



Kevin Hyland OBE

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The Rt Hon Sajid Javid MP
Home Secretary
Home Office
Marsham Street
London
SWP 4DF

4th June 2018

Dear Home Secretary,

I write regarding matters that have been brought to my attention following a recent reduction in the subsistence allowance for victims of modern slavery in the National Referral Mechanism (NRM). This reduction is having a detrimental impact on victims' well-being and recovery, potentially increasing their vulnerability to further exploitation and reducing support in prosecutions. I have provided an overview of my concerns below but look forward to discussing this further with you when we meet.

As you will be aware, the NRM is the system through which victims of modern slavery are formally identified in the UK and provided access to specialist support. Once a potential victim of modern slavery has been referred into the NRM, and has received a positive 'Reasonable Grounds' decision, they are granted a reflection and recovery period during which they are entitled to a range of support measures - such as accommodation, medical care, counselling and legal advice - in order to heal and rebuild their lives. Intended to be a relatively short period of at most a few months, in many cases the time spent awaiting a 'Conclusive Grounds' decision approaches closer to 8 months and on occasions has extended beyond 2 years. Such delays can cause significant anxiety for victims and hinder their recovery.

Until recently, potential victims of modern slavery in the NRM were entitled to £65 per week to cover their subsistence costs during the recovery period, an allowance to pay for essential items such as food, toiletries, travel, and clothing. However, since 1 March 2018, potential victims who are also claiming asylum have had their subsistence allowance cut to £37.75. For those housed in catered accommodation, this rate has been cut further to £17.

These cuts have been posited by the Home Office (in a letter dated 28 February 2018) as a necessary alignment of subsistence rates between these two groups of people – victims of modern slavery and asylum-seekers. However, they were brought in with no lead-in period; victims of modern slavery and their support workers were given no formal advanced warning in order to prepare for this funding reduction.

Victims of modern slavery have often experienced significant and prolonged periods of exploitation - whether it be sexual or labour exploitation - and are highly vulnerable. As such, they can require intensive and specialist support to recover from their experiences. The recovery and reflection period allows victims a period of respite to access support services and begin the often lengthy process of rehabilitation.

Without adequate support during this recovery period, these victims of crime are at risk of further exploitation, including re-trafficking, as they struggle to meet their essential needs. Frontline support services have raised concerns with me in respect of those they support.

I have received case studies where individuals have been forced to choose between buying food and buying a weekly bus pass to enable them to travel to important appointments, such as medical and legal appointments, and social engagements that are essential for their recovery. In one case I am aware of, the individual is now no longer able to travel to their local church, which not only provided them access to their local community, but which also provided hot meals. Support workers have been asked by victims in their services whether they can have their help to access local food banks as they cannot afford to eat.

I have also been informed that victims are now having to turn to acquaintances to ask for personal loans to meet their essential needs, putting them at risk of debt bondage and further exploitation.

In the 2017 National Audit Office report – Reducing modern slavery – as well as the more recent Public Accounts Committee report of the same name (published 2 May 2018), both reports make mention of the Home Office's management of the victim care contract, run by the Salvation Army since 2011, and highlighted how the original 5-year estimate of the cost of the victim care contract had to be upwardly revised from between £40 – £43.2 million to £90 million. Both reports also highlight that the reason for this overspend was due to the delays in NRM decision-making, resulting in victims being supported in the system over four times as long as expected. Therefore action should focus on reducing decision-making timeframes and clearing the backlog of NRM cases, something I hope the Modern Slavery Police Transformation Programme can help address.

Current policy on NRM decision-making differs on the agency to whom a case is referred dependent on the nationality or immigration status of the potential victim, – with cases being processed either by the NCA's Modern Slavery Human Trafficking Unit (MSHTU) or the Home Office Visas and Immigration (UKVI) – and this has led to significant variations in decision-making timeframes. I realise this dual process of decision-making will change when the new NRM model commences, and I welcome this. As this is a serious crime there is an urgent need for all identification decisions, which can be life-changing for the person involved, to be made swiftly by appropriately trained and experienced decision-makers.

Following a consultation with key stakeholders, including survivors and the Government, I wrote to the then-Minister for Safeguarding, Vulnerability and Countering Extremism, Sarah Newton MP, in September 2017 with recommendations for an improved NRM. In October 2017, a series of NRM reforms were announced, which incorporated the majority of my recommendations. I have subsequently sat on the Programme Board that was established to oversee the implementation of these reforms. I believe that membership of the Board, to include additional relevant partners, will be beneficial and will significantly improve the NRM reform delivery and communications as the changes progress.

I look forward to further discussion when we meet in person.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'KH' followed by a large, sweeping flourish that loops back to the left.

Kevin Hyland OBE
Independent Anti-Slavery Commissioner