

Independent Anti-Slavery Commissioner



Dear colleagues,

My office entered 2022 with continued focus on the [four IASC strategic priorities](#) including a number of key reports and stakeholder events scheduled before the end of my tenure in April. Recently, the Nationality and Borders Bill passed through Committee stage in the House of Lords; Part 5 Modern Slavery was debated on 10 February and several peers referenced my concerns, including those raised in a comment piece for the Law section of The Times which was published that morning. I will continue to engage with the sector and interested MPs as the bill passes back to the Commons.

A handwritten signature in black ink, which appears to read "Sara Thornton". The signature is written in a cursive, flowing style.

Dame Sara Thornton, Independent Anti-Slavery Commissioner

Launch of a new IASC Modern Slavery Statement Registry review

In January the Commissioner published an [analysis](#) of how businesses are using the government's Modern Slavery Statement Registry. The review, co-authored by Prevent lead Emma Crates and Sir Bernard Silverman, looked at a sample of 150 company registrations and found that many did not correctly link their modern slavery statement. Some businesses were giving inaccurate information.

Under section 54 of the Modern Slavery Act 2015, businesses with a turnover of £36 million or more are required to publish an annual statement, setting out the steps that they are taking to address modern slavery risk in their operations and supply chains. By law, statements should be written annually, signed off by a company director and accessible from a prominent link on a company homepage. But many statements fail to meet these basic requirements.

The government launched the registry in March 2021 as part of measures to increase corporate transparency and strengthen the Modern Slavery Act. Reporting into to the registry will only become mandatory when proposed legislation takes effect. Nevertheless, prompted by letters from the Home Office, thousands of companies have already signed up and voluntarily provided links.

The IASC team analysed 150 company registrations and found:

- 45% took users directly to the page of the company's modern slavery statement which is an important requirement for automated data analysis;
- 12% took enquirers to policy or compliance-related sections of the website;
- 31% of links went directly to the company homepage;
- 7% of links were broken;
- 5% of companies claimed not to have websites, (3% were claiming this inaccurately).

The team then analysed a separate sample of 33 companies that claimed not to have a website. Such businesses do not have to publish online, but are legally required to submit a statement in writing to anyone who requests it, within 30 days of receiving the request.

The team found:

- 24 or 73% of the companies in the sample claimed not to have websites but in fact did so;

- Out of the group of 24 that had websites, 12 companies had published a modern slavery statement. The other half had no visible statement.

“Transparency in supply chains is a central plank of the government’s modern slavery strategy. The registry is potentially a great tool but needs to work effectively to deliver value.

“There should be a concerted push for businesses to use the registry properly so that there is easy access to modern slavery statements. This will enable consumers, investors, NGOs and academics to scrutinise modern slavery statements in the way that the legislators envisaged.”

Read Dame Sara's full comments and access the report [here](#).

IASC raises concerns about labour exploitation risks for migrant agricultural workers

On 24 January the Commissioner wrote to ministers at Defra and the Home Office raising concerns over labour exploitation risks in the Seasonal Workers visa route. She was responding to the joint Home Office and Defra [evaluation](#) and review of the Seasonal Workers Pilot for 2019.

In letters to the Secretary of State for Food and Rural Affairs and the Minister of Safe and Legal Migration at the Home Office, Dame Sara stated her concerns about the review findings:

"Firstly, Ongoing feedback from workers is essential for understanding trends and threats. But the 2019 survey is not fully representative of the worker experience. This is due to the limitations of self-selection bias, language barriers and a low response rate of 26%, as the review acknowledges. Second, the Home Office and Defra do not have data on how many workers used the provided helplines to raise issues that they were uncomfortable discussing with farm managers. Finally, modern slavery and severe cases of labour exploitation tend to be hidden from public view and are rarely discovered during audits and compliance visits."

Within the letter, Dame Sara also highlighted the changing risk scenario, following the substantial expansion of the seasonal worker scheme:

"In addition to a twelvefold increase in workers, agencies from as far afield as the Caribbean and Nepal have responded to the new immigration rules by advertising the SW route as a recruitment opportunity into the UK. Evidence suggests that workers migrating over longer

distances are at greater risk of exploitation, particularly in the form of recruitment fees, bogus recruitment and debt bondage. Labour suppliers and agents in more distant countries will be even more difficult to scrutinise or hold to account.”

Dame Sara made the following recommendations:

- Concerted efforts need to be taken to educate workers and ensure that they understand their rights during and after the recruitment process.
- Worker voice tools should be rolled out to understand worker experience, at scale and in real time, while the scheme is operating.
- There should be a grievance mechanism, run by a neutral third party and accessible to all workers on the scheme.
- For those workers that have paid recruitment fees, provision should be made for remediation.
- The scheme’s existing risks should be assessed and addressed before visa schemes are expanded or rolled out to other areas.

Read the full letter [here](#).

In February IASC chaired a roundtable organised in collaboration with BASNET to explore the changing demographic of migrant worker exploitation. Academics, NGOs, law enforcers and public sector officials shared challenges and best practices across the agricultural & care sectors.

IASC welcomes new report by the Centre for Social Justice and Justice & Care

The Commissioner welcomed a report by the Centre for Social Justice and Justice & Care which explores the progress of the UK’s response to modern slavery and identifies the key challenges faced by frontline professionals. It builds on a previous report focussing on adult victims in the National Referral Mechanism (NRM) and support provided in England and Wales under the Modern Slavery Victim Care Contract.

In her comments Dame Sara highlighted that the report reveals the increasingly lengthy delays

in Home Office Single Competent Authority decision making and the significant impacts on victims. She said:

“I have publicly called for NRM decisions for children to be made locally by local safeguarding partners. In 2020 my office published a review with the charity ECPAT UK into what works in multi-agency decision making to help inform Home Office thinking on a potential pilot for devolved NRM decision making for children. Since then a devolved child decision-making pilot programme has been rolled out to 10 local authorities areas across the UK. While the programme and associated evaluation are still underway, feedback so far has been encouraging.

“The evidence in this report however demands a more radical recommendation to end the role of the Home Office Single Competent Authority in decisions about most trafficking victims. It is time to move away from a centralised approach which is clearly failing victims. These decisions should be made locally by multi-disciplinary teams who have the expertise and knowledge.”

Read the Commissioner's full comments [here](#) and access the full report: [A Path to Freedom and Justice: a new vision for supporting victims of modern slavery](#)

The Nationality and Borders Bill: ongoing IASC engagement

The Commissioner continues to engage with Parliamentarians and the sector as the Nationality and Borders Bill progresses through Parliament. Having passed through Committee stage in the House of Lords it will next enter Report stage in the House of Commons.

On 10 February a comment piece by Dame Sara focussing on her concerns about Clause 62, which aims to disqualify some potential victims of modern slavery from protection within the National Referral Mechanism, was published in the [Law Section of The Times](#). Later that day the comment piece was referenced several times by peers including Baroness Butler-Sloss, Baroness Ludford, Lord Coaker and Lord Paddick during the fifth day of Committee debate. The full Hansard record can be found [here](#).

Read Dame Sara's full comment piece [here](#).

Earlier in the month Dame Sara raised her concerns about the bill in a keynote at a roundtable on the potential impact of the bill on women, children and young people who have experienced gender-based violence in Scotland. Attendees at the private meeting included Chief Social Work Officers, the Young People's Commissioner and key national partners.

Dame Sara also raised concerns about the lack of provision for children in the bill in a recent [press release](#) by Every Child Protected Against Trafficking (ECPAT) UK:

“Through my engagement on the Nationality and Borders Bill, I have repeatedly raised the lack of detail on provisions for child victims of modern slavery and human trafficking. In relation to Clause 64 in particular, I have real concerns that the requirement to consider the best interests of a child when making decisions about immigration leave appears to have been ignored. The government has given assurance that this will be addressed on a case-by-case basis however this is not sufficient. The bill provides an opportunity to prioritise children's rights and protections through primary legislation – we must take it.”

IASC welcomes modern slavery fraud convictions following Met investigation

On 10 February four members of an organised crime group based in London, Cambridge and Essex who recruited, trafficked and exploited at least 30 vulnerable teenage girls to commit acts of fraud on their behalf have been convicted of modern slavery and fraud offences.

It is thought that gang members used social media to target vulnerable teenage girls. Most of the victims were living in foster placements or were living apart from their families in semi-independent facilities. Over a period of two years victims were taken by gang members to retailers across the UK and forced to carry out theft and fraud crimes.

The convictions follow an investigation by the Met's Predatory Offender Unit beginning in 2020 when children's services partners contacted the police with safeguarding concerns. Sentencing will take place between 18 and 22 April at Snaresbrook Crown Court.

Dame Sara commented:

“I welcome the use of the Modern Slavery Act legislation to deal with this serious and substantial exploitation of vulnerable young people. Convicting offenders is an important aspect of delivering justice for victims and can deter and dissuade criminal gangs from perpetrating further abuse.

“As Independent Anti-Slavery Commissioner I have expressed concern about the low rate of modern slavery prosecutions and convictions, especially in cases where other offences have been committed. The Modern Slavery Act provides access to a more severe range of sentences and delivers the possibility of imposing a Slavery and Trafficking Prevention Order, which would protect vulnerable people in the future.

“It is very encouraging to see police and prosecutors using the trafficking legislation rather than opting for lower level offences which might be easier to prove, and the convictions send a strong message about an abhorrent crime.”

IASC meets with Pacific Links Foundation

In February, Dame Sara met with representatives from Pacific Links Foundation (PALS). The meeting came after an historic landmark judgment from the Bruges Court of First Instance ruled that damages should be awarded to the families of a number of victims, who tragically died in a refrigerated lorry, having been trafficked to the UK via Belgium in October 2019. In the UK, PALS instructed Hogan Lovells LLP to ensure that asset confiscation and payment of reparations are at the heart of the criminal justice process in this case.

Commenting on the importance of using confiscation to reduce human trafficking in Hogan Lovell's [press release](#), Dame Sara said:

“Trafficking rings are often extensive and involve complex networks of criminal activity. It must be a priority to focus on proper financial investigation into trafficking gangs so as to understand the true scale of the crime and to stop financial benefit from it. In this way we can ensure the interruption of trafficking networks and challenge their continued existence. Confiscation and compensation can then work together to give some semblance of reparation to the victims for the hurt that has been suffered.”



Dame Sara Thornton is by Diane Tryong and Christina Bui Phýõng Chi, Pacific Links Foundation, at Globe House

IASC publishes MoU with Modern Slavery PEC

A Memorandum of Understanding between the Independent Anti-Slavery Commissioner and the Modern Slavery and Human Rights Policy and Evidence Centre (Modern Slavery PEC) has been published. The MoU sets out a joint commitment to developing a collaborative approach to policy-relevant modern slavery research, building on the variety of collaborative mechanisms already established between the Commissioner's Office and the Modern Slavery PEC.

Read the MoU [here](#).

Work preparation and employability skills for survivors

Following a round table on implementing the research recommendations from the paper; '[The Benefits and the Barriers to Accessing Employment: Considerations for Survivors of Modern Slavery](#)', Helena Yeaman, (who is seconded to the Commissioner's office until April) is collating information about the training materials currently used by organisations across the sector with a view to establishing a suite of accessible modules. IASC is calling anyone with training materials that they are willing to share or discuss to contact Helena.Yeaman@Ashurst.com.

IASC in the news

[Responding to exploitation is test for our decency, says SARA THORNTON | Express Comment | Comment | Express.co.uk](#) (1 February 2022)

[Church of England Synod calls for more protection of child trafficking victims | The Independent](#) (9 February 2022)

[Dozens of teenage girls trafficked and exploited in first modern slavery fraud case | The Independent](#) (10 February 2022)

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