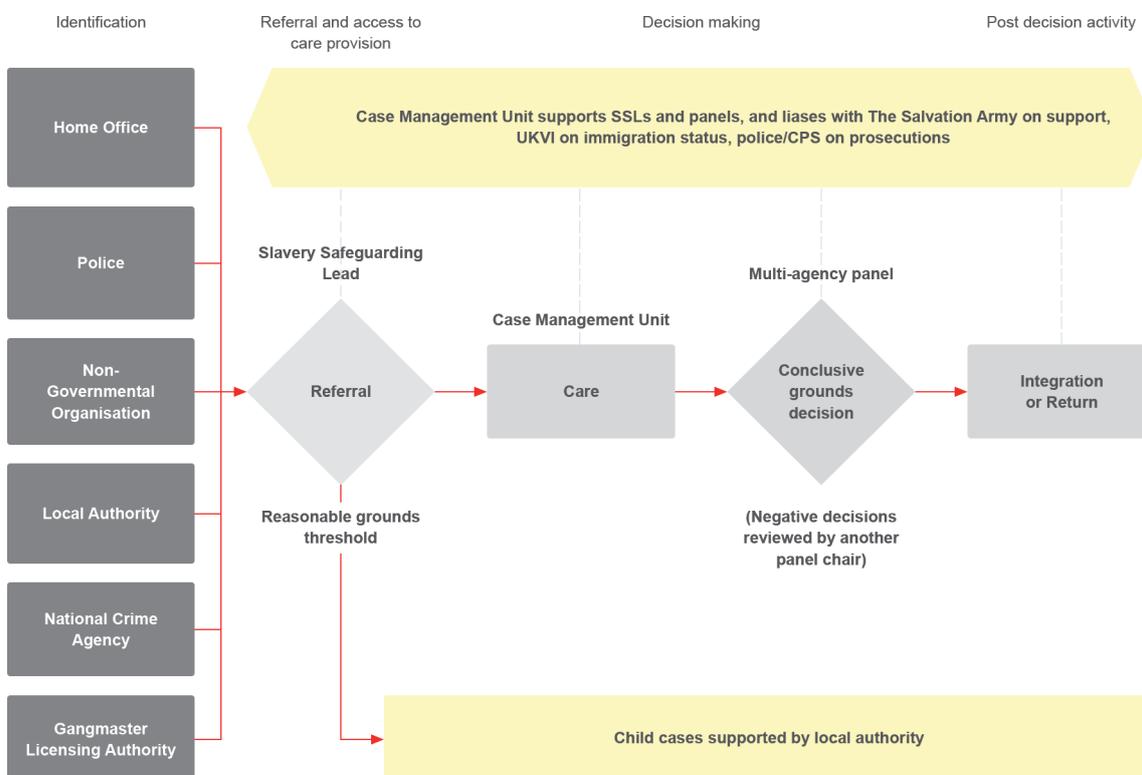
From the researchers understanding the overall change of the NRM system aims to:

1. Assist the speed of the reasonable grounds decision making, allowing potential victims to support services quicker than the current system;
2. Have better, more robust and more timely conclusive grounds decisions.¹

The training was put out to tender and a number of organisations invited to bid to deliver MDP and SSL training across a range of locations in the South West and West Yorkshire and one MDP event in London. Bidders had to evidence their organisation having direct experience of supporting adult and child victims of modern slavery, referring into the NRM and delivery of training to statutory authorities.

¹ Conversation with Home Office Modern Slavery Unit June 2015

PROPOSED SYSTEM UNDER NRM PILOT²



A joint bid between Unseen and ECPAT was successful and both organisations worked with the Modern Slavery Unit to organise, arrange and deliver the sessions.³

The training materials were initially established and written by the Modern Slavery Unit. Subsequently Unseen and ECPAT were asked to assist in tailoring the packages specifically in regards to information about children. The organisations assisted in developing the package, ensuring that case studies were available to participants to work through as well as guidance for them to refer to post the training sessions. Panel guidance for the MDP members and chairs was produced as well as guidance for SSLs, this was intended to complement the training package and be used as an aide memoir for SSLs and MDPs when making decisions.

² Proposed System NRM Review p. 72

³ The researcher involved in this report was not directly involved in the delivery of any of the training events

AIMS AND OBJECTIVES OF THE RESEARCH

In general terms and from a Home Office perspective the researchers were lead to believe that the NRM pilot will be considered a success if it increases victim identification, increases victim referrals, and improves the quality of decisions made and shortens the length of time it takes to make conclusive grounds decisions.

The researchers identified a number of key assumptions from the NRM review which are believed to be underlying goals of the pilot. These key assumptions were forwarded to the Modern Slavery Unit and Mr Oppenheim, (the author of the NRM review) respectively in order to gain a specific, and verified set of objectives against which the training element of the pilot could be assessed. Post a conference call (17th June 2015) the key assumptions held by the researchers were confirmed by the Modern Slavery Unit and Home Office researchers (Science, Crime and Policing Analysis Unit) and the direction of the independent research agreed.

The main aim of the research project established by The University of the West of England (UWE) and Unseen was to independently evaluate the effectiveness of the training delivered to SSLs and MDPs involved in the NRM pilot. We spoke with Home Office analysts to ensure planned research would not hinder Home Office reviews and would allow the elements of the pilot to be reviewed independently.

This is the first report produced and it seeks to evaluate the effectiveness of the training modules delivered to slavery safeguarding leads (SSLs) and multi-disciplinary panel (MDPs) members.

Due to resource and capacity, this study focuses only on the pilot taking place in the South West region.

This research investigated the adequacy of the training given to key professionals involved, in order to determine whether it is fit for purpose i.e. does it prepare the relevant professional to carry out their new role, and provide them with adequate understanding of the NRM, their role and the nature of their decision-making capacity within that role. We also considered whether the delivery of the training assisted with the improvement of the NRM as a system for identifying and supporting victims of trafficking and slavery, as per the NRM review's recommendations.

The research questions set were as follows:

- Has the training given been sufficient to prepare the SSLs and MDPs for their role in identifying potential victims of trafficking and slavery?
- Are those trained in a position to identify and make effective decisions?
- Was the training package successful?
- What are the concerns/issues those trained foresee with the system?
- Does the new system seem at this stage to be a workable improvement upon the previous system?
- Does the training package provided assist in the delivery of the recommendations of the NRM Review being achieved?

Although this research only focuses on the training stages at this point, further research is planned to evaluate the running of the pilot in more depth.

METHODOLOGY

Data has been collected through both feedback questionnaires, and qualitative interviews. The research methodology is outlined below.

RESEARCH COHORT

Every participant (n=88) at training sessions (both SSLs and MDPs) across both pilot locations were asked to complete a training feedback sheet post their training session.

Within the South West those trained as SSLs who were willing to participate in the research were asked to include their names and email addresses on the feedback sheets so the researchers would be able to contact them. For the MDP members both those trained in the South West and London were offered the opportunity to be included in the research.

The trainers who delivered the training on behalf of ECPAT and Unseen were also invited to participate in the research and offered the opportunity to speak with the researchers via an interview.

An email was sent to all SSLs and MDPs who had indicated they were happy to participate (n=10) asking them to confirm participation. Once they had indicated consent to be involved a consent form and the questions that would form the basis on the interview were sent to them and interviews were conducted.

Participants were from a range of statutory agencies including police, health care professionals, local authority staff and government agency employees.

FEEDBACK QUESTIONNAIRES

The feedback questionnaire was split into distinct sections:

1. Self-assessment of subject knowledge pre and post training (ranked 1-5)
2. Learning objectives met per module (ranked 1-5)
3. Five open questions relating to how participants feel about their new role
4. Training Contents Overview with a focus on the trainer and materials (ranked 1-5)

SELF-ASSESSMENT OF KNOWLEDGE

Scores between 1 and 5 were recorded pre and post training for each participant and analysed to show the average difference between pre and post training knowledge across all participants.

LEARNING OBJECTIVES

Participants ranked the learning objectives for the seven modules included in the training package. These were ranked between 1 and 5 where a score of 1 indicated unacceptable and 5 indicated excellent. Scores were captured and the average given for each modules content calculated. SSLs were delivered 4 modules, whilst MDPs received 7 modules.

TRAINING MODULES

Module 01	What is Modern Slavery? (definitions, scale, indicators)
Module 02	The NRM and Victim Support
Module 03	Identifying Victims
Module 04	Introduction to Case Management Unit and the Panels
Module 05	Case Management Unit
Module 06	Multi Disciplinary Panels – The Process
Module 07	Multi Disciplinary Panels – Decision Making

FREE FLOW ANSWERS

The feedback questionnaires were analysed using quantitative research methodology, which involved looking at how many respondents had answered each question in the following ways:

Yes; No; Yes, with a comment; No, with a comment; Comment only; Blank; and N/A.

The questions asked were:

- Do you feel well equipped/sufficiently trained to undertake this role?
- Do you feel that you have good understanding of the decision-making thresholds?
- Having received training, do you feel you are biased towards making positive or negative decisions towards any nationality, gender or group?
- Have any underlying biases or perceptions that you had prior to the training been altered?
- Do you foresee any problems with the composition and remit of the SSL in terms of the decision making process?
- Other comments from feedback (not related directly to above questions)

The responses containing comments were further analysed using qualitative research methodology called thematic qualitative analysis.¹ Overarching themes emerging from the comments were drawn out using this approach so conclusions could be advanced and reached.

¹ U. Flick, *An Introduction to Qualitative Research*, 4th edn (Sage: London, 2009)

TRAINING CONTENTS OVERVIEW

Participants ranked the trainer's, pace, duration, knowledge of the subject area and general facilitation of the session. These were ranked between 1 and 5 where a score of 1 indicated unacceptable and 5 indicated excellent. Scores were captured and the average given for each modules content calculated.

All data collated was anonymised so it would not be attributable to an individual, however the agencies people worked for were noted and used within the research findings.

QUALITATIVE INTERVIEWS

The research aimed to ask the participants for their personal perspectives and opinions in order to further gauge and investigate the adequacy and efficacy of the training provided to them for their role in the referral identification and conclusive grounds decision making of potentially trafficked persons.

The study used qualitative research methodology, with data collection taking place through semi structured interviews (n= 10: 2 x interviews with those training the SSLs and MDPs, and 8 x interviews with a selection of MDPs and SSLs). The interviews were conducted over the phone, and recorded using a Dictaphone with the prior consent of participants. Each interview lasted 20 minutes – 1 hour, and were conducted in accordance with the ethical research guidelines set out by the University of the West of England, the British Psychology Society (BPS)² and the British Society of Criminology (BSC).³

All interview data was anonymised; participants were supplied a consent form in advance of the interview, and were also supplied with the interview questions in advance of the interview taking place. Participants were informed that they could withdraw from the study at any time up until the point of publication, and that they would have the opportunity to see their interview transcript and could withdraw it in part or in whole if they wished.

2 British Society of Criminology, 'Code of Ethics' <http://britsoccrim.org/codeofethics.html>

3 British Psychological Society, 'Code of Ethics and Conduct' (August 2009), <http://www.bps.org.uk/what-we-do/ethics-standards/ethics-standards>

Once the interviews were transcribed, their content was examined via qualitative content analysis⁴ or what can sometimes be called thematic qualitative analysis.⁵ This approach was selected because it fits with the exploratory aims and objectives of the current research, in that it allows the researcher to confirm what is already known on a topic to settle disagreements between specialists,⁶ and to reflect the attitudes, interests and values of population groups. Overarching themes emerging from the interview transcripts were drawn out and direct quotes from the interviews anonymised and used for the purposes of the report.

The questions asked of participants during interviews were intended to build on the responses given in the training feedback questionnaire and to assist the researchers in gaining an understanding if MDPs and SSLs felt sufficiently prepared and equipped to fulfil their roles post the training.

All computers used for the purposes of the research were password protected. The material being held including; the feedback questionnaires, recorded interview files and written transcripts of interviews, are only accessible to the researchers. Transcriptions were anonymised and stored on password-protected PCs. Once the study has been published all data relating to the project will be destroyed securely (in confidential waste).

4 K. Krippendorff, *Content Analysis: An Introduction to its Methodology*, 2nd edn (Sage:London, 2004); M. B. Miles and A. M. Huberman, *Qualitative Data Analysis: An Expanded Source Book*, 2nd edn (Sage: London, 1994); K. A. Neuendorf, *The Content Analysis Guidebook* (Sage: London, 2002)

5 N. C. Leites and I. de S. Pool, *On Content Analysis*: Library of Congress, Experimental Division for Study of War-Time Communications, Document 26(1942), Cited in Krippendorff, above n. 39 at 45

6 B. Berelson (1952), *Content Analysis in Communication*

FINDINGS

THE PILOT REGIONS

The South West region consists of 12 unitary authorities, 4 county councils, 25 district councils and 5 police forces, equating to nearly 11,000 officers across the region. The region is the largest in the UK, covering 9,200 square miles. West Yorkshire is part of Yorkshire and the Humber region and is a metropolitan county consisting of 5 districts and one police force. It covers 783 square miles and has nearly 6,000 police officers, and also has a dedicated Human Trafficking Team.¹

This research is focussing purely on the training delivered and its effectiveness within the South West Region. This is due to the practical reason of the organisations evaluating being based in the South West and that the regions are so different the researchers were unsure if the comparisons drawn would be valuable.

The training sessions were delivered in locations across the South West, West Yorkshire and in London. The findings referred to in this report relate only to those SSLs who attended training in the South West region (Bristol and Exeter) and MDPs who attended training in Bristol, Exeter and London. We are aware that some from the South West region may have attended training at the other locations if they were unable to attend the sessions delivered locally. For the purposes of this research only questionnaires completed and collected within the South West have been used.

TRAINING OF MDPS AND SSLS

Between August and October 2015 free training was delivered by Unseen and ECPAT to a total of 188 professionals, this figure consists of 90 MDPs and 98 SSLs.² Attendees at training sessions in the South West consisted of those who would be SSLs within a South West context and MDPs and NGO participants who would sit on panels that would make decisions on cases that were from either pilot area.

41 MDP members and 58 SSLs attended the training sessions across the South West. There were 6 separate training events in total in the region, 4 for MDPs and 2 for SSLs.

¹ http://www.westyorkshire.police.uk/sites/default/files/files/disclosure-logs/foi_909-15_human_trafficking.pdf

² Figures confirmed by Home Office Team 22 March 2016

The findings in this section are based upon 37 completed MDP questionnaires and 58 completed SSL questionnaires. 90% (n=37) of MDPs and 67% (n=39) of SSLs attending training in the South West region completed all the sections on the training feedback sheets.

30 MDP members and 58 SSLs trained had a South West remit and/or were identified from agencies working in the South West region.

In total 59% (n=58) of trained SSLs in the pilot are responsible for making referrals for the whole of the South West Region. It is worth noting that the South West region is 12 times larger than that of West Yorkshire and yet only 45% more SSLs were trained to cover a far larger area.

Organisations represented at MDP training sessions consisted of police forces, local authorities and councils, NGOs, other governmental agencies and health professionals. The representation at SSL training was largely similar, although there was no NGO presence as per the NRM review the SSL role is to be hosted within statutory agencies and health organisations. There was a larger variety of government departments represented at SSL training, including Gangmasters Licencing Authority, UK Visas and Immigration and Immigration Enforcement. Using the feedback questionnaire data collected all five police forces in the South West, Avon and Somerset, Devon and Cornwall, Dorset, Gloucestershire and Wiltshire, were represented in both the MDP and SSL training. From the 41 local authority structures across the South West 10 different areas were represented (24%) across both MDP and SSL training. 6 (15%) different authorities were trained as SSLs and 7 (17%) put forward MDP members for training.

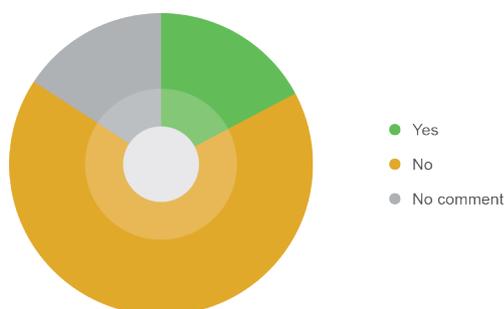
The areas represented appear to have engaged with the pilot and in most instances trained selected professionals for both the MDP and the SSL roles and to attend the training. The feedback sheets also indicate that in over half of the authorities participating more than one individual was trained in order to cover the locality in which they work.

QUESTIONNAIRE FINDINGS

SLAVERY SAFEGUARDING LEADS

Based on a sample of 58 participants completing the feedback questionnaire the following findings were obtained in regards to SSLs in the South West.

SSL'S PRIOR USE OF NRM PRE-TRAINING



67% (n=39) of the SSLs trained stated they had no use or interaction with the NRM prior to attending the training.

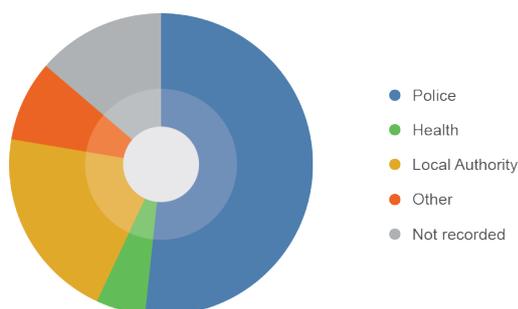
29 police officers from the 5 force areas trained as SSLs this represents 50% of SSLs trained in the South West.

6 Local authorities trained staff as SSLs (n=12), this represents 15% of the combined 41 unitary authorities, county and district councils and 21% of the total of SSLs trained.

10% (n = 6) of SSLs trained were from other government agencies – Home Office Visa and Immigration, Immigration Enforcement and Gang Masters Licencing Authority.

NHS and healthcare professionals made up 5% (n=3) of those trained for the SSL role and the remaining 14% (n=8) of participants did not specify the agency they worked for.

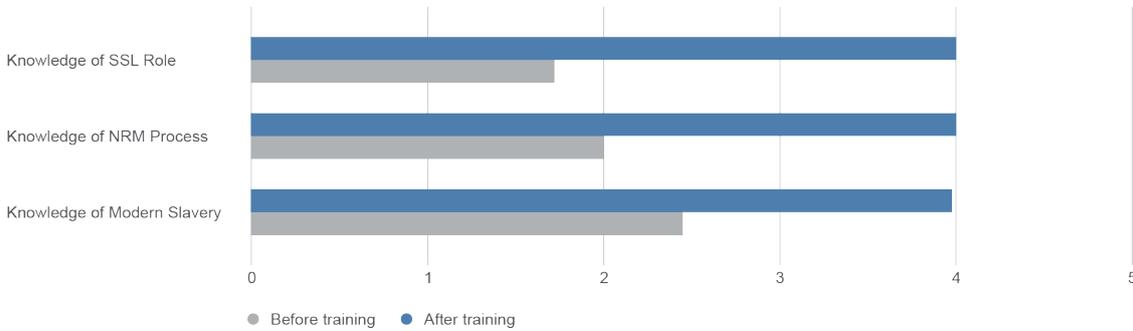
AGENCIES TRAINED IN SSL ROLE (N=58)



The understanding of the role of an SSL was relatively unknown (1.72) prior to training, but knowledge increased (4.00) as a direct result of the training, with the majority of participants indicating they now understood the role. This indicates knowledge of the SSL role increased by 132% post training.

All SSL modules received an average score from participants of over 4.

AVERAGE SSL KNOWLEDGE LEVELS PRE AND POST TRAINING INPUT



On average participants indicated that trainer knowledge was good (4.64), that the trainers were informative and approachable (4.62). Participants felt the exercises were effective (4.16)

**COMMENTS REGARDING TRAINING DELIVERY AND FACILITATION
(AVERAGE BASED ON 58 PARTICIPANTS ANSWERING THIS QUESTION OUT OF 5)**

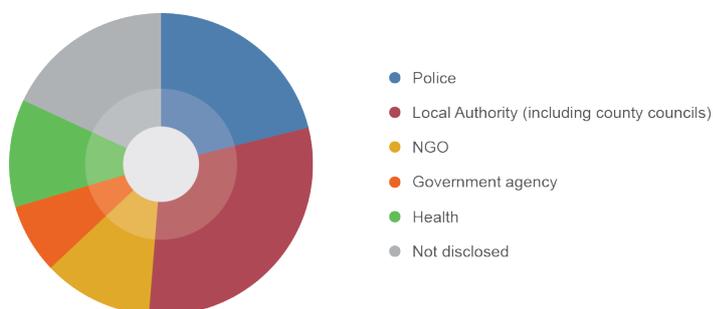
Duration	4.29
Pace	4.22
Training materials	4.21

MULTI-DISCIPLINARY PANEL MEMBERS

Based on a sample of 37 participants the following findings were obtained in regards to MDPs.

10 of the MDPs (27%) trained stated they had no use or interaction with the NRM prior to attending the training.

NUMBER OF MDP'S TRAINED AND THE ORGANISATION THEY ARE ASSOCIATED WITH



8 MDP participants (22%) identified as police officers and represented all of the five police forces in the South West region.

A total of 11 local authority representatives trained as MDPs. The 11 participants (30%) represented 7 different local authority areas. This indicates that from the combined 41 unitary authorities, county and district councils only 16% participated in this pilot.

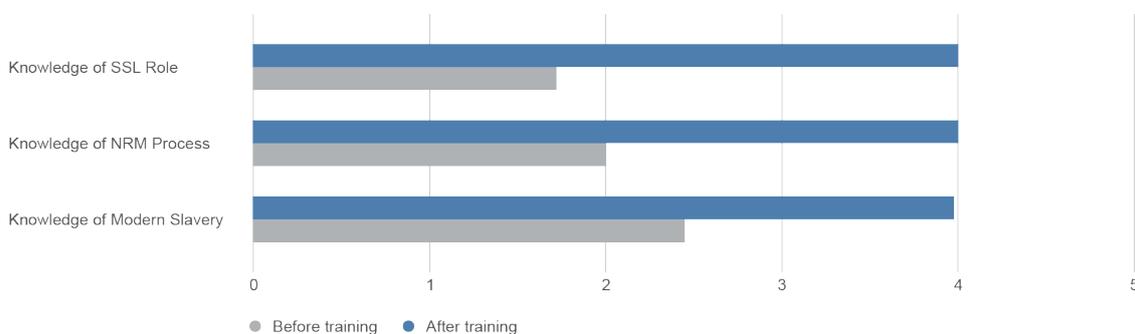
19% (n=7) of MDPs trained were from other government agencies – Home Office, Visa and Immigration, and third sector agencies.

NHS and healthcare professionals made up 11% (n=4) of those trained for the MDP role and the remaining 19% of participants (n=7) worked for the third sector or and NGO or did not specify the agency they worked for.

The understanding of the role of an MDP was relatively unknown (2.04) prior to training, but knowledge increased (4.15) as a direct result of the training, with the majority of participants indicating they now understood the role. This indicates knowledge of the MDP role increased by 103% post training.

All MDP modules received an average score from participants of over 3.97.

AVERAGE MDP KNOWLEDGE LEVELS PRE AND POST TRAINING



On average participants indicated that trainer knowledge was good (4.54), that the trainers were informative and approachable (4.60). Participants felt the exercises were effective (4.30)

COMMENTS REGARDING TRAINING DELIVERY AND FACILITATION (AVERAGE BASED ON 42 PARTICIPANTS ANSWERING THIS QUESTION OUT OF 5)

Duration	4.32
Pace	4.27
Training materials	4.16

EMERGING THEMES

The researchers identified a range of emerging themes from the free flow section of the feedback sheets.

The following questions were asked:

- Do you feel well equipped/sufficiently trained to undertake this role?
- Do you feel you have a good understanding of the decision making thresholds?
- Do you feel you are biased towards making positive or negative decisions towards any nationality, gender or group?
- Have any underlying biases you had prior to the training been altered?
- Do you foresee any problems with the composition and remit of the SSL/MDP role in terms of the decision making process?

Finally, participants were given the opportunity to make any further comment about the training received and the pilot.

67% (n=39) of SSLs and 90% (n=37) trained completed the free flow feedback section of the questionnaire.

The themes that emerged from the responses given by the both SSLs and MDPs are predominantly based upon the effectiveness of the training, capacity to fulfil the role, confidence to make the right decisions and sustainability within the organisation they represented.

EFFECTIVENESS OF THE TRAINING PACKAGE

'Yes (I feel well equipped/trained to undertake this role), all the training was well delivered and covered the topics well' (SSL)

Most of the participants viewed the training as a good start and see the role as a learning process, very few were ready to hit the ground running or feel completely confident in what is expected of them as an SSL. MDPs also felt that this was the beginning of a learning process that would be solidified and strengthened once they had participated in a panel.

'I feel better informed, but it is a work in progress' (SSL)

Some participants felt the need for further training:

'No (I do not feel well equipped/trained to undertake this role), only one-day training and a quick pilot go live date so I have had little time to process new information and share this with other practitioners' (SSL)

'No, I would benefit from an additional session as this is a completely new topic' (SSL)

Comments were made in terms of the organisation of the training and several participants indicated that they had received insufficient knowledge of the roles ahead of time, there were also comments offered in light of the training materials provided and that the exercises given were too straightforward and accompanied by answers which didn't give the participants time to think through the options or discuss them.

CONFIDENCE AND COMPETENCE

15% (n=6) of trained SSLs indicated they felt well equipped and trained to take on this new role. No participants answered with only a no to indicate that they did not feel well equipped to undertake the SSL role, however 46% (n =18) of participants commented in response to a question about their confidence in carrying out this role and within these comments 4 participants specifically stated they did not feel confident and offered commentary to this effect.

35% (n=13) of trained MDPs indicated they felt well equipped and trained to take on this new role. One participant stated they had 'insufficient knowledge' of the role post training and was not confident to take up this role for their organisation.

The majority of participants, both SSLs and MDPs stated they had no issues with biases or impartialities towards certain genders, cultures or types of exploitation and were confident they would make decisions based upon the information that were presented. Thresholds for MDP members were generally considered to be clear, but it was also appreciated that this would be a complex element of the process.

'...concrete evidence will be tricky to come by' (MDP)

Understanding of the subject matter and the role varied greatly. A clear distinction was identified in confidence levels between those who had previously worked with potential victims and those for who this was a new topic area.

| *'Yes, I have previous knowledge of working with victim processes' (SSL)*

| *'Confident skills will cross over from my day job' (MDP)*

There was a lack of confidence in terms of understanding the legislative framework, amongst SSLs, in regards to trafficking and slavery and those who had never worked within this sector before felt they would benefit from further training input, post training guidance and pre-training reading in order to best prepare for and understand the role and the subject matter.

| *'Still need to read the law (criminal) around this area, still unclear as the difference between trafficking and slavery' (SSL)*

| *'...I have a lack of familiarity with the processes' (SSL)*

CAPACITY

| *'Role was well explained but the capacity to do this is questionable' (SSL)*

Whilst many participants felt the training had increased their knowledge of the subject matter and the role there was uncertainty expressed in terms of the time involved in undertaking this role and the practicalities of one or two SSLs covering large areas of the region 24/7.

The time, resources and capacity of frontline professionals to be available to receive calls and make reasonable grounds decisions on top of their normal day job raised concerns regarding the availability of SSLs, how the role would be effectively covered 24/7 and if the increased amount of work was a realistic and practical expectation to put upon them.

| *'Sufficiently trained, but I work shifts so won't always be available' (Local Authority Staff)*

| *'No assessment of my workload/ability to complete this job as part of my role' (Local Authority Staff)*

| *'Too demanding in current job in the MASH – only work Monday-Friday, 8-4, not enough SSLs in force' (Police Officer)*

| *'No-one is available in XXX [police force area] beyond 2200, not 24/7 and this is not seen as a concern, but should be' (Police Officer)*

'I am not working in an appropriate position to fill this role. This should be a 24/7 officer in an overview position such as CIM or FIM1' (Police Officer)

'I don't believe I am the right rank and do not have the capacity/time to complete this role to the extent which is required' (Police Officer)

'Plans need to be put in place how this will be covered 24/7 in our area' (Local Authority Staff)

Capacity concerns were shared regardless of the organisation SSLs represented.

Similar concerns regarding capacity were shared among MDP members who would be expected to pre-read information pertaining to multiple cases ahead of a panel discussions as well as participate in panel discussions.

'[I have] no availability for panels – [I] didn't understand the role until attending the training' (MDP)

'time constraints will affect capacity to do this role' (MDP)

OTHER CONSIDERATIONS

There was an indication from some participants that they were not confident that their organisational processes and procedures were in place to support the pilot process or them in their role as an SSL, this appeared to cause concern for those trained.

'Trained, but will need support from senior managers' (SSL)

It was also observed that not all areas had participated in the pilot and that this would result in the burden falling on a small number of agencies.

There was clearly a range of confidence and competence levels in regards to taking on the SSL role and this may have an impact on the outcomes of the pilot in particular areas across the region.

'No issues, I am looking forward to taking on the role' (SSL)

It was noted that some SSLs raised capacity issues in light of sharing concerns that other areas were not participating within the pilot and expressed that this would have direct impact on them and their capacity if asked to make decisions for potential victims who were technically outside of their area.

Whilst the role of SSL should be able to assess any potential victim regardless of where they are located many SSLs work for organisations that are bound in a territorial sense and would not be in a position to take referrals from outside of the area for which they are responsible – this caused concern in terms of being able to ensure South West wide cover 24/7.

MDPs also raised concerns about a lack of specific interviews for victims and the amount and type of information they were provided with ahead of panels convening.

■ *‘Might err on the side of caution regarding positive decisions’ (MDP)*

It was felt that panels meeting virtually was not ideal and that face to face meetings may be beneficial and better, especially initially. Practical issues in regards to teleconferencing and computing systems working were also raised. It was also agreed by a number of participants that the panel chair would perform an important role and that greater clarity would be needed on this role.

QUALITATIVE INTERVIEWS

Those who had supplied written feedback were also offered the opportunity to give further feedback on the training via a phone or face to face interview.

A total of ten interviews were conducted; two with those training the MDPs and SSLs, and eight with MDPs or SSLs. Originally ten MDPs and SSLs were willing to be interviewed, but two disengaged from the research prior to interview, one due to the agency they worked for deciding not to participate in the pilot post the training.

OUTCOMES FROM INTERVIEWS

Several interconnected yet distinct themes emerged from the qualitative interviews:

1. The utility/efficacy of the training
2. Preparedness of participant for role
3. Suitability of participant for the role
4. Initial impressions of the pilot

The themes identified are largely consistent with the results and concerns shared in the post training feedback questionnaires.

THE UTILITY/EFFICACY OF THE TRAINING

TRAINING MATERIALS

Several participants felt that the training materials were useful, and specifically referred to the utility of having case studies available to them which focused on both positive and negative decisions.

'Yeah we ran through case studies and they gave us quite a good selection of cases to look at and actually gave us a tricky one which I appreciated' (Participant 3, MDP)

'I suppose what was the most powerful impact for me were the case studies and the videos that we used – they were really, really powerful..., and also learning that actually this is a global issue and what's actually coming into the UK and the areas where I thought it was less, I mean I was gobsmacked about Vietnam and people coming over from there ... I was clearly quite naïve because I didn't have that detail of information, so loads of

things have been identified to me including the panels and the NRM process, I didn't know anything about it so I was very new to it and it was really, really helpful' (Participant 5, MDP)

'I've had some input into modern slavery but ... when you start talking about the case examples and a proper understanding of what it means, so that level of detail I didn't know before' (Participant 6, MDP)

One participant in particular felt that more complex case studies were needed for the training stages as those given were too straightforward and simplistic and not representative of the actual cases that s/he had dealt with as an MDP so far (of which there had been 3). Furthermore, the participant felt that mock panels would have been useful to adequately and realistically help to prepare the MDPs for their role.

'...we did have one session where we were given some short scenarios and were invited to discuss them and make decisions, but the short scenarios didn't have anywhere near the depth we're having to deal with. And the scenarios were fairly straightforward, what would have been better with hindsight, would have been to have spent quite a considerable amount of time, several hours actually sitting as a mock panel' (Participant 4, MDP)

This speaks to a comment by another participant who recognised the range of difficulty inherent in making decisions of this sort, underpinning the need for case studies being used in training to be as realistic as possible:

'... some [panel decisions] were 10 minute discussions. They were very clear, some of them weren't' (Participant 3)

DEPTH OF TRAINING

Participants indicated generally that those providing the training were very knowledgeable and competent. Some participants felt that the training was incredibly useful and informative, but it is worth noting that the majority of participants who voiced this had not previously worked in the trafficking and slavery sector:

'I think any further personal story stuff would have been helpful, but no I have to say (the training) gave me more than I was expecting' (Participant 5, MDP)

However, several participants acknowledged that the training lacked depth overall and felt that this was an area and role that required good knowledge and understanding for quality decision-making:

'...if you went there with nothing I think it would have been a bit limited ... So it is not a subject area you can just really 'get', you know, there is such a lot to it as you know. So I don't think you can expect people to just walk into it and grasp it straight away...'
(Participant 1, MDP)

'The training materials were useful, but I think simplistic given that we are the competent authority for the conclusive decision. To provide a disparate group with a day and a half's training in the end with no direct decision making and for many, not for many, for some panel members that I've come across in panel meetings, no direct involvement in trafficking cases work or the background, the convention and so on, at all. It is a lot to take in which is why I think they kept it simplistic' (Participant 4, MDP)

Those who felt that the training lacked depth overwhelmingly came from a background where they already had previous experience of working in trafficking or slavery sector/were currently working in the sector:

'The training was a fairly good reinforcement exercise in current knowledge' (Participant 4, MDP)

Those who came with pre-existing knowledge did express some concern over the lack of depth in training as regards the level of knowledge required for those who were coming to the table with no experience at all – there was concern that the information being imparted, and the amount of time used for training, was insufficient for those who were new to the field.

There was some feeling that the training materials lacked depth and were not realistic:

'...it's between 5 and 10 fairly complex documents for each case and you do get familiar with the material, particularly if you've seen it before and you can focus on the key elements, which is what I do – I focus on the key elements, but it bears no relation to the information we were given in the training' (Participant 4, MDP)

One participant indicated that everything learned was new, which when considered in light of the above quotes, shows a real diversity in the pre-existing experience in trafficking of those coming to the training, and underpins the importance of training in sufficient depth in order to prepare each participant for their role.

GAPS IN THE TRAINING

Participants gave varying responses as to how they understood the thresholds for decision-making in their role, and there was some feeling that thresholds and victim credibility had not been sufficiently covered, and that the threshold used was tied up with that of asylum claims.

‘One [way in which the training was lacking] is the way in which credibility was dealt with in the training which was not well presented, didn’t deal with the issue properly, tended to rely simply on what was in the guidance, the guidance in turn was an issue for concern because the guidance is drawn as much from the asylum process as it is to credibility in that process rather than a victim-centred human rights based approach to credibility in trafficking cases which one would expect to be very different’ (Participant 4, MDP)

LENGTH OF THE TRAINING/TIME CONSTRAINTS

The training, which was initially set to be 2 days long, was fairly rapidly reduced to 1 day – potentially in response to how those being trained were reacting to the duration or perhaps because one day seemed sufficient to cover the material. There were mixed reactions to the amount of time allocated to training:

‘I genuinely think it was a really good two days actually. After the start it built momentum, it taught me something I didn’t know, if you know what I mean. From not knowing about it, I came out knowing more about the current process and the future ones’ (Participant 6, MDP)

‘I appreciated the fact that the trainers recognised the fact and were flexible enough and said they could get it into one day if we wanted to stay longer, which we did. And that flexibility was appreciated’ (Participant 3, MDP)

‘...we did it over 2 days, well a day and $\frac{3}{4}$ and a lot of it was quite repetitive by the end, so that was some of my feedback that the powerful stuff is the personal message, the key message from people and repeating the panel further on in the 2 days wasn’t necessary in my view ... I was in the first cohort so clearly they picked up on the evaluation, because we all felt the same, the police the local authority members – we all felt the same ... they were dragging it out when it didn’t need to be’ (Participant 5, MDP)

There was an impression among some participants that the training was rushed, and that there was insufficient time to read the training materials.

'...it was supposed to be 2 days and then it ended up just being a day ... And I don't really know why that all got scaled down but it kind of got scaled down to a day and then all ended up being a bit of a rush' (Participant 1, MDP)

Generally, (but not exclusively), those who felt that the training was too rushed or 'light touch' came from a background whereby they had experience working with trafficking/slavery and so felt competent to comment on the training content. If persons experienced in the sector perceived the training to be lacking in depth then this would suggest that it probably is, which does not pave the way to good knowledge, understanding and preparedness for role among those who were not previously experienced in this area. As outlined in The NRM Review section of this report, one of the central criticisms of the existing NRM was lack of adequate training,¹ and from the participant responses it cannot conclusively be stated that this problem has been addressed in the pilot.

PREPAREDNESS OF PARTICIPANT FOR ROLE FOLLOWING RECEIPT OF TRAINING

Various issues were raised by participants as regards how prepared (or otherwise) they felt to undertake their role following receipt of training.

GAP BETWEEN TRAINING AND EXECUTING ROLE

Some participants specifically voiced that the gap between training and beginning to execute the role was far too long:

'That concerns me. You know, it was 1 day, very intense training, it is some time ago now, I have not only slept several times but I have dealt with a hundred other quite challenging issues in that time, if not more. So I would feel, I would have felt more confident going in near the training, to a panel and now I understand there is one, I think there might be one in January, whether it will happen or not? So it could be that it doesn't happen that it will be 3 or 4 months away from 1 days training.'

'...although I know it's my responsibility to make sure I'm well up to date, I don't want to lose those competencies the longer the gap will be' (Participant 5, MDP)

¹ The Anti Trafficking Monitoring Group, 'Wrong Kind of Victim? One year on: An analysis of UK measures to protect trafficked persons' (June 2010)

Several MDP participants had not yet sat on a panel even though at least 2 months had passed. This had led to a feeling that some 'top up' training was required for some participants; yet no such thing had been made available to them. This had led to lack of confidence in their role. However, one MDP member indicated that it was possible to access and read other MDP panels paperwork and read the details relating to panels that s/he was not actually sitting on, and felt able to stay informed on that basis. However, the researchers have been told by the Home Office that in order to access panel information MDP members must be selected for that panel and that this system is monitored to ensure individuals are not accessing cases they are not making decisions on, this highlights an inconsistency in the information that has been given to MDP members.

Not all panel members felt that the time lapse between training and executing the role would be problematic:

'It obviously would have been quite helpful to straight into it, but I think the process is such that although you need to understand what the process is, it's more about viewings and making decisions and forming a view isn't it? The actual process isn't a technical process, it's about a proportionate approach, and it's about understanding the information and coming to a view and having a discussion about it. It's not something that overly concerns me' (Participant 6, MDP)

POOR COMMUNICATION FROM HOME OFFICE - LACK OF KNOWLEDGE ABOUT ROLE

Worryingly, several participants indicated that there were people attending the training sessions who did not actually know why they were there – this is of clear concern when faced with making decisions which seriously affect the lives of others:

'Yeah and it was really clear from the training that actually people weren't even aware of what the training was. The thought they were going to be a safeguarding lead or some kind of lead on the subject or sort of like a champion, well some didn't even think that. A lot, it is really embarrassing actually, on my training particularly, I think it maybe got better afterwards but a lot of people hadn't had proper communication from the home office in the way of emails and explanation of what the training was actually going to be' (Participant 1, MDP)

'It was a request to help them with the pilot and then it was, you know. It was a bit like, once I have got you inside the room, this is what you get! That how is sort of feels. I don't know whether you are getting a theme of some resentment through the interviews you are conducting but I wouldn't be at all surprised' (Participant 3, MDP)

Essentially, some recipients of training felt that they were leaving with a role that they had not signed up for – there has been a lack of transparency and information transfer in the run up to the training for the pilot. Bearing in mind that lack of adequate training was cited as a problem with the existing NRM, it is unfortunate that this has not been squarely addressed for the pilot. Overall, participants felt that the prior communication about the pilot, training and role had generally been poor and disorganised, as well as rushed:

‘... everything is just so last minute and there [are] not those lines of communication to keep people on board. Because you have got to be so committed to something like this. And you are only going to do that if you are going to get people really brought into the process and you know, what everyone is trying to achieve and the outcomes etc. So I think that has been poor’ (Participant 1, MDP)

‘You know, the pilot itself wasn’t clearly described and the expectations weren’t described...the Home Office [devised] something then didn’t tell anybody and they did that without researching what service provision is available out of hours... So everybody is on skeleton. And those out of hours services which are available are already consumed with emergency response work’ (Participant 3, MDP)

This was not exclusively found to be the case, however, with one participant reporting a very positive experience:

‘No, I have to say that was very well organised, very well informed, we received information in a very timely manner. I have got no criticism about that at all. And the people who sent the stuff were very helpful and very guided on even just where you need to go and which flight of stairs so we were very, very well looked after’ (Participant 5, MDP)

COMPETENCE TO EXECUTE THE ROLE

Some participants also voiced a feeling of lack of competence to carry out the role – several specifically stated they did not feel ready for the role:

‘I am very well supported by my line manager and she is a SSL as well. Really in all honesty I am only really going to pick it up if she says to me, this is what I want you to do. So those, you know, I am at the bottom of the pile basically’ (Participant 2, SSL)

Some of the participants clearly expressed that they saw this as a learning process and would learn ‘on the job’ so to speak. While this is understandable to an extent, it does indicate that not all participants are able to hit the ground running. Several participants were concerned that they had not yet – after at least 2 months – had the opportunity to carry out their role:

‘I put myself forward for several panels because the only way to know if you have assimilated the information and your knowledge is and your understanding is adequate is to do one and actually I haven’t been accepted or asked to do one yet!’ (Participant 6, MDP)

The lack of possibility to attend top up training or to rely on some kind of support when in post was seen as problematic by some participants:

‘I’ll tell you what might be, certainly for me, what might be useful as panel members is once every quarter or something there’s a bit of a web ex or a seminar or a teleconference or something just touching base with other members and how are things, what’s the learning so far? Just so we can virtually meet as a group. We did talk about it at the training, but nothing’s came about. So we’re sort of a bit isolated in our professional groups if you know what I mean?’ (Participant 5, MDP)

‘There isn’t really anything being offered, so let’s just watch this space... there’s been no communication of that sort with panel members, we’re simply being presented with them for our diaries and then are expected to plough through them on the basis of our training, there’s been no updating, no reinforcement, no going back – there may be, but I haven’t been told that there will be. There is no point at which, say half way through the pilot, that the panel members are being brought back for further training on the basis of ‘let’s build upon the training you now have and let’s see if there are any questions that need to be addressed which are better addressed in training and away from the panel meetings’ (Participant 4, MDP)

‘I’m choosing to make sure I go to things that are pertinent to it. I have to say, I’ve not got that from the Home Office or whoever, I’ve got that because I’m on the conference circuit as a speaker anyway for safeguarding. So I’ve shared that conference with the panel members that I know’ (Participant 5, MDP)

It seems that a more ‘organic’ approach to the pilot would have been preferable, in that it should have provided the opportunity for reviewing and amending the pilot as necessary, as well as gathering and responding to participant comments at an early stage and providing participants with support beyond their training.

THE EFFECT OF ACCOUNTABILITY ON DECISION-MAKING

The idea of accountability for decisions was clearly of concern for participants:

'...well I knew why I was going, but I didn't realise the depth of responsibility or the accountability, I had a feeling, but it was a bit like ... this is scary!' (Participant 5, MDP)

There was also concern among participants of the threat of Judicial Review:

'...this is a quasi-judicial process and what we were not trained in was the decision making process. We were simply told we would sit in a panel, there would be a chair and we would discuss cases and then reach a majority decision, but how that functioned as being, equipping us to make proper and reasonable decisions which were capable of consideration for example, a judicial review, I don't know' (Participant 4, MDP)

'I think that is a lot of the conversation we had around making a positive reasonable grounds decision initially because why would you want to put yourself at risk of a judicial review? I mean sometimes it may be blatantly obvious that somebody is not, it is not all adding up. There are no indicators that this person is a victim and you could make a negative grounds decision. But I think if you were maybe not 100% sure you would go with it' (Participant 2, SSL)

There appears to be the possibility that the threat of judicial review may lead to the premature making of positive decisions by SSLs, which could undermine the credibility of the system. The response was unsurprisingly different as regards MDPs - some participants voiced that they would feel able to either abstain from making a decision or state that they felt that they had insufficient information to make a decision:

'I think, it is not a great area of concern. I would, I think I would be quite assertive in that, if I felt I didn't have enough information or evidence to make a decision I would be quite happy to say so' (Participant 3, MDP)

There was more of a 'safety in numbers' mentality when it came to MDPs as they were aware that they were not charged with sole decision-making responsibility, unlike SSLs who – although working to a low threshold – must make the decision individually. However, the information (or lack thereof) given to MDPs in order for them to make their decisions was also cited as a factor in the making of negative decisions – perhaps the quest for expediency is to the detriment of quality decision-making:

‘...the multi-disciplinary pilot has been rolled out now for some months and I still see the same questions coming up again and again in decisions. Which is a question of can we, on a balance of probability, decide that this individual, identify this individual as a victim of trafficking conclusively to conclude the case. On occasions when the answer is no it’s because we don’t have enough information, not because we don’t think they are a victim of trafficking’ (Participant 4, MDP)

SUITABILITY OF PARTICIPANT FOR THE ROLE

There were some queries raised over the suitability of those undertaking the role, in terms of previous experience in the sector (or lack thereof) and capacity to give sufficient time to carry out the role.

PREVIOUS EXPERIENCE IN THE SECTOR

It was indicated that some participants felt that previous experience of trafficking and slavery was important for the role of MDP or SSL:

‘Because again it would have been quite difficult to have selected other people in the force suddenly as other people have been, you know, thrown into this role. Because you know, it is an important role and the decisions you are going to be making are ultimately important so I don’t think that someone can just be thrown into it, you know, sit on a panel’ (Participant 1, MDP)

However, the interviews made it clear that not all participants had previous experience of human trafficking and/or the slavery sector. Several participants confirmed that they had no knowledge or experience of human trafficking whatsoever prior to receiving training.

SELECTION FOR THE ROLE

It seems that selection for the role as MDP or SSLs has not been as well thought out and targeted as it might have been. One participant, who clearly stated that s/he had no previous knowledge or experience in the area, commented on how s/he came to take up the role of SSL:

I was literally sat next to my manager, she had the stuff on her desk because she has done the training as well and I said, that looks really interesting and she said, do you want to come to the training with me and that was it' (Participant 2, SSL)

Others had also volunteered for the role, but did not feel that they had much information about what they were committing to:

I put myself forward, it was an expression of interest which seemed to have been taken as an application and the next thing I knew I was going through the security vetting process...' (Participant 4, MDP)

Others, although not individually selected or targeted directly by the Home Office, seemed to be well suited to the role, yet had not clearly 'chosen it' and were effectively ferried into it through lack of experienced people to choose from:

'Well when the Home Office, well you know, I think it is everybody's experience, that when a letter comes in from the Home Office to a chief executive of a local authority that slightly smacks of community safety, safeguarding or whatever then the person who is the lead for that area gets it ... They didn't have a lot of people to choose from and I was sort of resigned to the fact that if there is any sniff of vulnerable adults and safeguarding, it is going to come my way' (Participant 3, MDP)

This indicates that the process by which potential participants in the pilot were targeted and selected has led to a pool of MDPs and SSLs who have very asymmetric experiences and backgrounds in human trafficking, ranging from very experienced and knowledgeable, to not at all experienced and next to no knowledge. This is arguably not the best selection strategy for such an important role.

CAPACITY AND TIME COMMITMENTS FOR ROLE

A significant problem cited in participant responses related to the capacity to commit a sufficient amount of time to the role – there was an overarching feeling that the time commitments had not been clearly outlined or understood in advance of attending training. Several participants stated that they had no idea of how burdensome the time commitment might be prior to attending training, and it was clear that some participants were/are still concerned about capacity for the role in this respect:

‘...some people were going to go away and say well actually I am going to have to speak to my boss about this because I don’t know how I am going to have the time. This isn’t what I thought it was going to be sort of thing’ (Participant 1, MDP)

‘I didn’t have any idea. I think it would have been useful to at least have planned for that before we realised that ... talking to my police colleague who has done a panel, he said, obviously it was his own desire to get it right but actually for the cases that he took part in, it probably took him the best part of 2 days to prepare. So we are talking about 2 1/2 days potentially every 2 weeks, that’s not feasible ... So it means you can’t prepare and read the cases and consider your decision in preparation for the panel whilst you are doing other work. You literally would have to block out some time and that means that other things get moved and don’t get done so there are implications that we are concerned about but obviously I haven’t experienced them directly yet’ (Participant 3, MDP)

‘I suppose I knew there would be some input and impact, but I didn’t realise it would be so in-depth and [so] frequently’ (Participant 5, MDP)

‘I think that’s probably less of an issue for me as a police officer than it is for some of the local authorities involved ... I see it as a core part of our role, so from a police perspective it is something we would invest our time in. However from a local authority I could look at it from their perspective I could see there’s much more of a negotiation to be made with senior managers to make that time available’ (Participant 6, MDP)

A limited number of participants expressed that the time commitment wouldn’t be problematic as they had control over their own workloads:

‘Because I’m in control of my own workload and my own diary I do have autonomy to make a decision of what’s more important than another, so I can prioritise. It won’t be a problem for me’ (Participant 5, MDP)

However, this was the exception rather than the norm, so it seems clear that the majority of participants will struggle with the time commitments.

Several participants specifically expressed concern about the requirement of 24/7 cover by SSLs, and the fact that not only was this commitment not made clear at an early stage, but that it would be difficult or impossible for this level of cover to be provided by local authorities:

'I have just spoken to my manager about this and she said, [we] aren't providing 24hr cover' (Participant 2, SSL)

'If they'd asked us to nominate people who could provide a 24hr role we would have struggled anyway but at least we would have known that was what was expected. We have nominated people who work office hours because that's our staff. You know, we have emergency duty response, we do have out of hours, but they are doing child protection and safeguarding and mental health act assessments, they are not going to act as SSLs out of hours' (Participant 3, MDP)

The concern over the requirement of 24/7 SSL cover was also expressed in regards to police capacity for the role:

'...other local authorities have spoken to their police colleagues and saying presumably you will be providing the 24 hour cover and the police have their own pressures and are saying, no actually we are not geared up to do that either' (Participant 3, MDP)

Clearly, the rapid initial decision envisaged by the pilot is not something that is easily achievable at all under the current model, as the relevant authorities and individuals simply cannot provide the level of time and commitment required.

The researchers are aware of non-governmental organisations who have struggled to locate an SSL when required. One organisation in the South West ended up trying five different SSLs before one was available and able to assist, this resulted in a PVoT and their child waiting at a drop-in centre for the majority of the day².

Delays in decision-making have been a feature of the NRM since its inception, as outlined in earlier sections of this report, and it does not appear that the pilot has resolved these issues and in fact it might have create time-related problems of its own.

It seems that the organisation of the pilot serves to squarely place the role of the MDP member or SSL as secondary to the primary role of whoever has been trained. Under the existing NRM, some of the First Responders at least have a primary role in identifying and supporting victims of trafficking, so it is difficult to see how the pilot structure offers any improvement here. In fact, it may represent more of a step backward, as many involved in the pilot are struggling or foresee themselves struggling to execute their dual function.

² Conversation with NGO based in the South West

Furthermore, there is the risk that local authorities will pull out or have already started to disengage from the pilot:

‘...actually there has been discussion amongst the local authorities because of the, the feeling that they didn’t have all the information as to what was expected and there have been discussions about local authorities pulling out of the pilot’ (Participant 3, MDP)

TRAINERS FEEDBACK

Trainers involved from Unseen and ECPAT were also interviewed and asked their opinions of the training packages. Unseen's trainer was the same person for all sessions, whilst ECPAT provided three different people to deliver the range of sessions. From the two interviews conducted the following themes were identified, and overlapped with the interviews conducted with the MDP members and SSLs.

1. The utility/efficacy/organisation of the training package
2. Preparedness of participant for role
3. Impressions of the pilot and its proposed implementation

It was felt that whilst the training package was lengthy (140 slides) that the content it contained was applicable, logical and covered all the necessary details for trainers to deliver the training.

'It focuses on the roles and says what people need to do' (Trainer 1)

Whilst the roles were clearly defined via the training delivered and the exercises included worked well for participants, there was the observation that the training assumed a level of knowledge in terms of the sector and the issue, which we have seen from previous sections was not always the case for those attending the training.

'The package assumes a certain level of knowledge and understanding about trafficking and not everyone in the room had this' (Trainer 2)

Whilst the package was fit for purpose in terms of describing the role being undertaken, learning about these new roles and their remits it was observed by the trainers that the training resulted in anxiety and concerns for those being trained. Predominantly these concerns and the questions asked of the trainers related to capacity issues individuals and organisations faced once they understood the entirety of the roles.

'Yes training works, but the questions are timelines, how will it work for their organisation and the practical implications of the pilot. It all went far too quickly and not much planning or infrastructure is in place' (Trainer 1)

Trainers did observe a couple of gaps in training packages in relation to the role of the panel chairs, the lack of resource given to SSLs to then train their organisations, lack of clarity regarding the standard of proof and the onus of this not being on the potential victim and the fact that issues concerning capacity to consent had not been considered.

Trainers commented that it was useful when members of the Home Office were present in the training as sessions tended to prompt a lot of questions from both SSLs and MDPs that the trainers were not always in a position to answer.

One observation was that participants were given the whole pack including case studies and working examples at the start of the training and trainers felt this meant they had a lot of the answers to trainer's questions in advance.

'We don't know if we did test their knowledge and understanding because all they had to do was turn to the next slide and there was the answer...there was no actual way of checking their understanding' (Trainer 1)

Whilst overall it was felt that the package was largely sufficient and covered the majority of topic areas needed the surrounding preparation, organisation and communication regarding the pilot, the roles and the training was lacking. Commentary was offered by the trainers in terms of organisational issues and the lateness of arrival of the training package.

Overall the delivery of the pilot and the training associated was not seen as adequate from the trainers' perspective. It was observed by the trainers that as the pilot wasn't compulsory and relied on buy-in from a range of organisations, some critical agencies across the South West opted not to participate or send individuals to the training sessions, resulting in a lack of geographical coverage, particularly of SSLs. Trainers suggested the process of developing and delivering the training could have been approached differently, embedding SSLs first followed by MDPs to allow people to understand and settle into their roles. It was felt giving people more time to fully comprehend their roles and practice them may result in the pilot running more effectively and in those trained feeling more competent in their roles.

SUMMARY OF INITIAL IMPRESSIONS OF THE PILOT

The initial impressions voiced by participants, of the pilot overall, are unfortunately not too positive and generally see the process as disjointed, poorly organised, overly bureaucratic and with the potential for problems to occur.

DISORGANISED, OVERLY BUREAUCRATIC PROCESS

'...it just seems to now have layered up an overly bureaucratic process of all these tiers, you know, there is the potential for it all to get disjointed and you know, too much time taken getting through a process which is a really stressful time anyway for someone who is identified as a victim. It just seems overly bureaucratic already so it is going to be interesting to see how it progresses really' (Participant 1, MDP)

TRAFFICKING AND ASYLUM - ONGOING LACK OF SEPARATION

It was noted by one participant that the much-criticised involvement of UKVI in decision-making has not been resolved, as the asylum interview was heavily relied upon as part of the evidence available for the trafficking decision.

'If the case is non-EU, EEA then invariably there is also an asylum interview, it almost seems to be a default, I don't think I've come across – it's a small sample – a non-EU/EEA case that's been NRM only and there hasn't been an asylum claim' (Participant 4, MDP)

The participant also clearly felt that the use of asylum interviews as evidence clearly kept the focus on asylum and not on the exploitation or potential victimhood that should have been the focus of consideration.

'...the information we were getting came from their asylum interviews. In one of those particular cases the interview ran to more than 150 questions and the forced labour element was 3 questions' (Participant 4, MDP)

It was also felt that the thresholds for decision-making were tied up with those which should be applicable to the asylum process:

'The areas that were then missing was the difference between the burden of proof and the standard of proof as between asylum, immigration and trafficking' (Participant 4, MDP)

Since one of the criticisms of the current NRM is the conflation of asylum and trafficking interview and decisions, it is unfortunate that immigration and asylum are still allowed to permeate the decision-making process. One participant described how each MDP panel member would have a turn to present the case to the others and give their opinion first, and that when the UKVI members took their turn to do so, their focus and terminology was clearly geared toward credibility as an asylum claimant, as opposed to credibility as a potential victim of human trafficking or modern slavery. This indicates that the criticisms of the existing NRM as to immigration focus and reliance upon ‘flawed legal guidance’¹ (as outlined earlier in this report) have not been addressed.

It is worth noting that the aim of speeding up the decision making process may not be achievable under the piloted system if the case management unit and MDP members are expecting or relying on information from the asylum process to form part of the conclusive grounds decision making process. We are led to believe asylum paperwork is currently included in MDP case packs even though, as above it should be a separate process. The length of time an asylum decision takes to reach is far longer than the timeframes allowed/suggested for the NRM process and if waiting for asylum transcripts of substantive interviews to feed into the MDP decision this will not equate to an expedient NRM process.

¹ The Anti Trafficking Monitoring Group, ‘Wrong Kind of Victim? One year on: An analysis of UK measures to protect trafficked persons’ (June 2010)

CONCLUSIONS

The aim of this research was to constructively critique the training delivered, as part of the NRM pilot to MDPs and SSLs in the South West Region. As referred to in previous sections the critiques of the current NRM system identify the following issues; inconsistent training and recognition of potential victims, conflation of asylum and trafficking decisions, delays in decision making and low referral numbers.

When the pilot was announced by the Home Office, various agencies involved in the sector voiced concerns¹ in regards to the practical workability of the pilots, if they would afford the best care and support to victims and whether the proposed changes would work towards solving and rectifying the issues identified within the NRM Review pertaining to the current system. As part of this research project we wanted to ascertain if the training developed and delivered was effective and sufficient to perform the new roles developed.

This research investigated the adequacy of the training given to key professionals involved, in order to determine whether it is fit for purpose i.e. does it prepare the relevant professional to carry out their new role, and provide them with adequate understanding of the NRM, their role and the nature of their decision-making capacity within that role. We also considered whether the delivery of the training assisted with the improvement of the NRM as a system for identifying and supporting victims of trafficking and slavery, as per the NRM review's recommendations.

IMPROVED/FURTHER TRAINING REQUIRED

A critique of the existing NRM, and one of the issues focused on was that of a lack of adequate training for professionals involved in victim identification. The overarching impression from the feedback sheets and interviews conducted leaves us with little doubt that the training provided for the pilot was insufficient. It has left a body of persons in roles which some of them are struggling to understand and cope with on top of their day jobs.

Both the feedback sheets and interview data indicated that some participants do not feel competent or sufficiently trained to execute these new roles, and that there is a feeling of nervousness among some regarding the burden of decision-making and the accountability that the roles bring. It was an expectation that SSLs post receiving training would in turn train others within their organisations, raising awareness of the pilot and how to spot indicators of slavery and

¹ Letter sent to the Home Office and Mr Oppenheim 24th March 2015 from a range of third sector organisations expressing dissatisfaction with the review and the recommendation implementation process

refer potential cases to SSLs. There has been no indication from SSLs interviewed whether they have fulfilled this element of their role or not and as far as we are aware there has been no follow up from the Home Office to check this. If this has not been done, which with time constraints and a lack of confidence in their own new roles would be understandable, this is likely to impact the success of the pilot. Ultimately the numbers of potential victims being referred into SSLs for reasonable grounds decisions may not increase if the level of knowledge of slavery and trafficking and understanding of the NRM system has not been promoted and distributed across a wide range of frontline staff teams.

The role of identifying a PVoT as ‘trafficked’ or ‘not trafficked’ is an important one which has the capacity to significantly affect someone’s life, and as a result it is essential that the opportunity to get the decision right is presented. This will only be the case where truly adequate training and preparation take place.

The NRM Review cited lack of consistent training as an issue, and this being the reason for e.g. errors being made on NRM forms which then led to delays in the process. The indication that a significant number of participants in this study do not feel ready to ‘hit the ground running’ speaks volumes about the failure of the pilot to fully address knowledge and training gaps.

Whether the pilot is to be revised and rerun, a separate system trialled, or reversion back to the existing NRM is chosen, it is clear that more resources and time need to be put into not only training individuals for their roles, as SSLs and/or MDPs, but also ensuring that those individuals are in fact competent, and feel competent, to execute the role. An emerging theme from this research indicated that ‘top up’ or further training would be welcomed by some, and that training for these roles should not be treated as a static process – it should be seen as an evolving or dynamic process which requires well-organised ongoing training and/or support, that is easily accessed by those undertaking the new roles.

SELECTION OF THOSE UNDERTAKING THE ROLES

It seems plausible from this research that participant selection was an issue. Participants ‘selected’ or asked to undertake the training for the role of MDP or SSL were not necessarily chosen or overseen with sufficient care. It appears that not all participants were informed of the roles they were undertaking, the specification of these roles or what the training package would entail. Clearly, there are some very experienced individuals with a lot of relevant knowledge who have taken part in the pilot process, but the opposite is also true. There is a clear spectrum emerging among the participants in this research, ranging from already knowledgeable and competent, to completely new to the area of slavery and trafficking.

We would suggest from the evidence presented that any further roll-out of this system incorporates more careful consideration and appropriate selection of individuals to carry out the SSL and MDP roles as well as preparation of a more carefully targeted call and release of job descriptions in advance. This would allow agencies to better prepare individuals, to fully comprehend potential impact on current roles and to appropriately assign the roles to those who are capable and have capacity to perform them effectively.

Furthermore, the selection of MDPs and SSLs clearly did not take into account the time and resources that need to be put into the roles, and according to the findings it seems that selection was largely inappropriate for the pilot. Many participants voiced concerns about being able to give sufficient time to the role they had been assigned. If these roles are to be taken on as extra work on top of existing employment, with no financial benefit to the individual or the agency, the expectations of the role should be more clearly communicated from the outset, and potentially consideration given to introducing payment for these roles. Alternatively, more work needs to be put in to ensure that the role can be subsumed as part of an existing role, as it is with the current First Responders. The time commitment needs to be factored in properly, rather than simply 'bolted on' to existing roles without an extra provision made for the requirements of being an MDP or SSL. The added pressure and significant time constraints will not make for quality decision-making.

The successful selection of appropriate people to undertake the roles in part depends upon effective Home Office involvement and communication.

IMPROVED COMMUNICATION AND COORDINATION REQUIRED FOR A SUCCESSFUL PILOT

It seems that this pilot has been insufficiently planned and disorganised from the outset. It is clear from participant responses that a significant proportion of respondents felt somewhat 'left in the dark' in regards to the role they were being trained for, and the commitment involved in this. If the pilot is to be continued or rolled out across other areas, more effective communication would be required from the Home Office – it is essential that there is clarity on roles, requirements and commitments expected for each role at an early stage. Furthermore, improved communication would have helped to pave the way for the most suitable persons to be trained for these roles in the first instance. The provision of sufficient information ahead of the training would have allowed for agencies to effectively assess who the right person for each role would be. Improved communication with those who are potentially to be involved in any future pilot/system will also increase confidence in those executing the role(s) – something which is clearly lacking among some participants at present.

RETENTION

It is worth noting that we have been given to understand that there has been a poor retention rate of SSLs within in the South West region; reports of frontline staff struggling to identify and locate local SSLs have been collated. This has not been assisted by the fact agencies have been asked not to release the details of SSLs by the Home Office, so many frontline staff are unaware of the pilot, or who to contact for a reasonable grounds decision within their area or agency.

Drop-out, especially of local authorities, means that whilst we are able to share findings on the impact and success of the training modules overall effectiveness of the pilot will be hard to quantify across the South West as participation was low to begin with and post training, increased understanding of the roles and knowledge that other areas have not participated has reduced involvement even further.

Whilst the duty to notify (Section 52 of the Modern Slavery Act) is a useful tool to seek engagement from statutory agencies, it requires no proactive identification of victims meaning that agencies are not compelled to engage with the NRM process unless victims clearly state they are a victim and require assistance. This does not assist with NRM aims of increasing identification of potential victims or promoting engagement locally, this has to be considered and addressed ahead of any national roll-out. It would be interesting to identify if the number of duty to notify notifications has increased within the pilot areas post training or if the lack of modern slavery training for other frontline professionals has meant that this is an unknown and therefore underused system.

Overall, it appears that the pilot has led to little or no improvement of the existing NRM, and it has in fact created problems of its own. The potentially positive effects of some seemingly welcome changes – such as the move to use Multi-Disciplinary Panels in decision-making – have been obfuscated by the myriad problems thrown up by the system being piloted, including reports of a lack of understanding of the issue, lack of capacity to perform new roles in addition to normal work load, lack of availability of SSLs, a lack of geographical coverage of SSLs and the need for more ‘on-the-job’ training and top up sessions.

In order to be compliant with the EU Directive we need to have an NRM system in place that fits a UK context, assisting us to effectively identify and determine victim status of those who have been trafficked and enslaved. The NRM review identified and acknowledged, correctly the current system was not working but we remain unconvinced that the pilot has streamlined the process or will enable more timely and better decisions to be made.

It was a pilot that was introduced quickly and was largely not supported by the sector, who felt the pilot did not truly tackle or address the underlying issues relating to the system. Whilst the training package itself was found to be fairly comprehensive the selection of those asked to participate and attend training were unsighted on the roles they would be expected to perform and the time this would involve in addition to their day jobs.

Although this research has found that the training package itself is fairly adequate and well-delivered, this cannot of itself make up for the failings of the overall design, organisation and running of the pilot.

RECOMMENDATIONS

(IF MODEL IS TO BE ROLLED OUT IN CURRENT FORMAT)

GENERIC TRAINING DEVELOPED

A generic training package should be considered for all frontline professionals so that everyone is aware of trafficking and slavery and can refer into their identified SSL. Expecting SSLs to train their teams and wider organisations is not practical or implementable. As we have heard many SSLs and MDPs are themselves not confident in their knowledge and understanding of slavery and trafficking nor do they have capacity to train others. Having a predetermined package that simply explains the system and what is expected of frontline staff would assist SSLs in their remit of training their agencies and also mean individuals could gain basic knowledge via self-training with packages being available on agency intranet systems. Knowing a frontline professional has received basic training will also assist SSLs to judge the information being received. It is worth noting that SSLs are not required to meet a PVoT face to face and are therefore reliant on the information given to them via a third party. This has the potential to raise concerns about referrals being submitted incorrectly on the advice of untrained frontline professionals and puts SSLs in a vulnerable position.

Implementing a basic screening process to ascertain current knowledge levels of SSLs and MDPs will allow training to be appropriately tailored. This may mean some SSLs and MDPs completing an initial generic package ahead of specific training for their roles, whilst for others who have experience of the sector and the NRM process this may not be necessary. On-going training in the form of brief updates and case examples, as well as wider communication about the pilot generally would be useful to assist keeping confidence up and knowledge and understanding current.

REVIEWING THE JUDICIAL REVIEW PROCESS

If the judicial review process continues to be in place for SSLs and the decisions they make, it is concerning to the researchers that decisions put forward by SSLs at reasonable grounds level are likely to be positive as SSLs will err on the side of caution, referring people in to avoid the risk of judicial review. To ensure accurate referrals into the system this element of the process needs to be reviewed.

We would suggest that any further roll-out of this system incorporates more careful consideration in terms of selecting individual's to undertake this role and should include a carefully targeted recruitment process in order to correctly identify appropriate individual's to undertake this role.

COVERAGE

If the model is to be continued in its current format more SSLs need to be identified and trained, paying attention to 24/7 cover and territorial boundaries that agencies are constricted by. The South West is currently not fully covered and not every area has SSLs or MDPs. Clear guidance needs to be given in terms of how to make a referral and to whom in areas where participation in the pilot has not occurred prior to any national roll-out.

SSLs need to be easily identifiable and accessible to their own agency and to agencies that have not got internal SSLs, specifically the third sector, business and non-governmental organisations. Whilst SSLs were trained, names and contact details were not released publicly. This has meant it is often hard to locate and engage an SSL when trying to make a referral into the system. Consideration should be given to advertising of the SSLs and their role and having an online directory that can be accessed by frontline staff and external agencies should they need to make a referral. An effective campaign to explain the whole process and the NRM system should in fact be considered if this mechanism is to be rolled out to encourage understanding of the system and maximise engagement across the agencies who may encounter a PVoT.

Consideration must also be given to how the model works over different areas and regions depending on the resources available in that area and the buy-in from the necessary agencies. This will be particularly important when interacting with agencies that are historically bound by territorial boundaries and geographical parameters.

Mandating SSL and MDP participation and the provision of remuneration and funding for agencies to sustain these roles ensuring both full geographical and 24/7 cover needs to be considered before any national roll-out.

WIDER CONSIDERATIONS

SSL ROLE

The SSL role in effect has replaced the previous first responder role and in doing so has lost the skills and expertise of those who were previously undertaking this role, interacting directly with PVoT and submitting NRMs. Historically first responders were a mix of agencies (both statutory and non-statutory) with a duty to perform an initial identification role, based on their remits to safeguard individuals and their experience with working with PVoT.

It appears through the pilot that those selected for the SSL role tend to be lower down the hierarchy of organisations when compared to MDPs and yet are the people making a decision in isolation. MDPs are provided with far more information, have longer to process this information and make decisions as a collective, post discussion. An initial and important decision made by those 'lower-down' in hierarchical organisations appears to be an interesting decision given the gravity of potential judicial reviews at the reasonable grounds stage of the process. Guidance about suitability of position and role to undertake SSL and MDP duties should be produced.

The employment of full time SSLs to cover all agencies, in all geographies, 24/7 may be a way forward to ensure effective identification of victims. This would be advantageous as a full time role SSLs would engage with cases more frequently and as a result arguably make better, quicker decisions. Part of the role could also include the delivery of training to wider audiences to ensure the submission of 'good referrals' by other agencies. This would fit with the NRM review aims of improving referral numbers, appropriately identifying victims and having a single point of contact for frontline professionals to connect with.

MDP ROLE

The notion of multi-agency decision making and ensuring the asylum decision is not conflated with trafficking and slavery decisions is, on paper, an undisputed step in the right direction. However, it has been noted that asylum information and paperwork is often included in MDP packs. Waiting on asylum paperwork to inform conclusive grounds decisions will not only lengthen the time it takes for panels to convene and for decisions to be made (as the asylum process is far lengthier than 45 days) but also continue to conflate the two issues. Decreasing the timeframes involved in decision making is a key aim of the pilot and this will not be the case if panels have to wait on asylum claim paperwork. The inclusion of asylum information in MDP pack, where the claim is not based upon an individual's trafficking or slavery experience should

not be encouraged as standard practice as it should not be applicable to a conclusive grounds decision and including it may influence MDP members to be making decisions based upon asylum and not NRM thresholds.

The MDP role is time consuming. Consideration needs to be given to funding such a role, depending on the number of cases individuals are expected to prepare for and the amount and type of information provided to panel members. Similarly to the suggestion of centralised SSLs a centralised pool of paid MDPs could be considered, although this feels similar to the original NRM system in place in the UK under UKHTC and UKVI as competent authorities and decision making bodies. This centralised system, if expanded to involve multi-agency partners and slavery experts from a range of disciplines, would safeguard against the issues of asylum and trafficking being conflated and could be a way of delivering this system effectively across the whole of the UK, ensuring effective identification, referral and a robust decision making process is in place.

LINKING TO OTHER MECHANISMS

There appears to be the potential to use the newly announced Helpline and Resource Centre to provide a central conduit for information for frontline staff in terms of accessing SSLs, understanding the NRM and making referrals. In the future the SSL role, if centralised, could be integrated within the Helpline staff team. This would avoid the SSL role being an additional area of work to add into already full agency portfolios and ensure 24/7 accessibility and referral across the country and a consistency of any training delivered.

It should not be overlooked that even with the new system piloted victims of trafficking and slavery once conclusively identified are offered very little in terms of ongoing support, resettlement and reintegration. This is a shortfall of the current system and has not been addressed via the pilots. Ongoing support needs to be addressed in a holistic and strategic manner, and based on an accurate understanding of victims support needs. These needs could arguably be identified throughout the multi-agency MDP process to assess ongoing support required. Consideration should be given to positive conclusive grounds decisions resulting in immediate and automatic access to basic services. At a minimum these should consist of leave to remain, housing, benefits and transitional support. These recommendations for ongoing support could be made by the MDP post the decision of the outcome of a case. It is worth noting that in order to do this MDPs would require more information to be provided during the decision making process and lengthier panel discussions to ensure they fully understood the needs of the victim and the systems available in their locality that would be in a position to assist in addressing these.

FURTHER RESEARCH

It is felt if we are to truly develop and embed a system that improves processes in relation to identification of victims, raises awareness of modern slavery and the NRM across frontline professionals, streamlines and tightens the referral process and makes expedient decisions there is more work to be done and further research is required.

Any development of an effective system would benefit from further research in the following areas:

- The management and practicalities of ensuring geographical coverage, 24/7 for the SSL role and if this should be a paid role.
- MDP processes and the effectiveness of the panels compared to the current system. Research should focus on the information provided to MDPs, what other forms of corroborating evidence and information would be useful to assist this process and whether the information received can be standardised for each case to ensure consistency. The overarching aim of this type of research would be to evidence whether what is in place under the pilot is sufficient to assist MDPs to make robust decisions and whether it offers a significant improvement of the system already in place.
- A comparison of the results and outcomes from the two pilot areas.
- What an effective resettlement and reintegration mechanism to support and assist identified victims post the NRM period would need to look like and the associated costs and parameters of this if granted to all with a positive conclusive grounds decision.
- How the Helpline and Resource Centre may be able to assist in streamlining the NRM processes in terms of employment of SSLs and hosting of the case management unit.

