

9 November 2021

Professor Jennifer Rubin  
Home Office Chief Scientific Adviser and Director General  
STARS (Science, Technology, Analysis, Research and Strategy)  
2 Marsham Street  
London  
SW1P 4DF

Dear Jennifer,

**Re: Home Office and data sharing**

I write to raise my concerns about an embargo by the Home Office on modern slavery data, and to request a meeting with you to discuss further. The embargo is preventing independent scrutiny and research on modern slavery which risks undermining the response to victims and survivors.

As the UK's Independent Anti-Slavery Commissioner, I have set out my commitment to act objectively, impartially and base my assessment on evidence and data in all that I do. My Strategic Plan 2019-2021,<sup>1</sup> laid before Parliament by the Home Secretary, outlines my priority to get value from research and innovation. I am convinced that by bridging the gap between research, policy and practice, we can improve interventions and outcomes for victims and survivors.

Sharing data on modern slavery is essential to ensure that responses to this complex issue are informed by the evidence, including quantitative information and qualitative insights. Whilst there are necessarily considerations when sharing sensitive data, there are well-established mechanisms to support this in the research community including the use of NDAs, particularly useful when rapid research is required to support policy development at speed.

I have been made aware of a data embargo which has been in place since around March 2021, when a GDPR review of National Referral Mechanism (NRM) data began. Service providers operating under the Modern Slavery Victim Care Contract have since been placed under embargo and are not able to conduct or support research until the review has been completed. I have raised this with the Home Office on multiple occasions and am yet to receive a definitive answer as to when the review will conclude. At the time of writing the finalisation of this continues to be delayed.

This embargo has severely hampered research efforts. One UKRI-funded project on improving outcomes for survivors of modern slavery in the UK has been cancelled. One ESRC-funded project on survivors' journeys outside the NRM has lost partners and faced major delays as service providers are not able to share information on the project with survivors to decide independently if they want to participate. A joint research project between my Office and the Rights Lab examining the evidence base on re-trafficking has also been impacted, with confusion and delays from the Home Office in responding to a data request I submitted in June 2021.

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<sup>1</sup> Independent Anti-Slavery Commissioner (2019), [Strategic Plan 2019-2021](#).

A Data Sharing Protocol<sup>2</sup> was agreed between my Office and the Home Office in 2020. This sets out how I may request and obtain data to inform my statutory functions as Commissioner, including undertaking or supporting the carrying out of research. This DSA is in line with the Government's response to the Independent Review of the Modern Slavery Act,<sup>3</sup> whereby the Government accepted the review's recommendation that as Commissioner, I should have sufficient access to Government data to carry out scrutiny of the response to modern slavery.

I hope that you may be available to meet with me and a member of my Advisory Group, and the researchers leading the first two projects outlined. I would like to seek assurance that this embargo will not lead to lasting changes in the way data is shared for essential research purposes, and that the Home Office is committed to the independent evaluation of issues about modern slavery survivors and the support they require.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Dan Gurn', is positioned above the printed name of the Independent Anti-Slavery Commissioner.

**Independent Anti-Slavery Commissioner**

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<sup>2</sup> Home Office and Office of the Independent Anti-Slavery Commissioner (2020): [Data Sharing Protocol between Home Office and the Independent Anti-Slavery Commissioner](#).

<sup>3</sup> Home Office (2019): [Government response to the independent review of the Modern Slavery Act](#).



Home Office

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2 Marsham Street  
London  
SW1P 4DF

[www.gov.uk/home-office](https://www.gov.uk/home-office)

Dame Sara Thornton  
Independent Anti-Slavery  
Commissioner  
5<sup>th</sup> Floor, Globe House  
89 Eccleston Square  
London, SW1V 1PN

30 November 2021

Dear Dame Sara,

Thank you for your letter of 9 November addressed to my colleague, Professor Jennifer Rubin. As the Director General for the Public Safety Group, modern slavery and human trafficking data held by the Home Office falls within my remit.

First of all, I would like to assure you that there is no generalised embargo on modern slavery data. The particular issue you are referring to relates to a risk, identified by the Home Office, around the handling of personal data concerning vulnerable victims of modern slavery and human trafficking who are receiving support within the Home Office's Modern Slavery Victim Care (MSVC) Contract.

Earlier this year we identified that the Contract was not clear enough on data handling for purposes of research where **sensitive and personal victim data** was used, and that accordingly there was a significant risk that this Home Office-owned data was being used improperly. The Home Office received advice from Information Commissioner's Office that we should immediately halt processing of personal victim data for research until we could clarify the contractual position, in order to protect The Home Office and Supplier organisations from legal challenge, and to protect the data of victims we are supporting.

The Home Office in turn directed our Prime Supplier, The Salvation Army, and Sub-Contractors to temporary halt any research which involved processing personal data held under the Contract, until we could introduce a new contract mechanism to manage and mitigate the risk. The Single Competent Authority Contracts and Service Delivery Team (headed by Kirstie Greenwood, with whom I know you have discussed this matter previously) then worked at pace to introduce a Contract Change Notice in the MSVC Contract to resolve this matter. This Contract Change Notice remains with our Prime Supplier for the next steps, including undertaking an Impact Assessment or suggesting amendments.

Throughout this work, the Home Office has been clear that our fundamental concern is the lawful protection of the personal data relating to victims of modern slavery and human trafficking within the MSVC Contract. We are hopeful, as you are, that the MSVC Contract will soon be modified to create a mechanism to facilitate and manage research involving that particular data.

Unfortunately, this has meant that, in the meantime, research using this type of sensitive and personal data has not been able to take place. We have worked with individual organisations to consider case by case proposals within the bounds of the contractual arrangements currently in place, and have been clear that this issue does not impact any wider research undertaken which does not use MSVC Contract personal data (e.g. professional insights, anonymised information, other data and statistics). Partners across the sector have been kept up-to-date on this work through various meetings and fora (such as your own Health Roundtable), as well as through the NRM Newsletter, and we will continue to share news on the progress of this work as we have it.

I absolutely understand and support your focus on the ability to undertake high-quality research in this area, and my teams look forward to sharing more information with you about this work as it progresses.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Jaee Samant', with a horizontal line underneath the name.

Jaee Samant  
Director General of the Public Safety Group

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