

9 June 2021

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

Dear Home Secretary,

Returns and reintegration for victims and survivors of modern slavery

The [IASC Strategic Plan 2019-2021](#) set out my intention to work with partners both in the UK and in countries of origin to identify and promote best practice in the safe and voluntary return of victims and survivors of modern slavery. Voluntary return and reintegration for victims and survivors is currently an under supported pathway. I am aware that officials have been looking closely at the Voluntary Returns Scheme (VRS) and other processes to identify areas for improvement. However, progress with this work has been slow and I am concerned that substantial gaps and inconsistencies in the process remain. Whilst the VRS can be accessed by some victims and survivors of modern slavery, it was not designed with their needs in mind and the numbers using this pathway are low. I would urge you to explore options for better and more tailored return and reintegration support for victims and survivors.

International obligations to support the repatriation of modern slavery survivors

The UK has international obligations to support the repatriation of survivors of modern slavery. These are set out in Article 8 of the Palermo Protocol and Article 16 (2) of the European Convention on Action against Trafficking in Human Beings. There is also clear agreement among international and multilateral organisations on the vital importance of safe returns for the prevention of re-trafficking. The Organization for Security and Cooperation in Europe (OSCE) stipulates that this is a key component in the fight against trafficking, requiring a coordinated response from state actors, law enforcement agencies, civil society, and international actors¹. Furthermore, the International Organization for Migration (IOM) emphasises the need for specific support based on individual need including psychological assistance, medical assistance, housing, and financial support to reduce the risk of re-trafficking².

¹ OSCE Office for Democratic Institutions and Human Rights (2014), 'Guiding Principles on Human Rights in the Return of Trafficking person': <https://www.osce.org/files/f/documents/c/8/124268.pdf>

² IOM (2016), 'Enhancing the Safety and Sustainability of the Return and Reintegration of Victims of Trafficking': <https://publications.iom.int/books/enhancing-safety-and-sustainability-return-and-reintegration-victims-trafficking>

The Voluntary Returns Scheme and victims and survivors of modern slavery

The Modern Slavery Strategy 2014 makes reference to returns and reintegration, however, only in the context of support previously provided for non-EEA nationals through Refugee Action's Choices Service. Within the Strategy, the Home Office committed to extending the service to victims of modern slavery from EEA countries, stating that 'the support victims receive once they return home is crucial to helping them reintegrate safely and protect them against the risk of being re-trafficked'³.

The Modern Slavery Statutory Guidance⁴ highlights that support providers should discuss the option of voluntary return with all victims who do not have British nationality and sets out the eligibility criteria for those who may wish to return home via the VRS. Whilst the VRS can provide support to victims of modern slavery, its primary purpose is to support those in the UK illegally, or those who wish to withdraw an application for leave or asylum, to return home. The situation for EEA nationals is complicated and will remain so even after the end of the grace period. As stated by the Statutory Guidance, in order to be eligible for the scheme, an individual must hold no extant leave. Therefore, not all victims and survivors of modern slavery will be eligible to access VRS support.

For those that are eligible, the VRS links individuals to in-kind support in countries covered by the European Returns and Reintegration Network (ERRIN)⁵. I understand that this can include initial aid on arrival, vocational training, and support with educational needs, or help in setting up a business. However, the ERRIN programme does not appear to operate in EU countries or indeed many key non-EU countries of origin for victims of trafficking identified in the UK⁶. For those returning to non-ERRIN countries, support is in the form of financial assistance to find somewhere to live, find a job or start a business. Neither option has been designed specifically with the needs of victims and survivors of modern slavery in mind and I am concerned that there may be gaps in support in many key countries of origin.

There are also gaps in understanding around how the VRS is currently being used by victims and survivors of modern slavery. Last year my office requested data from Home Office officials on the number of victims of modern slavery using the VRS. A Freedom of Information request⁷ was shared and I was surprised to read that between 01/04/2017 and 31/03/2020 just 12 non-EEA national victims of modern slavery had used the scheme. I was unable to obtain data on the number of EEA national victims using the scheme. The Salvation Army Annual Report for 2020 however suggests that the number may, in fact, be higher with 16 individuals reported to have accessed the VRS between July 2019 and June 2020⁸. **Whilst the numbers are relatively small, it is essential that**

³ HM Government (2014), 'Modern Slavery Strategy':

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/383764/Modern_Slavery_Strategy_FINAL_DEC2015.pdf

⁴ 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, Version 2.1:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/974794/March_2021_-_Modern_Slavery_Statutory_Guidance_EW_Non-Statutory_Guidance_SNI_v2.1_.pdf

⁵ ERRIN is a network of 15 European partner countries established to facilitate cooperation between migration authorities.

⁶ Of the 16 nationalities most commonly referred into the NRM in 2019, 8 countries do not have ERRIN partners.

⁷ FOI Number 60267.

⁸ The Salvation Army (2020), 'Modern Slavery Annual Report 2020: https://www.salvationarmy.org.uk/file-download/download/public/42501?download_files%5B0%5D=SA%20Modern%20slavery%20report%202020%20FINAL%20NEW.pdf

there are robust systems in place for monitoring use of the VRS by victims and survivors of modern slavery.

Alternative models for returns

NGOs are also supporting assisted return and reintegration. This can be to complement the support provided by the VRS, to provide assistance to those who do not meet the criteria, or for those who do not wish to use the VRS. My office has identified a number of examples of promising work in this area. For example, Justice and Care are piloting a programme of supported voluntary returns to Romania. In addition, International Justice Mission (IJM) have been supporting Romanian victims of trafficking to return home. Their multidisciplinary approach also supports vital links between repatriated victims and UK law enforcement during criminal justice proceedings. Having spoken to law enforcement colleagues, I am aware that where repatriation results in a loss of engagement, this can present significant barriers to prosecution. Approaches such as that being undertaken by IJM has real potential in supporting prosecution efforts.

While there are examples of good practice, I am concerned that the approach to supporting the return and reintegration of survivors of modern slavery is not yet consistent and accessible to all. In 2019 the International Organization for Migration (IOM) and Human Trafficking Foundation produced a joint paper on assisted voluntary return and reintegration for survivors of modern slavery⁹. Many of the challenges identified still stand, including real concerns about safety and risk assessments, a lack of information about and contacts with support providers in countries of origin and a need for greater clarity and consistency in the referral process. The paper suggests exploring the potential benefits of a bespoke programme for victims, including full risk assessments, multi-agency approaches, and return and reintegration assistance with organisations in countries of origin. **I would encourage the Home Office to explore options for better and more tailored return and reintegration support for victims and survivors of modern slavery, seeking support from organisations with relevant experience to inform this work.**

Repatriation of child victims of trafficking

I am aware that decisions regarding the repatriation of children are currently often made in a family court setting where professionals may not have subject matter expertise around trafficking and importantly, the risk of re-trafficking. I also understand that whilst in-country assessments may take place in such circumstances, they won't necessarily be of an equivalent standard to those conducted by Children's Services in the UK. The OSCE recently published a report¹⁰ on establishing state-led National Focal Points for child victims of trafficking to improve cross-border information sharing. The function aims to support decisions in the child's best interest, whether this is returning to their country of origin, a third party state or remaining in the country where they were identified. My office has sought to ensure that Home Office officials are engaged with OSCE on this important

⁹ International Organisation for Migration and the Human Trafficking Foundation (2019), 'Findings and recommendations for assisted voluntary return and reintegration for survivors of modern slavery (on behalf of the International Policy Working Group)':

<https://static1.squarespace.com/static/599abfb4e6f2e19ff048494f/t/5d4987acd16dbf0001e0a7c8/1565099948816/AVRR+Briefing+Paper+IPWG+final+v1.pdf>

¹⁰ Organisation for Security and Co-operation in Europe(2020), 'Establishing National Focal Points to Protect Child Victims of Trafficking in Human Beings': <https://www.osce.org/cthb/472305>

report and I would urge specific consideration of processes for children in any further work on returns and reintegration.

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 "Sanjiv Kumar". The signature is fluid and cursive, with a long horizontal stroke at the end.

Independent Anti-Slavery Commissioner





Home Office

Matthew Rycroft
Permanent Secretary
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www.gov.uk/home-office

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

Reference: MIN/0234931/22

15 February 2022

Dear Sara,

Thank you for your letter of 9 June 2021, to the Home Secretary, about the returns and reintegration for victims and survivors of modern slavery. Please accept my sincere apologies for the delay in providing a reply to you. Unfortunately, an administrative oversight led to your letter being missed. I can assure you that steps are being taken to ensure this does not happen in the future.

The Voluntary Returns Service (VRS) was set up to provide practical and reintegration support for foreign nationals who are subject to immigration control to provide an alternative to detention. As part of this, VRS will support and provide reintegration payments for confirmed victims of modern slavery, as well as supporting potential victims who may meet other VRS criteria for reintegration assistance.

We work closely with many organisations who are supporting confirmed victims of modern slavery to ensure that they refer individuals to VRS when this is an appropriate option for them to take. Notably, we work with The Salvation Army and their sub-contractors, and also with other relevant charitable organisations and local authorities, to raise their awareness of VRS and the support that is available for modern slavery victims. You have asked us to consider having a robust system in place for the monitoring the use of VRS by victims and survivors of modern slavery. We work closely with the Salvation Army to ensure there is a joined-up approach to confirmed victims utilising VRS.

Victims of modern slavery receiving support under the Modern Slavery Victim Care Contract (MSVCC) also have access to a support worker. Throughout the National Referral Mechanism process, support workers will signpost relevant information on rights and services accessible to victims, including accessing immigration advice and the option of voluntary return.

Where a victim expresses a desire to return home, VRS works closely with victims and their support workers to arrange for the return and provide the reintegration assistance.

The Salvation Army are responsible for completing a risk assessment both in country and on return to ensure the safety of a victim who has chosen to leave through VRS or an alternative route.

VRS has been providing both practical returns support and reintegration to confirmed victims from EEA countries since 2016. Until April 2021 this support included the arrangement of a flight home and £1000 financial assistance. Since April 2021 any confirmed victim of modern slavery, whether an EEA national or any other foreign national, will receive between £1500-£3000. All individuals returning with VRS support to a country that is defined as developing by the Organisation for Economic Co-operation and Development (OECD) are now eligible to receive £3000. Again, the Salvation Army are responsible for ensuring a risk assessment takes place for the return of the victim. Our records show that none of the confirmed victims who sought VRS assistance during 2019-2021 were from EEA nations.

The ERRIN programme was paused at the beginning of the pandemic in order to protect providers in country and also to protect those on return. The UK is no longer a member of the ERRIN programme following our exit from the EU, although we continue to explore other opportunities of enabling in-country support for individuals returning.

With regard to our international engagement on returns and reintegration of modern slavery victims, our programmes through the Home Office Modern Slavery Fund provide targeted reintegration support recommended by the International Organisation for Migration. In addition, the Justice and Care Romania pilot that was referenced in your letter is being funded by the Home Office Conflict, Stability and Security Fund (CSSF) and will inform future Home Office activity.

As you are aware, the Government announced a review of the 2014 Modern Slavery Strategy, which we hope to publish in Spring 2022. As part of the development of the Strategy, we will continue to consider the important issue of returns and reintegration of modern slavery victims. I know my officials have been working closely with you and your office as we develop our strategy, including support for child victims, and I am grateful for your continued support.

Thank you for taking the time to write about this important issue, and huge apologies again for such an unacceptable delay.

Matthew Rycroft
Permanent Secretary