



Dame Sara Thornton DBE QPM
Independent Anti-Slavery Commissioner
5th Floor, Globe House
89 Eccleston Square
London, SW1V 1PN

Tel: +44 (0) 20 3513 0477

Email: shelley.perera@iasc.independent.gov.uk

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Victoria Atkins MP
Parliamentary Under Secretary for Safeguarding and Vulnerability
Home Office
2 Marsham Street
London
SW1P 4DF

Dear Minister,

The timeliness of decision making in the National Referral Mechanism and the recovery of victims

It was good to catch up with you at the Evening Standard Awards and I am looking forward to our meeting on 27 November. There are two particular issues that I would like to raise which I thought I could helpfully set out before we meet. Both issues result from my meetings with victims of modern slavery and human trafficking over the last five months.

Firstly, I have been concerned to meet potential victims of modern slavery who have been waiting for two years or more for their conclusive grounds decision. Home Office guidance for the Single Competent Authority staff states that it 'should be made as soon as possible following day 45 of the recovery and reflection period in England, Wales and Northern Ireland'¹. It is common for victims to wait for extended periods for a conclusive grounds decision.

Recent research published by Kalayaan, a charity working to support migrant domestic workers in the UK, reported that, on average, workers referred into the NRM by Kalayaan who received decisions in 2018 were waiting 24 months for a conclusive grounds decision. The longest wait identified was 37 months². Such lengthy delays are not good for the physical or mental health of victims.

While I do not have the trend data on the average time a victim is waiting for a conclusive grounds decision, all the anecdotal evidence suggests that it is increasing. There is clearly a mounting problem with backlogs in the Single Competent Authority. At the end of 2018 there were 7000 cases in the backlog, there are now 9000 cases. Not only are more cases being received but the capacity of the Single Competent Authority to process cases has been reduced by the need to take on additional responsibilities in respect of the recovery needs assessment.

I am extremely concerned about the impact which these backlogs will have on the timeliness of decision making and therefore the wellbeing of victims. If we are not at crisis point, we are fast

¹ Home Office '*Victims of modern slavery – Competent Authority Guidance*' 2 September 2019

² [Kalayaan '*Dignity Not Destitution*' October 2019](#)

approaching it. I would find it enormously helpful if we could discuss the processes that officials are putting in place to reduce this backlog and the milestones that they have set to recover the situation.

Second, as I have met victims who have been waiting years for decisions I have become concerned that most victims who come from outside the European Economic Area are unable to access work while they are in the NRM. Not every victim will want to work or be in a position to do so. However, some victims waiting extended periods for conclusive grounds decisions and organisations supporting them, have expressed frustration that they are unable to access work.

They are waiting for decisions and feel their lives are in limbo. While some are working voluntarily some are also spending too much time with little to do other than reflect on their traumatic experiences. Having been abused through their desire to work I think that it can be very powerful when victims are able to access good work and begin to recover their dignity.

The Kalayaan report contrasted the experiences of those overseas domestic workers who were permitted access to work while in the NRM and those who are not. Victims without permission to work are drawn in to destitution and vulnerable to further harm and exploitation. They reported distress and anxiety. In contrast, those with permission to work were financially independent and could provide for their families and pay off the debts which had led them to look for work abroad. All 21 workers interviewed as part of the research told Kalayaan that they wanted to use their skills and work, rather than being made reliant on government support³.

I am aware of the complex policy issues around immigration and paid work. However, I wonder whether we could explore running an initiative to permit victims within the NRM to access paid work within a project designed for that purpose? For example, the Bright Futures, established by the Cop and City Hearts, works with leading UK companies to provide stable work for victims of modern slavery and human trafficking. It was independently reviewed this year and the results found to be encouraging⁴. This could provide a practical way forward and could assist victims greatly in their recovery.

I look forward to our meeting.



Independent Anti-Slavery Commissioner

³ Ibid

⁴ University of Liverpool, 'Bright Future: An Independent Review' June 2019