

22 July 2021

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

Dear Minister,

### **Asylum decision times for potential victims of modern slavery**

Since my appointment I have been increasingly concerned about the length of time people are waiting for NRM decisions. I have heard directly from survivors about the impact of this and raised my concerns directly with Home Office ministers and officials on a number of occasions. The average (median) waiting time for a Conclusive Grounds NRM decision is now over 400 days<sup>1</sup> and many people will also be waiting for asylum decisions.

The interaction between the NRM and asylum systems is complex. The Modern Slavery Statutory Guidance stipulates that immigration teams should consider any outstanding immigration cases, such as an outstanding asylum application, following a negative Reasonable Grounds decision or any Conclusive Grounds decision.<sup>2</sup> In reality, however, I understand that the process is not entirely linear.

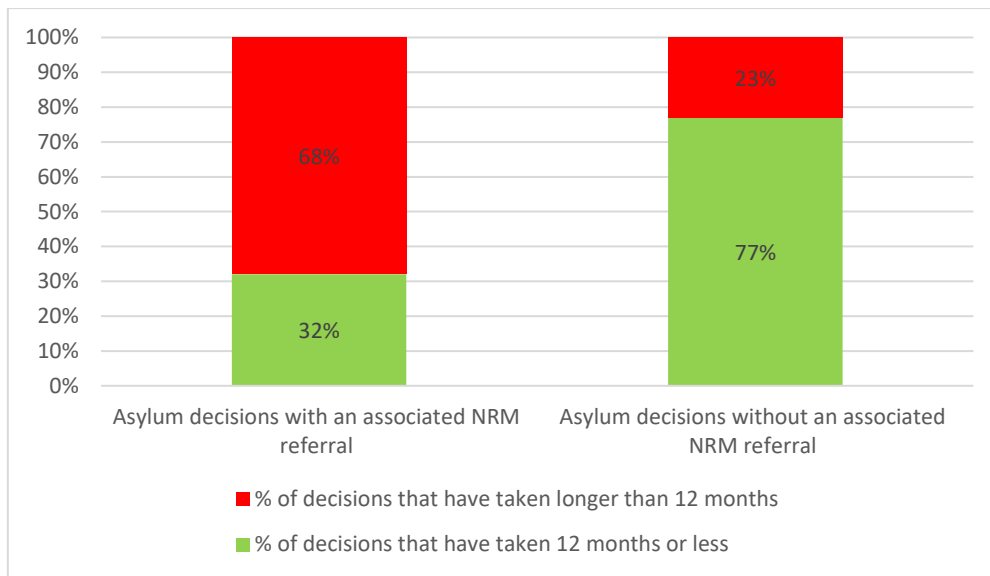
Over the past year I have sought to understand whether those in the NRM are more likely to wait extended periods for an asylum decision than those who are not in the NRM. The Home Office has provided me with data on the proportion of asylum decisions taking longer than 12 months for asylum decisions made during 2018 and 2019. My office has also consulted Sir Bernard Silverman, Professor of Modern Slavery Statistics at the University of Nottingham's Rights Lab.

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<sup>1</sup> Home Office (2021) National Referral Mechanism and Duty to Notify Statistics: end of year summary 2020: [National Referral Mechanism statistics - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/95422/nrm-statistics-2020.pdf). As noted there, this figure is for decisions actually taken, and does not include any backlog of outstanding cases.

<sup>2</sup> Home Office (2021) Modern Slavery Statutory Guidance: [Modern Slavery: Statutory Guidance for England and Wales \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/95422/modern-slavery-statutory-guidance-for-england-and-wales.pdf)

**Figure 1: Proportion of asylum decisions made during 2018 and 2019 that have taken longer than 12 months vs 12 months or less**



From the data provided, I have been able to draw the following key conclusion:

**Considering cases resolved in 2018 and 2019, asylum decisions with an associated NRM referral are seven times more likely to have taken longer than 12 months than asylum decisions without an associated NRM referral.**

Whilst this does not take into account those cases where decisions are still outstanding, it is a stark indication of the situation faced by many potential victims of modern slavery. Cases with an NRM referral make up a relatively small proportion of overall decisions. Concentrating efforts on streamlining the process for this small but particularly vulnerable group would have real benefits.

**Table 1: Number of asylum decisions made during 2018 and 2019 having taken longer than 12 months vs less than 12 months**

	Asylum decisions having taken longer than 12 months	Asylum decisions having taken 12 months or less	Total
Asylum decisions with an associated NRM referral	2,828	1,353	4,181
Asylum decisions without an associated NRM referral	10,371	35,264	45,635
<b>All asylum decisions</b>	<b>13,199</b>	<b>36,617</b>	<b>49,816</b>

The data show that the odds of having taken less than 12 months as opposed to more are about 3.5 for non-NRM cases but less than 0.5 for NRM cases. Non-NRM cases are over seven times more likely to have been resolved within 12 months.

In light of this I request that the Home Office examines these processes to ensure victims of modern slavery are not in this insidious position. It is exacerbated further by the fact that they are unable to work whilst awaiting NRM and asylum decisions. The evidence is clear that not working has a lasting impact. Unemployment is one of the most important factors affecting individual wellbeing, and there is strong evidence that the longer the time unemployed, the worse the effect.<sup>3</sup>

I look forward to receiving your response.

Yours sincerely,



**Independent Anti-Slavery Commissioner**

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<sup>3</sup> Wellbeing survey. (2017). Collated data from 99 studies. Available at: [https:// whatworkswellbeing.org/wp-content/uploads/2020/02/unemployment-reemploymentwellbeing-briefing-march-2017-v3.pdf](https://whatworkswellbeing.org/wp-content/uploads/2020/02/unemployment-reemploymentwellbeing-briefing-march-2017-v3.pdf).