

## Non-Statutory First Responder Capacity: 2024 Briefing and Analysis

### First Responder Organisations

The National Referral Mechanism ('NRM') is the only framework to identify and support potential survivors of trafficking and modern slavery in the UK.

**Individuals cannot self-refer into the NRM.** Designated statutory and non-statutory organisations, known as First Responders, have the responsibility to refer potential survivors of trafficking and modern slavery into the NRM. Statutory First Responders include organisations such as Local Authorities, police and Home Office departments, and third sector organisations make up the non-statutory First Responders. A full list of First Responder organisations in England and Wales can be found in the NRM guidance, with a separate list for Scotland and Northern Ireland.<sup>1</sup>

### Highlights

The below analysis has found an ongoing capacity issue affecting non-statutory First Responders, which are under considerable pressure. This is having detrimental consequences on survivors of trafficking and modern slavery, who cannot access identification, support and protection.

This issue, despite being raised in multiple forums,<sup>2</sup> has received no serious consideration and, as a result, no effective solution.

**80%** of respondents to our survey stated that in the last 6 months (December 2023 to June 2024) they have been turned away by a non-statutory First Responder while trying to refer a potential survivor because of capacity issues.

**62.5%** of survey's respondents stated that they had to give up looking for a First Responder in over 20 cases.<sup>3</sup> This may have delayed or prevented their access to support and protection through the National Referral Mechanism.

### Aims and Methodology

This briefing aims to give an updated overview on the situation of non-statutory First Responders in their ability to refer potential survivors of modern slavery into the NRM in the 6 months between December 2023 and June 2024.

This analysis has been informed by replies to a survey circulated to organisations in the modern slavery sector and direct interviews with non-statutory First Responders. This also includes an analysis of the United Kingdom Data Service ('UKDS').

<sup>1</sup> Home Office. (Last updated 14 May 2024). *National referral mechanism guidance*.

<sup>2</sup> Kalayaan. (February 2024). *The National Referral Mechanism: Near Breaking Point – Progress Report 2024 – One Year On*.

<sup>3</sup> This figure includes cases where the survivor chose not to be referred.



## Why is it important for survivors to access non-statutory First Responders?

According to the survey responses, there are multiple reasons why access to non-statutory First Responders is crucial for potential survivors:

- Fear of the authorities because of threats made by traffickers, precarious immigration status, or based on past experiences either in the UK or abroad;
- Concerns that statutory First Responders may prioritise a criminal investigation and instigate enquiries causing fear of increased risk when the person does not have any guarantee of safety and protection;
- Concerns about information sharing practices between statutory agencies creating the possibility of the above risk;
- Higher quality of referrals from non-statutory First Responders;
- Non-statutory First Responders enable a more comfortable and survivor-centred environment.

Many survivors **fear public authorities**, as reported by a survey respondent whose client *“was not comfortable going through the police, as was advised, due to an embedded fear of authority figures stemming from abusive treatment from police in their country of origin”*.<sup>4</sup>

These individuals may be unwilling or scared to disclose relevant information about their trafficking and exploitation experiences to the authorities, thus preventing them from coming

forward, being identified, supported and protected. Non-statutory First Responders are therefore essential to ensure survivors feel safe to report and disclose their experiences.

As one survey respondent says: *“A non-statutory First Responder enables a more comfortable and victim-centred environment for most survivors”*.<sup>5</sup>

Some statutory First Responders cannot ensure this safety. A respondent to the survey explained that in their experience, for their vulnerable clients placed at the RAF Wethersfield, being *“interviewed by the Secretary of State for the Home Department for the purpose of a referral would be a situation in which they would be at risk of re-traumatisation”*.<sup>6</sup>

Additionally, the absence of secure reporting puts those with precarious immigration status in a difficult position and strengthens exploiters' ability to coerce and control their victims. The case study provided by one of the respondents clearly sets out this situation (See case study at page 4).

Furthermore, respondents stated that on multiple occasions they have been told by statutory First Responders that they did not know they were a First Responder. This highlights an additional issue around the lack of knowledge and expertise about the NRM referral process, and a lack of understanding about the needs and vulnerabilities of survivors.

<sup>4</sup> Survey Respondent No. 4 (Frontline NGO).

<sup>5</sup> Survey Respondent No.3 (Frontline NGO).

<sup>6</sup> Survey Respondent No.2 (Law Firm).



Many respondents stated that, in their experience, referrals completed by statutory First Responders were often of low quality and led to negative Reasonable Ground decisions.<sup>7</sup>

**The quality of referral** greatly varies among First Responders and there is little quality assurance and monitoring of how this role is carried out. Third sector and NGO First Responders reportedly have a higher rate of positive Reasonable Ground decisions compared to statutory First Responders, especially the Home Office. Their quality of referrals, trauma-informed practice and expertise adds on the demand to submit referrals from

statutory and non-statutory organisations.

Statistics on Reasonable Ground decisions' outcomes for Quarter 1 2023 until Quarter 1 2024 drawn from the UKDS<sup>8</sup> fully support the frontline organisations experience of First Responders in relation to the higher quality of referrals submitted by non-statutory First Responders. The below table breaks down NRM referrals by First Responder categories made between Quarter 1 2023 and Quarter 1 2024 and the number of positive Reasonable Ground decision outcomes<sup>9</sup> among different categories of First Responders.

**Table 1. Referrals outcomes across non-statutory and statutory First Responders**

First Responders	Total NRM Referrals	Total Positive Reasonable Grounds decisions	Percentage of positive decisions
Non-statutory First Responders	1,110	873	79%
Local Authorities	4,966	3684	74%
Police	4,953	2870	58%
Home Office (Immigration Enforcement, UKVI, Border Force)	10,478	3574	34%

<sup>7</sup> The NRM is a two-stage decision-making process to identify survivors of modern slavery. The initial stage (Reasonable Ground decision) determines if there are reasonable grounds to believe an individual is a 'victim' of trafficking and modern slavery. The second stage (Conclusive Ground decision) determines if, on the balance of probabilities, there are sufficient grounds to decide that the individual being considered is a 'victim' of modern slavery.

<sup>8</sup> Home Office, Modern Slavery Research & Analysis. (2024). *National Referral Mechanism and Duty to Notify Statistics, 2014-2024*. [data collection]. 12th Edition. UK Data Service. SN: 8910, DOI: <http://doi.org/10.5255/UKDA-SN-8910-12>

<sup>9</sup> UKDS data was accessed on the 30th of June 2024, when the databased was updated as of the 8th of April 2024.



## Case study<sup>10</sup>

Teresa\* was a victim of forced labour and got in touch with LAWRS for support. LAWRS support involved getting her referred into the NRM, which proved really difficult.

LAWRS initial referral request was to Non-Statutory First Responder 1 who initially told them that responses to referrals were taking up to 2 weeks. However, after the two weeks passed, LAWRS had not received a response about the referral request and their client had not received a call from Non-Statutory First Responder 1. After being contacted again, Non-Statutory First Responder 1 repeatedly told LAWRS that they were now not able to give a timeframe for when they could respond to the referral request. They did not say that they were refusing further referrals.

LAWRS then got in touch with other non-statutory First Responders who recommended that, for a quick response, they should contact the police to make the referral into the NRM.

Whilst LAWRS was trying to secure support for Teresa, another tenant at her host's house tried to rape Teresa in front of her child. Teresa disclosed the assault to her host and said she wanted to report the tenant to the police. The host told Teresa not to do this as she was undocumented, and they would deport her. For this reason, Teresa was afraid of any engagement with the police, including for a referral to the NRM. The host then asked Teresa and her child to leave as she did not want any trouble.

With Teresa and her daughter at risk of destitution, LAWRS referred them to Children Social Services (CSS) under section 17 of the Children's Act, but CSS did not respond to the referral. CSS were notified that Teresa was a victim of modern slavery, but they did not make a referral to the NRM. NRM referral requests sent to the local authority also went unanswered. During this time, the person that had introduced Teresa to the family that exploited her got in touch to say he knew someone else that could help her. Teresa knew she could not trust this person but was also facing limited options.

An NRM referral was finally submitted by Non-Statutory First Responder 2, two months after LAWRS began searching for a First Responder to support Teresa. Teresa received a positive Reasonable Grounds decision and was finally able to access safety. Three weeks later, Teresa was rushed to hospital with symptoms of cardiac arrest, having still not been supported to register with a GP.

**The difficulties and delays Teresa faced in accessing the support she is entitled to as a victim of modern slavery put her at severe risk of destitution and re-exploitation and exposed her and her young daughter to gender-based violence. It also delayed the support she required to register with a GP which led to health complications which put her life at risk.**

\*Teresa is not her real name

<sup>10</sup> This case study was provided by LAWRS when they completed the survey in June 2024. It sets out the experiences of Teresa, the same individual whose story was told in Kalayaan's February 2024 report: [The National Referral Mechanism: Near Breaking Point. Progress Report 2024: One Year On](#). In the survey, LAWRS provided updates to Teresa's story based on events that happened after February 2024, especially about the effect the delayed referral has had on Teresa's health.



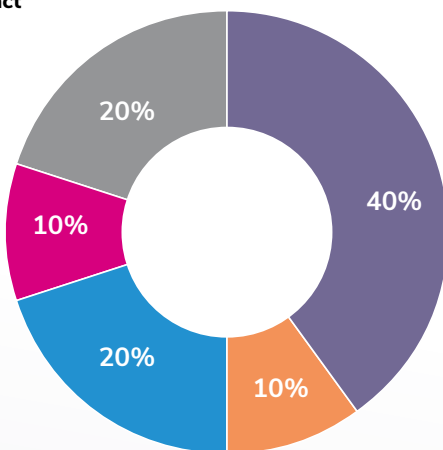
### What is the issue?

Non-statutory First Responders are facing unsustainable pressure to refer potential survivors to the NRM, which is resulting in potential survivors struggling to access identification and support through the NRM in a timely manner.

80% of the survey respondents have been turned away at least once in the last 6 months due to lack of capacity by non-statutory First Responders.

As shown in the below graph, 40% of the survey’s respondents have stated that in the last 6 months they were only able to access a non-statutory First Responder at first point of contact in 0-10% of cases.

Graph 1. Access to non-statutory First Responders at first point of contact



- in 0% – 10% of cases
- in 10% – 25% of cases
- in 25% – 50% of cases
- in 50% – 75% of cases
- in 75% – 100% of cases

Based on the replies to the survey, an analysis of the UKDS and direct conversations with non-statutory First Responders, we have identified the below issues affecting non-statutory First Responders’ capacity:

1. There are too few non-statutory First Responders, and many have a restricted remit in terms of geographical presence, type of exploitation and demographics.

Most non-statutory First Responders have restrictions in relation to their geographical, demographic and type of exploitation remits as outlined in the table at page 6. This narrows the number of survivors they can refer into the NRM.

Survey respondents have highlighted that over recent years, the capacity, remit, and geographical operating areas of non-statutory First Responders has seemed to vary, and it can be very challenging to find clear information about current referral criteria.

Those non-statutory First Responders who have UK-wide coverage and no limitation in relation to the type of exploitation find themselves receiving a consistently high number of requests of support, which they are struggling to manage.

The Salvation Army, who is the non-statutory First Responder that submits the most NRM referrals, was temporarily forced to turn away most individuals, twice over the past year, to give proper attention to the large number of new cases referred to them. The last time this occurred was in May and June 2024 when they stopped accepting new referrals for over 5 weeks. During this time, they signposted enquirers to other First Responder



organisations and maintained capacity for people who self-referred or for urgent cases.<sup>11</sup>

The Salvation Army records every request for support, and they reported that they decided to temporarily suspend accepting new referrals when applications reached 100 in May 2024. This demonstrates the overwhelming number of referrals received by The Salvation Army, who predominantly relies on volunteers to submit NRM referrals.

During the suspension, many enquirers reported they were unable to find another First Responder organisation to accept their case, including statutory and non-statutory organisations.

The Salvation Army however is not the only organisation reporting these struggles with capacity.

Migrant Help, who also have UK-wide coverage, stated that while they don't turn people away anymore, they now operate a waiting list.

The below table seeks to clarify the current geographical, demographic and exploitation remit for non-statutory First Responders.

**Table 2. Non-statutory First Responders remit**

Non-statutory First Responders	Geographical presence	Type of exploitation	Demographic restrictions	Other limitations
Barnardo's	England, Wales and Northern Ireland	All	Children	
BAWSO	Wales	All	Adults	
Belfast and Lisburn Women's Aid	Northern Ireland	All	Women	
Kalayaan	UK	Domestic servitude	Adults	
Medaille Trust	England	All	Adults	
Migrant Help	UK	All	Adults	
Refugee Council	England	All	Adults and children	Existing clients
NSPCC	UK	Unknown	Children	
New Pathways	Wales	Sexual exploitation	Adult and children	
The Salvation Army	UK	All	Adults	
TARA	Scotland	Sexual exploitation	Adult women	
Unseen	West of England	All	Adults	
Youth Work Alliance	Northern Ireland	All	Children and young people	

<sup>11</sup> Urgent cases include, but are not limited to, potential survivors at risk of destitution and homelessness, those in detention or with a pending criminal investigation case.





## 2. No funding: limited resources for staff and use of interpreters

Most First Responders are not funded to take on this role, which means the vast majority of organisations self-fund their First Responder service. However, this is a very resource-intensive role if carried out following a trauma-informed approach and duty of care.

Submitting a referral to the NRM requires a considerable amount of time and the availability of an experienced member of staff during interactions with a potential survivor. Additionally, there could be a need for an interpreter to communicate with those for whom English is not their first language.

Organisations have also reported the need to look for a safe environment where to meet with potential survivors to discuss the referral and gather information.

When resources have been scarce, some organisations have regrettably resorted to having video or phone meetings which are generally not in line with a trauma-informed approach.

## 3. Request for support from statutory First Responders and other organisations because of experience, quality of referrals and trauma-informed practice

Some non-statutory First Responders have reported being asked to complete referrals by statutory First Responders because of their knowledge and experience.

Some of the survey's respondents have also stated that they had been turned away by statutory First Responders on the basis they didn't know they were First Responders.

In other circumstances, respondents reported that statutory First Responders also have limited people allocated or able to complete and submit NRM referrals and therefore their capacity is also low.

Respondents to the survey confirmed that they seek support from non-statutory First Responders because of their better trauma-informed approach, the quality of referrals, and their better knowledge and experience working with vulnerable individuals. This is compounded by their clients' fear of authorities and reluctance to work with the police or other statutory bodies as explained in the previous section.

## 4. Changes to the modern slavery statutory guidance

The changes to the statutory guidance introduced as a result of the Nationality and Borders Act 2022 (NABA), such as the change in evidentiary threshold at Reasonable Ground stage, have resulted in organisations having to provide more information upon referring a potential survivor. This has consequently increased the time required to complete referrals.

As evidenced by this newly published report on the impact of NABA,<sup>12</sup> there has been an increase in negative Reasonable Grounds decisions, which meant that organisations had to allocate additional resources to submit reconsideration requests, which statutory organisations won't often submit, and in some cases ask non-statutory First Responders to do for them.

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<sup>12</sup> ATMG, BIICL, HTF. (25 June 2024). *Assessing the Modern Slavery Impacts of the Nationality and Borders Act: One Year on*.

The additional reconsideration work has meant fewer resources have been available for initial referrals into the NRM, further compounding the capacity issue.

### 5. Long waiting times

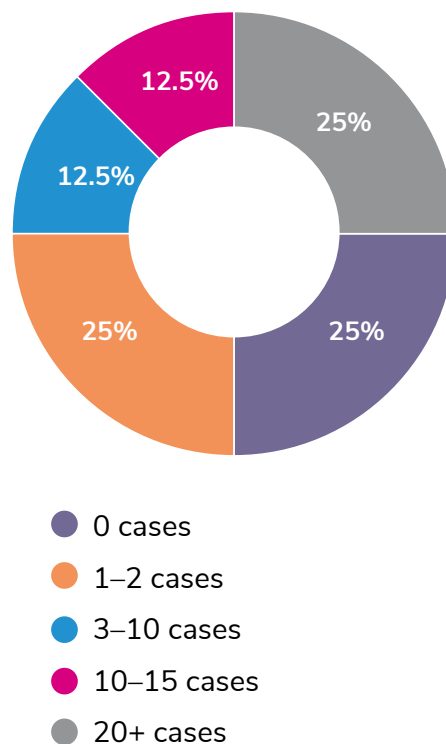
25% of respondents to the survey stated that they were unable to find another non-statutory First Responders after an initial refusal due to non-statutory First Responders' capacity.

The remainder reported that finding another non-statutory First Responder proved very difficult, with organisations having to contact multiple First Responder organisations, following up often, and in some cases including the involvement of solicitors. One respondent stated that "there has been a delay of 2-4 weeks for any referral to be made from first request".<sup>13</sup> Other respondents stated that in some cases, they waited for months (as reported in the case study presented in this briefing).

Information shared by some non-statutory First Responders are in line with the findings from the survey, confirming it was taking much longer to start working with potential survivors and completing the referral process compared to pre-NABA.

As shown in the below graph, sometimes organisations had to contact statutory organisations to submit a referral to the NRM.

Graph 2. Cases referred to statutory First Responders due to non-statutory organisations' unavailability



Survey respondents confirmed that in the majority of cases this was due to non-statutory First Responders' lack of capacity.

Concerningly, **62.5%** of survey respondents stated that they had to give up looking for a First Responder in over 20 cases. This figure includes cases where the survivor chose not to be referred.

<sup>13</sup> Survey Respondent No.2 (Law firm).





## Conclusion

First Responder organisations have a crucial role in enabling access to identification and support for potential survivors. Yet, many survivors are struggling to access a First Responder to be referred into the NRM in a timely manner.

Non-statutory First Responders take their role very seriously and most will stretch their limited resources to ensure they can refer potential victims into the NRM.

However, this is not sustainable, and with requests for NRM referrals increasing every year, lack of capacity will continue to get in the way of survivors of trafficking and modern slavery being identified and supported through their recovery.

The issue of non-statutory First Responder capacity has been raised repeatedly by organisations in the sector, First Responders, and international organisations.

Action must be taken in recognition of the unique position and expertise of non-statutory First Responders.

As set out in Annex 1, in the last two years, multiple domestic and international organisations have repeatedly suggested solutions, including:

- Considering and deciding on existing applications from specialist front line organisations to become First Responder organisations.
- Establishing a recruitment process without further delay for prospective organisations to apply to become First Responders.
- Developing and maintaining a nationwide training programme for both statutory and non-statutory First Responder organisations.

## Authors

The Anti-Trafficking Monitoring Group ('ATMG') is a coalition, established in 2009, to monitor the UK's implementation of the Council of Europe Convention on Action against Trafficking in Human Beings (ECAT). The ATMG operates according to a human rights-based approach to protect the well-being and best interests of survivors of human trafficking and modern slavery. It is made up of seventeen leading UK-based anti-trafficking organisations.<sup>14</sup>

Kalayaan is the UK's leading charity offering advice, advocacy and support services to migrant domestic workers. Kalayaan is a designated First Responder organisation to the National Referral Mechanism ('NRM').

They provide long term, holistic support, tailored to the individual needs of the survivor. Kalayaan advocates for the right of migrant domestic workers, and for the prevention of and protection from trafficking and modern slavery.

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<sup>14</sup> Anti-Slavery International, Ashiana Sheffield, Bawso, Children's Law Centre (CLC), East European Centre (EERC), ECPAT UK, Flourish Northern Ireland, Focus on Labour Exploitation (FLEX), Helen Bamber Foundation, Hope for Justice, JustRight Scotland, Kalayaan, Law Centre (NI), Scottish Refugee Council, TARA service, The Snowdrop Project, The UK Committee for UNICEF (UNICEF UK).



## Annex 1

Previous reports and recommendations about non-statutory First Responder capacity

### 2023

**1. Kalayaan. (20 February 2023).**  
*The National Referral Mechanism: Near Breaking Point.*

“Kalayaan again urges the UK Government to act NOW and suggest the following recommendations for urgent consideration:

- Consider and decide on existing applications from specialist front line organisations to become a First Responder Organisation
- Establish a recruitment process without further delay for prospective organisations to apply
- Develop and maintain a nationwide training programme for both statutory and non-statutory First Responder Organisations
- Provide funding for First Responder Organisations to carry out their roles”

**2. The US State Department. (June 2023).**  
*2023 Trafficking in Persons Report: United Kingdom.*

- Recommendations included “Increase victim identification training for and the number of first responder organizations to make referrals to the NRM.”

**3. House of Commons Home Affairs Committee. (8 December 2023).**  
*Human trafficking: First Report of Session 2023–24.*

### Recommendations:

“We recommend that the Home Office develops and maintains a nationwide training programme for both statutory and non-statutory First Responder Organisations. This training should include

identifying victims and recognising indicators of human trafficking; gathering information on what has happened to them in a trauma-informed way; the National Referral Mechanism referral process; and supporting the individual after a referral has been made.”

- “We strongly recommend that the Home Office recommences immediately considering applications from specialist front line organisations to become a First Responder Organisation.”
- “We recommend the Home Office reviews, together with current First Responder Organisations, the funding for such organisations. This review should consider specifically the case for the Home Office providing further funding to First Responder Organisations supporting victims waiting on National Referral Mechanism decisions that are extensively delayed.”





On 22 February 2024, the Home Office responded to these recommendations as follows:

- “The circumstances under which First Responders encounter victims will be specific to their role and that of the organisation for which they work. All First Responder Organisations should ensure they have pathways and protocols in place to support First Responders and ensure that they are trained appropriately. The Home Office has produced e-learning modules for use by all First Responders on identifying indicators of modern slavery and referring into the National Referral Mechanism (NRM). The Home Office is also in the process of developing an online Hub for First Responder Organisations to share resources and best practice, as well as a First Responder Toolkit that will provide clear, user-friendly guidance to support First Responders in identifying victims of modern slavery and increase the quality of referrals into the NRM. We will continue to review the policy on First Responders, including on function and purpose of the cohort.”

**4. ATMG, ATLEU, Human Trafficking Foundation and IOM UK. (20 December 2023). *Joint shadow submission to the Group of Experts on Action Against Trafficking in Human Beings: Update on the progress made by the UK Government in the implementation of GRETA’s 3 round evaluation recommendations.***

Concerns raised:

- “29. The outlined issues are compounded by a limited First Responders’ capacity, which is leaving many victims in limbo for weeks, sometimes months, while trying to find an available First Responder.<sup>13</sup> Leaving survivors in a state of limbo for this prolonged period of time leaves them open to further exploitation and vulnerable to a hindrance in recovery.
- 30. The capacity issues affect mainly non-statutory organisations due to the reliance on their existing funding and resources to carry out their First Responder duty. The Home Office doesn’t provide funding to cover the role of First Responders. It is well evidenced that third sector First Responders provide an invaluable service to survivors who may not be willing to access statutory organisations for support due to fear of authorities and threats made by traffickers and exploiters.
- 31. Kalayaan approached the Modern Slavery Unit with concerns in relation to First Responders capacity, but there was no concrete timeframe given for reviewing the process for applying to become a First Responder and no firm commitment to increasing the number of First Responder organisations in line with the increase in potential victims of modern slavery entering the NRM. This was reiterated during the GRETA roundtable on the 12th of October 2023, when the Modern Slavery Unit confirmed this is not a current priority of the unit. The Guidance to allow NGOs to apply for First responder status has been outstanding for over 6 years.

- 32. There is no way of monitoring how many individuals are slipping through the cracks as a result of not being able to access a First Responder at first point of contact. The Salvation Army and Kalayaan have both had to stop new referrals during the course of 2023 due to capacity.”

## **2024**

### **5. Kalayaan. (9 February 2024). The National Referral Mechanism: Near Breaking Point. Progress Report 2024: One Year On.**

“Kalayaan again urges the UK Government to act NOW and suggest the following:  
Recommendations for urgent consideration:

- Consider and decide on existing applications from specialist front line organisations to become a First Responder Organisation
- Establish a recruitment process without further delay for prospective organisations to apply
- Develop and maintain a nationwide training programme for both statutory and non-statutory First Responder Organisations
- Provide funding for First Responder Organisations to carry out their roles”

### **6. The US State Department. (June 2024). 2024 Trafficking In Persons Report: United Kingdom.**

- Recommendations included “Increase victim identification training for and the number of first responder organizations to make referrals to the NRM.