

Putting victims first: Renewing the UK commitment to the safety of victims of trafficking and modern slavery

Manifesto for long term improvements



Introduction:

These recommendations set out future-looking proposals from Modern Slavery experts to help ensure that victims of human trafficking and modern slavery are once again put first. These recommendations are designed to deliver long term transformational changes.

They will significantly improve how this country protects victims of modern slavery and human trafficking, and punishes the criminals of such crimes over the course of a new Government and into the future.

About the authors:

All the contributors are providers of support to victims under the Modern Slavery Victim Care Contract. This includes The Salvation Army and 12 other subcontractors. Together we form the collective of professionals who interact and engage with all potential adult victims in the National Referral Mechanism. Since 2011, we have supported a total of 21,824 recovering survivors of Modern Slavery. This puts us in a unique position to see how the sector has evolved over the last 13 years and how this has been experienced by survivors we support.

We represent the views of the people we support, and are advocating for an environment that places psychological and physical safety of victims above all else. We have drawn on our professional knowledge and expertise in both primary and secondary legislation to suggest **changes**, that would have **significant impact** on supporting victims and reducing the cadence of this terrible crime in the UK.

RECOMMENDATIONS

1. Suspend the application of Sections 22-29 of the Illegal Migration Act 2023, and assess the impact of the Nationality and Borders Act 2022.
2. Undertake a comprehensive review of the National Referral Mechanism (NRM).
3. Introduce the Right to Work for all survivors.
4. Conduct a thorough impact assessment into the legal aid crisis in the UK and invest in the legal aid infrastructure.
5. Ensure the lived experience of victims of human trafficking and modern slavery is used to inform future policy.
6. Introduce more specialist police investigation teams, invest in victim navigators, and consult CPS and relevant law enforcement bodies, to increase the number of prosecutions for perpetrators.



RECOMMENDATIONS

1. Suspend the application of Sections 22-29 of the Illegal Migration Act 2023, and assess the impact of the Nationality and Borders Act 2022 on all potential victims of modern slavery.

Victims of modern slavery and human trafficking are victims of serious crimes. It is vital therefore that the minimum 30-day reflection and recovery period is applied to all potential victims, providing appropriate time to facilitate access to appropriate support, including legal advice. Doing so will ensure we put the safety of victims first and recommit to treating modern slavery and human trafficking as exploitation offences – not immigration offences. We further urge to grant all victims access to a minimum of 12 months of support, which can continue to be accessed after receipt of a positive conclusive grounds decision.



2. Undertake a comprehensive review of the National Referral Mechanism (NRM) and redesign what impactful and transformational support means.

Current individuals in the NRM await a decision which no longer holds promise of a safer future, and actually brings their support abruptly to an end, often with no recourse to public funds or right to stay despite receiving a positive conclusive grounds decision. To end the insecurity experienced by survivors under the current system, we ask policymakers to undertake a thorough assessment of the NRM, evaluating the benefit of a total overhaul of the framework, and consider redesigning what support victims truly need to achieve safety, hope and purpose. Any new framework needs to come with realistic time-bound targets from the government to reduce the time survivors are forced to remain in limbo as they await decisions.



3. Introduce the Right to Work for all survivors whilst they are in the National Referral Mechanism and beyond.

By giving survivors the right to work whilst in the NRM, they can be supported to develop viable and useful skills for their futures, empowering them in their life beyond crisis, preventing de-skilling of a very skilled population, whilst also contributing to the ongoing efforts to improve economic productivity in the UK and fulfil gaps in occupations such as those listed in the Immigration Salary List (ISL- previously Shortage Occupation List, change dated 1/04/2024). The individuals we support want to work, pay taxes and be less financially dependent on subsistence payments from the government



4. Conduct a thorough impact assessment into the legal aid crisis in the UK and invest in the legal aid infrastructure to ensure all potential victims have access to the support they are entitled to.

Investing in the legal aid system to ensure all potential victims can access support is critical to ensuring the safety of victims. To do this effectively, policymakers must first assess the crisis of legal aid in the UK and assess how best to channel resources to ensure that all victims, irrespective of their location in the UK, are provided with the support they are legally entitled via their ECAT entitlement.



5. Ensure the lived experience of victims of human trafficking and modern slavery is used to inform future policy

by introducing a duty to collaborate and consult with survivors in the writing of secondary legislation. This consultation should be meaningful, afforded the appropriate time to be undertaken, and survivors should be remunerated for their time. In line with best practice and to champion an evidence and experience-based approach, we invite the Government to consider adding individuals with lived experience to the Reference Group as outlined in Section 1.6 of the Modern Slavery Statutory guidance.



6. Introduce more specialist police investigation teams to tackle traffickers, invest in victim navigators, and consult the Crown Prosecution Services (CPS) and relevant law enforcement bodies, to increase the number of prosecutions for perpetrators of human trafficking and modern slavery.

Human trafficking and modern slavery are currently low risk, high profit crimes. To address this, new guidelines and increased focus on prosecutions must be established with the CPS and law enforcement bodies, with the relevant investment in specialist teams and victim navigators, ensuring that the cycle of this highly organised crime is put to an end. Crucially, prosecution should not be contingent upon victims feeling compelled to help against their will, and therefore new guidance should not stipulate that helping the police be a condition for victims to be given the right to stay in the UK.

