



26 June 2020

Victoria Atkins MP
Parliamentary Under Secretary of State (Minister for Safeguarding)
Home Office
2 Marsham Street
London
SW1P 4DF

Dear Minister,

We write to you following the Public Bill Committee evidence session for the Domestic Abuse Bill held on the 4 June 2020. During this session, you asked Southall Black Sisters to confirm ‘the number of women who were not eligible for support under the Destitution Domestic Violence Concession (DDVC) who could have sought help from other sources of government support, for example the National Referral Mechanism (NRM) having been trafficked’¹.

The NRM is the UK’s framework for identifying and supporting potential victims of modern slavery and human trafficking (MSHT). It was established in 2009 to enable the UK Government to meet its obligations under the 2005 Council of Europe Convention on Action against Human Trafficking (ECAT). The UN Palermo Protocol and Article 4 of ECAT define trafficking as involving three key components: a) the recruitment, transportation, transfer, harbouring or receipt of person; b) using the means of threat, use of force, coercion, deception, abuse of power or vulnerability; c) for the purpose of sexual exploitation, forced labour, domestic servitude, slavery or the removal of organs.

Following the introduction of the Modern Slavery Act on the 31 July 2015, the provisions of the NRM were extended in England and Wales to all potential victims of human trafficking, as well as slavery, servitude, forced and compulsory labour. In Northern Ireland this support was extended to all potential victims from March 2016 and in Scotland from April 2018.

Once a potential victim is referred into the NRM and receives a positive reasonable grounds decision, they are entitled to a reflection and recovery period for a minimum of 90 days whilst the Home Office Single Competent Authority make a conclusive grounds decision on their case. During this time victims will receive specialist support which may include access to short-term Government funded support through the Victim Care Contract (including safe accommodation, outreach support and financial subsistence) or support to return to a home country. Once the conclusive grounds decision has been made, for those with a positive decision, a Recovery Needs Assessment will take place to establish their ongoing support needs and begin their transition out of the NRM.

Unless an individual meets the definitions of slavery, servitude, forced and compulsory labour or human trafficking, it would therefore be inappropriate for them to be referred into the NRM. We recognise however that there may be a number of those identified as victims of domestic abuse who are also victims of MSHT. In such circumstances, careful consideration should be given on a case by case basis to determine whether a referral into the NRM would be an appropriate pathway of support.

¹ UK Parliament (04.06.20) [Domestic Abuse Bill Public Bill Committee \(First sitting\)](#)

As you are aware, the NRM system is already under significant pressure, therefore we were concerned to hear the suggestion that it could be an alternative route of support for survivors of domestic abuse with no recourse to public funds (NRPF) during the Public Bill Committee evidence session. In addition, despite some overlaps in the vulnerabilities experienced by both survivors of domestic abuse and modern slavery, it is our strong view that both groups have specific support needs that are best met by those organisations providing specialist support. There are several organisations nationally who provide support for both survivors of modern slavery and domestic abuse (for example Hestia and Black Country Women's Aid) but operate two distinct and separate services in recognition of these differential support needs.

We fully appreciate the challenges in safeguarding vulnerable migrants with NRPF, however urge the Government not to use the already fragile NRM as a means to address this gap in provision.

We look forward to receiving your response. In the interests of transparency, we request that you respond in a way that enables us to publish your letter on our websites.

Yours sincerely,



Dame Sara Thornton DBE QPM
UK Independent Anti-Slavery Commissioner



Dame Vera Baird QC
Victims' Commissioner for E&W



Nicole Jacobs
Domestic Abuse Commissioner for E&W

CC: Southall Black Sisters