

11 November 2021

Rt Hon Priti Patel MP  
Home Secretary  
Home Office  
2 Marsham Street  
London  
SW1P 4DF

Dear Home Secretary,

### **Creation of the Immigration Enforcement Competent Authority**

I write to you in relation to the update to the Modern Slavery Statutory Guidance on 8 November 2021 which noted the creation of the Immigration Enforcement Competent Authority (IECA). I understand that the IECA has been introduced to make reasonable grounds and conclusive grounds decisions for a specific cohort of potential adult victims of modern slavery as set out in the guidance.<sup>1</sup>

I am concerned about the way in which this decision was made and that these new arrangements risk failing to identify potential victims of modern slavery. There was no consultation about this proposal, and it was only announced on the day on which the change was implemented. While officials have sought to reassure me that this is merely an organisational change and that the decision-making frameworks will remain the same, I have reservations that this will be the case. There is significant risk that those victims of modern slavery whose cases are assessed by Immigration Enforcement will have their cases judged by considerations about their immigration status rather than their rights to protection as victims of serious crime.

The current Single Competent Authority (SCA) was launched in April 2019, replacing the previous case management systems within the National Crime Agency and UK Visas and Immigration. The SCA has been described by the Home Office as a 'single expert unit' created to handle all cases and make decisions about whether someone is a victim of modern slavery, with emphasis on it being 'completely separate from the immigration system'.<sup>2</sup> I am extremely concerned that by introducing the IECA and returning to a dual system approach, we are taking a step backwards in our response to

---

<sup>1</sup> Home Office (2021), 'Modern Slavery: Statutory Guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and Non-Statutory Guidance for Scotland and Northern Ireland':

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1031731/modern-slavery-statutory-guidance-ew-non-statutory-guidance-sni-v2.5-final.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1031731/modern-slavery-statutory-guidance-ew-non-statutory-guidance-sni-v2.5-final.pdf)

<sup>2</sup> Home Office (2017), 'Modern Slavery Taskforce agrees new measures to support victims':

<https://www.gov.uk/government/news/modern-slavery-taskforce-agrees-new-measures-to-support-victims>

modern slavery with considerable implications for victims. There will be a need to closely monitor the impact of this change.

I understand that many colleagues in the sector share my concerns and are also deeply disappointed about the lack of consultation with the Statutory Guidance Reference Group, the various Modern Slavery Strategy Implementation Groups or wider anti-slavery sector on this significant change.

I look forward to receiving your response. In the interests of transparency, I request that you respond in a way that enables me to publish your letter on my website.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Sam Yuen". The signature is fluid and cursive, with a prominent initial 'S'.

**Independent Anti-Slavery Commissioner**