

# Independent Anti-Slavery Commissioner Strategic Plan 2019-2021



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Presented to Parliament pursuant to Section 42 (10) (a) of the  
Modern Slavery Act 2015

October 2019



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## Foreword

### Dame Sara Thornton – Independent Anti-Slavery Commissioner

It is estimated that there are 136,000 victims of modern slavery and human trafficking<sup>1</sup> in this country – equivalent to the population of Ipswich. Traffickers regard our fellow human beings as a commodity to be traded and exploited – an egregious violation of their freedom and basic human dignity. The traffickers force children to supply drugs on county lines, they force young women into the sex trade and vulnerable people into working for no pay.

The Modern Slavery Act sets out my role to encourage good practice across the UK. This strategic plan sets out how I plan to do that by convening, scrutinising, enabling and connecting. I have a small team and a limited budget and so it is essential that I work in partnership with public authorities, charities and Non-Governmental Organisations (NGOs), faith groups, businesses, academia and broader civil society in order to deliver this plan. I will seek to work jointly with the widest range of organisations but will also fiercely guard my independence; endeavouring to be objective, impartial, evidence based, fair and accurate.

In developing this strategic plan, I have thought carefully about where I can place effort and energy to make a difference. There are four priorities:

- Improving victim care and support
- Supporting law enforcement and prosecution
- Focusing on prevention
- Getting value from research and innovation

My priorities rightly focus on victim protection and the prosecution of traffickers, but I also want to focus on the prevention of modern slavery and human trafficking. We need to do much more to tackle the systemic issues that allow the crime to thrive. There are encouraging signs that businesses are taking steps to reduce slave labour in their products and services, but much remains to be done. In particular we need to raise the awareness of consumers and citizens – we are often closer than we realise to the exploitation of others. Concern about the social cost of products and services needs to match our concerns for the environmental cost.

There has been no time for detailed consultation on this plan, but I shared my draft priorities at meetings with my Advisory Panel, the Human Trafficking Foundation, the All-Party Parliamentary Group on Modern Slavery and Human Trafficking and the Anti-Trafficking Monitoring Group. I have listened to their views and hope to have reflected their wisdom.

Lastly, I want to thank my team for their contributions to this plan and to thank the victims and survivors whose personal stories have moved and inspired me and helped to shape my priorities.

# The Commissioner's Advisory Panel

## Message from the chair: The Rt Rev Dr Alastair Redfern

"I am delighted to continue as Chair of the Commissioner's Advisory Panel. The continuation of this diverse advisory group is an important expression of the Commissioner's independence, given the group's ability to test and develop her work as she produces her first strategic plan.

The reconstitution of the Advisory Panel is a public demonstration of the Commissioner's commitment to receive advice and challenge, without compromising her formal responsibilities."

## Purpose of the panel

The purpose of the Advisory Panel is to provide guidance, challenge and support to the Commissioner. The panel meets quarterly and is comprised of a diverse body of experts from the modern slavery sector and beyond.

## Panel members

### **The Rt Revd Dr Alastair Redfern**

Chair, The Clewer Initiative

### **Cindy Berman**

Head of Modern Slavery Strategy, The Ethical Trading Initiative

### **Lara Bundock**

CEO and Founder, The Snowdrop Project

### **The Rt Hon. The Baroness Butler-Sloss GBE**

Co-chair, All-Party Parliamentary Group on Human Trafficking and Modern Slavery

### **Michael Clarke**

CEO, The Passage

### **Julia Mulligan**

Police, Fire and Crime Commissioner, North Yorkshire

### **Sir Tom Phillips KCMG**

Director, Centre for the Study of Modern Slavery, St Mary's University

### **Dr Paul Rigby**

Lecturer in Social Work, University of Stirling

### **Gillian Rivers**

Partner, Penningtons Manches Cooper

### **Sir Bernard Silverman FRS**

Professor of Modern Slavery Statistics, Rights Lab, University of Nottingham

### **Yasmin Waljee OBE**

International Pro Bono Director, Hogan Lovells

### **Mel Wiggins MBE**

Project coordinator, Freedom Acts

### **The Baroness Young of Hornsey OBE**

Co-Chair, All-Party Parliamentary Group on Sport, Modern Slavery and Human Rights

## Priority 1: Improving victim care and support

1.1.1 Improving the care for victims of modern slavery and human trafficking is central to this strategic plan. In 2018, 6,993 potential victims from 130 countries were referred to the National Referral Mechanism (NRM). This represents a 36% increase from 2017 and the trend is continuing to rise in 2019. Of these referrals, 3,137 were children at the time of exploitation, with almost half of them being from the United Kingdom (UK)<sup>2</sup>. The growing number of UK children referred is, in part, due to the prevalence of children being criminally exploited in drug dealing known as county lines<sup>3</sup>.

1.1.2 This increase in referrals is creating more demand on both the decision-making process in the Single Competent Authority (SCA) and the increase in adult referrals is creating higher demand on the support providers who are part of the Victim Care Contract. The data suggests that more victims are waiting longer for decisions and this can often delay the recovery process impacting on longer term outcomes for survivors<sup>4</sup>. The Home Office reforms of the NRM announced in 2017 were aimed at speeding up decision making, improving the identification of victims and improving the quality of support. Most of the changes are now in place and **I will be monitoring their impact on victims to ensure that the reforms result in the improvements sought.**

### Encouraging better identification and referrals

1.2.1 While the identification of victims has clearly improved there is evidence to suggest that victims who come into contact with public authorities are still not being identified for referral to the NRM and therefore remain in the hands of those that exploit them<sup>5,6,7</sup>. **I will prioritise work to ensure that public authorities are equipping their staff with the appropriate knowledge and skill so that victims are identified at the earliest opportunity.**

1.2.2 In his 2016-2017 report<sup>5</sup> and subsequent reinspection<sup>6</sup> the Independent Chief Inspector for Borders and Immigration identified the need for better awareness and training of front-line staff, better data recording and improved data sharing in Border Force. Most of the recommendations have been addressed, but more needs to be done to ensure potential victims are identified and safeguarded. Recent concerns about the number of potential victims in detention centres also raises questions about the effective identification of victims by Immigration Enforcement<sup>7</sup>. **I will work with the Chief Inspector to support further inspection.**

1.2.3 The charity Hestia has made a police super-complaint which includes poor police identification of victims of modern slavery<sup>8</sup>. The charity is particularly concerned with the ability of non-specialist officers to offer the right support and advice. It is suspected that this leads to victims declining the support provided by the NRM. Home Office records suggest that in a 38 month period there were 4,107 potential victims who declined support – nearly half of whom had been referred by police forces<sup>9</sup>. The College of Policing supported by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) is investigating this complaint and I look forward to their conclusions. I hope that it may shed some more light on why victims decline support and continue to be exposed to the risk of trafficking.

1.2.4 In 2018, almost 40% of potential victims were identified by Home Office agencies and 30% by police forces. The number of referrals made by local authorities is smaller at 19%. While the Local Government Association (LGA) has published guidance<sup>10</sup> I have heard concerns raised about levels of awareness on the ground. **I will work with a range of**



**partners to assess what action is needed to develop the response in local authorities.** I have been supporting the Convention of Scottish Local Authorities (COSLA) in developing guidance for local government in Scotland. I am keen to engage with local authorities in Northern Ireland to explore opportunities for similar collaboration.

1.2.5 Health practitioners are well placed to identify victims of modern slavery who may seek help for many kinds of mental or physical health problems. In England, Wales and Scotland health professionals cannot refer directly to the NRM (in Northern Ireland, Health and Social Care Trusts have dedicated referral teams). There are mixed views about whether this should change but all agree that health professionals should be adequately trained and equipped to identify victims, respond to their needs and refer them for further support. **There is guidance<sup>11</sup> that sets out minimum training requirements and I will work with a range of partners to encourage the delivery of that training and improved support for victims.**

1.2.6 The Scottish Government has recently consulted the public on this issue<sup>12</sup>. In particular, the paper invited feedback on the range of public authorities with a duty to notify Police Scotland and what anonymised information about victims should be included when a potential victim is identified but does not consent to receive support. This data could increase the understanding of the scale and nature of trafficking and provide additional intelligence for law enforcement.

### **Increasing the quality of victim support**

1.3.1 I have been impressed by the dedication and approach of many support workers who work with victims in safe houses and outreach support. It is important that in every case a thorough risk and needs assessment is made so that appropriate arrangements are put in place. For some victims this means that a safe house is the best option, for many it means living in asylum accommodation or with friends and family. I welcome the pilot work to assess the quality of support provided in both safe houses and by outreach workers. **I will work with the CQC to inform this important work.**

1.3.2 In Scotland, the Trafficking Awareness Raising Alliance and Migrant Help have reviewed their own services focusing on victims' experiences. In doing this work they have identified a number of positive outcomes for victims which will be used to evaluate longer term survivor wellbeing. **I will work closely with the Scottish Government to identify good practice to share across the UK.**

1.3.3 The Statutory Guidance for England and Wales, due to be published shortly, will provide a clear set of indicators, guiding principles and standards for public authorities. I welcome the emphasis on a trauma-informed approach to victims; this complements the Human Trafficking Foundation's Care Standards<sup>13</sup> which have been adopted as the basis for the CQC's inspections. The new guidance sets out the needs-based approach developed by the Home Office which will provide better support for survivors. **I will promote the use of the guidance and challenge the Home Office to keep it updated.**

1.3.4 Some victims will want to return home during, or after, NRM support and there are concerns that risk assessments carried out are not well done. **I will be working with partners both in the UK and in the countries of origin to identify and promote best practice in the safe and voluntary return of victims.**

In 2019 the SCA was created for all NRM decision-making and new independent multi-agency assurance panels will quality assure all negative decisions. A new digital system to simplify referral and enable better analysis is being introduced. **These are positive developments and I will be monitoring their impact on the timeliness of decisions and on the confidence of victims.**

### Taking a longer term view

1.4.1 There is good evidence<sup>14</sup> that in the longer term victims who have received a positive conclusive grounds decision from the NRM can be at risk of homelessness, destitution, re-traumatisation and re-trafficking. Some survivors are not able to access the healthcare, housing, employment, language classes or financial support which they need to re-build their lives and are drawn back into exploitative or abusive situations. There are currently six local authority pilots to identify and test possible solutions for transition to local services after government-funded support. **I hope that this work will identify good practice to ensure that survivors in the UK are protected in the longer term.**

1.4.2 Concern is also expressed by NGOs and charities that victims who have received positive conclusive grounds can wait for years for decisions on their asylum claims and that negative asylum decisions send survivors back in to high risk situations. **I will encourage the Home Office to provide more information on these decisions to properly inform the debate.**

1.4.3 There is little data on longer term outcomes although the Salvation Army asks clients to provide information on their destination upon leaving the safe house. According to the latest report based on those who entered care between July 2018 and June 2019<sup>15</sup>, 1,288 individuals moved-on from the support provided by The Salvation Army.

No. of Victims	Exit from the service
475	moved into the Asylum Support Service
220	settled in private accommodation
241	moved in with family and friends
96	moved into mainstream or supported accommodation with NGOs or local authorities
70	chose to return to their country of origin
114	absconded and went missing during the care (predominantly Chinese and Vietnamese nationals)
56	not secured any accommodation and were placed or referred to the homelessness services

1.4.4 In addition to psychological and physical support survivors need economic opportunities. Many victims have been lured into trafficking by false promises of work, their experiences have been of exploitation or slavery and so access to employment is central to their recovery. The Co-Op with its partners is leading the way through its Bright Future programme which provides paid work to modern slavery survivors<sup>16</sup>. HSBC is also helping survivors to open accounts where their banking profiles have been corrupted by traffickers. **I will promote and encourage these initiatives and others like it.**

1.4.5 There is continuing concern amongst organisations which support victims about the availability and quality of legal advice for victims and survivors. The Independent Review of the Modern Slavery Act made several recommendations on victims' access to legal aid to ensure they have access to their legal entitlements, including to pursue compensation. **I will**

**work with partners to assess the extent of this problem and what actions can be taken to address it.**

**1.4.6 Overall, I will support studies and research into victims' experiences and will particularly encourage the voice of survivors in that work.**

#### **Improving the support to child victims**

1.5.1 The number of child victims of modern slavery referred to the NRM is continuing to grow and it is vital that they receive appropriate support and protection. Local authorities have responsibility for child victims and are supported in some areas by Independent Child Trafficking Guardians (ICTG) who act in the child's best interest and supports them with each step of recovery. The ICTG support in England and Wales has been independently evaluated and the results were encouraging. It is vital that it is now implemented across the country. **I will ensure that my work on child victims looks at both how the current system is working and whether, in future, decision making about children could be improved if it was done locally.**

## Priority 2: Supporting law enforcement and prosecutions

2.1.1 In 2018, 4,577 offences of modern slavery were recorded by police across the UK, a 45% increase compared with the previous year. There is better awareness and understanding with more potential victims being identified and protected. With support from the Modern Slavery Police Transformation Programme, improvement across policing has been achieved since 2017. For example, in December 2016 there were 188 live police operations and there are currently<sup>a</sup> 1,479<sup>17</sup>.

2.1.2 This increased operational activity is particularly challenging for police forces. They need to ensure that intelligence is developed, and cases are investigated by officers who have the relevant skills, expertise and access to specialist capabilities. The challenge of increasing complexity and shortage of specialist skills applies across policing but modern slavery is further affected by the organised nature of slavery and trafficking<sup>18</sup>. The movement across force and international boundaries presents a challenge for investigators accustomed to operating within police force geographical boundaries.

2.1.3 Modern slavery investigations are frequently the isolated efforts of well-motivated and tenacious individuals who use informal networks to negotiate their way through the police system. The policing response to modern slavery needs to adopt the methods, resources and tactics ordinarily deployed when effectively responding to other serious and organised crime threats. We need to adopt an intelligent whole system approach which supports investigations from the local to the regional to the national and beyond. I have noted that Northern Ireland has a specialist modern slavery and human trafficking unit.

2.1.4 The rate of prosecution for modern slavery has also increased but at a lower rate than the uplift in police operational activity. The Crown Prosecution Service cite the length and complexity of the investigations and the reduction in law enforcement resources available as the two greatest challenges to increasing prosecution rates.

### Coordinating the whole system

2.2.1 The significant increase in modern slavery crimes recorded and the limited resource available is resulting in an increasing number of cases remaining open and under investigation. The risk is that cases are not investigated effectively and are filed with little or no action taken. Given the hidden nature and under reporting of modern slavery, it is important when law enforcement agencies are given the information to take action, they do so. HMICFRS last inspected the policing response to modern slavery in 2017, an inspection limited to ten police forces, resulting in the publication of eleven recommendations<sup>19</sup>. **I will work in partnership with HMICFRS to encourage assessment of the effectiveness of the law enforcement response.**

2.2.2 The National Crime Agency (NCA) assesses that most modern slavery and human trafficking is almost certainly driven by organised crime, with most of the organised crime groups loosely networked and of low sophistication, and the more sophisticated groups highly likely to engage in slavery and trafficking alongside other crime, including financial and immigration crime<sup>18</sup>. However, only 8% of all live police modern slavery cases are

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<sup>a</sup> July 2019

assessed as serious and organised crime<sup>17</sup> and therefore many are not attracting the additional capabilities available such as financial investigators or support from the Regional Organised Crime Units or NCA. Too many allegations of modern slavery are investigated in isolation and fail to identify the traffickers. For example; there are 20,000 hand car washes in this country – many are run as profitable businesses by organised crime groups<sup>20</sup>. Police forces and the Gangmasters and Labour Abuse Authority (GLAA) have visited many to identify potential victims but how many of these visits have dismantled or even disrupted organised crime groups? **I will encourage the use of existing serious and organised crime risk assessment and tasking structures to ensure a response at an appropriate level.**

2.2.3 Modern slavery is a trade in people, where human beings are the commodity and can be used and sold over and over again, generating significant profit<sup>21</sup>. In 2017, the International Labour Organization estimated that slavery generates US\$150bn in profits every year<sup>22</sup>. However, since the introduction of the Modern Slavery Act in 2015 there have been only 26 compensation and reparation orders<sup>b 23</sup>. **I will encourage a much greater use of financial investigation and explore opportunities to partner with financial institutions in order to dismantle the organised crime groups responsible for so much trafficking.**

2.2.4 The NCA's recent National Strategic Assessment clearly focuses on the identification and disruption of high-harm criminals who exploit the vulnerable through exploitation, trafficking and abuse<sup>18</sup>. The Agency has a key role to play in tackling the highly sophisticated organised crime groups and providing leadership and specialist support to police forces.

2.2.5 However, most modern slavery cases are investigated at a local level despite the crime crossing force and national boundaries. Cooperation and coordination between police forces and partnership agencies is essential to gather evidence, prosecute offenders and safeguard potential victims. There is no framework in place to support a consistent coordinated operational response across the 43 police forces in England and Wales. Cooperation takes place informally, but only where relationships are successfully negotiated between investigators across force boundaries.

2.2.6 The Modern Slavery Police Transformation Programme and National County Lines Coordination Centre have endeavoured to join up the system in England and Wales, providing a patch over the organisational gaps by developing networks and relationships. Neither provide a sustainable long term solution. Successful investigations should not be reliant on individuals working around an ineffective system and siloed short term funding. We must achieve a coordinated whole system approach to enable effective modern slavery investigations at all levels. **I will take every opportunity to argue for effective national coordination.**

2.2.7 The GLAA has an essential role to play in preventing and tackling the spectrum of exploitation in the labour market, ranging from abusive practices to modern slavery and human trafficking. They are currently leading 52 live modern slavery operations across a variety of industries including fruit picking, food processing, construction, agriculture and hand car washes<sup>17</sup>. **I will collaborate with the GLAA to develop opportunities for joint work on prevention and enforcement.**

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<sup>b</sup> Compensation orders are per defendant not per victim, data at August 2019

## Increasing prosecutions

2.3.1 There were more people prosecuted for modern slavery<sup>c</sup> in England and Wales in 2018 compared to 2017, up from 265 to 294. The numbers of defendants prosecuted and convicted in England and Wales in 2018 also increased from 180 to 191<sup>24</sup>. Despite this increase, prosecution rates for modern slavery have not kept pace with the uplift in law enforcement operational activity.

2.3.2 Modern slavery is a complex crime which requires police engagement with the CPS at an early stage of the investigation for advice and guidance. In 2018 only 7%<sup>25</sup> of all recorded modern slavery crime was referred to the CPS for early advice. A growing number of investigations remain open, with cases taking on average three years to completion, a doubling of the time taken in 2015. The recent successful prosecution of an organised crime group who had trafficked vulnerable men took five years<sup>d</sup>. While some of this may be caused by resourcing challenges in the criminal justice system it is vital that the police and CPS work together to identify barriers to prosecution and share good practice.

2.3.3 There have been recent successes in using the offence of trafficking in the Modern Slavery Act in cases where children have been exploited within county lines drugs supply. This use of the legislation can deter and dissuade gangs from exploiting children in the future as well as sending the strongest message about an abhorrent crime. It also enables prosecutors to apply for prevention orders under the Modern Slavery Act which can restrict perpetrator activity on their release from prison.

2.3.4 In order to come to an independent view about the level of prosecutions I will need to have reliable information which harmonises information from police and CPS. **I will work together with the Crown Prosecution Service and police to encourage better data sets which help us to understand the overall effectiveness of the law enforcement and prosecutorial response.**

2.3.5 As with other offences involving traumatised victims it is possible for prosecutions to proceed without the need for victims to give evidence. However, it appears that it is difficult for the courts to appreciate the gravity of the offending without the victim and in some cases this is reflected in the sentencing for substantive offences. The Modern Slavery Act increased the maximum penalty from 14 years to life imprisonment, however even in the most horrendous examples of human degradation sentences have been much lower. If sentences for trafficking in human beings are consistently lower than for trafficking in drugs, then we will not deter this exploitation of our fellow human beings. **I will contribute to the Sentencing Council development of sentencing guidelines and seek to ensure that effective sentences are not disproportionately reliant upon the presence of victim evidence.**

## Protecting victims of trafficking

2.4.1 The Modern Slavery Act established a statutory defence<sup>e</sup> to protect victims who have committed criminal offences as a direct result of their exploitation. There are cases where victims have not used this defence and been imprisoned<sup>26</sup> and there are cases where criminals have attempted to abuse this defence. There is little clarity about the use of this

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<sup>c</sup> Prosecutions where there was a flag for modern slavery

<sup>d</sup> West Midlands Police 'Operation Fort'

<sup>e</sup> s.8 Human Trafficking and Exploitation (Scotland) Act 2015 applies the Lord Advocate's instructions on prosecution of victims of offences in Scotland and in Northern Ireland s.22 The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act applies

defence which makes it harder to know that victims are being protected and the system is being protected from those who seek to abuse the defence. **I will work with criminal justice agencies to gain a better understanding of what is happening on the ground.**

2.4.2 The Independent Reviewers recommended the relationship between the criminal justice system and the NRM to be clarified by guidance. I agree. The impact this matter is having within judicial proceedings is significant, particularly where defendants are raising the statutory defence. Case law<sup>27</sup> requires courts to adjourn cases for a NRM referral to be made and the SCA to decide whether the person is a victim of trafficking, or not. The NRM was not designed to play this role in the criminal justice process and I am concerned about the weight that is being placed on the decision of a case worker. **I support the need for the relationship between the criminal justice system and the National Referral Mechanism decision to be clarified.**

### **Equipping professionals**

2.5.1 Caroline Haughey's 2016 Review of the Modern Slavery Act<sup>28</sup> highlighted inconsistency in the police response to modern slavery, gaps within the College of Policing Authorised Professional Practice and guidance, and a lack of accredited training material. The issue of limited training and awareness of modern slavery provisions amongst those in the criminal justice system frequently arose in the evidence submitted to the Independent Review. In response, the government has committed to working with the relevant criminal justice agencies to improve training, awareness and consistency between agencies. **I will support efforts across the criminal justice system to train and educate professionals.**

2.5.2 The Modern Slavery Police Transformation Programme has designed guidance, training products and delivered training to thousands of officers and staff since 2017. In future the College of Policing must ensure that appropriate guidance is maintained and promulgated, and that modern slavery training content is present across the curriculum. **I will work closely with the National Policing Lead and the College of Policing to seek assurance and provide scrutiny on the provision of guidance, training standards and the delivery of training.**

## Priority 3: Focusing on prevention

3.1.1 Rescuing victims and prosecuting traffickers need to be matched by a determined focus on preventing slavery and trafficking. According to the Global Slavery Index there are 16 million victims of forced labour in the private sector world-wide and many goods or services sold by companies are produced by workers who are subject to the most severe exploitation<sup>29</sup>. Some business leaders have grasped the issue and are open about tackling the challenges in their own organisations and supply chains; others have not.

3.1.2 The United Kingdom jointly launched the 'Principles to Combat Human Trafficking in Global Supply Chains' at the UN General Assembly in 2018<sup>30</sup>. The principles focus on government procurement, private sector supply chains and international harmonisation. The strategy is in place, the challenge is one of delivery. Success in this area will require businesses and governments to take the issue seriously but it is essential that the whole of society plays its part.

3.1.3 International development has a role in helping to build resilient communities so that people can provide for their families without the need to travel thousands of miles and in doing so make themselves vulnerable to the traffickers. Government support has also been provided to improve co-operation and the operational response in key source countries and to build partnerships to drive down slavery where it is most prevalent. While the focus of my role is on the UK I will encourage the critical evaluation of this international preventative work.

### Working with the private sector

3.2.1 The Modern Slavery Act strengthened the safeguards against modern slavery occurring in private sector supply chains. The requirement under section 54 of the Act for all eligible companies with a turnover of more than £36m to report on the action they are taking to tackle modern slavery in their supply chains and agree a statement annually was, at the time, the toughest legislation and the first in the world. However recent reports have suggested that compliance remains a significant issue and has raised the question of impact of the statements on cleaning up supply chains<sup>31</sup>.

3.2.2 The government's intention was that investors, customers and public pressure would drive compliance with the legislation, creating a race to the top. However, official estimates suggest that only 75% of companies, that fall within the scope, have published a statement as required<sup>23</sup>. The Walk Free Foundation suggested that compliance, with the minimum legal requirements, was only 26% based on a study of 400 companies which were selected based upon the location of their headquarters in twelve G20 countries<sup>32</sup>. The Business and Human Rights Resource Centre website suggests that only 23% of 7,431 companies<sup>f</sup> are currently compliant with the minimal legal requirements<sup>33</sup>.

3.2.3 Such low levels of compliance are a cause for concern. In October 2018 the Home Office wrote directly to the chief executives of 17,000 businesses with clear instructions about reporting. To date 4000 organisations have registered on the modern slavery contact database to receive updated guidance. The letter also set out the plan to audit for non-compliance after March 2019 and to publish a list of non-compliant companies. **This audit is important and I will be monitoring its progress and the results produced.**

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<sup>f</sup> August 2019



3.2.4 The second Sancroft and Tussell edition of, 'Eliminating Modern Slavery in Public Procurement'<sup>34</sup> examined the modern slavery reporting of central government's top 100 suppliers. The report revealed that almost a third of the modern slavery statements did not comply with the minimum legal requirements. Three companies had no statement at all, only nine companies reported progress in preventing modern slavery over the last year and only a third had plans for the coming year that involved a change in business process. To find such disappointing results in the top suppliers to government does not give confidence that the issue is being taken seriously in government procurement departments.

3.2.5 One of the barriers to driving compliance has been the lack of a central government registry. The gender pay gap is supported by the gender pay gap service and has much higher levels of compliance. While the information is arguably much simpler and the sanctions harsher it does appear that the requirement to provide data to government has increased compliance.

3.2.6 There are two NGOs which collate modern slavery statements, the Business and Human Rights Resource Centre and the TISC report. In 2018 the Business and Human Rights Resource Centre published its third annual assessment of FTSE 100 companies<sup>35</sup>. It found that while most companies published generic statements which did not explain what action they were taking there were improvements in basic compliance with the minimum standards. In 2018, 93 companies met the requirement to have the statement signed by a director, approved by the board and available on the company's homepage – this compares with only half of companies in the previous year.

3.2.7 While NGOs play an important role, there is strong support across the sector for the need for the government to establish a central registry to enable improved monitoring of compliance. The recent Independent Review of the Modern Slavery Act set out the need for there to be a registry and the government has responded positively<sup>36</sup>. It is essential that this is developed at pace in order to provide transparency of modern slavery statements.

3.2.8 The Business and Human Rights Resource Centre graded the FTSE 100 companies in 2018; the highest scored 78% and the lowest scored 6%. Having spent some time looking at the statements on the websites of companies I appreciate that quality of the statements varies enormously. The statements are designed to drive continuous improvement and to ensure that companies are looking hard at their business processes and their supply chains. The government agrees with Independent Review's recommendation that my office should play a part in scrutinising the quality of statements<sup>37</sup>. **I will identify and promulgate good practice in partnership with both business and third sector groups.**

3.2.9 There is some evidence that investors are asking more questions about the risks of modern slavery and labour rights abuses in businesses and their supply chains. I have found several organisations that are promoting activity based upon the UN Guiding Principles on Business and Human Rights and **I will develop my role in encouraging good practice in this area.**

3.2.10 Overall, the response from businesses to compliance has been slow and **I will pursue opportunities to raise the profile of the current requirements** through bodies such as the Business Against Slavery Forum, established by the Home Office in 2017, and the practical work of the GLAA. The approach to compliance has been one of encouragement over the last three years and I will continue that approach. The government is consulting on the

introduction of civil penalties for non-compliance and I believe that at some point there will need to be a tougher approach to enforcement.

### Encouraging the role of the public sector

3.3.1 Central government spends about £49b a year on goods and services<sup>38</sup> and the wider public sector spends an additional £200b<sup>39</sup>. Many campaigners were disappointed that the Modern Slavery Act did not extend to public authorities but there is growing acceptance that public sector procurement has an important part to play in the prevention of modern slavery in supply chains. As citizens we do not exercise choice in purchasing decisions made by public authorities, we rely on those in procurement departments to do that for us.

3.3.2 In 2018 Prime Minister Theresa May announced at the G20 meeting that the UK government will voluntarily publish a modern slavery statement in 2019 setting out the steps that it is taking to identify and prevent modern slavery in central government supply chains. The statement will set out what government is doing to address modern slavery in its supply chains, identify the biggest risks and set out a plan of actions and mitigations to be taken over the coming year. More recently the government has announced that from 2020/21 individual ministerial departments will be responsible for publishing their own statements<sup>40</sup>. These statements are important developments and provide an excellent opportunity for government to lead by example.

3.3.3 The Cabinet Office has recently consulted on proposals to embed social value, including preventing modern slavery, into public procurement. This is another opportunity to ensure that government is using all its levers to tackle modern slavery. **I will monitor both the policy response and the implementation of any new arrangements.**

3.3.4 The government also has an important role in providing guidance for commercial and procurement staff. The Welsh Government has published a Code of Practice and toolkit to support businesses develop ethical employment practices and supply chains. Department of Justice in Northern Ireland has been working to promote and embed good practice in public procurement and has supported procurement colleagues to pilot best practice in relation to a number of justice sector contracts. The Cabinet Office, Home Office and Crown Commercial Service have designed a number of tools and guidance documents for public sector buyers. **My office will scrutinise what has been published and assess its effectiveness.**

3.3.5 This is welcome, but it is important that this is not just limited to central government but also local authorities, NHS trusts, Police and Crime Commissioners. I am aware that many local authorities have voluntarily published modern slavery statements with the Local Government Association providing guidance and support to councils wishing to submit a statement. After reviewing a number of statements, I am encouraged to see local authorities beginning to develop their approach in line with the legislation. I have already raised this issue with Police and Crime Commissioners who are enthusiastic about developing the application to policing. **I will work with public authorities to promote modern slavery statements in the broader public sector.**

3.3.6 Concerted international action in this area is vital and **I will be working with transnational organisations such as the Commonwealth Parliamentary Association to encourage and support the adoption of supply chain legislation across the globe.**

## Raising public awareness

3.4.1 When William Wilberforce was fighting to outlaw the slave trade, the abuse was taking place in plain sight, slave owners were well-known wealthy people and the trade in slaves was highly visible. Today, slavery is illegal, the goods and services produced by long and complex supply chains – it is hidden in plain sight. The government envisaged that the public would put pressure on businesses to end labour exploitation but there is little evidence of this happening. Progress tends to be made in the wake of scandals that threaten reputational damage.

3.4.2 Significant public pressure about the environmental cost of businesses is changing the way they operate. However, the social cost of business is less understood. Recent research by Royal Holloway, University of Glasgow and University of Melbourne found that consumers believed that slavery took place in other countries, that responsibility for fixing any problems rested with governments or business and that there was, in effect, no recognised label for slave-free goods<sup>41</sup>.

3.4.3 Technology has the potential to be valuable in equipping and informing consumers. For example, the car wash business is an area of high risk<sup>42</sup>. The Clewer Initiative has developed a crowd-sourcing app which enables the public to report concerns about exploitation in car washes. Similarly, Unseen and Stop the Traffik have developed apps for the public to report general concerns about modern slavery and human trafficking. These are all good initiatives and **I will encourage the greater use of technology.**

3.4.4 High profile prosecutions also provide an opportunity to raise awareness of the issue with the general public. Operation Fort investigated the exploitation of at least 92 victims by a Polish organised crime group and resulted in the convictions of eight traffickers. The victims were making sheds and fences that are supplied to well-known retailers and were picking vegetables at a farm which supplies a company contracted to many high street names. This case and others illustrate the fact that labour exploitation is not just happening thousands of miles away but is hidden in plain sight in this country. **I will look to encourage and partner campaigns which seek to raise the profile and understanding of all kinds of modern slavery and human trafficking.**

## Preventing victimisation

3.5.1 Our understanding of the issues which make individuals vulnerable to trafficking both in the UK and countries such as Vietnam, Albania and Nigeria is improving<sup>43</sup>. It is vital that research is undertaken to understand better what makes people vulnerable in the first place and then build resilience in countries of origin. Recent studies<sup>44</sup> have also shown that the homeless are highly vulnerable to trafficking and are being targeted by criminals. My office has previously developed strong partnerships with the homelessness sector<sup>45</sup> and **I will continue this work.**

## Priority 4: Getting value from research and innovation

4.1.1 There is considerable research taking place across higher education, NGOs, charities and other parts of civil society. The Policy and Evidence Centre for Modern Slavery and Human Rights is an important and welcome development. However, it is essential that all this good work informs both policy and practice to ensure that there is a relentless focus on what works.

4.1.2 At a local level, frontline staff and first responders often know what works to support victims at a practical level and they should be encouraged to evaluate their work and share their insights. At the strategic level, there is a growing volume of academic research examining the enabling factors for human trafficking and more evaluation of the effectiveness of interventions to build resilience in countries of origin. These insights should inform policy to increase its effectiveness. **I will encourage research that improves the evidence base on modern slavery, using my convening power as Commissioner to help bridge the gap between research, policy and practice.**

### Defining the scale of the problem

4.2.1 The government estimated the number of potential victims as 10,000 to 13,000 in 2013<sup>21</sup>. More recently the Global Slavery Index, using a different methodology suggested that there were 136,000 victims of slavery in the UK in 2018<sup>1</sup>. Such a difference in estimates undermines the ability of government to deliver an appropriate response. The lack of clarity about prevalence also impacts upon estimates of the cost of modern slavery to the UK.

4.2.2 Research by the Home Office in 2018 estimated the cost of modern slavery in the UK to be between £3.3bn and £4.3bn, which considers the costs to potential victims and scales this up to the estimate of all victims (10,000-13,000)<sup>46</sup>. A recent study looked not only at the cost of slavery but also evaluated the relationship between cost and benefit of providing victims with longer periods of support<sup>47</sup>. The work suggests that providing support for victims for longer may ultimately prevent their re-exploitation and reduce costs in the UK. **I will encourage research by the Home Office to reassess the prevalence of modern slavery in the UK to ensure that policy and practice is informed by more accurate data.**

### Developing strategic partnerships

4.3.1 My Office has little ability to commission or carry out research and so I will identify opportunities to work in partnership with the broadest range of organisations. For example, I will be hosting a researcher from UK Research and Innovation's (UKRI) Gateway to Research scheme who will look at the current research picture and its impact on policy.

4.3.2 Building on the work of my predecessor, I will continue to support the innovative projects of the University of Nottingham's Rights Lab. **I will also seek to develop new partnerships with universities, research institutions and consortia. I hope to develop several initiatives in partnership with NGOs, civil society and others such as the Victims' Commissioner for England and Wales.**

4.3.3 The new Policy and Evidence Centre for Modern Slavery and Human Rights will bring together researchers, policy makers and public bodies, NGOs, businesses and victims to provide new insight and analysis on the causes and consequences of modern slavery<sup>48</sup>. **I will**

**be an active member of the Centre’s advisory board and will promote the use of their research findings to inform policy.**

### **Defining research priorities**

4.4.1 The Home Office published seven research priorities in 2018<sup>9</sup> and encouraged a diverse range of partnerships and collaborations. Within this research strategy was a helpful outline of the research questions. However, it is unclear how this strategy is to be delivered **and I will use my convening powers to promulgate this as a framework.**

4.4.2 The Independent Review of the Modern Slavery Act recommended I commission research into how consumer attitudes to modern slavery can be influenced. A study by Royal Holloway University, University of Glasgow and University of Melbourne illustrated low levels of awareness and a lack of consumer research<sup>41</sup>. **I will pursue opportunities to work in partnership with academics, business and civil society to carry out such research.**

4.4.3 The Universities of St Andrews and Edinburgh are bringing together researchers to form a consortium of anti-trafficking research in Scotland (CATRiS)<sup>49</sup>. CATRiS was established to connect researchers in Scotland not only with each other but also with frontline operational practitioners and to make connections across disciplines. The Scottish Government has been instrumental in facilitating their efforts. **I hope that my office can support and learn from this collaborative initiative.**

4.4.4 In my first few months the sharing of data has been repeatedly raised with me. There are concerns about lack of transparency in government data but also a frustration that many organisations hold a different piece of the jigsaw and rarely do we see the overall picture. **I will explore the extent to which my website can be used to publish data sets and will work with the Home Office, National Crime Agency and Crown Prosecution Service to publish more data in a way that is accessible to the public.**

4.4.5 The potential to use data analytics to provide insight from the substantial data sets that are held has also been raised repeatedly. For example, data analytics could be used on financial data sets to identify the flows of money and other suspicious activity resulting from human trafficking. **I will seek opportunities to develop future work in this emerging area.**

### **Maximising government investment**

4.5.1 There has been a considerable increase in the amount of money spent internationally to combat modern slavery and human trafficking through the Department for International Development. To date, the UK Government has committed a total of £200 million in UK aid to combat modern slavery<sup>50</sup> and this trend has not slowed with £10 million committed in June 2019 to reduce exploitation of children in agricultural industries in Africa.

4.5.2 Monitoring and evaluation programmes assess the multitude of UK Government-funded schemes. For example, DFID commissioned an evidence map led by academics on modern slavery interventions in South Asia, drawing together studies to understand what works to reduce the prevalence of modern slavery<sup>51</sup>. **It is vital that such studies and programmes are carried out independent of government, are adequately resourced, and are implemented.**

# The Role of the Independent Anti-Slavery Commissioner

Part 4 of the Modern Slavery Act 2015 created the role of the Independent Anti-Slavery Commissioner. The Commissioner has a UK-wide remit to encourage good practice in the prevention, detection, investigation and prosecution of slavery and human trafficking offences and the identification of victims.

Dame Sara Thornton was appointed as the Independent Anti-Slavery Commissioner by the Secretary of State following consultation with the Scottish Ministers and the Department of Justice in Northern Ireland. She took up post at the beginning of May 2019 and her appointment is for three years.

The Commissioner is given an annual budget with which to appoint staff and carry out her duties. She is accountable through her strategic plan and annual reports, which the Secretary of State lays before Parliament, setting out the extent to which objectives and priorities are achieved. The Commissioner will publish her expenses and all Freedom of Information requests she receives.

To carry out her function the Commissioner can:

- make a report on any permitted matter to the Secretary of State, the Scottish Ministers and the Department of Justice in Northern Ireland (reports must be requested by the Secretary of State, the Scottish Ministers or the Department of Justice in Northern Ireland; or be as detailed in this strategy)
- publish reports (as laid out in the Act)
- make recommendations to any public authority about the exercise of its functions
- undertake or support the carrying out of research
- provide information, education or training
- consult and co-operate with public authorities, voluntary organisations and other persons

In this document, her strategic plan, the Commissioner has stated the objectives and priorities for the period 2019-2021 and identified matters on which she proposes to report. She has outlined activities that she proposes to undertake in pursuit of her functions as Anti-Slavery Commissioner. The Commissioner will produce an annual report, after the end of the financial year, on the exercise of the Commissioner's functions during the year.

Public authorities have a duty to co-operate with the Commissioner, share data with her and comply with requests (to the extent specified in the Act).

The Commissioner does not exercise any function in relation to individual cases save to draw conclusions for the purpose of considering a general issue.

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