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Event History

**Policy owned by Investigative Services
Modern Slavery and Human Trafficking****1. Policy Purpose and key drivers****Introduction**

Modern slavery concerns the exploitation of people who are coerced, deceived, forced into, or expected to accept, a life of abuse, servitude, inhumane and degrading treatment.

People who become victims of modern slavery are exploited for many reasons including sex, labour, organ donation, domestic servitude, financial benefit to the exploiter, and other criminal purposes. They may become victims through circumstance or association, and are vulnerable. For the exploiters, modern slavery is a means of financial gain, and of exerting power and control over another human being who is used as a commodity. It is a profitable method of criminal activity for organised crime groups. Victims are often paid less than the minimum wage but do not recognise that they are exploited because the sum is more than they would otherwise be paid in their home country.

Human trafficking - this involves moving a person, however short the journey, to somewhere where they can be exploited for the sake of the traffickers' profits. Someone becomes a victim of trafficking not because of the journey they make but because of the exploitation they experience at the end of that journey. It is irrelevant whether the exploited person, adult or child, consents to the travel.

Slavery - Slavery is described as the status or condition of a person over whom any, or all, of the powers attaching the right of ownership are exercised. In essence, characteristics of ownership and indoctrination need to be present for a state of slavery to exist. This can include bonded labour, child slavery such as child labour and trafficking, early and forced marriage, forced labour, descent-based slavery (a condition ascribed at birth, passing through generations) and trafficking.

Forced labour: Victims are forced to work against their will, often working very long hours for little or no pay in dire conditions under verbal or physical threats of violence to them or their families. Construction, entertainment, farming, food packaging, hospitality, manufacturing, tarmacking and travel, have been found to use forced labour by victims of human trafficking to some extent. There has been a marked increase in reported numbers in recent years. Often large numbers of people are housed in single dwellings and there is evidence of 'hot bunking', where a returning shift takes up the sleeping accommodation of those starting the next shift.

Domestic servitude: Servitude is linked to slavery, but is much broader than slavery. In *Siliadin v France* [2006] 43 EHRR 16, the European Court of Human Rights (ECtHR) reaffirmed that servitude is a 'particularly serious form of denial of freedom'. It includes, in addition to the obligation to provide certain services to another, the

obligation on themselves to live on the other's property and the perceived impossibility of changing his or her status.

i.e. Victims are forced to carry out housework and domestic chores in private households with little or no pay, restricted movement, very limited or no free time and minimal privacy often sleeping where they work.

Child Trafficking: Young people (under 18) are moved either internationally or domestically so they can be exploited.

Debt Bondage: Victims are forced to work to pay off debts that realistically they never will be able to. Low wages and increased debts mean not only that they cannot ever hope to pay off the loan, but the debt may be passed down to their children.

Sexual Exploitation: Victims are forced to perform non-consensual or abusive sexual acts against their will, such as prostitution, escort work and pornography. Whilst women and children make up the majority of victims, men can also be affected. Adults are coerced often under the threat of force, or another penalty.

Criminal Exploitation: Victims often controlled and maltreated, victims are forced into crimes such as cannabis cultivation or pick pocketing against their will.

Organ Harvesting : Involves trafficking people in order to use their internal organs for transplant. The illegal trade is dominated by kidneys, which are in the greatest demand. These are the only major organs that can be wholly transplanted with relatively few risks to the life of the donor.

Modern slavery is an international crime involving a substantial number of source and transit countries. Organised crimes groups (OCGs) systematically exploit large numbers of individuals by forcing and coercing them into a life of abuse and degradation.

Poverty, limited opportunities at home, lack of education, unstable social and political conditions, economic imbalances and war are the key driving forces that contribute to the trafficking of victims into and through the UK

Human Trafficking and People Smuggling

There are important differences between human trafficking and people smuggling. Human trafficking does not include people smuggling, which requires the consent of the person being moved. A smuggled person is, however, a potential victim who may be vulnerable to being trafficked at any point in their journey, and the distinction can be blurred. Perpetrators may smuggle people with the intention of exploiting them, or with the intention of facilitating exploitation. Alternatively, the smuggled can become vulnerable to traffickers upon arrival at their destination and subsequently be exploited and/or harmed. The main difference is the element of exploitation. People being smuggled as illegal migrants have usually consented to being smuggled. Trafficking victims have not consented, or have been tricked into consent.

What happens to each of them at the end of their journey will also be very different.

The relationship between an illegal migrant and a people smuggler is a commercial transaction which ends on completion of the journey . However for people who are trafficked, the purpose of the journey is to put them somewhere where they can be exploited for the sake of the traffickers' profits. The journey is only the beginning .

Someone becomes a victim of trafficking not because of the journey they make but because of the exploitation they experience at the end of that journey . Any consent they give to make the journey in the first place is likely to have been gained fraudulently, for example with the promise of a job or a better standard of living .

The Modern Slavery Act 2015 applies to England and Wales, and includes two substantive offences - human trafficking, and slavery, servitude and forced or compulsory labour.

Modern Slavery and Human Trafficking Unit (MSHTU)

The MSHTU is part of the Organised Crime Command of the National Crime Agency (NCA). It works in a coordinated way within the UK and internationally . Its work to combat human trafficking involves a wide range of partners and stakeholders , protecting the public, targeting the traffickers and reducing the harm caused by human trafficking.

The MSHTU partners include police forces, the Home Office and other government departments, the UK Border Force, the Gangmasters and Labour Abuse Authority (GLAA), international agencies, non-governmental organisations (NGOs) and many charitable and voluntary expert groups .

The role of MSHTU is to advise law enforcement on human traffic investigations and support victims.

When a potential victim of human trafficking is identified MSHTU provides 24 hours a day support to whichever agency is dealing with the case . MSHTU gives advice on how a human trafficking case might play out , set investigative options, explain the risks and the duty of care towards the victims , including best practice for interviewing them and the National Referral Mechanism .

National Referral Mechanism

The National Referral Mechanism (NRM) is a framework for identifying victims of human trafficking and ensuring they receive the appropriate protection and support .

The NRM is also the mechanism through which the MSHTU collects data about victims. This information contributes to building a clearer picture about the scope of human trafficking in the UK.

The NRM process

To be referred to the NRM, potential victims of trafficking must first be referred to

one of the UK's two competent authorities (CAs) - these are MSHTU for Home Office Immigration and Visas (UKVI). The referring authority is known as the 'first responder'.

First responder agencies include:

- Police forces
- UK Border Force
- Home Office Immigration and Visas
- GLAA
- Local Authorities
- Salvation Army

The first responder will complete a referral form to pass the case to the CA. Referral to a CA is voluntary and can happen only if the potential victim gives their permission by signing the referral form. However if the victim is a person under 18 years, their consent is NOT required.

All completed NRM forms are sent to the MSHTU in the first instance. The MSHTU will then determine which CA will deal with the case and will forward the papers if needed. A copy of the completed NRM form must also be forwarded to Staffordshire Police Intelligence Management Unit

The NRM forms, one for adults and one for a child, can be found on the *Staffordshire Police Forms Database - Human Trafficking*.

The NRM grants a minimum 45-day reflection and recovery period for victims of human trafficking in a place of safety, usually arranged through the Salvation Army.

Whenever a referral is made to the NRM there is a mandatory requirement under HOCA for a crime to be recorded.

Victims do not need to make a complaint to the Police to be referred to the NRM .

What if a victim declines the NRM ?

If a victim declines to sign into the NRM they can be referred to support agencies or NGO's e.g. *Hope for Justice* or *International Office for Migration*. These charities and organisations identifies and rescues victims, advocates on their behalf, provides restorative care to rebuild lives as well as providing training to frontline professionals to tackle slavery.

Gangmasters and Labour Abuse Authority (GLAA)

The GLAA is a public body whose remit is to 'work in partnership to protect vulnerable and exploited workers'. GLAA staff have specialist skills in respect of the

identification and investigation of labour exploitation related offences .

The GLAA licensing scheme regulates businesses who provide workers to the fresh produce supply chain and horticulture industry , to make sure they meet the employment standards required by law .

Employment agencies, labour providers or gangmasters who provide workers to the sectors listed below, will need a GLAA licence:

- Agriculture
- Horticulture
- Shellfish gathering
- Any associated processing and packaging

The GLAA is available to use as a free service to support and investigate any criminal enquiries relating to any labour exploitation and to provide expert witness evidence relating to recruitment agencies that may be involved in criminal behaviour , or more likely criminality that has infiltrated supply chains .

Staff can also provide impact statements , assist in building an accurate intelligence assessment of subjects on a national level and engage with other government departments - for example HMRC and DWP. The GLAA assists with the interrogation of computer and telecommunication forensics as well as financial investigation. Some staff within the GLAA are multi-lingual.

The GLAA has its own powers under the Gangmasters (Licensing) Act 2004, which can be used effectively alongside police and partnership action to disrupt crime networks that seek to exert financial and exploitative pressure on poorly paid and vulnerable workers.

Intelligence Gathering

Operation Eagle is the national operation for modern slavery . This operation has been created within the SPIN system . All intelligence in relation to modern slavery should be linked to this operation . This will ensure all related intelligence is collected within one plan.

Reception Centre's Can be set up by the Force SPOCs as required following any large scale investigation .

Vulnerable and Intimidated witnesses .

All potential victims are vulnerable and should, therefore, be interviewed in compliance with *Ministry of Justice (2011) Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures*. In modern slavery investigations, the following should also be considered:

- whether to interview victims immediately. Victims may fear disclosure. They are likely to have been deceived and will need time to recover their physical and mental health, build trust with the police, and free themselves from the psychological control of the perpetrator
- the mode of interview, eg, visual recording, written transcript
- ensure the pace of the interview is sensitive to the victim's physical and mental health
- handle child victims with care to avoid them becoming alarmed or concerned
- explain roles and processes
- use a neutral space
- be aware of the victim's cultural/ethnic/ religious background, the needs this may generate, and the impact this may have on the interview, eg, they may be unwilling to cooperate because they believe that they are under the influence of spiritual practices, such as black magic, witchcraft and juju
- ensure that the interpreter is not affected by a belief in the influence of spiritual practices
- the gender of any interpreter and how comfortable a potential victim may feel disclosing to them. Use female interpreters for female victims
- do not treat potential victims as suspects of an immigration offence at this stage
- ensure a registered intermediary (for children and victims/witnesses with communication difficulties) is considered
- Discuss and make early arrangements for special measures. Victims and witnesses with communication difficulties may need an intermediary to give consent for their referral to the [national referral mechanism \(NRM\)](#) and to complete the form

Assistance and advice is available to support officers and staff requiring interpretation. This includes:

- British Sign Language interpreters
- interpreters from UK Visas and Immigration (UKVI) if others are not suitable
- sourcing accredited interpreters from the area local to where the offence took place should be avoided
- different interpreters should be used for victims and suspects .

Partner Agencies

Gangmasters and Labour Abuse Authority (GLAA)

Telephone: (Intell team) 0115 959 7052

Public confidential hotline 0800 432 0804

Email: intelligence@gla.gsi.gov.uk

Website: <http://www.gla.gov.uk/>

Home Office Command and Control Unit

Telephone: +44 (0)16 1261 1640

This unit conducts checks on foreign nationals .

Home Office Immigration Compliance and Enforcement - Risk and Liaison Overseas Network (RALON)

Telephone: +44 (0)20 3014 8230/+44 (0)16 1261 1640

Email: iic@homeoffice.gsi.gov.uk

RALON operates from over 50 locations worldwide. It works to reduce cross-border crime into the UK, including human trafficking, by detecting and sharing intelligence on potential criminal activity at ports of entry, exit and transit. This information is disseminated to the UKVI and partner law enforcement agencies in the UK and abroad.

Albania, Bahrain, Bangladesh Brazil, China, Colombia, Denmark, Egypt, France, Germany, Ghana, Greece, Hong Kong, India, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Malaysia, Nepal, Netherlands, Nigeria, Oman, Pakistan, Philippines, Poland, Portugal, Qatar, Russia, Saudi Arabia, Serbia, South Africa, Spain, Sri Lanka, Thailand, Turkey, the United Arab Emirates, the USA, Vietnam, Zimbabwe.

National Document Fraud Unit

Telephone: + 44 (0)20 3014 8072

Email: ndfu.dutymanager@homeoffice.gsi.gov.uk

The NDFU provides information on genuine, forged, counterfeit and fantasy documents to law enforcement agencies nationally and overseas.

NCA CEOP Command

Telephone: +44 (0)87 0000 3344

Website:

<http://www.nationalcrimeagency.gov.uk/about-us/what-we-do/child-exploitation-online-protection-ceop>

This operates in the UK and overseas to identify and prosecute online and offline child sex offenders, including those involved in the production, distribution and viewing of [child abuse](#) material.

The Salvation Army

Telephone: +44 (0)30 0303 8151

Email: info@salvationarmy.org.uk

Website: <http://www.salvationarmy.org.uk/human-trafficking>

This charity currently holds the [Adult Human Trafficking Victim Care and Co-ordination contract](#) funded by the UK government, which means that if a potential adult victim of modern slavery is referred into the [NRM](#), The Salvation Army (SA) is contracted to provide them with:

- secure accommodation
- a recovery and reflection period of at least 45 days from the time the SA is contacted to the time the competent authority makes a conclusive grounds decision
- access to health services and treatment, specialist counselling, criminal and immigration-related legal advice, education
- support to contact family and friends
- an exit plan.

Modern Slavery and Human Trafficking Unit

Telephone: +44 (0)84 4778 2406 (24 hr tactical advice support unit)

Fax: +44 (0)87 0496 5534

Email: nrm@nca.x.gsi.gov.uk

Website:

<http://www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-human-trafficking-centre>

This is part of the National Crime Agency and provides the following services :

- competent authority for the national referral mechanism (NRM) and advises on how to complete the NRM form
- tactical operational advisers available 24/7/365 who provide advice on the investigation, pre-planned operations or 'live' advice in retrospective investigations, and victim and witness care
- intelligence development team which develops assessments, and acts as a central trafficking intelligence repository
- partnership engagement on protection and safeguarding nationally and internationally across law enforcement, government, third sector, civil society, private sector and media.

UK Missing Persons Bureau

Telephone: +44 (0)84 5000 5481

Email: missingpersons bureau@nca.pnn.police.uk or

missingpersons bureau@nca.x.gsi.gov.uk

Website: <http://www.missingpersons.police.uk/>

UK Visas and Immigration (UKVI)

Telephone: +44 (0) 113 341 2159

Email: commandandcontrolunit@homeoffice.gsi.gov.uk

Website: <https://www.gov.uk/government/organisations/uk-visas-and-immigration>

Related Documents

Links to related documents:

[Modern Slavery & Human Trafficking - Dealing with potential victims of trafficking \(Procedure\)](#)

[Modern Slavery & Human Trafficking - Lorry Drops \(Procedure\)](#)

[Modern Slavery & Human Trafficking - National Referral Mechanism \(NRM\) \(Procedure\)](#)

[Modern Slavery & Human Trafficking - Process map \(Procedure\)](#)

Gatekeeper - the Author suggested the following Procedure document(s) to link to.

Relevant Dates and Review Period

Effective Date: 21/07/2016

Review Date: 27/09/2018

Review Frequency: Annually

Policy Basis and Implications

2. Legal Basis: The Modern Slavery Act 2015 applies to England and Wales, and includes two substantive offences – human trafficking, and slavery,

servitude and forced or compulsory labour. The GLAA have designated powers under the Gangmasters (Licensing) Act 2004, The Immigration Act 2016 and PACE which can be used effectively alongside police and partnership action to disrupt crime networks that seek to exert financial and exploitative pressure on poorly paid and vulnerable workers. Sexual Offences Act 2003. Police and Criminal Evidence Act 1984. Human Rights Act 1998

3. Management of Police Information (MoPI):

MoPI Policing Purpose:

Protecting Life and Property, Preventing the commission of offences, Bringing offenders to justice, Any duty or responsibility arising from common or statute law

MoPI Review, Retention and Disposal addressed as follows:

Material collected during the investigation of rape and serious sexual offences will be categorised under MOPI Group 1 - Certain Public Protection Matters Review every 10 years and retain until subject 100 years old or MOPI Group 2 - Other Sexual and Violent Offences Review after an initial 10 year clear period. Risk assess subject and if risk of harm is high review after another 10 years

4. Associated Benefits:

To meet the statutory requirement to make arrangements to safeguard children and adults at the risk of being trafficked or exploited into modern slavery. To work effectively with partners to safeguard children and to ensure that information is shared; accurate risk assessments are made and appropriate action is taken. The measurement of success will be fewer cases of modern slavery and human trafficking.

5. Consultation:

Director of Intelligence; Investigation Hub Detective Superintendents;ROCU;Hope for Justice

6. Financial Implications:

Policy implementation will be met through existing funding

7. Human Resources / Training:

All operational police officers and police staff who come into contact with members of the public and who may receive reports from members of the public are required to complete the Modern Slavery NCALT Training package.

8. Associated Policy:

Safeguarding Children
Vulnerable Adults
Vulnerable Victims
Ministry of Justice Vulnerable and Intimidated Witnesses Guide for Police officers

FOI, Human Rights and Equality Impact Assessment Indicators

FOIA:	Release to Public	
ECHR:	Compliant with proportionality test	Articles engaged: Article 2 Right To Life; Article 3 Prohibition of Torture; Article 5 Right to Liberty and Security; Article 7 No Punishment without Law; Article 8 Right to respect for Private and Family life; Article 14 Prohibition of Discrimination
EIA:	Compliant	Compliant with Code of Ethics: Yes

Indexing

Categories: Crime Investigation
Crime Prevention
Protecting Vulnerable People

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