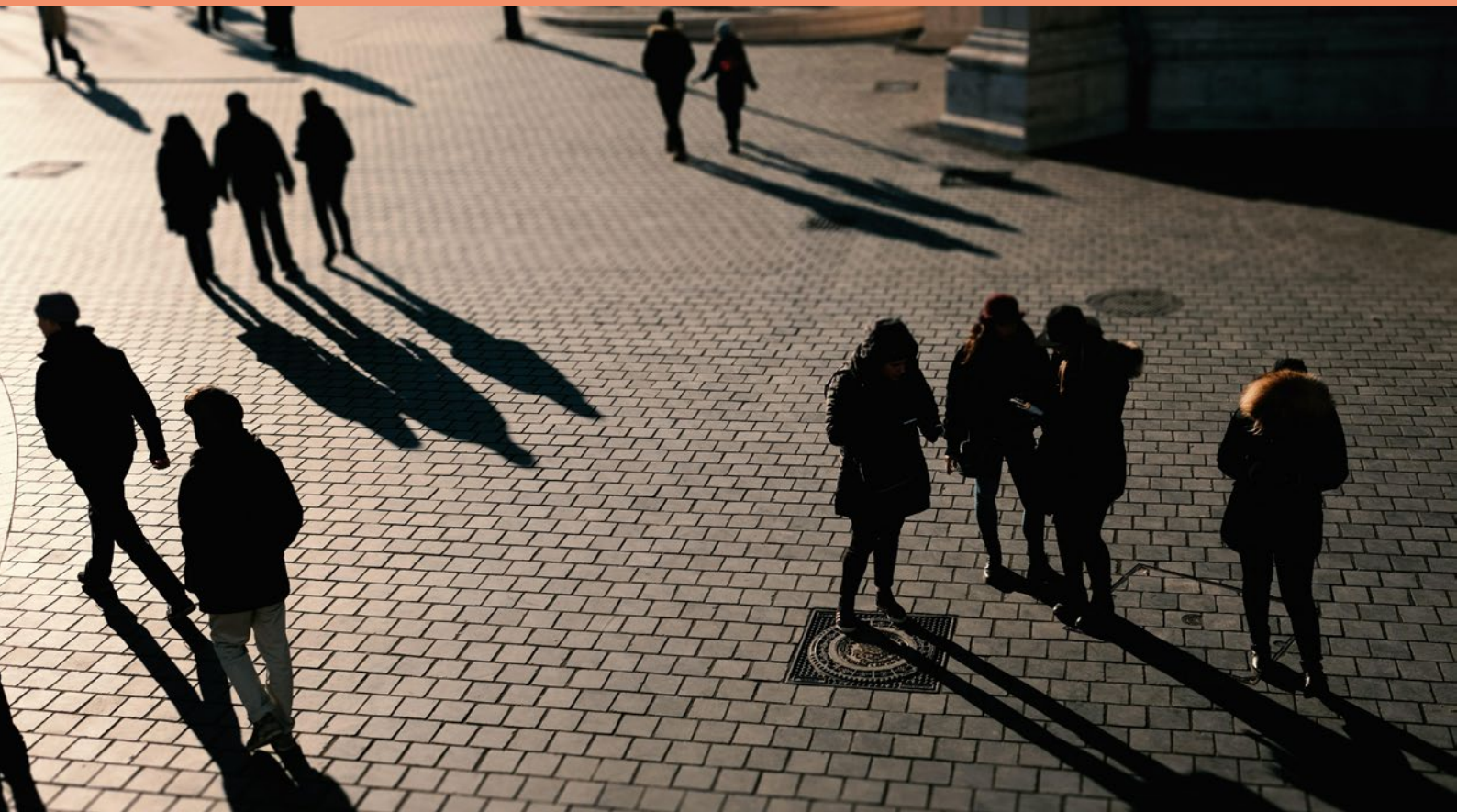


Protecting British nationals from modern slavery

Research Summary

September 2022

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This is a summary of the report: *Identifying Pathways to Support British Victims of Modern Slavery*, a Modern Slavery and Human Rights Policy and Evidence Centre (Modern Slavery PEC) research project, funded by the UK Arts and Humanities Research Council.

The full report can be accessed on the Modern Slavery PEC website at www.modernslaverypec.org/resources/support-british-nationals.

The Modern Slavery PEC has actively supported the production of outputs from this project. In particular, the research team and the Modern Slavery PEC worked closely together to shape the research and its outputs and discuss its policy implications. This Research Summary is a product of this co-working arrangement. However, the views expressed in this summary and the full report are those of the authors and not necessarily of the Modern Slavery PEC.

This project was funded through an open call for proposals to examine support and recovery of survivors of modern slavery in the UK and is one of five projects commissioned through this portfolio.

Findings

1. Prior to and during exploitation, there were multiple missed opportunities by professionals in statutory services to protect vulnerable British nationals and identify them as potential victims¹ of modern slavery. For British nationals who were exploited in criminal activities, criminal justice professionals often treated them as criminals rather than victims.
2. British nationals who are affected by modern slavery often had complex vulnerabilities and needs, which both increased risk of exploitation, and resulted from exploitation. Common vulnerabilities and needs included mental illness, insecure environments and accommodation, as well as substance misuse issues.
3. Where British nationals were identified as potential victims, they often found it difficult to access the specialised support they are entitled to under the UK's National Referral Mechanism (NRM) for survivors of modern slavery. In part, this was due to confusion among professionals about how the NRM relates to entitlements under other legislative and policy frameworks, such as housing or social care.
4. Statutory duties to protect British nationals precede and endure beyond the NRM, and support systems need to be better integrated to build recovery pathways for British nationals that develop resilience and reduce the risk of exploitation, informed by survivors as experts by experience.

1. We recognise that the term victim can be disempowering, suggesting a lack of agency. However, it is used in this report to reflect the terminology used in relevant policy and legislation. In this report, the term survivor is also used. We recognise that this term can also be problematic in that it can put pressure on a person who does not feel like they have 'survived', and it also overlooks those who are still caught within a situation of modern slavery.

Background

The number of British nationals identified as potential victims of modern slavery in the UK has been rapidly increasing in recent years, and they are now the most commonly identified nationality in the UK's NRM. In 2021, 3,952 British nationals were referred into the UK's NRM, a significant increase since 2013 (90 referrals).² The NRM was developed in 2009 at a time when trafficking was framed as an issue related to international migration, and the specific experiences of British nationals remain under-researched.

This scoping research study aimed to explore the specific needs and experiences of British nationals who are potential victims and survivors of modern slavery; explore barriers to identifying and supporting British nationals; understand the experiences of British nationals of the criminal justice system and explore what support for British nationals should look like to aid their recovery and prevent re-exploitation.

Methodology

The research was conducted between September 2021 and August 2022 and used desk-based and empirical data collection methods to enable triangulation of data. The research drew on a review of existing literature about British nationals as potential victims of modern slavery, and a review of legislation and case law to understand how legal processes affect British nationals. A survey was completed by 56 practitioners including professionals from police, criminal justice, local authorities and service providers. Thirty-two semi-structured interviews were undertaken with practitioners from a wide range of geographical areas in England and Wales, and seven in-depth interviews with adult British survivors whose exploitation had begun in childhood and, for most, continued into adulthood.

As a scoping study, the intention was to provide initial insights into British national survivors of modern slavery. There was no comparative aspect built into the research to consider how the experiences of British nationals differed to modern slavery survivors of other nationalities. Due to the sampling methods used to gain access to practitioners and survivors for surveys and interviews, the findings cannot be regarded as generalisable to the wider population of practitioners or survivors, though provide rich insight into specific experiences which concur with the existing literature on this topic.

² [Modern Slavery: National Referral Mechanism and Duty to Notify statistics UK, end of year summary 2021](#) and [National Referral Mechanism Statistics 2013](#)

Findings

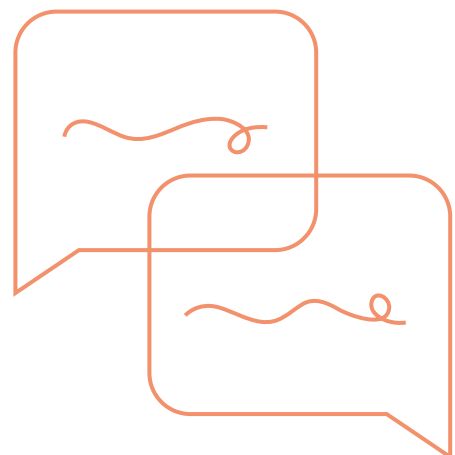
1. Missed opportunities to identify and protect vulnerable British nationals, before and during exploitation, especially common for those exploited in criminal activities.

All seven survivors interviewed in this study reported their exploitation was missed in encounters with professionals, both when they were children and when they were adults. The research found multiple examples where professionals from education settings, social services, criminal justice, mental health and wider health support services had failed to identify indicators of exploitation, meaning missing opportunities to prevent, identify and protect British nationals from being exploited, re-exploited or criminalised.

“She [British survivor] turned up at her social worker’s office. Her social worker said, “what you doing here? I thought you were at University [...] it turned out nobody had known she had been gone for a year” (NGO 10).

In part these missed opportunities were due to misunderstandings among professionals about who can be a victim of modern slavery. Missed opportunities can create a lack of trust in authorities, which can push British nationals away from support and towards further exploitation.

The research found that police, and other criminal justice professionals find it particularly difficult to differentiate people who commit crimes from those who are forced do so by their exploiters, often resulting in criminalisation of victims. All criminal justice practitioners interviewed (8) discussed the difficulty in correctly identifying the difference between a victim of modern slavery or a perpetrator of a crime, particularly for less experienced officers.



2. British national survivors of modern slavery have complex vulnerabilities and needs.

These complex needs both increased risk of exploitation, as well as resulting directly from experiences of exploitation. Practitioners responding to the survey reported the three most common areas of support needs for British survivors were:

- Mental health support (30; 83%). Practitioners noted British nationals had diagnosed, and in some cases undiagnosed at the time, mental health issues.
- Housing and accommodation (22; 61%). Examples of insecure and unstable housing prior, during and post exploitation included homelessness remaining in or returning to cuckooed accommodation.
- Substance misuse support (19; 53%). Practitioners noted British nationals were more commonly dependent on alcohol and Class A drugs than non-British nationals.

“[...] Substance misuse can be drugs and alcohol but also the impact of the abuse they suffered. Not necessarily just exploitation but also domestic abuse they suffered, the fact of being abandoned by parents or all of this led to them being homeless that led to them...being exploited” (NGO 2 Interview).

Episodes of going missing prior to and during exploitation were also raised frequently. This research found that the potential link between missing episodes and a risk of exploitation is being recognised more often by professionals.

3. Difficulty for survivors in accessing specialist support through the NRM due to confusion among professionals about entitlements

The UK’s NRM is available to all potential victims of modern slavery, regardless of their nationality. However, the research found that if correctly identified as potential victims of modern slavery, British nationals are often not referred into the NRM by professionals, due to misunderstandings about who the NRM is for. Sixteen professional respondents did not see the benefit of referring British nationals into the NRM and 18 were unsure of what the system offered to this cohort. In addition, many British adults regularly decide not to enter the NRM (reported by six practitioners and reinforced by Duty to Notify statistics).

In addition to the NRM, a British national who has been identified as a potential victim may be subject to, or entitled to, provisions of the Care Act 2014, Children Acts 1989 and 2004 and the Mental Health Act 1983. These different legislative and policy frameworks mean that practitioners in one jurisdiction frequently misunderstood the work of colleagues in another, leading to inconsistencies in approach and identification of victims, assessments of needs and provision of services.

[The] NRM is a tick-box, “bean-counting” exercise, more suited to those needing immigration and housing support [outside of local authority housing]. (Police 19 Interview)

There were specific challenges noted for British nationals in the NRM around accessing appropriate accommodation, legal aid, and support for mental health and substance misuse.

Accommodation and housing: Despite the intention of the NRM (as set out in statutory guidance) to provide needs-based support, eleven practitioners noted a back and forth process between the Modern Slavery Victim Care Contract (MSVCC) and the local authority about who is responsible for accommodating a British survivor.

“Particularly with British nationals, where the person was in an area that they considered to be a place that wasn’t safe for them but the safehouse wouldn’t take them because they believed it was a local authority’s duty to house them but the local authority wouldn’t take responsibility for them because they didn’t have a local connection and so they wanted to send them back to the area that they came from because that’s where they had the local connection but that is the area where there wasn’t any safety.” (NGO 20 Interview).

The research found that local authority accommodation offered to British nationals often fails to provide an environment conducive to recovery. Seven survey respondents expressed concern about British survivors being placed in accommodation with previously incarcerated people or drug users. Other issues identified were the availability of housing and local authorities refusing accommodation due to individuals having no local connection, which resulted in homelessness in some cases.

Legal aid: Survey (4) and interview (5) respondents highlighted British nationals were unable to access legal aid for various needs, as they were often deemed ineligible for such support.

Mental health and substance misuse: Practitioners in the interviews and survey responses reported on their lack of knowledge and training in supporting British nationals with mental health and substance misuse issues. Support workers identified the need for specialist support services to facilitate this need. They noted these services are often unavailable, but where they exist, they are more likely to be in urban than rural areas. Further, referral to specialist services was not always successful, meaning individuals' needs were not met.

“...engagement was definitely a lot more challenging with British nationals. I didn't really have a lot of expertise in the issues [substance misuse]”
(NRM worker 15)

4. Need for long-term recovery pathways for British nationals, informed by survivors

Survivors are experts by experience. Their experiences of the gaps in identification, support and justice are currently not being employed to inform the creation of improved pathways to recovery.

Recovery pathways aimed at building resilience to reduce the risk of re-exploitation, based on understanding of their experiences, needs and statutory entitlements, have not been established for British nationals.

“[The non-British victims] haven't been let down by UK processes and systems or haven't been through them for better or for worse in terms of a result. So from that point of view in context you can't ignore that for UK nationals, it's really different...[from] that UK national woman's point of view, you know once bitten, twice shy. Those processes that should now be in position, she may be less inclined to want to be involved in because of her experience with those processes in the past...there's a whole raft of experiences that are going to colour the UK national experience of the NRM in a way that wouldn't happen to a transnational trafficked person” (NGO 24 Interview).

Recommendations

The full research report identifies a comprehensive set of recommendations that address the issues identified by the evidence.³ In particular, we highlight the following recommendations which address the findings outlined in this Research Summary:

- **A public health approach to modern slavery is needed which will prioritise prevention and early identification of British nationals as well as supporting victims.** At a national level this requires a review of legislative protections for survivors and reframing the national policy approach away from a primary focus on 'border protection' towards prevention, recovery and protection needs of victims including from criminalisation. At a regional/local level these components include community awareness and resilience, multi-agency modern slavery partnerships (with funding and/or staff from Police and Crime Commissioners, police or local authority) and shared operating protocols.
- **First Responders and other frontline professionals likely to encounter potential victims of modern slavery should receive training specifically addressing the experience of modern slavery for British nationals and how to effectively support them.** A national tiered training programme for frontline professionals (across statutory agencies, the criminal justice system and Modern Slavery Victim Care Contract (MSVCC) support providers) should be developed and implemented, similar to those that exist for child safeguarding and based on [existing tiered training frameworks](#).⁴
- **When a British national adult potential victim has consented to be entered into the NRM, the First Responder⁵ should be required to make a referral to the local authority in which the person has been found and/or is living.** If they do not consent to the NRM, their consent should nonetheless be sought for a referral to the local authority for assessment of support needs.⁶
- **British victims must be accommodated in a safe environment appropriate to their specific experiences, contexts, and recovery needs.** If the local authority is unable to provide this, it must cooperate with MSVCC service providers to find suitable temporary accommodation.

3. The detailed recommendations are available at: www.modernslaverypec.org/resources/support-british-nationals

4. Van Dyke and sector experts (2022) 'Training Framework for the Prevention, Identification, Support and Care of Child Victims and Survivors of Modern Slavery and Human Trafficking and Information and Resources to Support the Training'. Skills for Care and Development <https://www.stmarys.ac.uk/research/centres/bakhita/training/support-and-care-of-child-victims.aspx> (Accessed: 15 August 2022)
Bundock, L and Hodges, K. (2020) 'Training Framework: Identification, Care and Support of Victims and Survivors of Modern Slavery and Human Trafficking'. Skills for Care <https://www.stmarys.ac.uk/research/centres/bakhita/training/identification-care-and-support.aspx> (Accessed: 15 August 2022)

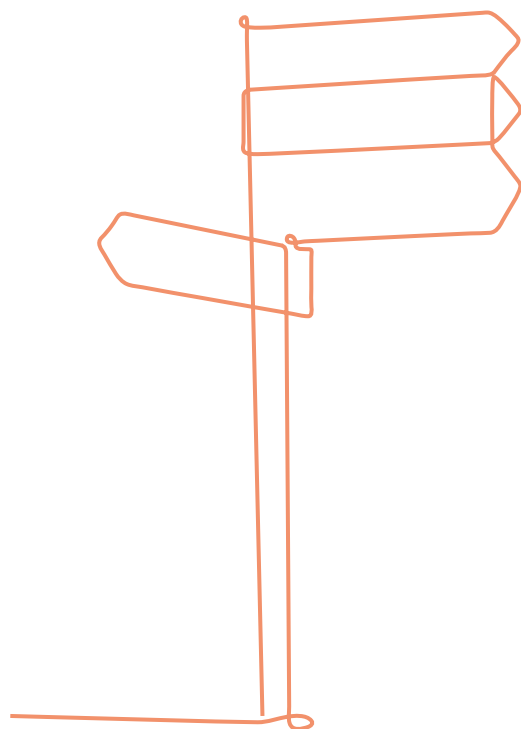
5. A trained staff member at a First Responder Organisations who has a responsibility for discharging one or more of the duties of the First Responder Organisation

6. For a needs assessment (s12) or safeguarding assessment (s42) under the Care Act 2014

- **Psychological and mental health care for survivors requires an integrated approach to care.** Funding should be made available automatically to all victims within the MSVCC who are in need of accessing specialist therapeutic services including recovery from substance misuse.⁷
- **When a suspect in a criminal investigation claims to have been a victim of modern slavery, a safeguarding referral should be made to the local authority alongside an NRM referral.** Information sharing between the Crown Prosecution Service (CPS) and local authority safeguarding departments as well as between the police and CPS must be developed and improved.

Areas for further research

- Comparative analysis of experiences of other nationalities to establish similarities and differences in needs and experiences to inform improved support.
- Investigation of the feasibility of combining cases involving potential victims of modern slavery within one court (similar to the Family, Drug and Alcohol Courts) where victims are within the jurisdiction of more than one system.



⁷ Steps towards this have been made with the amendments to the MSVCC as of April 2022 and the increasing use of direct payments

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The Modern Slavery and Human Rights Policy and Evidence Centre (Modern Slavery PEC) was created by the investment of public funding to enhance understanding of modern slavery and transform the effectiveness of law and policies designed to address it. The Centre funds and co-creates high quality research with a focus on policy impact, and brings together academics, policymakers, businesses, civil society, survivors and the public on a scale not seen before in the UK to collaborate on solving this global challenge.

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