Identification of adults with lived experience of modern slavery in the UK

Research Report

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Introduction

This project examined the formal procedure for identifying adults with lived experience of modern slavery in the United Kingdom, focusing on three main areas: 1) identification-related training provided to First Responder Organisations ("FROs"), 2) qualitative and quantitative data related to the National Referral Mechanism ("NRM"), and 3) qualitative and quantitative data related to the Duty to Notify ("DtN"). The research was conducted by the British Institute of International and Comparative Law ("BIICL") in partnership with the Human Trafficking Foundation ("HTF") and was funded through an open call under the Modern Slavery and Human Rights Policy and Evidence Centre's ("Modern Slavery PEC") Responsive Research mechanism. This project builds on existing research on the role of First Responder Organisations in the identification of individuals with lived experience of modern slavery in the United Kingdom.[1]

Aims

In recent years, the United Kingdom's system for identifying and supporting people with lived experience of modern slavery – the National Referral Mechanism ("NRM") – has undergone significant revisions due to changes in legislation and statutory guidance. Alongside this, NRM data has revealed changing patterns in the number and nature of identified cases of exploitation referred into the system since data collection first started in 2015. This includes a significant rise in the number of adults with lived experience of modern slavery who are declining the possibility of being referred into the NRM to be formally identified and supported through that mechanism.

These changing patterns have been accompanied by widespread concerns across the sector with regard to the coverage and quality of the training provided to 'First Responders', who are formally tasked with referring individuals into the NRM. Presently, only staff members of a designated First Responder Organisation ("FRO") are authorised to refer individuals into the NRM. Referred individuals are then formally identified as potential or confirmed 'victims of trafficking or modern slavery' by specialised decision-making units within the Home Office ("Competent Authorities"). Where an adult does not consent to a referral, the case can (and in the case of statutory First Responders, must) be reported anonymously through the same online referral system (known as the 'Duty to Notify', or "DtN").

In light of the changing patterns documented in the NRM and DtN data in recent years, together with widespread concerns over the coverage and quality of the training provided to First Responders, the objectives of the project were:
1. To quantitatively and qualitatively assess identification-related training available to statutory and non-statutory First Responder Organisations, as well as to design, in partnership with First Responders, a pilot framework for assessing training effectiveness.
2. To identify good practices, as well as good practice structures, that increase the quality of referrals into the NRM.
3. To explore identification patterns, including gaps and promising practices, according to the characteristics of adults with lived experiences of modern slavery

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[1] References to this literature are integrated throughout the report.

(including, *inter alia*, exploitation type, gender, and FROs involved in the referral), both in relation to NRM referrals and DtN reports;

4. To explore the meaning and understanding of 'informed consent' and the reasons why adults with lived experience of modern slavery decide to give (or not to give) consent to enter the NRM.

Methodology

In terms of methods, the project included desk research, an analysis of First Responder training materials, a quantitative and qualitative survey (consisting of both closed and open-ended questions), qualitative focus groups, and a Co-Creation Workshop with staff members of FROs to design a pilot framework for assessing training effectiveness. The findings of these research components are incorporated throughout the report, and particularly Parts 1 and 2. In addition to these methods, the project team conducted an analysis of publicly available NRM and DtN data, together with a first-of-its-kind analysis of DtN data secured through a Memorandum of Understanding (MoU) with the Home Office. This analysis is presented in Parts 3 and 4 of the report.

1. Analysis of training materials

The project team collected a range of training manuals and presentations, combining materials directed at specific FROs (including the police and local authorities) with those aimed at multi-agency audience. A common framework for assessment to evaluate the training manuals was created and shared, together with the anonymised training materials, to selected experts in the field of modern slavery and training delivery (including academics, researchers, members of international organisations, and trainers).[2] Each set of training materials was 'blind reviewed' by two expert reviewers and by the project team. The evaluation grids were then merged into a final grid, based on a simple scores' average. The project team then coded reviews and identified themes across the reviews for each training package, as well as across training packages.

2. Survey

Building on the analysis of the training materials, BIICL developed and distributed a survey to statutory and non-statutory FROs.[3] The survey key, which is available in Annex 2, focused primarily on respondents' training experiences (or lack thereof), as well as on different aspects of their role as First Responders. The survey was administered via an online survey platform, where participants could choose to remain anonymous or to disclose their identity/affiliation. 42 responses were collected from a range of First Responders, both statutory (33) and non-statutory (5), as well as from staff of other frontline organisations (4). In terms of specific sectors, most respondents identified themselves as border force or immigration officers (8), social workers (8), police officers (7), or support workers (5), while most responses came from people professionally based in England (30), followed by Wales (7), Northern Ireland (3), and Scotland (2).

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[2] The common framework for assessment is available in Annex 3: 'Training evaluation form'.
[3] When referencing input from respondents to the project survey, the report uses the acronym "SR" ("Survey Respondent"), followed by an identifying number to maintain anonymity (e.g. "SR No. 3")

3. Focus groups with staff members of FROs and adults with lived experiences of modern slavery

BIICL and HTF conducted four focus groups – one with First Responders and other members of the third sector ("First Responder Focus Group", or "FRFG"), and three with people with lived experience of modern slavery ("Lived Experience Focus Groups", or "LEFGs").[4] The focus groups were supplemented by a limited number of individual interviews with people with lived experience of modern slavery. The FRFG had 14 participants and focused on the training provided to First Responders. Discussions here focused on what such training should consist of (both in terms of the knowledge and skills imparted and the mode of delivery), as well as on means of assessing the quality and effectiveness of the training provided. The focus groups held with adults with lived experience of modern slavery, which involved 17 participants in total, centred on how First Responders can ensure that consent to be referred into the NRM (or lack thereof) is fully informed. Participants also reflected on ways that the NRM referral process could be improved to minimise negative impacts on the wellbeing of persons with lived experience of modern slavery. The research team is grateful to HTF's Lived Experience Advisory Panel ("LEAP") for their contribution to the focus groups and, more broadly, to the project.

4. Co-Creation Workshop with First Responders

BIICL and HTF hosted a "Co-Creation Workshop" with FRO staff members to design a pilot framework for assessing training effectiveness.[5] The (hybrid) workshop built on existing training evaluation models and considered the feasibility of applying these models in assessing the effectiveness of training aimed at FROs. The workshop gathered 23 participants from a range of organisations, including local authorities, anti-slavery partnerships, NGOs, the Gangmasters and Labour Abuse Authority (GLAA), and the police, with several of the participants holding training-related roles in their respective organisations. In the discussions, participants focused on different tools for assessing training effectiveness (such as surveys, peer review systems, and control groups), as well as different voices that should be incorporated into these assessments (such as learners, individuals with lived experience of modern slavery, subject-matter experts, and individuals with training expertise). The workshop concluded with a plenary session so that the different groups could exchange thoughts about challenges and best practices in training evaluation.

5. Analysis of the National Referral Mechanism and Duty to Notify data

The project benefitted from a data sharing agreement between the project team and the Home Office. On the basis of the MoU, the project team was granted access to Duty to Notify data for 2020 and 2021 in England and Wales, for a total of 5,321 entries. The data, which was shared partially redacted to protect individuals' identity, contained information related to referral quarter, referring organisation or agency, type of exploitation, gender, and nationality. It also contained an open text field indicating reasons for not entering the NRM. The dataset did not contain any information on, *inter alia*, location of exploitation

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[4] When referencing input from focus group participants, the report uses the "FRFG" and "LEFG" acronyms. In the case of the former, the specific participant is identified in anonymised format (e.g. "FRFG, Participant No. 2"). For the Lived Experience Focus Groups, individual contributions were not recorded for privacy reasons.

[5] When referencing input from participants in the Co-Creation Workshop, the report uses the acronym "CCW" ("Co-Creation Workshop"), followed by an identifying number to maintain anonymity (e.g. "e.g. CCW Participant No. 3"). The output of this workshop is available in Annex 1: 'Pilot framework for assessing training effectiveness'.

and case number and/or ID. The project team performed both quantitative and qualitative analysis of the MoU DtN data, including through thematic coding of the 'reason for not entering the NRM' field. This supplemented an analysis of publicly available NRM and DtN covering the years 2020-2021 and 2022.

Ethics and safeguarding

Throughout the project and its related activities, BIICL and HTF have complied with the safeguarding policies of both institutes, as well as those of the Modern Slavery PEC. People with lived experience of modern slavery have engaged with the project through partner organisations with whom BIICL and HTF have an established relationship, and which themselves have ethics and safeguarding obligations and procedures. HTF, who led the focus groups with the Lived Experience Advisory Panel, has experience of working with people with lived experience of modern slavery in a consultancy capacity, while they have also benefitted from insights from the recently completed 'Lived Experience: Train the Trainer' project.[6]

BIICL and HTF have collated and stored all data in accordance with the Freedom of Information Act 2000, the Data Protection Act 2018, and the UK General Data Protection Regulation 2021. BIICL and HTF have ensured the confidentiality of all materials and reviews.

Outline

The report is organised as follows:

Part 1 briefly introduces the key international and domestic standards for the identification of adults with lived experience of modern slavery in the UK. It also highlights challenges and shortcomings in the operation of the UK's framework for identification that have been noted in the academic and policy literature.

Part 2 explores training as a key factor in improving the identification of adults with lived experience of modern slavery, drawing on findings from the expert analyses of training materials, focus group discussions, and survey. This part of the report also emphasises the need for enhanced monitoring and evaluation of training provided to First Responders based on findings from the Co-Creation Workshop.

Part 3 focuses on the National Referral Mechanism and Duty to Notify data. It discusses findings from the quantitative and qualitative analysis of the data, providing a detailed analysis of trends and patterns – both demographically and from a referral standpoint – across two timeframes: 2020-2021 and 2022.

Part 4 considers reasons for not entering the NRM based on a detailed analysis of DtN data from 2020 to 2021. It also explores the meaning of 'informed consent' and provides an analysis of the current gaps in identification, including (mis)representation of the NRM and referrals without consent.

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[6] Human Trafficking Foundation, 'Lived Experience: Train the Trainer Project' (2022) (accessed 30 January 2024).

Part 5 concludes with a number of recommendations on improving the identification of adults with lived experience of modern slavery, linking the project findings to broader considerations around training, identification, support, and protection.

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Part 1: Key legal standards on, and current frameworks for, identification

A) International Standards

In the United Kingdom, an international obligation to identify adults with lived experience of modern slavery stems from its ratification of the Council of Europe Convention on Action against Trafficking in Human Beings ("ECAT"), as well as from the jurisprudence of the European Court of Human Rights ("ECtHR"). Pursuant to ECAT, the United Kingdom is under a duty to 'adopt such legislative or other measures as may be necessary to identify victims', including through the establishment of a domestic identification procedure,[7] while the ECtHR has repeatedly stated the need to adopt '[p]rotection measures [which] include facilitating the identification of victims by qualified persons'.[8] The ECAT also requires any UK authorities likely to come into contact with persons with lived experience of modern slavery – such as police, labour inspectors, and immigration authorities – to have staff who are appropriately trained and qualified in detecting indicators of this offence,[9] as well as for these authorities to collaborate with each other (as well as with relevant support organisations) to ensure the effective operation of the identification procedure.[10] In line with this, the international body tasked with monitoring national implementation of ECAT – the Group of Experts on Action against Trafficking in Human Beings ("GRETA") – has promoted a multi-agency approach to identification in the form of 'a coherent national referral mechanism, which ensures that there is coordination between those involved in identifying trafficked persons, that all relevant professionals are trained to carry out their tasks effectively, and that all identified victims [are] provided the assistance and protection measures they need'.[11] In addition to this, GRETA's reports also underline the need to adopt a proactive approach to identification, rather than relying on persons with lived experience of modern slavery to present themselves as such to the authorities.[12] This position has been reinforced in the case law of the ECtHR.[13]

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[7] Council of Europe Convention on Action Against Trafficking in Human Beings (adopted 16 May 2005, entered into force 1 February 2008) CETS 197 ("ECAT"), Article 10(1) and (2).

[8] See *Chowdury and Others v. Greece* App no 21884/15 (ECtHR, 30 March 2017), para. 110; *V.C.L. and A.N. v. the United Kingdom* App nos. 77587/12 and 74603/12 (ECtHR, 16 February 2021), para. 153.

[9] ECAT, Article 10(1), read together with the Explanatory Report to the Council of Europe Anti-Trafficking Convention ("Explanatory Report"), at paras. 128-129. The Group of Experts on Trafficking in Human Beings has consistently underlined the importance of providing training to ensure that authorities likely to encounter persons with lived experience of modern slavery are able to recognise indicators of this crime, particularly in the context of asylum procedures, immigration detention, and labour exploitation. See, for instance, *Fifth General Report on GRETA's Activities*, GRETA(2016)1, 100. For a similar observation, see the findings of the European Migration Network, 'Third-country national victims of trafficking in human beings: detection, identification and protection' (March 2022) 8-9.

[10] ECAT, Article 10(1) and 10(2).

[11] *Second General Report on GRETA's Activities*, GRETA(2012)13, 50. On the operation of national referral mechanisms, see the *Ninth General Report on GRETA's Activities*, GRETA(2020), 130, as well as OSCE Office for Democratic Institutions and Human Rights (ODIHR), 'National Referral Mechanisms: Joining Efforts to Protect the Rights of Trafficked Persons' (2nd ed., 2022) 26-35.

[12] See, for instance, the *Fourth General Report on GRETA's Activities*, GRETA(2015)1, 40.

[13] *V.C.L. and A.N v. the United Kingdom* App nos. 77587/12 and 74603/12 (ECtHR, 16 February 2021), para. 199.

B) Domestic Standards

B1. Relevant law and policy

The UK government established a National Referral Mechanism ("NRM") for trafficked persons in April 2009, later extending this to cover all individuals subjected to an offence defined in sections 1 and 2 of the Modern Slavery Act 2015 ("MSA").[14] The NRM applies across the UK and follows a three-step procedure consisting of: (i) initial identification and referral into the NRM by designated First Responders; (ii) a preliminary decision by the Competent Authority as to whether there are 'reasonable grounds' to believe that the individual in question is a 'victim of modern slavery' ("Reasonable Grounds decision", or "RG decision"); and (iii) a subsequent decision by the Competent Authority as to whether there are 'conclusive grounds' to determine that the individual in question is a 'victim of modern slavery', based on 'the balance of probabilities' ("Conclusive Grounds decision", or "CG decision"). The operation of this procedure, including criteria for making RG and CG decisions, is set out in guidance adopted pursuant to section 49(1) of the Modern Slavery Act 2015, as amended by section 60 of the Nationality and Borders Act 2022 ("Statutory Guidance").[15] However, the Statutory Guidance also recognises that First Responder Organisations enjoy a considerable degree of autonomy when it comes to determining how best to discharge their responsibilities: 'whether through specialist leads, training for all frontline officers or a different model.'[16]

i. Initial identification and referral

Presently, only staff members of a designated FRO[17] are authorised to refer individuals with lived experience of modern slavery into the NRM.[18] First Responders themselves cannot formally identify individuals as '(potential) victims of modern slavery' – rather, their role is to recognise indicators of modern slavery, gather and share relevant information with the Competent Authority, and provide a point of contact during the identification procedure (as well as during any reconsideration requests).[19] According to the Statutory Guidance, determining whether to refer an individual into the NRM is 'a decision of professional judgment based on the evidence available'.[20] However, prior to conducting an NRM referral, First Responders are required to obtain informed consent from the individual in question (provided they are aged over 18) by explaining how the identification

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[14] The scope of the NRM was extended on 31 July 2015. See Anti Trafficking and Labour Exploitation Unit (ATLEU), 'ATHUB Knowledge Base' (accessed 30 January 2024).

[15] Home Office, 'Modern Slavery: Statutory Guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and Non-Statutory Guidance for Scotland and Northern Ireland' (Version 3.6, updated 8 January 2024).

[16] Statutory Guidance, para. 4.8.

[17] FROs comprise an exhaustive list of public authorities ("statutory FROs") and civil society organisations ("non-statutory FROs"), with different cohorts across England and Wales, Scotland, and Northern Ireland. See, Home Office, 'National Referral Mechanism Guidance: Adult (England and Wales)' (updated 21 September 2023) and Home Office, 'National Referral Mechanism Guidance: Adult (Northern Ireland and Scotland)' (updated 21 September 2023) for the full lists of FROs under those jurisdictions.

[18] Presently, individuals with lived experience of modern slavery cannot self-refer. See Melanie Gower and Georgina Sturge, 'Modern slavery cases in the immigration system', Commons Library Research Briefing (8 March 2023) 11 (accessed 30 January 2024).

[19] Statutory Guidance, para. 4.7. Information shared with the Competent Authority at the point of referral is done so through an online form ("the Modern Slavery Portal"). While the form is not available offline, the Home Office has provided a prompt sheet for use in interviews that is indicative of the information required, available here: https://www.modernslavery.gov.uk/paper-version-download (accessed 30 January 2024).

[20] Statutory Guidance, paras. 3.4 and 5.8. Specifically, 'First Responders should consider the presence of any indicators of modern slavery, including for example the non-verbal presentation of the victim, what the victim says, situational and environmental factors and all available general and specific evidence regarding known patterns of modern slavery'.

procedure works, what support services will be accessible, and how personal data will be processed by public authorities.[21] Where the adult in question does not consent to be referred into the NRM, in England and Wales, non-statutory First Responders may still choose to share non-personal information with the Competent Authority through the 'duty to notify' process ("DtN"), which is completed through the same online referral form.[22] In England and Wales, certain First Responders authorities are under a statutory obligation to notify the Secretary of State of any individual they encounter who they have reasonable grounds to believe has been subjected to a modern slavery offence.[23] For these organisations, where an individual does not consent to an NRM referral, a DtN report *must* be submitted.[24]

ii. Reasonable Grounds decision

Cases referred into the NRM from any part of the UK will be considered by 'trained specialists' based within the Home Office.[25] Currently, the Competent Authority for identification comprises two organisations – the Single Competent Authority ("SCA", created in April 2019) and the Immigration Enforcement Competent Authority ("IECA", created on 8 November 2021), each of which is tasked with deciding on specific sets of cases.[26] Initially, the Competent Authority must decide (within 5 days, if possible) whether there are 'reasonable grounds to believe that an individual is a victim of slavery or human trafficking'.[27] In considering whether the threshold is met, the decision-maker is required to 'tak[e] into account all of the information available, including the victim's account and any other relevant information that supports or undermines it'.[28] If this is decided in the affirmative, the individual in question will be granted a 'recovery period' starting from the date of the positive RG decision, and lasting for a minimum of 30 days, or until a CG decision is reached (whichever period is longer).[29] During this period, 'the identified

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[21] Statutory Guidance, paras. 5.23-5.26. Note that children do not need to give consent to be referred into the NRM.

[22] Information provided in NRM referrals and DtN reports is included in statistics published on a quarterly basis by the Home Office. These are available here: https://www.gov.uk/government/collections/national-referral-mechanism-statistics (accessed 30 January 2024).

[23] Modern Slavery Act, section 52. The information to be included is set out in the Modern Slavery Act 2015 (Duty to Notify) Regulations 2015. Similar provisions are set out in section 38 of the Human Trafficking and Exploitation (Scotland) Act 2015 and section 13 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015. However, those provisions are yet to enter into force at the time of writing.

[24] Statutory Guidance, para. 4.3.

[25] Statutory Guidance, para. 4.13.

[26] The criteria for allocating cases between these bodies are set out in paras. 4.14-4.15 of the Statutory Guidance.

[27] Statutory Guidance, para. 14.50. This reflects changes brought in by the section 60 of the Nationality and Borders Act 2022 ("NABA 2022"), which amended the definition of an RG decision contained within the MSA. Section 69(1) of that instrument also confers powers on the Secretary of State to define the meaning of 'victim of slavery' and 'victim of human trafficking' for the purpose of identification through the adoption of regulations. These powers have resulted in the adoption of The Slavery and Human Trafficking (Definition of Victim) Regulations 2022. For concerns over the impact of these regulations on identification, see ECPAT et al., 'Joint Briefing for the Sixth Delegated Legislative Committee Debate: The Draft Slavery and Human Trafficking (Definition of Victim) Regulations 2022' (accessed 30 January 2024).

[28] Statutory Guidance, para. 14.53. This updates a previous version of the Statutory Guidance, which required RG decisions to be based on 'objective factors'. This policy was criticised for imposing an excessively high evidentiary requirement at the RG stage and was withdrawn following the issuing of judicial review claims. For an overview, see Matrix Law, 'SSHD withdraws new evidential test for "Reasonable Grounds" decisions in Modern Slavery Statutory Guidance' (27 June 2023) (accessed 30 January 2024). The current Statutory Guidance provides a non-exhaustive list of types of evidence that may be considered when making an RG decision, including both general and specific evidence. See paras. 14.59-14.62.

[29] Nationality and Borders Act 2022, section 61(1) and (3). Section 62 of NABA establishes a presumption against the grant of an additional recovery period for individuals who have already received a positive Reasonable Grounds decision and in respect of whom a further Reasonable Grounds decision is reached regarding an incident that predates the initial Reasonable Grounds decision. See Statutory Guidance, paras. 14.82-14.110.

potential victim may not be removed from, or required to leave, the United Kingdom',[30] and will be entitled to access assistance and support.[31] In England and Wales, this includes specialist NRM support provided through the Modern Slavery Victim Care Contract ("MSVCC") for adults.[32]

iii. Conclusive Grounds decision

During the recovery period, the Competent Authority must consider whether, '"on the balance of probabilities", there is sufficient information to decide if the individual is a victim of modern slavery'.[33] Where such information is lacking, the Competent Authority is required to 'make every reasonable effort to request all available information that could prove useful in establishing if there are Conclusive Grounds'.[34] The Statutory Guidance sets out a specific procedure for requesting information from the individual in question (or their legal representatives),[35] as well as any additional parties involved in the case (including First Responders, the support provider, any safeguarding services, and the relevant police force).[36] Significantly, the Competent Authority may impose a 14-day deadline for this information to be provided from the 'potential victim' or their legal representative,[37] while for additional parties involved in the case, the imposition of this deadline is mandatory.[38] In both cases, the requested party may submit an extension request, which is subject to the discretion of the Competent Authority.[39] In addition to requesting further information from these sources, the Competent Authority may also consider conducting an interview with the 'potential victim' directly.[40] The Competent Authority is also required to consider any expert reports submitted, as well objective country of origin information and any other trusted information on known or emerging modern slavery patterns.[41]

In addition to this, the Statutory Guidance sets out procedures for the reconsideration of negative RG and CG decisions,[42] for the revocation of a positive CG decision,[43] and for disqualification from protection on grounds of public order[44] and bad faith.[45] The inclusion of a procedure for disqualification within the Statutory Guidance seeks to implement section 63(2) of the NABA 2022, pursuant to which a disqualification decision will result in

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[30] NABA, section 61(2).
[31] In England and Wales, this entitlement stems from section 50(a) of the MSA, as inserted by Nationality and Borders Act 2022, section 64. Similar obligations are contained in section 9 of the Human Trafficking and Exploitation (Scotland) Act 2015 and regulation 3 of the Human Trafficking and Exploitation (Scotland) Act 2015 (Support for Victims) Regulations, as well as section 18 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015.
[32] Section 50(A)(6) of the MSA clarifies that assistance and support is to be provided in accordance with arrangements referred to in the Statutory Guidance. For adults, these arrangements are set out in Chapter 8 and Annex F of the Statutory Guidance.
[33] Statutory Guidance, para. 14.130. This standard of proof reflects section 49(1A) of the MSA, as amended by section 60(4) of NABA.
[34] Statutory Guidance, paras. 14.134 and 14.157-14.158. This decision, unlike at the reasonable grounds stage, is not subject to a specific timeframe.
[35] Statutory Guidance, para. 14.134.
[36] Statutory Guidance, para. 14.139. The Competent Authority is actively required to request information from these parties before making a decision, 'as far as it is reasonable to do so'.
[37] Statutory Guidance, para. 14.134.
[38] Statutory Guidance, para. 14.139.
[39] Statutory Guidance, paras. 14.136-14.138, and paras. 14.140-14.141.
[40] Statutory Guidance, paras. 14.145-14.155.
[41] Statutory Guidance, paras. 14.143-14.144.
[42] Statutory Guidance, paras. 14.212-14.221. 'Reconsideration requests' can be submitted where new evidence becomes available (at any point) or where there are concerns that the decision was not taken in line with the Guidance (up to three months after notice of the decision, subject to exceptional circumstances).
[43] Statutory Guidance, paras. 14.326-14.327.
[44] Statutory Guidance, paras. 14.227-14.284.
[45] Statutory Guidance, paras. 14.285-14.325.

the disapplication of the modern slavery provisions contained in sections 61 and 62 (prohibition of removal during recovery period) and 65 (duty to grant leave to remain) of that instrument, as well as the duty to provide assistance and support under the MSA.[46] However, the Statutory Guidance also states that a duty to render a Conclusive Grounds decision will cease following a public order disqualification, which has no basis in NABA.[47] While the relevant provisions are yet to enter into force,[48] the Illegal Migration Act 2023 ("IMA") is set to extend the consequences of disqualification to all individuals who are in receipt of a positive Reasonable Grounds decision and who fall within the scope of section 2 of the Act, with the exception of those whose stay is deemed necessary to cooperate with a criminal investigation.[49]

B2. Current challenges and shortcomings

Having set out the legal and policy framework for the identification of people with lived experience of modern slavery in the UK, this section presents some of the current challenges and shortcomings related to the operation of this system. In so doing, it draws on a range of academic and policy literature, focusing on NRM decision-making by designated Competent Authorities (both with respect to RG and CG decisions), as well as on the initial identification and referral of persons with lived experience of modern slavery by First Responders.

i. NRM decision-making

Criticisms of the UK's approach to identifying persons with lived experience of modern slavery have addressed various aspects of decision-making within the NRM. A consistent concern here has been the absence of a right to formally appeal negative decisions, with challenges restricted to applications for judicial review, or, as of more recently, the submission of 'reconsideration requests'.[50] This is all the more worrying in light of concerns surrounding the quality of decision-making, as evidenced by the fact that an important number of rejected cases have been overturned by courts,[51] as well as the fact that, according to the data available, a considerable number of RG decisions are overturned through reconsideration requests.[52] Despite this, there is no automatic review of RG decisions. While the Home Office briefly introduced 'Multi Agency Assurance Panels' ("MAAPs") to review all negative CG decisions, a study conducted by Anti-Slavery

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[46] NABA, section 63(2), read together with MSA, section 50(A)(5), as inserted by NABA, section 64. Under the most recent version of the Statutory Guidance, public order disqualification decisions are subject to an assessment of the risk of re-trafficking to that individual. Statutory Guidance, para. 14.288, and paras. 14.268-14.270.

[47] Statutory Guidance, paras. 14.234 and 14.291.

[48] IMA 2023, section 68.

[49] IMA 2023, sections 22, 23, 24 and 25. Section 2 of IMA 2023 sets out the conditions under which the Secretary of State must make arrangements for the removal of that individual from the United Kingdom.

[50] *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the United Kingdom: First Evaluation Round* ("GRETA UK First Evaluation Round"), GRETA(2012)6, 227; *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the United Kingdom: Second Round Evaluation* ("GRETA UK Second Evaluation Round"), GRETA(2016)21, 160. Reconsideration requests only apply in limited circumstances – namely, where additional evidence becoming available or where it is believed that a decision was made not in line with the Statutory Guidance (n 42).

[51] *United Kingdom, Third Evaluation Round: Access to justice and effective remedies for victims of trafficking in human beings* ("GRETA UK Third Evaluation Round"), GRETA(2021)12, 267.

[52] The Home Office includes data on the outcomes of reconsideration requests in its official NRM statistics. These figures, however, do not reflect barriers to requesting reconsideration of NRM decisions for individuals who lack access to experienced First Responders or to legal representation.

International argued that this initiative did not significantly improve the level of scrutiny,[53] and the Panels were later withdrawn '[o]n account of the ongoing pressure on the times taken to make decisions in the NRM'.[54]

More recently, criticisms have centred on the excessive length of time taken to provide notification of a CG decision, with statistics for 2022 indicating that the median for this process was 543 days from the date of the NRM referral.[55] Observers have noted that this leaves individuals in a situation of uncertainty which negatively impacts their prospects of recovery and reintegration and heightens their vulnerability to further exploitation and abuse.[56] Another recent concern relates to the creation of a new Competent Authority for deciding on cases involving adults subject to immigration action ('Immigration Enforcement Competent Authority', or "IECA").[57] Some have argued that this reinstates the 'dual system approach' that existed prior to the establishment of the Single Competent Authority,[58] with the IASC commenting that there is a 'significant risk that those victims of modern slavery whose cases are assessed by Immigration Enforcement will have their cases judged by considerations about their immigration status rather than their rights to protection as victims of serious crime.'[59] These concerns are arguably supported by recent NRM statistics, which indicate significantly lower rates of positive decisions at the RG stage for non-British nationals following the implementation of implementation of the Nationality and Borders Act.[60]

ii. NRM referrals: composition and capacity of FROs

Regarding referrals into the NRM, questions have repeatedly been raised around why certain organisations have been recognised as 'First Responders' instead of others. As GRETA has pointed out, there are many professionals who are likely to come into contact with persons with lived experience of modern slavery, but who are not authorised to conduct referrals into the NRM directly, such as medical professionals, prison staff, and legal professionals.[61] Alongside this, there have increasingly been calls to allow more civil society organisations to access this role and to be provided additional funding to carry out First Responder responsibilities, particularly in light of the consistent rise in referral rates

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[53] Anti-Trafficking Monitoring Group, 'A Review of the National Referral Mechanism Multi-Agency Assurance Panels' (February 2021) (accessed 30 January 2024).

[54] Robert Jenrick (Home Office), 28 Feb 2023, in Joe Tyler-Todd and Joanna Dawson, 'Commons Library Debate Pack' (Number CDP-2023/0062 March 2023) 28 (accessed 30 January 2024).

[55] Home Office, 'Modern Slavery: National Referral Mechanism and Duty to Notify statistics UK, end of year summary 2022' (2 March 2023) (accessed 30 January 2024). The Independent Anti-Slavery Commissioner has noted that '[t]he great weakness in the system is the decision making process which is subject to significant delays'. See the Forward to the Independent Anti-Slavery Commissioner, 'Annual Report 2021 to 2022' (April 2022) (accessed 30 January 2024).

[56] See, among others, Katarina Schwarz and Alexandra Williams Woods, 'Protection and support for survivors of modern slavery in the UK: assessing current provision and what we need to change' (2022) 30(2) *Journal of Poverty and Social Justice* 98, 102; GRETA Third Evaluation Round (n 51) 260.

[57] This body was introduced, without prior consultation, through version 2.5 of the Modern Slavery Statutory Guidance (published 8 November 2021).

[58] Beth Mullan-Feroze and Kamena Dorling, 'Abuse by the system: Survivors of trafficking in immigration detention' (October 2022) 14 (accessed 30 January 2024).

[59] Independent Anti-Slavery Commissioner, 'Letter to Home Secretary on the Creation of the Immigration Enforcement Competent Authority' (11 November 2021) (accessed 30 January 2024).

[60] International Organisation for Migration, 'UK National Referral Mechanism Data Analysis Briefing #7, 2023 Mid-Year Review' (18 October 2023) (accessed 30 January 2024).

[61] GRETA UK Second Evaluation Round (n 50) 141. An argument in favour of limiting the pool of First Responders has been the challenge of 'maintaining consistency in practice and training' across a larger number of organisations. See Jessica Elliott, 'The National Referral Mechanism: Querying the response of 'First Responders' and the competence of 'competent authorities' (2016) 30(1) *Tottels Journal of Immigration Asylum and Nationality Law* 9, 15.

since the inception of the NRM.[62] Various reports highlight how persons with lived experience of modern slavery may be reluctant to approach statutory FROs (for instance, due to fear of arrest or deportation), meaning that they will likely only be able to access the NRM through a referral from a non-statutory FRO.[63] However, NGOs permitted to discharge this function are limited in number and do not cover all parts of the UK. As a result, in the current situation, many are either practically inaccessible or are already operating at full capacity, with some recently forced to suspend NRM referrals entirely for this reason.[64]

iii. NRM referrals: practices of FROs

In addition to challenges stemming from the composition and capacity of FROs, reports continue to highlight how accurate identification is frustrated by a lack of knowledge and awareness among First Responders and other frontline staff who are likely to encounter people with lived experience of modern slavery. An ongoing reported issue has been an inability to recognise indicators of modern slavery[65] – a challenge deemed to be particularly prominent in certain locations (such as asylum and immigration facilities),[66] as well as in relation to specific forms of exploitation (notably labour exploitation).[67] In addition, reports have indicated an alarming lack of awareness of the NRM process and related responsibilities among statutory First Responders,[68] while also highlighting the inconsistent quality of referrals with respect to the accuracy and level of detail of the evidence provided to the Competent Authority.[69] Stakeholders agree that a critical component of improving awareness and practice in this area lies in ensuring that First Responders and frontline staff are appropriately trained[70] – a position which was also endorsed by the government in its 'New Plan for Immigration'.[71] Reports have also called for access to legal aid for the purpose of identification to relieve the strain on First

[62] Kalayaan, 'The National Referral Mechanism: Near Breaking Point' (February 2023) (accessed 30 January 2024).

[63] Anti-Slavery Monitoring Group, 'Modern Slavery Strategy Review: ATMG Written Evidence Submission' (February 2023) 2-3 (accessed 30 January 2024). Official Home Office statistics continue to evidence the fact that statutory organisations are responsible for the vast majority of referrals (n 55). Those concerns also emerge from our analysis of the DtN data in Part 4.

[64] Anti-Slavery Monitoring Group (n 63) 2-3. Research participants highlighted what they refer to as a 'postcode lottery', where one's likelihood of receiving a good quality referral is subject to their location in the UK.

[65] Home Office, 'Review of the National Referral Mechanism for victims of human trafficking' (November 2014) ("Home Office Review"), para. 4.2.2 (accessed 30 January 2024).

[66] GRETA UK Second Evaluation Round (n 50) 154-155 and 167; GRETA UK Third Evaluation Round (n 51) 264 and 269. As noted in the latter report, at para. 264: '[p]oor training and a focus on immigration offences mean that victims are being sent to immigration detention despite having raised trafficking indicators to First Responders'. This may help explain the high rate of positive Reasonable Grounds decisions for persons referred into the NRM from immigration detention, as referenced in the Home Office's 'New Plan for Immigration'. Home Office, 'New Plan for Immigration. Policy Statement' (March 2021) (accessed 30 January 2024).

[67] GRETA UK First Evaluation Round (n 50) 230; GRETA UK Second Evaluation Round (n 50) 158.

[68] GRETA UK First Evaluation Round (n 50) 231; Home Office Review, para. 4.2.1.; Carole Murphy, 'A Game of Chance? Long-Term Support for Survivors of Modern Slavery' (16 March 2020) 12 (accessed 30 January 2024). Murphy's report focuses on gaps in knowledge among two statutory FROs: local authorities and the police.

[69] Murphy (n 68) 12. As Elliott notes, given the reliance that the Competent Authority places on evidence presented to them by First Responders (especially at the reasonable grounds stage), 'poor-quality referrals […] can be damning for a putative victim'. Elliott (n 61) 14. For more on this, see "FR Perception" as a reason for not entering the NRM in the discussions in Part 4 of this report.

[70] Anti-Slavery Monitoring Group (n 63); GRETA UK Third Evaluation Round (n 51) 255 and 265. Murphy (n 68) 15; Elliot (n 61) 14, 29. See also Centre for Social Justice, arguing that '[q]uality assurance mechanisms and mandatory training should be introduced to equip First Responders and Single Competent Authority (SCA) staff to identify victims of modern slavery effectively, take a trauma-informed approach to evidence gathering and decision-making, and increase the quality and quantity of information provided in NRM forms.' Centre for Social Justice, 'Nationality and Borders Bill: Submission to the Public Bill Committee' (2021) (accessed 30 January 2024).

[71] UK Home Office, 'New Plan for Immigration' (n 66).

Responders and ensure that all relevant evidence is presented to the Competent Authority.[72]

Another major challenge identified in the literature relates to securing the informed consent of individuals prior to an NRM referral.[73] Statistical evidence points to a general increase in the rate of adult individuals who come into contact with FROs but who do not consent to be referred into the NRM,[74] as well as wide discrepancies in the rates of consent to referral across different FROs – for instance, a study by After Exploitation notes that over 81% of referrals from the Gangmasters and Labour Abuse Authority are through the DtN procedure, as opposed to just 27% by police and 9% by local authorities.[75] These trends alone are not necessarily indicative of deficient practices among First Responders.[76] Indeed, a rise in the rate of adults choosing not to enter the NRM may also be indicative of the perception that the system itself (including the support provided within it) is not fit for purpose.[77] However, these trends align with concerns that the ability to provide informed consent is undermined in many cases by the 'inconsistent and fragmentary' information provided by First Responders regarding services available within the NRM and possible outcomes of the procedure.[78] In particular, the literature indicates that many First Responders rely primarily on published materials when providing information prior to a referral, the quality and accuracy of which have been called into question.[79] A reliance on published materials, in lieu of advising on the NRM process on an individualised basis, was also reflected in a large number of responses received in the project survey.[80]

In response, there have been calls for improved training and resourcing for staff required to discharge the First Responder role.[81] Specifically, recommendations have targeted

[72] GRETA UK First Evaluation Round (n 50) 226; Jean-Pierre Gauci, Noemi Magugliani, John Trajer (British Institute of International and Comparative Law), 'Impacts of a lack of legal advice on adults with lived experience of modern slavery' (January 2023) 32-33 (accessed 30 January 2024).

[73] See, for instance, Hope for Justice, 'Supporting Adult Survivors of Slavery to Facilitate Recovery and Reintegration and Prevent Re-Exploitation' (2017) 6. This, too, has also been attributed to a lack of access to legal aid prior to an NRM referral. On this, see GRETA UK Third Round Evaluation (n 51) 87.

[74] IASC (n 55) 1.2.1; Kate Garbers (University of Nottingham Rights Lab), 'Policy Paper: Confirmations, Commitments & Concerns - How will Part 5 of the Nationality and Borders Act on Modern Slavery be enacted?' (2022) 10 (accessed 30 January 2024). A detailed analysis of patterns in the DtN data for the period 2020-2021, including trends matched with NRM data for the same period, is presented in Part 3 of the report.

[75] After Exploitation, 'After Exploitation data shows 1 in 5 potential slavery victims "identified but not referred for support"' (24 June 2020) (accessed 30 January 2024).

[76] With respect to the GLAA specifically, there are good reasons why a lower percentage of individuals with lived experience of modern slavery may wish to be referred into the NRM, not least because this may result in suspending their ability to work.

[77] Garbers (n 74) 10. See Part 4 of this report for detailed analysis on reasons for choosing not to enter the NRM.

[78] Anti-Trafficking Monitoring Group (ATMG) et al., 'Joint Submission to the Group of Experts on Action against Trafficking in Human Beings: Response to the Third Evaluation Round of the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings' (2020) 6-9 (accessed 30 January 2024). GRETA has echoed these concerns, noting that '[p]resumed victims who do not enter the NRM process are unlikely to obtain a clear picture of their rights and of the NRM process itself.' GRETA UK Third Evaluation Round (n 51) para. 68.

[79] GRETA UK Third Evaluation Round (n 51) 68. This notes that, while leaflets are available in multiple languages to support informed decision-making on whether to consent to an NRM referral, concerns persist around the quality and accuracy of the information provided.

[80] According to our survey, 58% of respondents supplied information through published materials, such as leaflets. This was indicated as the primary (and likely only) means of communicating information upon initial contact by SR Nos. 31, 32, 35, 35, 36, and 37.

[81] See Hope for Justice, 'Supporting Adult Survivors of Slavery to Facilitate Recovery and Reintegration and Prevent Re-Exploitation' (2017) 8 (accessed 30 January 2024): 'First Responders should be trained in order to develop the necessary expertise to […] give information and secure additional advice as needed to inform consent.'

training in how to communicate information related to the NRM effectively.[82] As Kate Roberts, then-UK & Europe Manager at Anti-Slavery International, noted:

> *Securing informed consent for a referral into the NRM takes skill, training and resources. People who have recently left exploitation may not self-identify, are likely to be traumatised and unfamiliar with the language around trafficking.*[83]

Outside of First Responder practices, reports have also highlighted how the ability to provide informed consent is negatively impacted by various other factors, including a lack of access to legal advice prior to an NRM referral,[84] as well as the lack of sufficient time and support to allow for reflection on whether to engage with the NRM process.[85] In October 2017, the UK government unveiled plans to facilitate informed decision-making through the establishment of 'Places of Safety' for individuals with lived experience of modern slavery to receive immediate advice and support for up to three days prior to deciding to enter the NRM.[86] However, these have not been implemented to date. An analysis of the meaning of informed consent, and of reasons why people with lived experience of modern slavery decide to give (or not to give) consent to enter the NRM, will follow in Part 4.

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[82] GRETA UK Third Evaluation Round (n 51) 72. This recommends training for First Responders to ensure that information is provided in a manner that takes into the account the psychological state of individuals with possible lived experience of modern slavery.

[83] After Exploitation (n 75).

[84] Katarina Schwarz and Alexandra Williams-Woods, 'Protection and support for survivors of modern slavery in the UK: assessing current provision and what we need to change' (2022) 30 *Journal of Poverty and Social Justice* 2, 98**.** For an example of good practice in this area, see the example of the weekly legal surgery run by JustRight Scotland and the Trafficking Awareness Raising Alliance, which focuses on providing basic advice prior to NRM referrals to help ensure informed consent. On this initiative, see Scottish Justice Directorate, 'Trafficking and Exploitation Strategy – Fourth Annual Progress Report' (2022) 11-12 (accessed 30 January 2024).

[85] British Red Cross, 'First steps to safety? The role of reception centres in supporting people out of exploitation' (2020) (accessed 30 January 2024).

[86] On how these 'Places of Safety' could contribute to enabling informed decisions on entering the NRM, see Anti-Trafficking Monitoring Group et al., 'Principles that underpin early support provision for survivors of trafficking' (December 2018) (accessed 30 January 2024).

Part 2: Training as a key factor in identification processes

A) Exploring training for First Responders: Impact, availability, and quality

As the previous section highlighted, several shortcomings related to the identification of persons with lived experience of modern slavery in the UK have been attributed to a lack of appropriate training, particularly when it comes to the recognition of modern slavery indicators and the implementation of referral procedures by First Responders (including securing informed consent).[87] In response to this, a key aim of the project was to better understand the nature of current training provision among FROs, as well as to explore ways in which such provision might be improved. The present section outlines the project's key findings in this area, drawing on its various research components – namely, the expert reviews of training materials, the survey distributed among FROs, and the focus groups conducted with FROs and lived experience consultants. This section begins by highlighting training as a key factor in improving the identification and referral of adults with lived experiences of modern slavery, as evidenced by widespread support for a mandatory training requirement for First Responders among research participants (A1). The section proceeds to highlight how, despite the lack of a mandatory requirement, some basic training does appear to be relatively widespread among statutory First Responders, although further research is required to get a clearer picture of its availability and coverage in practice (A2). The section concludes by indicating that, where training is already provided, concerns persist around its quality, particularly in the absence of any standardisation or accreditation scheme. Taking insights from across the project's research components, this section highlights some of the strengths and weaknesses of current training provision, while also underlining aspects of content and delivery that should ideally be included in any training session (A3).

A1. Impact

Given that First Responders comprise staff employed across a wide range of public roles (including the police, various Home Office departments, and local authorities), many will have no prior knowledge of modern slavery, nor conscious experience of engaging with people with lived experience of modern slavery. As a result, the need for First Responders to be appropriately trained is undisputed. Indeed, the Statutory Guidance implies that training is an inherent feature of this role, defining First Responders as 'a member at a First Responder Organisation who has a responsibility for discharging one or more of the functions of the First Responder Organisation and *who has been trained to discharge those functions*.'[88] Despite this, there is no mandatory training requirement for designated First Responders,[89] prompting various calls for the government to 'develop and maintain a nationwide training programme for both statutory and non-statutory First Responder

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[87] As that section highlighted, however, challenges in this area do not stem from inadequate training provision alone, but also from issues of funding and capacity across the sector, among other things.
[88] Statutory Guidance, para. 1.20.
[89] See, amongst others, After Exploitation (n 75): 'Being designated a First Responder does not necessarily correspond with either specific training or funding for the role […].'

Organisations'.[90] This has been acknowledged by the Independent Anti-Slavery Commissioner ("IASC"), whose office has supported the Home Office in developing e-learning modules with the stated intention of 'provid[ing] all First Responders with a consistent level of knowledge to enable them to effectively identify and refer, where appropriate, potential victims of modern slavery to the NRM'.[91]

These calls were supported by our First Responder survey findings, with 88% of respondents agreeing that training should be mandatory for all frontline staff employed in FROs. Respondents argued that mandatory training would help address the fact that significant numbers of professionals who are designated First Responders are not aware of the NRM mechanism at all,[92] would help promote consistency in the quality of training,[93] and would reinforce the importance of the First Responder role among those tasked with discharging it.[94] Some survey respondents qualified their position by explaining that not *all* staff employed by FROs will necessarily be internally responsible for conducting NRM referrals, arguing that First Responder training should be mandatory for those who are tasked with this role within the organisation, while basic training on detecting indicators and alerting suitable points of contact should be mandatory for all staff who may come into contact with persons with lived experience of modern slavery.[95] Others, meanwhile, proposed that mandatory requirements should extend beyond initial training to include refresher courses,[96] which were considered to be key in ensuring that First Responders are kept informed on trends in offending (for instance, in terms of exploitation types, common countries of origin, and methods of control), as well as on any relevant policy and legal developments (particularly with respect to the NRM system and submission requirements).[97] In light of recent legislative and policy developments following the adoption of the Nationality and Borders Act 2022, this last proposal has acquired additional value and importance.[98]

A2. Availability

Turning to the coverage of current training provision, among First Responder survey respondents, 10% had not received any modern slavery training whatsoever, while the other 90% had received some mix of training delivered face-to-face (63%), virtually (live) (42%), and through e-learning (50%). However, not all of this training was provided by the employer, with 24% of respondents attributing their preparedness to identify people with lived experience of modern slavery to training undertaken at their own expense, while 45% highlighted personal research and reading as an additional contributing factor. These figures imply that much of the training received was not sufficiently comprehensive, requiring surveyed First Responders to dedicate additional time and expense to ensuring they were able to carry out their responsibilities effectively. This conclusion is supported

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[90] Kalayaan (n 62) 10. See also Murphy (n 68) 4, arguing that 'Statutory guidelines must be introduced and monitored that include the requirement for compulsory and embedded training for all First Responders and other statutory services'.
[91] Independent Anti-Slavery Commissioner, '2020 UK Annual Report on Modern Slavery' (October 2020) 29 (accessed 30 January 2024). More information on training availability is set out below.
[92] SR No. 27.
[93] SR Nos. 29 and 40.
[94] SR No. 32.
[95] SR Nos. 15, 28, 29 and 40. As noted in Section B2 of Part 1, FROs enjoy wide discretion in terms of internally organising how to discharge this responsibility (n 16).
[96] SR Nos. 9, 16 and 34.
[97] SR Nos. 1, 2, 7, 8, 9, 10, 16, 21, 23, 29, 31, 33, 40.
[98] The Statutory Guidance published in January 2023 introduced a range of changes aimed at implementing Part 5 of the Nationality and Borders Act 2022, including in relation to the evidence required at the reasonable grounds stage. For a detailed discussion of training challenges in light of frequent legislative and policy changes, see Subsection B2 of Part 2 (below).

by fact that much of the training received by respondents was only offered on an initial, one-off basis, or otherwise at lengthy intervals,[99] with many First Responders noting that, while they had received basic modern slavery training, this was not a regular feature of their employment.[100]

While covering a relatively small sample, the project findings support the claim that the majority of First Responders already receive some form of basic modern slavery training, including within statutory FROs. Indeed, the UK government has previously reported that a basic one-hour e-learning module is already mandatory for the staff of public authorities, including police forces, the National Crime Agency (NCA), the Gangmasters and Labour Abuse Authority (GLAA), and various Home Office divisions, including the UK Border Force (UKBF), UK Visas and Immigration (UKVI), and Immigration Enforcement (IE).[101] Despite this, concerns persist around the ability of First Responders to discharge their role effectively, which, together with suggestions that many First Responders are not even aware of their role and responsibilities, suggests either that mandatory training requirements are not implemented, or that there are shortcomings in the quality of the training content and/or post-training support provided (for instance, focusing only on basic awareness-raising, rather than details on how to discharge First Responder duties).[102] Indeed, there is no publicly reported data on the uptake or attendance at training sessions conducted among public authorities.[103] With respect to the quality of training provided, meanwhile, various research participants commented on the fact that the online training modules launched by the Home Office – together with other publicly accessible training resources maintained by the Home Office – have not been updated to accommodate policy changes in the NRM referral process, which raises suspicions regarding the accuracy and comprehensiveness of other training provided to statutory First Responders.[104] This is reflected in GRETA's evaluation, which encouraged the UK authorities 'to ensure that comprehensive training programmes are organised in a systematic and harmonised way across the UK for all relevant officials', while also emphasising that 'the relevance, effectiveness and reach of these programmes should be evaluated at regular intervals'.[105]

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[99] SR Nos. 9, 10, 28, 35.

[100] SR Nos. 12, 13, 20, 21, 23, 24, 30, 31, 39.

[101] GRETA UK Second Evaluation Round (n 50) 53.

[102] GRETA UK Third Evaluation Round (n 51) 68 and 255. On these challenges and shortcomings, see Subsection B2 of Part 1 (above).

[103] GRETA has published some figures provided to them by the UK authorities with respect to the number of Home Office staff who have undergone modern slavery training. However, these figures date from prior to 2016 and do not elaborate on the nature of the training provided. GRETA UK Second Evaluation Round (n 50) 54. With respect to the project survey, meanwhile, there is a risk that the data gathered provides a distorted picture of the availability of training in practice. While the survey was distributed widely, it can be assumed that engagement would be higher from staff who have been trained and are actively involved in modern slavery work, potentially providing an inaccurate picture about the level of training provided to statutory First Responders generally.

[104] The Home Office also maintains a webpage with general and role-specific training modules for different statutory First Responders, available here: https://www.gov.uk/government/publications/modern-slavery-training-resource-page/modern-slavery-training-resource-page#training-and-awareness-raising-resources (accessed 30 January 2024).

[105] GRETA UK Second Evaluation Round (n 50) 67. In particular, this report highlighted the need for training to be provided to 'law enforcement officials, lawyers (including duty solicitors), prosecutors, magistrates, judges, social workers, child specialists and medical professionals'. On research findings related to monitoring training, see Subsection B1 (below).

A3. Quality

As pointed out in the previous subsection, the introduction of a mandatory training requirement will unlikely have much of a positive impact on the identification of adults with lived experience of modern slavery in the absence of efforts to monitor whether this requirement is enforced. In addition, our research findings highlighted how quantitatively increasing training provision and attendance must be matched by assurances of quality and relevance in terms of the content of the training provided. To contribute to these efforts, this project aimed to gather a range of views on the strengths and weaknesses of the training currently provided to First Responders, while also attempting to gain an understanding of essential elements that any such training should include with a view to improving consistency in this area.[106] Key in this respect was the feedback provided from experts on a range of materials currently in use to train First Responders.[107] Drawing on these findings, as well as findings from other aspects of the project's different research components, this section addresses three broad themes with respect to the quality of current training provision: (i) general awareness and detection of modern slavery; (ii) making NRM referrals; and (iii) training delivery.

(i)   General awareness and indicators

In the expert assessments of the training materials, reviewers were frequently critical of the **definitions and understanding** of modern slavery conveyed, citing issues such as insufficient engagement with international and domestic legal standards, frequent conflation between human trafficking and other modern slavery offences, and limited treatment of important concepts, such as 'consent'. These shortcomings pose a major challenge to First Responders' ability to gather pertinent information and conduct accurate referrals – an issue which, as this report has already indicated, has been widely reported by project consultants and in the wider literature.[108] On a more positive note, reviewers highlighted how the materials frequently included a section dispelling **common misconceptions** around modern slavery ('myth busting') – for example, by emphasising the fact that modern slavery offences do not require the crossing of international borders, while also explaining that perpetrators of these offences may rely on subtle forms of control to maintain individuals in exploitative situations (with these individuals often not realising or accepting that they are 'victims'). The latter point, however, was undermined in some instances by reliance on **stereotypical portrayals** of modern slavery offences, with reviewers noting the widespread use of imagery involving chains, handcuffs, and hands clasped over the mouths of women and children. This issue was also picked up on by participants in the focus group held with First Responders (some of whom are also training providers), who underlined both the prevalence and the problematic nature of this kind of imagery in training materials and public-facing campaigns around modern slavery. As these participants explained, stereotypical images can be disempowering for persons with lived experience of modern slavery, while, by reinforcing the idea that force or confinement is a common element of these offences, they are also likely to undermine the ability of training participants to detect indicators in practice.[109]

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[106] As an example of existing efforts in this area, see the standardised training framework produced in Lara Bundock and Dr Kathryn Hodges, 'Training Framework: Identification, Care and Support of Victims and Survivors of Modern Slavery and Human Trafficking' (2020) (accessed 20 October 2023).
[107] This is outlined in the Methodology section at the beginning of this report.
[108] See Subsection B2 of Part 1 this report.
[109] FRFG Participant No. 2; FRFG Participant No. 6; CCW Participant No. 3.

As a positive feature, the training materials often placed a strong emphasis on the heightened vulnerability of children, particularly in the context of forced criminality and 'county lines'. Outside of this, however, expert reviewers noted a failure to raise awareness of **specific personal and/or status-based characteristics** that may place individuals at a heightened risk of (certain types of) exploitation. Reviewers frequently noted the absence of any gender perspective – understood here as a gendered analysis across the spectrum – as well as a lack of engagement with the distinct vulnerabilities of LGBTQIA+ persons and persons with disabilities. This may place members of these groups at greater risk of not being correctly identified as persons with lived experience of modern slavery. Related to this, participants in the Lived Experience Focus Group underlined the need to sensitise frontline staff and First Responders to the fact that there is no single profile of a 'victim', and that not all persons with lived experience of modern slavery will share the same characteristics or exhibit the same set of personal indicators.[110] This also points to a broader point – namely, the importance of '**lived experience input**' in the development of training materials. For instance, participants in the focus group with First Responders emphasised the need to ensure that training materials are appropriately informed by the perspectives of those who have been through the system, including in relation to factors that may make persons with lived experience of modern slavery unable or unwilling to share their experiences with First Responders and other frontline staff ('barriers to disclosure').[111]

(ii)   **Making NRM referrals**

Another aspect of training addressed across the project's research components related specifically to the referral process. Generally, research participants highlighted the importance of **practical guidance on NRM referrals and DtN reports**.[112] However, this was an area in which training materials we received were often found to be lacking.[113] Reviewers noted that, while generally explaining the nature of the NRM process well, many of the training materials did not provide sufficient detail on how to conduct NRM referrals *in practice* – including how to conduct initial interviews, what/how much information to gather, and how to fill out the relevant forms (including what type of language to use when recording the individual's experience). A lack of sufficient practical information was also deemed to extend to other aspects of the First Responder role, including signposting to legal advisers, making relevant safeguarding arrangements, and supporting reconsideration requests. The DtN process, meanwhile, was frequently only mentioned in passing, and in some cases was entirely absent from the materials. Where introduced, the training materials generally provided little information on the process, its purpose, or its statutory basis.

Research participants also discussed the merits of **tailoring training interventions to the audience in question**. In the expert reviews, tailoring the materials to the specific needs of participants was frequently highlighted as a good practice, be it based on their geographical location (e.g., providing local statistics on modern slavery or foregrounding more prevalent forms of exploitation in the area), or their profession (e.g., placing greater emphasis on the s45 defence when training police officers). The focus group held with

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[110] LEFGs ("Lived Experience Focus Groups").

[111] FRFG Participant No. 3. See, in particular, the discussion on evaluating training design in Subsection B1 (below).

[112] CCW Participant No. 4.

[113] Similarly, one survey respondent commented on the training they had observed that 'not enough focus is placed on the practicalities of the NRM'. SR No. 19.

First Responders generally supported the idea of tailoring training to the specific needs of the audience, underlining the fact that 'off-the-shelf training just doesn't work',[114] while participants in the Co-Creation Workshop emphasised that many of the practicalities involved in First Responder work will require training around local protocols and safeguarding pathways.[115] At the same time, when tailoring materials to local contexts, focus group participants emphasised that trainers should avoid placing too much emphasis on specific forms of exploitation at the expense of others. Indeed, some participants noted that training materials were increasingly highlighting the prevalence of 'county lines' offences, expressing concerns that this may operate to the detriment of providing rounded training on all the forms of exploitation that First Responders need to be able to recognise.[116]

Another issue identified across the project's various research components related to training provided on **interacting with individuals with lived experience of slavery**. Consultants from the Lived Experience Focus Group highlighted the need for First Responders to be capable of providing accurate and accessible information about the NRM process – including on the interview and possible outcomes, predicted timelines, and specifics surrounding the nature of the support provided (including the type of accommodation, where it is located, and what the conditions are).[117] Similar concerns were also reflected in the project's survey data, with First Responders commenting that questions posed by people with lived experience of modern slavery most commonly revolved around timescales,[118] the type of accommodation and other support provided,[119] whether it was necessary to talk to the police,[120] how this process would affect their immigration status,[121] and whether protection would be provided.[122] As the Lived Experience Focus Group informed us, providing answers to these types of questions is critical to achieving informed consent for an NRM referral. Additionally, the Lived Experience Focus Group emphasised that a clear understanding of the NRM process is not only necessary to ensure that individuals know what they are consenting to when agreeing to be referred into the NRM, but also to dispel any anxiety that may result from going through a formal procedure one does not fully understand.[123] This may be heightened where the individual in question has a live immigration case, due to the fact that the NRM Competent Authorities are located within the Home Office – a situation likely to cause additional confusion and distress.

Consultants involved in the Lived Experience Focus Group highlighted the significance not only of the *content* of the information provided, but also the *manner* in which it is communicated. In this respect, the lived experience consultants underlined the importance of being able to **explain the NRM process clearly**, avoiding unnecessary jargon.[124] Consultants also highlighted the importance of listening skills and the ability to convey signals to ensure that individuals recounting their experiences feel heard and understood

[114] FRFG Participant No. 10.
[115] CCW Participant No. 17.
[116] FRFG Participant Nos. 3, 8 and 9..
[117] LEFGs.
[118] Both in terms of the duration of the NRM process as a whole, and how soon support would be provided. SR Nos. 1, 9, 29 and 32.
[119] SR Nos. 7, 15, 20, 32, 37 and 40.
[120] SR Nos. 13, 27, 38, 41 and 42.
[121] SR Nos. 7, 19, 20, 23, 33, 38
[122] SR Nos. 2, 12, 28, 29, 35.
[123] LEFGs.
[124] Ibid.

– a skill which was considered key to building trust.[125] A related issue which arose frequently in discussions around training was the importance of educating First Responders in **trauma-informed approaches**.[126] However, in the training materials we received, the reviewers generally found this information to be wholly absent. Reviewers highlighted how trauma – if mentioned at all – was often only introduced as an indicator of modern slavery or as a potential barrier to disclosure. There was thus little information on how trauma may impact the individual's consistency in recounting their experiences, nor on how First Responders should conduct themselves to avoid re-traumatisation (instead, it was noted that some materials framed recommendations for encouraging disclosure in an insensitive and intrusive way likely to actively re-traumatise some individuals). Reviewers suggested that the integration of trauma-informed responses within training materials could be based on, or supplemented with, the Human Trafficking Foundation's 'Slavery and Trafficking Survivor Care Standards'[127] and the Helen Bamber 'Trauma-Informed Code of Conduct'.[128] On a more positive note, the training materials did at various points recognise the possibility of vicarious trauma amongst First Responders themselves, which was also raised in the survey.[129]

In the Lived Experience Focus Group in particular, a great deal of emphasis was placed on the importance of training on **cultural sensitivity in interacting with individuals with lived experience of modern slavery**. This, the consultants explained, should include awareness of different cultural backgrounds that may affect the disclosure of experiences. At the same time, training should also relate to how First Responders perceive their role and the nature of their relationship with the individual in question. For instance, consultants explained that too many people working in First Responder and support roles have 'saviour syndrome', thinking that they know what is best for the individual concerned.[130] As one of the lived experience consultants explained:

> *The worst thing you can ever get is a professional who thinks 'this is what the victim or survivor needs'. A victim or survivor knows what they saw and what they need. We do not need someone to come along and start running the show for us.*

More practically, consultants from the Lived Experience Focus Group also drew attention to the fact that communication issues could arise due to language barriers, thus underlining the importance of accessing support from interpreters at an early stage – a point that also came across from the analysis of the DtN data in Part 4 of this report.

(iii) **Delivery**

In terms of training delivery, there was broad consensus amongst research participants as to what constituted effective methods. In our survey, respondents identified the **use of a variety of methods and audiovisual tools** to be a good way of maintaining participants' engagement and aiding the uptake of information during live sessions. In particular, respondents emphasised the value of **case studies and situational exercises** (such as mock referrals) to allow attendees at the training session to apply what they had learned

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[125] Ibid.
[126] SR Nos. 2 and 30.
[127] Human Trafficking Foundation, 'The Slavery and Trafficking Survivor Care Standards' (October 2018) (accessed 30 January 2024).
[128] Rachel Witkin and Dr Katy Robjant (Helen Bamber Foundation), 'The Trauma-Informed Code of Conduct: For all Professionals working with Survivors of Human Trafficking and Slavery' (2018) (accessed 30 January 2024).
[129] This was mentioned as an important issue to include in training by SR No. 29.
[130] LEFGs.

and to address any uncertainties they may have about making referrals in practice.[131] This was also identified as a promising practice in the expert reviews, which noted that several of the training materials relied extensively on the use of audiovisual materials and participatory exercises to engage participants. The focus group with First Responders, meanwhile, further confirmed the effectiveness of group work and scenario-based activities,[132] while in the Co-Creation Workshop, one participant drew attention to the potential impact of role-playing NRM interview scenarios where some members of the group present the story as the 'victim'.[133]

The focus group also engaged in a discussion of **e-learning**. While some participants were sceptical about the possibility of delivering effective training through this format, there was broad recognition that capacity and budgetary challenges in the sector may necessitate reliance on e-learning generally. Some participants underlined the fact that the increasing sophistication of programmes available in this area provide the possibility to deliver interactive training to a wide audience,[134] with others reflected on inventive ways to simulate real-life challenges related to identification and referral through interactive e-learning platforms.[135] In the Co-Creation Workshop, discussions touched upon the fact that, in response to frequent legislative and policy changes around modern slavery referrals, updated e-learning modules may be the most efficient way to re-train large numbers of First Responders at short notice.[136] It was also suggested that, for the purpose of evaluating the coverage of First Responder training, e-learning may present opportunities for collecting data on course completion on a much larger scale.[137]

Consulted stakeholders suggested that **lived experience input** may be valuable not only in the development of the content of training materials, but also in their delivery. In the focus group with First Responders, some participants suggested facilitating the direct participation of individuals with lived experience of modern slavery in training sessions, highlighting how this has the potential to make the training much more impactful, particularly when it comes to portraying the realities of modern slavery and the complexities of lived experience.[138] These discussions were caveated by awareness of potential safeguarding concerns around direct involvement – however, alternative suggestions included presenting materials prepared in advance by (and with the consent of) people with lived experience of modern slavery.[139] Other respondents referenced the Human Trafficking Foundation-led project on 'lived experience-led training', where the goal was not for people with lived experience of modern slavery to share their personal experiences of exploitation, but rather to share with professionals how their experiences of interacting with public authorities could have been strengthened.[140] A finding emerging from the expert reviews of training materials, meanwhile, was that including accounts of individuals with lived experience of modern slavery who had been successfully supported by the system was a promising practice. In particular, reviewers highlighted how the use of 'success stories' could be a good way to foster the engagement and motivation of

[131] SR Nos. 2, 3, 5, 7, 13, 19, 32, 33, 36, 40.
[132] FRFG Participant No. 4.
[133] CCW Participant No. 8.
[134] FRFG Participant Nos. 6, 8 and 11.
[135] Focus Group Participant Nos. 2 and 10.
[136] CCW Participant No. 18.
[137] Ibid.
[138] FRFG Participant No. 10.
[139] FRFG Participant No. 6. CCW Participant Nos. 8 and 9.
[140] Human Trafficking Foundation, 'Lived Experience: Train the Trainer Project' (2022) (n 6). This also included training on safe boundary setting for members of the Lived Experience Advisory Panel involved with the project, at p.10.

participants, while also underlining the agency of individuals with lived experience of modern slavery.[141] However, consultants from the lived experience advisory panel emphasised the need to ensure that these stories are not shared beyond the audience that they were initially intended for without the individual's consent.[142]

B) Monitoring, improving, and sharing: Future directions for training

In addition to exploring the impacts, availability, and quality of training provided to First Responders, the research also highlighted a number of challenges and opportunities with respect to monitoring and evaluating training impacts (B1), improving the quality of training content and delivery (B2), and sharing training and related resources (B3). These are addressed below in turn. Annex 1, meanwhile, contains a 'Training Assessment Checklist' based on discussions held during the Co-Creation Workshop, which aims to assist providers in maximising the effectiveness of training provided to First Responders.

B1. Monitoring and Evaluation

Monitoring and evaluating ("M&E") the impacts of training delivered to First Responders was a key theme of the Co-Creation Workshop hosted by the project team. M&E consists of two basic components: (i) gathering information to understand the effects of a training programme or intervention, and (ii) measuring these effects against specific goals or intended outcomes. It can serve a number of purposes, including improving training effectiveness (by helping trainers know whether the programme is delivering on its objectives, and if not, whether changes need to be made to meet these goals – see B2 below), as well as establishing a baseline of good practice that can be shared with other trainers in the field (see B3 below).[143] M&E can be carried out using a number of tools, including surveys and questionnaires, interviews, focus groups, and observations and performance metrics.

Discussions with participants in the First Responder Focus Group and Co-Creation Workshop highlighted how M&E is often conceived of as a one-off 'add-on' to training, rather than as an essential part of the training process that should be factored into all phases of development, design, and delivery. For instance, much of the discussion in the CCW revolved around the importance of evaluating the content of training prior to its delivery to the target audience (i.e., at the **design phase**). Here, participants underlined that it is not only important to consult subject matter experts to check the accuracy of the information, such as specialist NGOs,[144] but also people with lived experience of modern slavery who have been through the system.[145] In this respect, participants emphasised the importance of drawing on as wide a range of lived experience perspectives as possible to ensure that the training is appropriately sensitive to the different kinds of challenges

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[141] This does not, however, negate the importance of sharing experiences where the interaction with public authorities left considerable room for improvement, as highlighted in the 'Train the Trainer' project (n 6).

[142] LEFGs.

[143] Other purposes served by M&E include ensuring accountability (e.g. by justifying the funding of training programmes by underlining their added value), as well as providing motivation (highlighting the positive effects can be motivating for the training and may increase support and or funding). See OHCHR & Equitas, *Evaluating Human Rights Training Activities: A Handbook for Human Rights Educators* (2011) 19 (accessed 30 January 2024).

[144] CCW Participant No. 6.

[145] CCW Participant No. 10.

faced.[146] Beyond this, participants pointed out that interpreters with experience in supporting the referral process may be an important source for evaluating the design of training materials,[147] while others suggested that, in addition to subject matter specialists, it is may be useful to consult experts in learning science, who may be able to provide important feedback on maximising training impacts.[148] As a separate point, participants also discussed the importance of ensuring the relevance of the training to the target audience, based, for instance, on the local context, or the specific nature of the profession of the First Responders in question.[149] To achieve this, one participant suggested making better use of regional focal points for modern slavery for evaluation (for instance, in police forces and local authorities).[150]

Discussions in the CCW also highlighted a number of challenges inherent in measuring the **impacts** of training. Various techniques were shared for doing this, including pre- and post-training quizzes to track to what extent the session has contributed to achieving its learning objectives.[151] However, participants generally highlighted the difficulty of measuring the long-term impacts of training (for instance, six months after its conclusion), particularly when it comes to understanding its effects on how First Responders go about discharging their role.[152] This difficulty was exacerbated by the fact that a lot of training providers – particularly in NGOs – may either lack the resources to be able to conduct long-term impact assessments, or may lack privileged access to the relevant information to monitor these impacts (for instance, being able to review the NRM referral forms completed by training participants).[153] As such, many stakeholders noted that monitoring and evaluation of long-term impacts was sidelined in their organisation's practice. Nonetheless, it was deemed important to be maintain contact with training participants after the conclusion of the training session and to ask follow-up questions related to, among other things: how they are implementing their learning, whether they feel more confident in their role, and whether there have encountered any challenges that should be included in future sessions.[154] Other participants who had access to completed referral forms, or who were a local point of contact for support in conducting referrals, highlighted how this information can be a highly relevant tool for monitoring and evaluating the impacts of their training on learners.[155]

B2. Improving

As noted in Section A3 above, the project identified a range of concerns related to the quality of current training provision. Monitoring and evaluation of training – from the design phase through to the post-delivery phase – can play an important role in identifying where these training interventions can be improved. However, across the different aspects of the research, participants repeatedly emphasised that the delivery of appropriate and impactful training, as well as its successful evaluation, was challenged by the frequently changing

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[146] CCW Participant No. 3.
[147] CCW Participant No. 17. For instance, it was noted that interpreters can help ensure that the training sensitises First Responders to some of the challenges involved in conveying an understanding of the identification process and associated safeguarding and support.
[148] CCW Participant No. 6.
[149] See the discussion of tailoring training in Subsection A3 (above).
[150] CCW Participant No. 14.
[151] CCW Participant No. 3.
[152] CCW Participant No. 21.
[153] CCW Participant No. 16.
[154] CCW Participant Nos. 10 and 21.
[155] CCW Participant Nos. 8 and 10.

political and legislative context around modern slavery (as reflected in changes to the Statutory Guidance and NRM referral form).[156] Participants pointed in particular to the stress and confusion caused by the introduction of the new evidentiary requirement in the Statutory Guidance in January 2023, prompting agreement on the need for the Home Office to ensure that any such changes are communicated well ahead of time to First Responder Organisations.[157] This, participants noted, was essential to ensure that organisations have time to disseminate this information to those internally responsible for conducting NRM referrals, while also arranging for any additional training (as appropriate).[158] Moreover, given the challenges inherent in ensuring the implementation of additional training following each policy change, participants emphasised that the basic e-learning modules maintained by the Home Office should be kept updated at all times.[159]

B3. Sharing

Many participants in the project emphasised that collaboration was key to ensuring the development of impactful First Responder training, particularly when it comes to sharing resources (including any lessons learned from evaluation). Participants in the Co-Creation Workshop reflected on different ways of sharing training practices – for instance, by organising buddy schemes and/or peer review systems where individuals responsible for providing training in their respective organisations sit in on each other's sessions and discuss the relative merits of their programmes.[160] The HTF 'Train the Trainer' Project, where lived experience consultants developed and delivered their own modern slavery training to local authorities, police and community groups across London, is an example of a promising practice in this area.[161] It was also highlighted how networks like the UK Modern Slavery Training Delivery Group[162] are a critical resource in raising awareness, informing training design and promoting monitoring and evaluation of training amongst stakeholders, whilst formal and informal opportunities for exchange – particularly at the local or regional level – could have a marked benefit on the type, quality and effectiveness of training provided. It is clear from the research that various organisations have the will but not the capacity to improve their training provision, and sharing resources could support this process.

Part 3: NRM and Duty to Notify: Identification patterns

This section provides a summary overview of publicly available data for NRM referrals and DtN reports between 2015 and 2020, as well as a detailed overview and analysis of NRM and DtN data covering two periods of time: 2020-2021 (for which detailed data is available for both the NRM and DtN), as well as 2022 (for which detailed NRM and summary DtN data is available). Access to quantitative and qualitative DtN data for the period 2020-2021 was secured in two phases: ahead of this project commencing, the Modern Slavery PEC

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[156] As one participant noted, training modules are often updated at standardised intervals (for instance, on an annual basis), rather than in response to specific policy and legislative changes. CCW Participant No. 2
[157] CCW Participant Nos. 4, 13, 14 and 21.
[158] CCW Participant Nos. 17.
[159] CCW Participant No. 21.
[160] CCW Participant Nos. 3 and 11.
[161] 'Train the Trainer' project (n 6).
[162] See Home Office, 'Modern slavery training: resources page' (updated 2 September 2021) (accessed 30 January 2024).

secured an agreement in principle to access DtN data from the Home Office, and subsequently, BIICL and the Home Office signed a Memorandum of Understanding that granted BIICL access to DtN data covering the period between January 2020 and December 2021. The data received from the Home Office supplements the – significantly more limited – DtN data that the Home Office releases publicly, as it includes referral-specific information, as well as reasons for not entering into the NRM. This section provides an analysis of the data received, which – as per the Memorandum of Understanding signed between BIICL and the Home Office – cannot be made publicly available in its original form. It is significant to note at the outset that the data received covers the period between January 2020 and December 2021, and it is therefore undoubtedly impacted by the COVID-19 pandemic and its impacts on modern slavery generally, and on identification in particular.[163]

For clarity and ease of reference, the publicly available datasets will be referred to as 'Home Office published statistics' or 'publicly available data', while the detailed, redacted dataset shared by the Home Office will be referred to as 'Home Office data' or 'MoU data'.

According to the Home Office published statistics,[164] the number of DtN reports has increased consistently since 2015 – with a minor exception between 2019 and 2020.[165]

Number of DtN reports: 2015-2022

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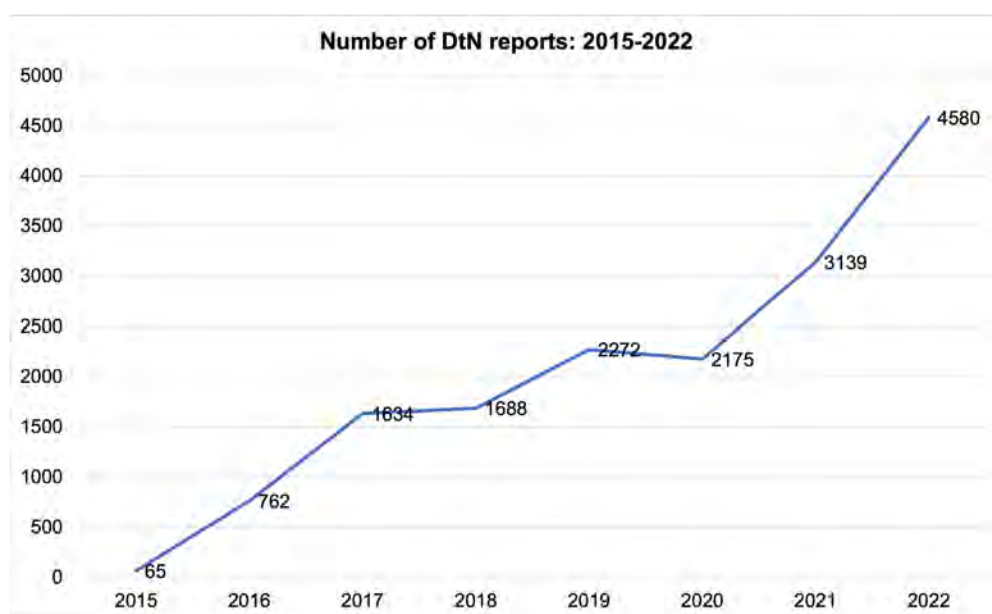
[163] Alex Balch et al., 'Policy Brief: Impact of Covid-19 on identification of potential victims of modern slavery in the UK in 2020' (March 2021) (accessed 30 January 2024).
[164] See, for instance, Home Office Official Statistics, 'Modern Slavery: National Referral Mechanism and Duty to Notify statistics UK, end of year summary 2022) (2 March 2023) (accessed 30 January 2024).
[165] It should be noted that the 2015 data does not cover the entire year, as data has only been recorded since the entry into force of the 2015 Modern Slavery Act.

DtN reports and adult NRM referrals: 2015-2022
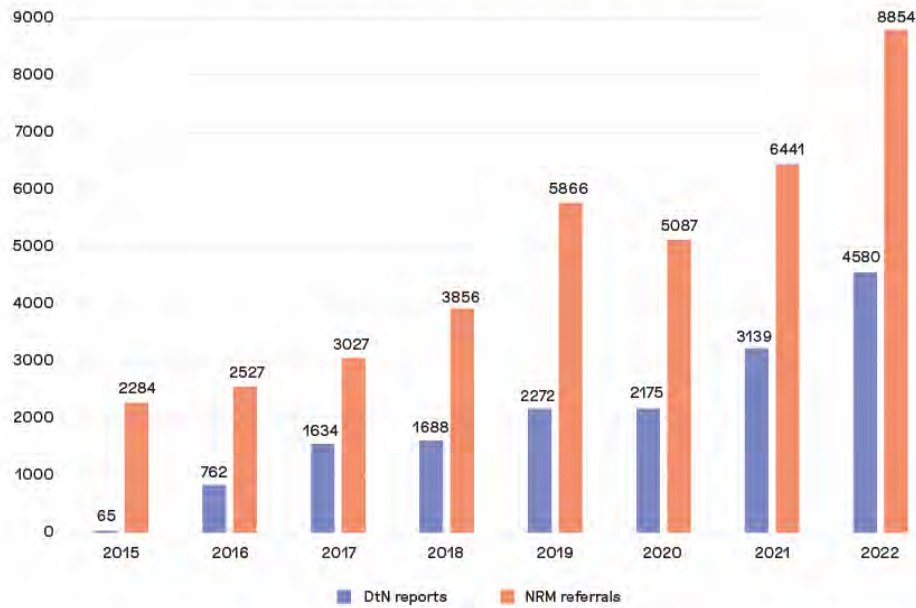
In terms of the ratio between DtN reports and NRM referrals (namely the number of DtN reports filed for every NRM referral), whilst recognising the potential for double counting in the data sets, the published data shows a decrease from 2017 to 2019, from 0.54 DtN for every NRM to 0.39 DtN for every NRM and then an increase from 2019 to 2022 to reach a similar ratio (0.52) as 2017.

Year	Number of DtN	Number of adult NRM	Ratio DtN:NRM
2016	762	2,527	0.30:1
2017	1,634	3,027	0.54:1
2018	1,688	3,856	0.44:1
2019	2,272	5,866	0.39:1
2020	2,175	5,087	0.43:1
2021	3,139	6,441	0.49:1
2022	4,580	8,854	0.52:1

Despite the impact of COVID-19, the absolute number of DtN referrals saw only a limited reduction in 2020 compared to 2019, before increasing significantly in 2021 and 2022.
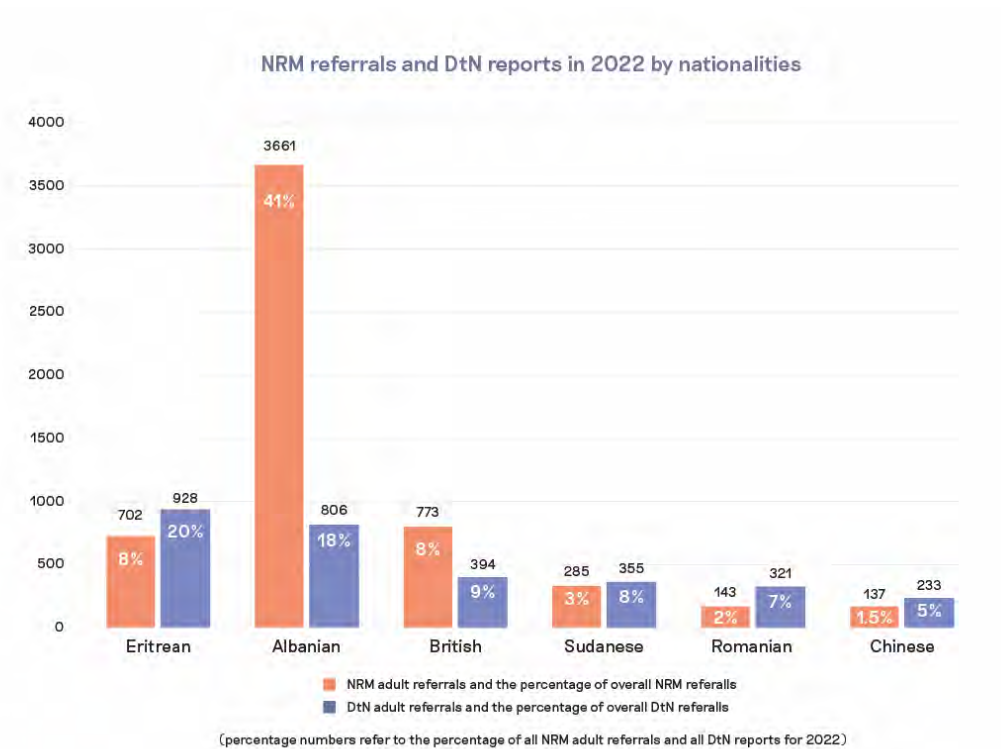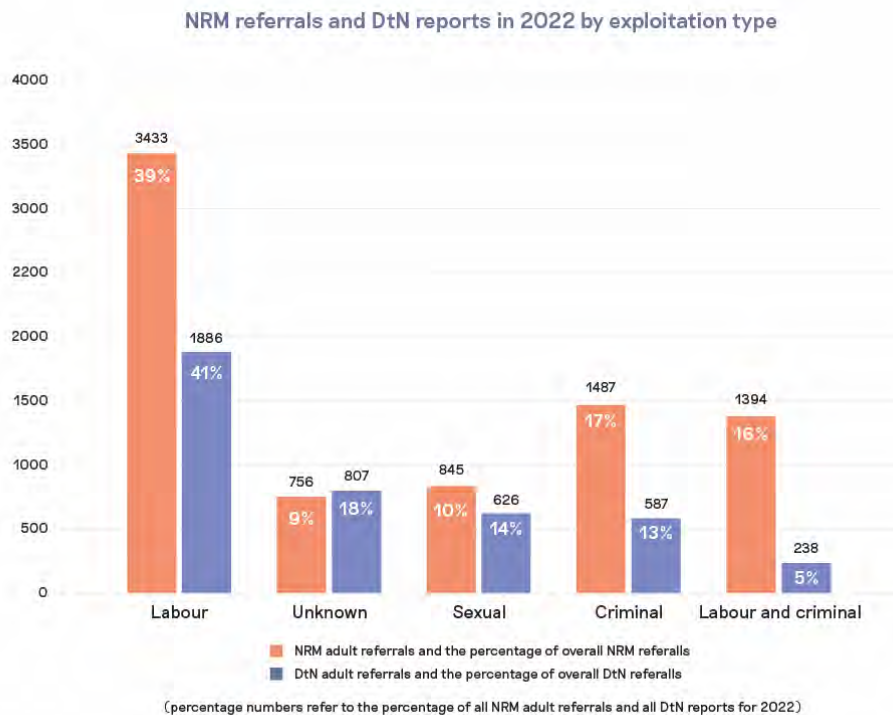
A) Comparative analysis of publicly available NRM and DtN data: 2022

In light of the available data in the two datasets, a comparative analysis was possible for three categories – nationality, exploitation type(s), and referring agency – but not possible with regard to gender or location of exploitation, as the publicly available DtN data does not include this information. The research team disaggregated the NRM published data to isolate information relating to adults, as children are outside the scope of this report (excluding those NRM referrals where age was recorded as unknown). From a methodological standpoint, it is also important to note that, whilst the comparative analysis includes NRM data from across the United Kingdom, the DtN data only refers to England and Wales. However, 94% of NRM referrals in 2020 (9,970 out of 10,613) and 93% of referrals in 2021 (11,870 out of 12,727) were recorded in England and Wales. As such, the statistical relevance of the analysis is not hindered by the inclusion of the entirety of the United Kingdom in NRM data, compared to only England and Wales in DtN data.

According to 2022 published DtN data, the most represented **nationalities** in DtN reports – a total of 4,580 in the year – were Eritrean (928, 20%) and Albanian (806, 18%), followed by British (394, 9%), Sudanese (355, 8%), Romanian (321, 7%), and Chinese (233, 5%). This picture only partially overlaps with publicly available data from the NRM for the same time period. With respect to nationalities of adults, the main nationalities referred to the NRM in 2022 were Albanian (3,661, 41%), British (773, 9%), and Eritrean (702, 8%). The number of Sudanese (285, 3%), Romanian (143, 2%), and Chinese (137, 1.5%) nationals was significantly lower – in absolute and relative terms – compared to the DtN data. In terms of nationality, there is thus a striking over-representation of Eritrean, Sudanese, Romanian, and Chinese nationals in the 2022 DtN data, compared to the 2022 NRM data, and an under-representation of Albanian nationals. The representation of UK nationals, on the other hand, is consistent in terms of relative numbers between the DtN and NRM data.

NRM referrals and DtN reports in 2022 by nationalities

- NRM adult referrals and the percentage of overall NRM referalls
- DtN adult referrals and the percentage of overall DtN referalls

(percentage numbers refer to the percentage of all NRM adult referrals and all DtN reports for 2022)

In terms of **exploitation types**, the publicly available 2022 DtN data shows a prevalence of labour exploitation (1,886, equal to 41% of reports), followed by 'not recorded or unknown' (806, 18%), sexual (626, 14%), and criminal (587, 13%). Also significant are instances of multiple exploitation, in particular labour and criminal (238, 5%), sexual and labour (155, 3%), and labour and domestic (136, 3%). Taking into consideration exploitation types for adults in the NRM data from 2022, the data shows a prevalence of labour exploitation or multiple forms of exploitation including labour. While this distribution is true for most non-British nationals, in the case of British nationals, the vast majority of NRM adult referrals in 2022 were for criminal exploitation (480 out of 773, 62%). There is, overall, a similar prevalence across the two datasets, with a slight over-representation of sexual exploitation in DtN reports and criminal exploitation in NRM referrals, and a more significant over-representation of labour and criminal (as a multiple form of exploitation) in the NRM dataset.

NRM referrals and DtN reports in 2022 by exploitation type

NRM adult referrals and the percentage of overall NRM referalls
DtN adult referrals and the percentage of overall DtN referalls

(percentage numbers refer to the percentage of all NRM adult referrals and all DtN reports for 2022)

With regard to **referring organisation (or agency)**, the vast majority of 2022 DtN reports were filed by government agencies (3,119, or 68%, with UKVI filing 2,624 reports, or 57%),[166] followed by the police and Regional Organised Crime Units (1,253 or 27%, with the Metropolitan Police Service filing the highest number of reports at 260).[167] As for the NRM data, the majority of adults in 2022 were referred by UKVI (2,856, 32%), followed by Immigration Enforcement (2,755, 31%) and NGOs (725, 8%). It is clear that there is a significant over-representation of UKVI in DtN data, and of UKIE and NGOs in NRM data. As mentioned above, the over-representation of NGOs in NRM data can be explained by the fact that only statutory First Responders are under a duty to notify under s52 of the MSA. Yet, if we compare UKVI data between DtN reports and NRM referrals, we still see a significant over-representation of UKVI in DtN over NRM data – meaning that UKVI filed 57% of all DtN reports and 32% of the total of NRM referrals.

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[166] Government agencies encompass Home Office divisions (UKVI, UKIE and UKBF), as well as the GLAA.
[167] It is worth noting that only public agencies are under a duty to make DtN referrals, which might help explain their over-representation in DtN data.

NRM referrals and DtN reports in 2022 by referring agency

(percentage numbers refer to the percentage of all NRM adult referrals and all DtN reports for 2022)
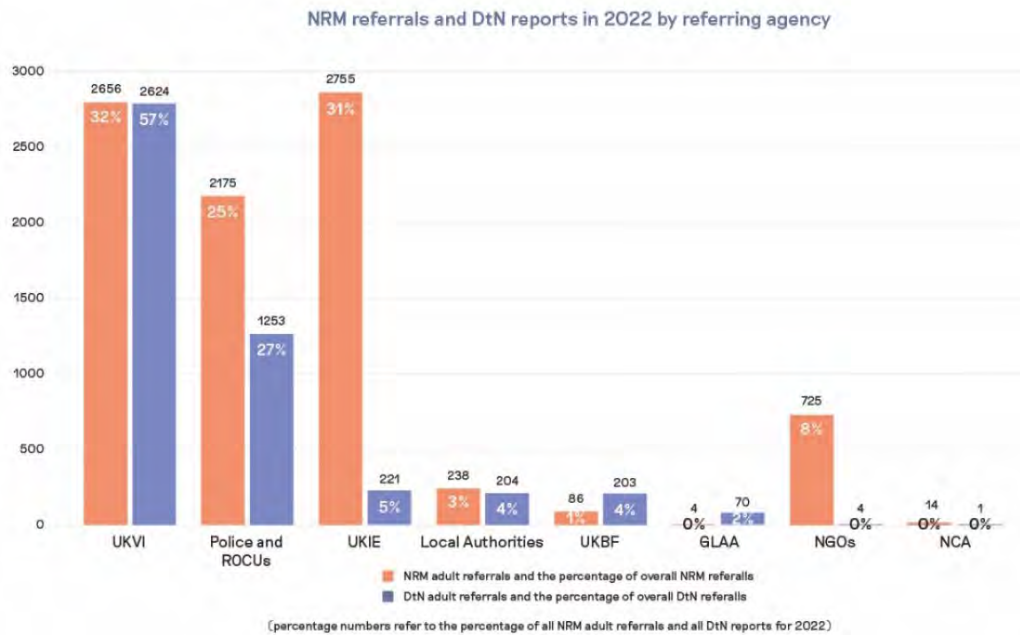
Lastly, in terms of **gender**, no comparative analysis was possible since there is no disaggregated DtN data. Within the NRM data, the majority of referrals for adults were submitted in respect of males (6,874, or 77%). For males, the most prevalent exploitation types were labour (3,181 or 46%), criminal (1,356 or 20%), and labour and criminal (1,341 or 20%). For females, the most prevalent exploitation types were sexual (740, 36%), labour (252, 12%), and sexual and labour (194, 10%).

B) A comparative analysis of NRM data and MoU DtN data: 2020-2021

The MoU DtN dataset received by the research team included 5,321 data points, which have been analysed in full – meaning that the team has not limited itself to a random sample within the dataset.[168] The data was coded through a mix of inductive and deductive coding by the research team, who also undertook a correlation analysis. A key data point available in the MoU DtN dataset relates to **nationality**. Out of the 5,321 entries, 12% of cases (631) related to UK nationals, 0.5% (53) to individuals who held both UK and another nationality, and 84% (4,487) to non-UK nationals, with the remaining 2.5% (150) pertaining to cases where nationality was recorded as unknown.

Incomplete submissions: Unknown nationality

Amongst the 150 cases where nationality was not recorded or unknown, 68 related to males, 53 to females, 5 to other genders, and in 24 instances gender was also recorded as unknown. The majority of these DtN reports were submitted by the police (73, 49%), followed by local authorities (36, 24%) and UKVI (20, 13%). In terms of type of exploitation, the information was unknown in 57 instances, while it was recorded in 93 cases, with the predominant types of exploitation being labour (30), sexual (23), and

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[168] There are minor discrepancies between the number of DtN referrals indicated in the publicly available DtN data (5,314) and the number of DtN referrals indicated in the MoU data (5,321). The reason(s) for this discrepancy are unknown.

criminal (22). With regard to reasons for not entering the NRM, it is significant to note that in almost half of these submissions (72, 48%) the First Responder did not provide a response.

Amongst non-UK nationals, the most prevalent nationalities in the MoU DtN dataset were Albanian (766, 17% of all non-UK nationals), Romanian (631, 14%), Eritrean (508, 11%), Sudanese (443, 10%), Chinese (393, 9%), and Vietnamese (366, 8%). The table below provides a comparison of 2020-2021 MoU DtN and publicly available 2020-2021 NRM data in relation to nationality.
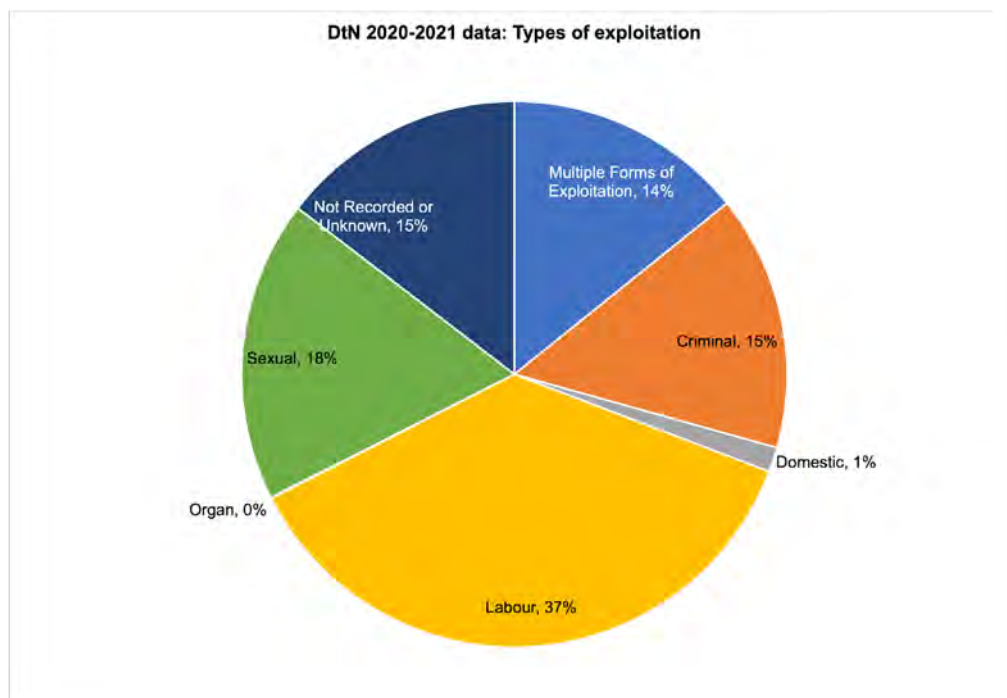
Nationality	No (and %) of total DtN in 2020 and 2021	No (and %) of adult NRM in 2020 and 2021	Ratio DtN:NRM
Albanian	766 (14%)	3,391 (29%)	0.19:1
Romanian	631 (12%)	411 (4%)	1.54:1
British	631 (12%)	1,484 (13%)	0.43:1
Eritrean	508 (10%)	616 (5%)	0.82:1
Sudanese	443 (8%)	489 (4%)	0.91:1
Chinese	393 (7%)	427 (4%)	0.92:1
Vietnamese	366 (7%)	986 (8%)	0.37:1

It is clear from the table above that Albanian nationals are under-represented in the DtN data, meaning that they were more likely than not to give consent to enter the NRM. Indeed, out of 4,157 Albanian nationals, 18% did not consent to enter the NRM while 82% consented to being referred. Some stark differences arise between British and Vietnamese nationals, the majority of whom decided to consent to entering the NRM (70% and 73% respectively), and for Romanians, the majority of whom decided not to consent to entering the NRM (60%). In terms of relative numbers – meaning the *weight* of a particular nationality on the total number of referrals – the data suggests a significant over-representation of Chinese, Eritrean, and Sudanese nationals in DtN over NRM data. Indeed, while they account for, respectively, 4%, 5%, and 4% in the NRM data, they account for 7%, 10%, and 8% in the DtN data – a percentage that is almost double on every occasion.

Beyond nationality, the MoU DtN data also provides the **gender** breakdown of the people in respect of whom the DtN was filed, with a majority of males (3,322, 62%) over females (1,960, 37%). In a handful of cases, other genders (6) or no gender was recorded (33). Compared to 2020-2021 published and combined NRM data, which shows a prevalence of male referrals (8,352 or 73% compared to 3,132 or 27%), there were in relative terms more females for whom a DtN report was filed compared to the number of females that were referred into the NRM. Taking into account both gender and nationality, the data shows that the majority of **females** who did not consent to entering the NRM were **Romanian** nationals (393, 62% of all Romanian nationals in the DtN data), followed by **Chinese** nationals (311, 79% of all Chinese nationals in the DtN data), and **British** nationals (215, 34% of all British nationals in the DtN data). The majority of **males** who did not consent to entering the NRM were **Albanian** nationals (609, 79.5% of all Albanian

nationals in the DtN data), followed by **Sudanese** nationals (438, 98.5% of all Sudanese nationals in the DtN data), **Eritrean** nationals (416, 82% of all Eritrean nationals in the DtN data), and **British** nationals (415, 66% of all British nationals in the DtN data). Particular combinations of nationality and gender therefore emerge from the analysis of MoU DtN data – namely relatively high proportions of Romanian and Chinese females, and Albanian, Sudanese, Eritrean, and British males.

A further data point relates to the **type of exploitation**. The pie chart below shows that the majority of DtN referrals in 2020 and 2021 involved cases of labour exploitation, followed by sexual exploitation and criminal exploitation. This distribution is consistent with published DtN data from 2022, as well as in published NRM data from both 2020-2021 and 2022.

DtN 2020-2021 data: Types of exploitation

- Multiple Forms of Exploitation, 14%
- Criminal, 15%
- Domestic, 1%
- Labour, 37%
- Organ, 0%
- Sexual, 18%
- Not Recorded or Unknown, 15%

The breakdown of multiple exploitation (including absolute numbers and percentage over the total number of multiple exploitation types) is provided below:

DtN 2020-2021 data: Single and multiple types of exploitation
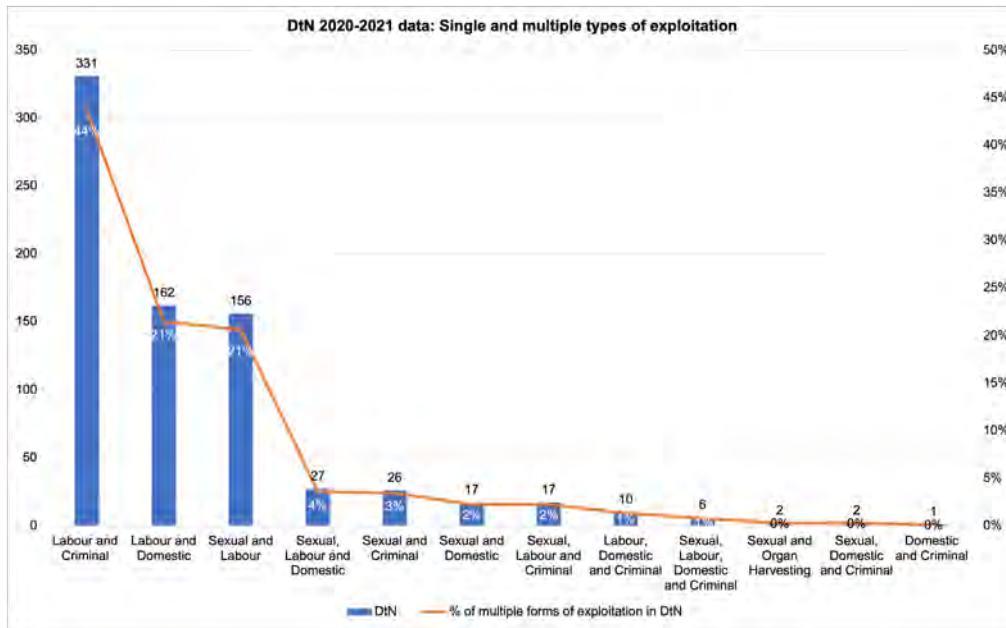
For each of the types of exploitation, the table below highlights the percentage of cases where the referral indicated a situation of multiple exploitation. Of particular interest is the situation of domestic servitude, with over 70% of cases involving multiple forms of exploitation – the only type of exploitation where the data consistently indicated accounts of multiple exploitation. We highlight this as multiple forms of exploitation carry with them particular challenges for identification.[169]

DtN 2020-2021 data: Single and multiple types of exploitation
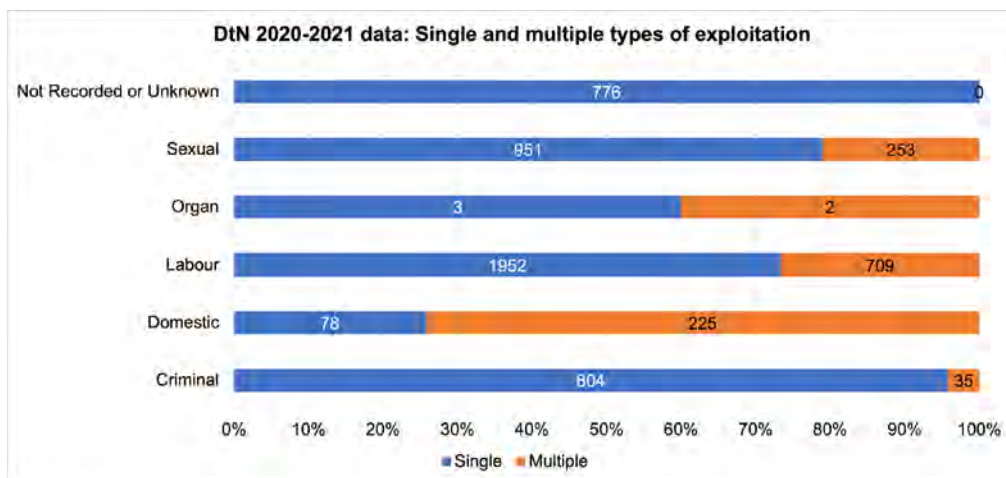
When exploitation types and nationalities are combined, the comparative picture offered by the NRM and DtN data is as follows:

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[169] The Home Office recognises that the possibility of multiple forms of exploitation is part of the complexity of identifying cases of modern slavery. See 'National Referral Mechanism Guidance: Adult (England and Wales)' (n 17).

DtN and Adult NRM 2020-2021: Nationality and exploitation type(s)

| Nationality	Criminal	Labour	Labour & criminal	Not specified or unknown	Sexual	Sexual & labour	Other
Albanian (DtN, 765)	33%	19%	22%	7%	14%	2%	3%
Albanian (NRM, 4149)	24%	23%	28%	6%	15%	2%	4%
British (DtN, 631)	50%	10%	9%	11%	12%	2%	6%
British (NRM, 7512)	67%	3%	9%	5%	9%		7%
Chinese (DtN, 391)	3%	19%	8%	56%		10%	3%
Chinese (NRM, 476)	4%	37%	8%	5%	27%	13%	6%
Eritrean (DtN, 507)		64%		23%	5%	3%	5%
Eritrean (NRM, 1071)		61%		15%	7%	3%	13%
Romanian (DtN, 629)	4%	42%	2%	13%	32%	4%	3%
Romanian (NRM, 658)	17%	36%	5%	10%	16%	7%	10%
Sudanese (DtN, 443)		92%				4%	2%
Sudanese (NRM, 965)		82%		7%			6%
Vietnamese (DtN, 366)	18%	37%	15%	17%	4%		8%
Vietnamese (NRM, 1644)	16%	30%	28%	9%	4%	3%	11%

The comparative data suggests some level of consistency between NRM and DtN data in so far as nationality and type(s) of exploitation are concerned. There are, however, some interesting insights to highlight:

1) There was a slightly higher share, in relative terms, of Albanian/criminal exploitation in DtN reports over NRM referrals, and a slightly higher share, in relative terms, of Albanian/labour exploitation and Albanian/labour and criminal exploitation in the adult NRM data;
2) British nationals subjected to criminal exploitation were more likely than not to consent to being referred into the NRM, and British nationals subjected to labour exploitation were more likely than not to refuse referral into the NRM;
3) For Chinese nationals, there was a significantly higher share, in relative terms, of sexual exploitation, and a lower share, in relative terms, of labour exploitation in DtN over NRM data. This means that Chinese nationals subjected to sexual exploitation were more likely than not to refuse referral into the NRM;
4) For Romanian nationals, there was a higher share of labour exploitation cases in DtN over NRM data, as well as a significantly higher share of sexual exploitation cases – meaning that Romanian nationals subjected to sexual exploitation were more likely to refuse being referred into the NRM. On the other hand, Romanian nationals subjected to criminal exploitation were more likely to accept being referred into the NRM.

A more detailed analysis of nationality and intersections with gender and type(s) of exploitation will be presented below, in Subsection B3.

The MoU DtN data also provides an overview of **which FRO** (or "referring agency") made the relevant DtN submission. 56% of DtN reports came from government agencies,

including the Home Office, whilst 38% came from the police and 6% from local authorities. Only a handful were filed by NGOs, which, as already mentioned above, are not under a duty to notify, as opposed to certain statutory First Responders. This points to a significant difference between the DtN and the NRM data for the time period 2020-2021 compared to the 2022 data (analysed above). There is, indeed, a significant over-representation of UKVI and a marginal over-representation of the police in DtN over NRM data. While the over-representation of NGOs in NRM over DtN data can be explained by the absence of a statutory duty to file a DtN (when the adult does not consent to enter into the NRM), the over-representation of government agencies and the police in DtN over NRM data shows that individuals who entered into contact with these authorities for an NRM referral were more likely to not consent to being referred.
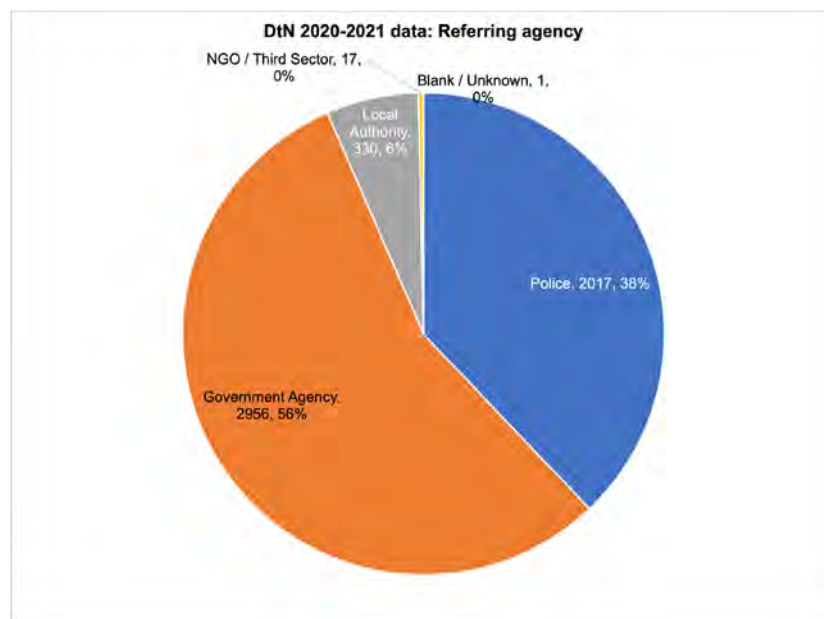
In terms of government agencies, a further breakdown shows the significant role of UKVI as the main referring agency (75% of DtN reports), in part likely attributable to UKVI's role in the asylum system, followed by UKBF (14%), UKIE (7%), and GLAA (4%).
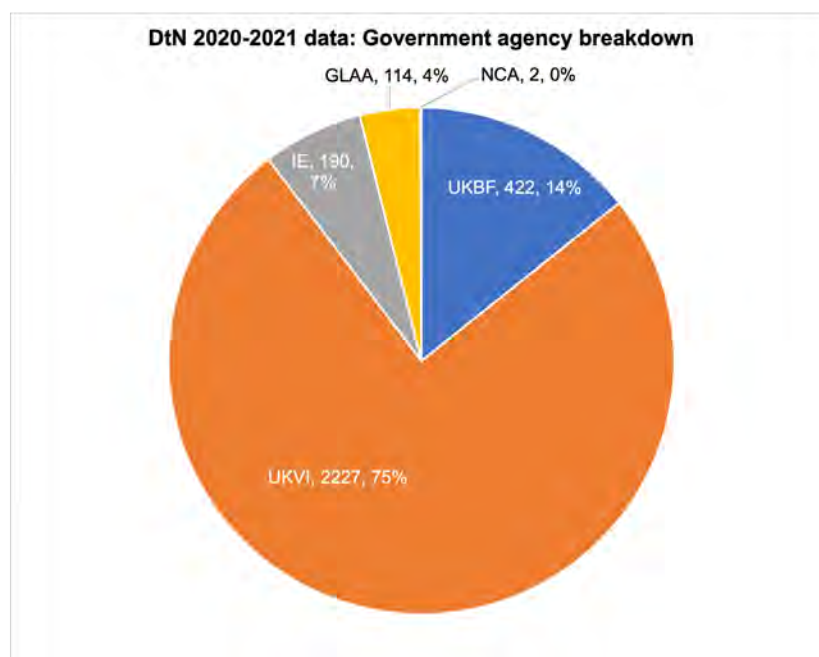
B1. Detailed analysis of DtN referrals 2020-2021 by (selected) referring agencies

This subsection will explore in more detail the 2020-2021 MoU DtN data with reference to selected referring agencies – namely the police and UKVI, selected on the basis of them being the two agencies with the most DtN reports in 2020-2021. For each referring agency, the section will highlight data relating to gender, nationality, and type(s) of exploitation. A further analysis of codes related to reasons for not entering the NRM will be presented in Part 4 of this report.

Police

In terms of **gender**, the majority of DtN reports filed by the police – amounting to a total of 2,017 (27% of total DtN) – related to males (1,137, 56%), followed by females (861, 43%). There was an over-representation of females in police DtN reports, considering that out of the entire DtN dataset, 36% of reports were for females.
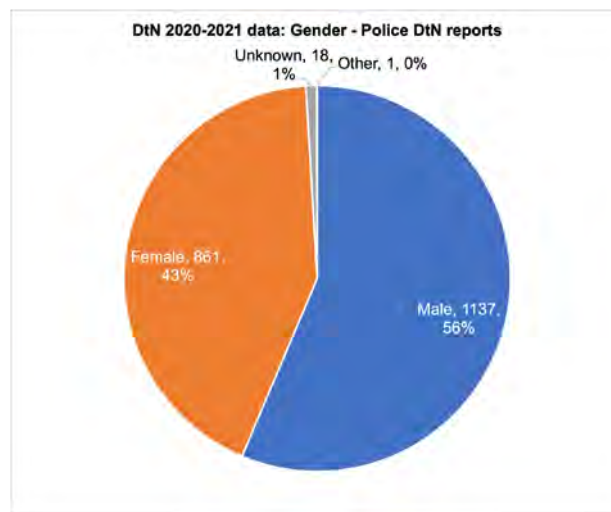

With regard to **nationality**, there was a clear prevalence of British nationals (524), followed by Romanian (328), Albanian (274), Chinese (185), and Vietnamese (146) nationals. Interestingly, British nationals referred by the police amounted to 83% of all British nationals in the DtN dataset (524 out of 631).

**DtN 2020-2021 data: Nationality - Police DtN reports**
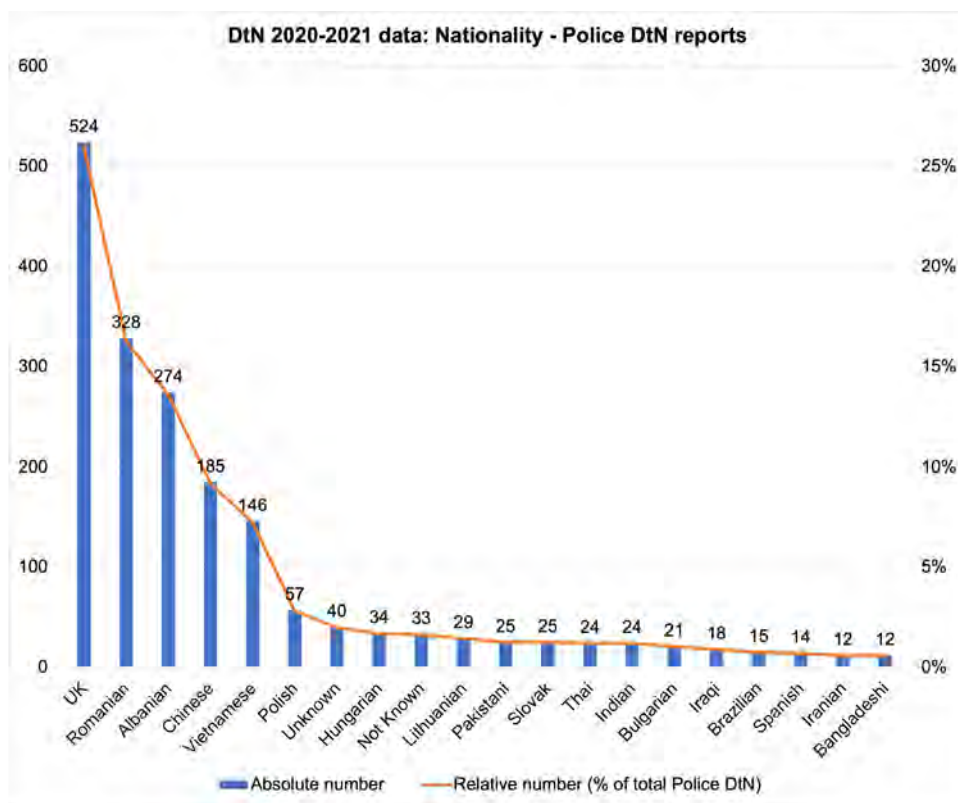
In terms of **exploitation type**, the majority of DtN reports submitted by the police – unsurprisingly – concerned criminal exploitation. Other significant forms of exploitation included sexual exploitation and labour exploitation, followed by some combinations of the above (e.g., labour & criminal, and sexual & labour). Very few cases concerned exploitation in domestic servitude, whether as a single form of exploitation or as part of a situation of multiple exploitation. Labour exploitation in particular was significantly under-represented in police DtN reports, amounting to 18% of police reports compared to an average of 37% across the DtN dataset. This can in part be explained by the contexts in which police are likely to interact with people with lived experience of modern slavery (namely, that of criminal exploitation).

DtN 2020-2021 data: Exploitation type - Police DtN reports
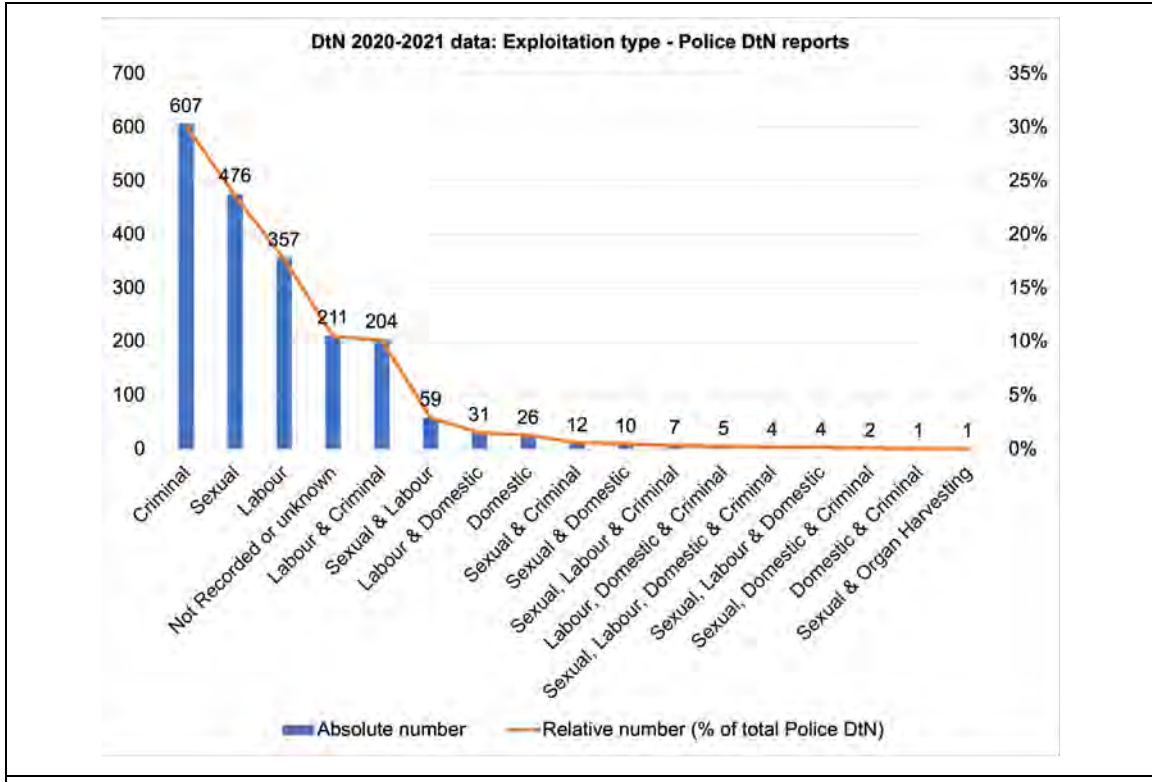
UK Visas and Immigration (UKVI)

In terms of **gender**, the vast majority of DtN reports filed by UKVI – amounting to a total of 2,227 – related to males (1,641, 74%), followed by females (577, 26%). Males were over-represented in UKVI DtN reports, with a prevalence of 74% against a DtN average of 62%. It is also true, however, that taking into account NRM data for the same period, 2020-2021, the percentage of males was consistent across the datasets (74% in DtN, 73% in NRM).

DtN 2020-2021 data: Gender - UKVI DtN reports
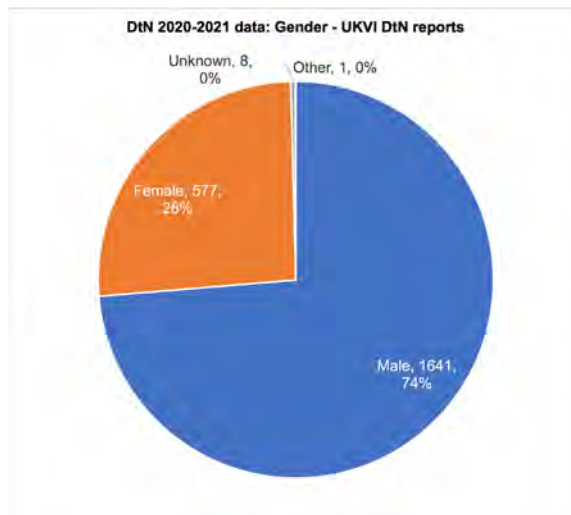
With regard to **nationality**, there was a prevalence of Eritrean nationals reported by UKVI through the DtN process (488), followed by Sudanese (422), Albanian (365), Chinese (169), and Vietnamese (165) nationals. Quite significantly, Eritrean nationals reported by UKVI amounted to 96% of all Eritrean nationals in the DtN data (488 out of 508), mostly likely because the vast majority were referred via the asylum system. A

similar number held true for Sudanese nationals (95%, or 422 out of 443). We have already seen earlier in the report that almost all Eritrean and Sudanese nationals in both the DtN and NRM data were males, allowing us to conclude that Eritrean and Sudanese males who did not consent to enter into the NRM were almost entirely reported by UKVI.

DtN 2020-2021 data: Nationality - UKVI DtN reports
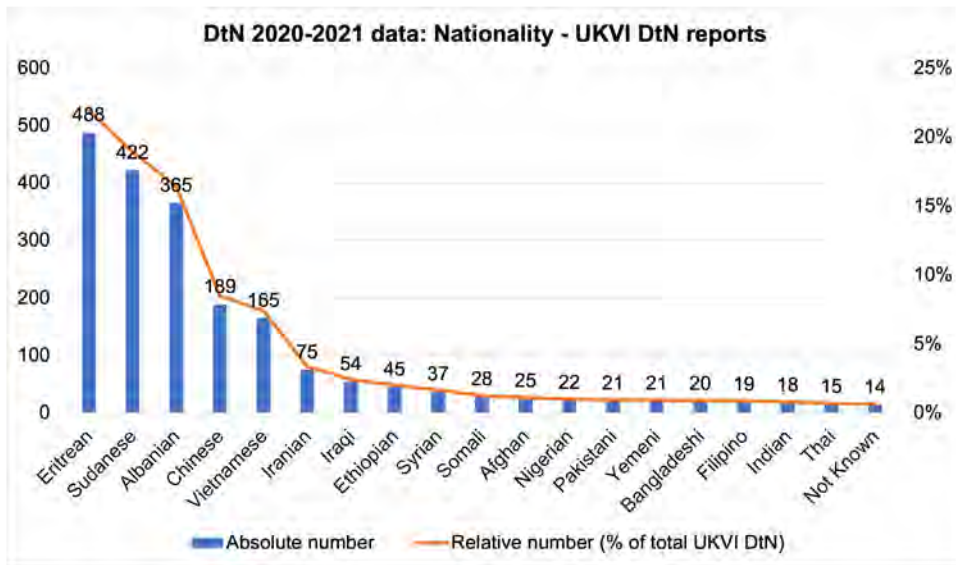
In terms of **exploitation type**, labour exploitation was the most common reported form of exploitation (1,221, or 55%) in UKVI DtN reports, followed by sexual exploitation (312, or 14%). In a significant number of cases, the exploitation type was recorded as unknown (313, or 14%). This is consistent with NRM data for the same period, with a slight over-representation of labour exploitation in DtN reports submitted by UKVI.

DtN 2020-2021 data: Exploitation type - UKVI DtN reports
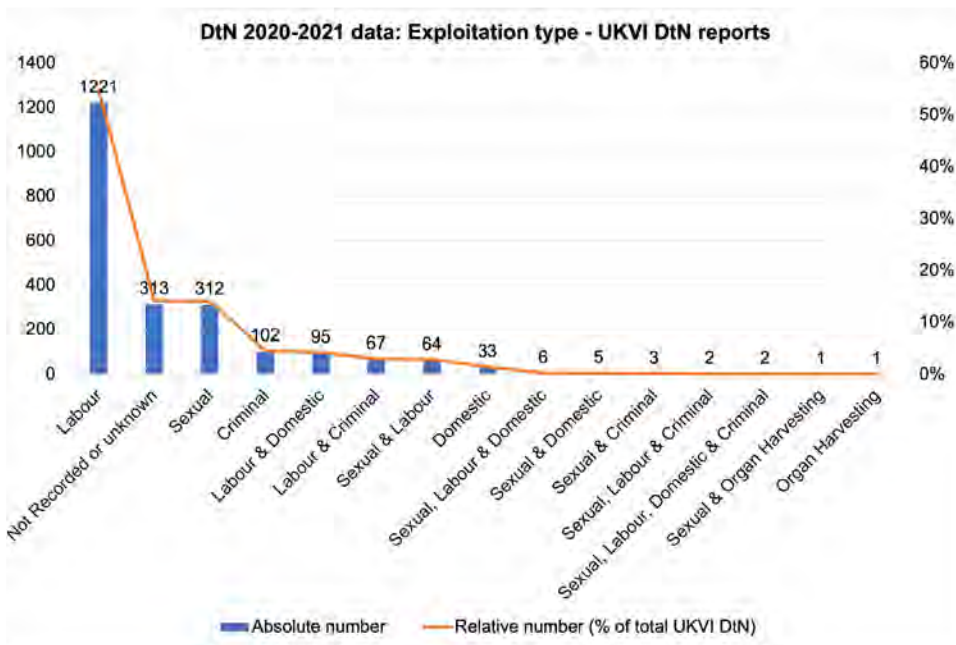
Snapshots of other referring agencies' patterns

The **nationality** and **gender** data of reports by agency show interesting patterns:

1. **UKBF** submitted a total of 422 DtN reports in 2020 and 2021. Interestingly, in terms of nationality, the data showed that the vast majority of reports (61%) were submitted in respect of Romanian (158, 37%), Bulgarian (40, 9%), Hungarian (31, 7%), and Albanian (30, 7%) nationals. Contrary to most referring agencies, as well as to the general DtN and NRM patterns with regard to gender, UKBF submitted 279 reports relating to females (66%) and 141 to males (33%). This is a significant difference compared to all other referring agencies;
2. **Local authorities** submitted an almost equal number of DtN reports concerning males (163, 49%) and females (160, 48%). 30% of these reports concerned British nationals, 15% Romanian nationals, and 7% Vietnamese nationals;
3. A gender balance also held true for **NGOs'** reports, though the numbers were not statistically significant (8 male reports, 8 female reports);
4. For **UKIE**, the vast majority of reports submitted concerned males (146 out of 190, 77%) and Albanian nationals (87, 46%), followed by Vietnamese nationals (30, 16%);
5. For **GLAA**, 75% of the 115 reports submitted concerned Romanian nationals (86), and 75% of reports concerned males (86). Though the data may suggest a full overlap, Romanian males accounted for 60 reports, with the remainder concerning females (26).

In addition to nationality and gender, the category '**type(s) of exploitation**' also offers some insights:

1. Unsurprisingly, 86% of **GLAA**'s 115 reports concerned labour exploitation (the remainder was recorded as exploitation type unknown). No instances of multiple forms of exploitation were recorded by GLAA;
2. 36% of the 422 reports submitted by **UKBF** did not identify a specific type of exploitation (150), while labour exploitation was identified in 123 cases (29%), and sexual exploitation in 97 cases (23%). Very few instances of multiple exploitation were recorded (43, 10%). It is interesting to read this data together with point 1 above on gender, considering that the vast majority of UKBF reports related to females;
3. The majority of **UKIE**'s 190 reports concerned labour exploitation (64, 34%) and criminal exploitation (38, 20%), followed by labour and criminal exploitation (25, 13%);
4. For **local authorities**, there was no type of exploitation that was significantly prevalent in the data, though labour exploitation represented the most common category (81, 25%), followed by criminal exploitation (52, 16%) and sexual exploitation (44, 13%).

B2. Detailed analysis of DtN referrals 2020-2021 by gender

This subsection will explore in more detail the 2020-2021 MoU DtN data with reference to gender, with a cross-cutting analysis of referring agency, nationality, and exploitation type(s).

Females

As previously indicated, the most represented **nationalities** for females in 2020-2021 DtN data were Romanian (393), Chinese (311), British (215), and Albanian (156). Females constituted the vast majority of Chinese nationals reported via the DtN process.

DtN 2020-2021 data: Nationality - Females DtN reports
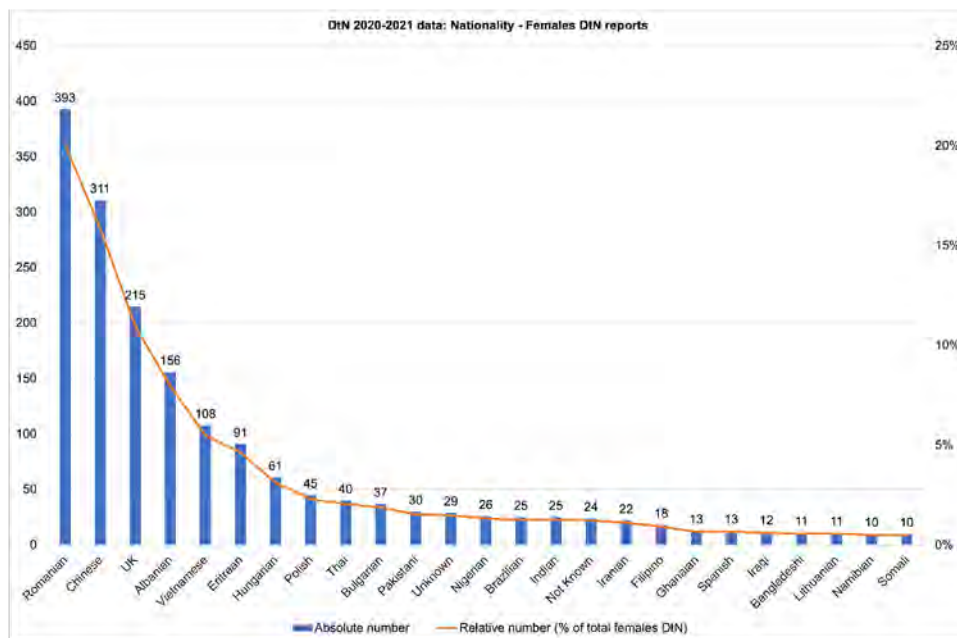
In terms of **referring agency**, the majority of females were reported by the police (861), followed by UKVI (577) and UKBF (279).

DtN 2020-2021 data: Referring agency - Females DtN reports
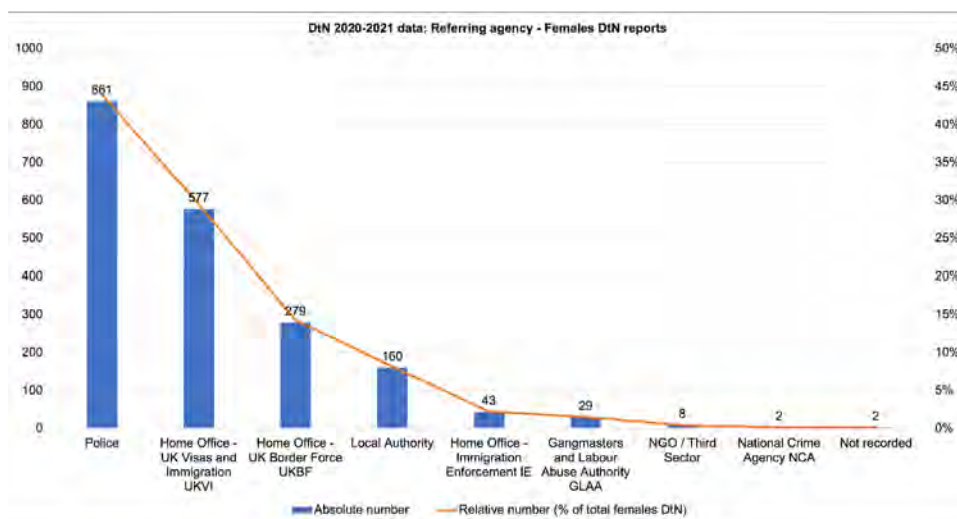
Lastly, in terms of **exploitation type(s)**, the predominant type of exploitation was sexual exploitation (896), followed by labour exploitation (261), and sexual and labour exploitation (146). In 319 cases related to females, exploitation type was not recorded in the DtN form. There was therefore, as in the NRM dataset, an over-representation of females reported for sexual exploitation in the DtN data.

DtN 2020-2021 data: Exploitation type - Females DtN reports
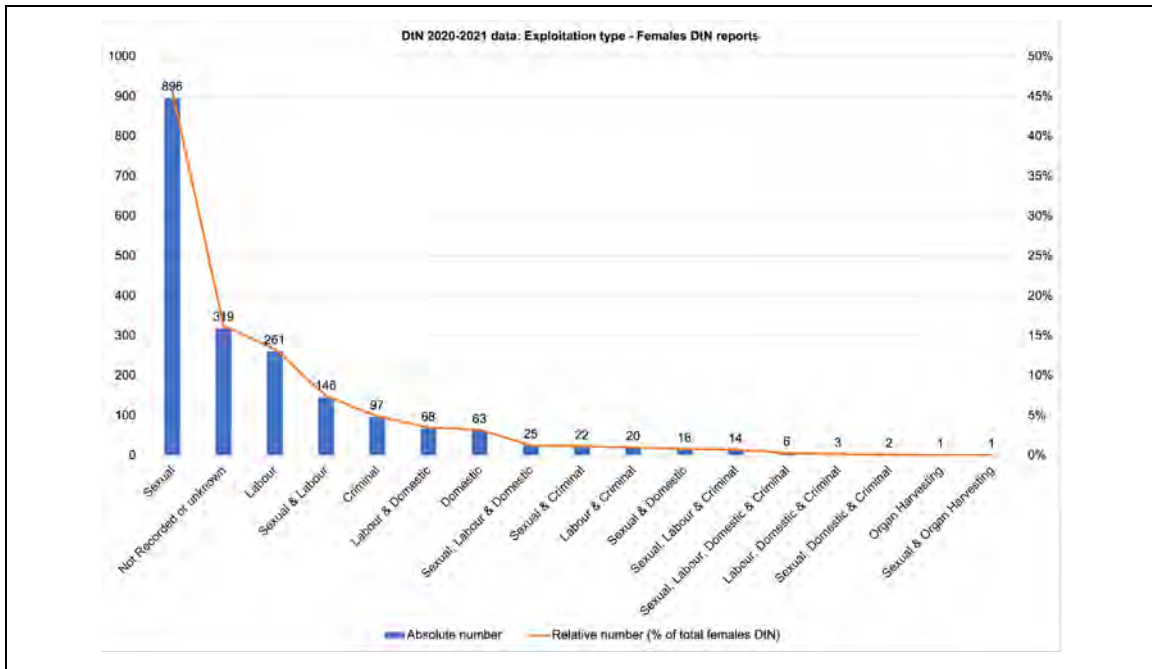
Males

The most represented **nationalities** for males in the 2020-2021 DtN data were Albanian (609), Sudanese (438), Eritrean (416), and British (415). Males constituted almost the entirety of Sudanese and Eritrean nationals in the DtN data.

DtN 2020-2021 data: Nationality - Males DtN reports

In terms of **referring agency**, the majority of males were reported by UKVI (1,641) and the police (1,137).

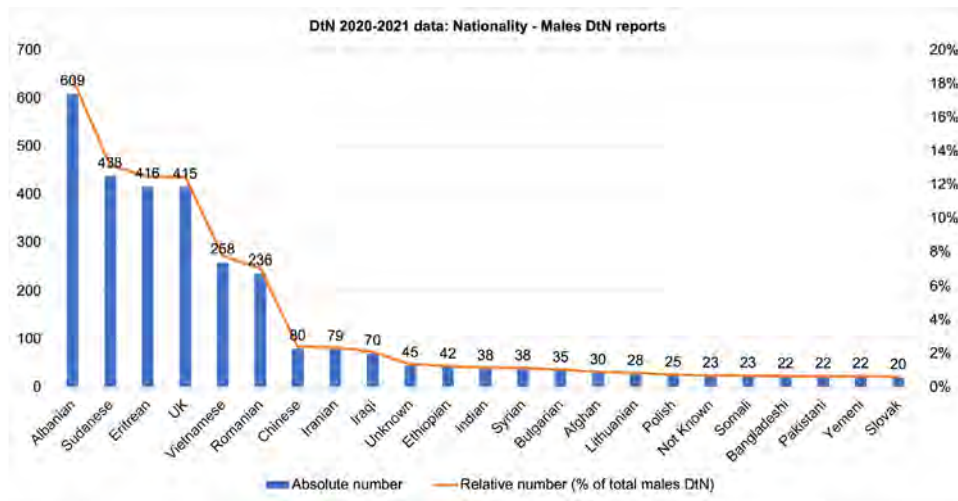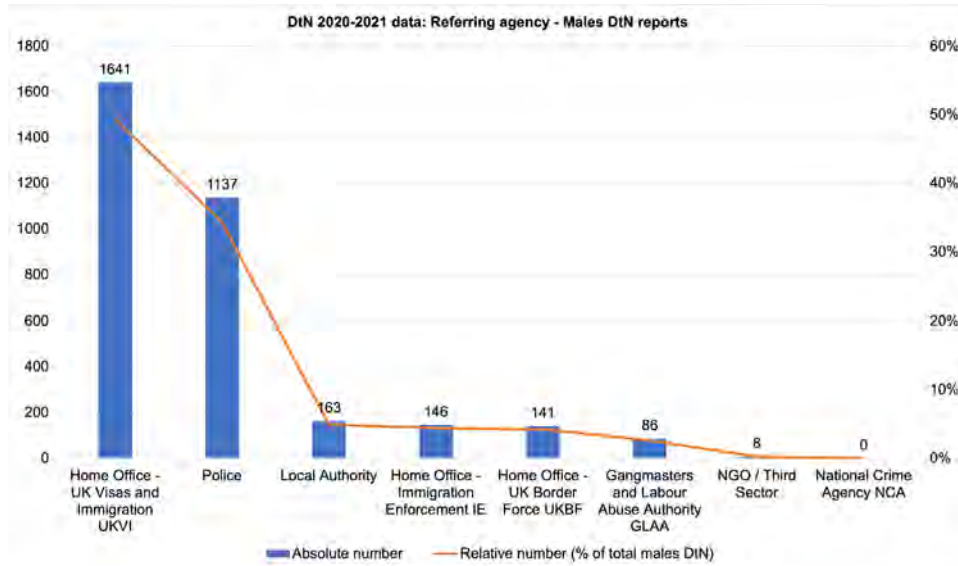DtN 2020-2021 data: Referring agency - Males DtN reports

Lastly, in terms of **exploitation type(s)**, the predominant type of exploitation was labour exploitation (1,684), followed by criminal exploitation (704), and labour and criminal exploitation (309). In 434 cases related to males, exploitation type was not recorded in the DtN form. There was therefore, as in the NRM dataset, an over-representation of males in labour exploitation.

DtN 2020-2021 data: Exploitation type - Males DtN reports
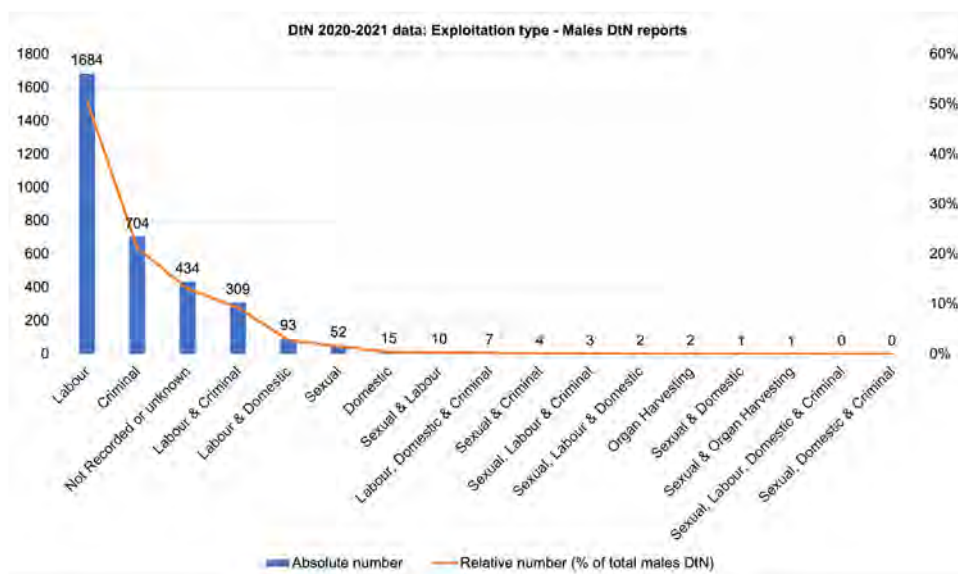
Other

Only a handful of cases (6) were recorded as relating to individuals who did not identify as male or female. In another 33 cases, gender was recorded as unknown. In the 6 cases where the individual identified as neither male nor female, nationality was only recorded for one individual. The six cases were reported by six different agencies – UKVI, UKBF, two different local authorities, the police, and an NGO. In terms of type of exploitation, two cases concerned criminal exploitation, two cases labour exploitation, and a further two did not indicate a specific form of exploitation ("Not recorded or unknown").

B3. Detailed analysis of DtN referrals 2020-2021 by (selected) nationalities

This subsection will explore in more detail the 2020-2021 MoU DtN data with reference to selected nationalities – namely Albanian, Romanian, Eritrean, Sudanese, Chinese, Vietnamese, and British, selected on the basis of prevalence. For each nationality, the section will highlight data relating to gender, referring agency, and type(s) of exploitation.

Albanian nationals

With respect to **gender**, 80% of Albanian DtN reports related to males (609), compared to 20% females (156), for a total of 765 reports. In terms of **referring agencies**, the majority of DtN reports for Albanian nationals were filed by UKVI (365, 48%), followed by the police (274, 36%), and UKIE (87, 11%). With regard to **type(s) of exploitation**, the majority of Albanian nationals were reported as having been subjected to criminal exploitation (252, 33%), followed by labour and criminal exploitation (170, 22%), labour exploitation (148, 19%), and sexual exploitation (111, 14%).

Considering that males represented 80% of all Albanian nationals in the DtN dataset, the paragraph below offers a more detailed analysis of DtN data regarding **Albanian males**. While the main **referring agency** for Albanian nationals to the DtN overall was UKVI, for Albanian males it was the police (270, 44%), followed by UKVI (244, 40%). Almost all Albanian nationals reported by the police and UKIE were males (respectively, 270 out of 274, 98.5%, and 81 out of 87, 93%). In terms of **type(s) of exploitation**, 248 Albanian males were reported as having been subjected to criminal exploitation (41% of Albanian male reports, but also – interestingly – 98.6% of the overall reports related to criminal exploitation), followed by labour and criminal exploitation as a form of multiple exploitation (28% of Albanian male reports, but also 99% of overall labour and criminal exploitation reports for Albanians), and labour exploitation (24% of Albanian male reports, but also 98% of overall labour exploitation reports for Albanians). The data thus indicated that:

1. 80% of DtN reports for Albanian nationals concerned males;
2. The main referring agency for Albanian male DtN reports was the police (44%), followed by UKVI (40%);
3. 99% of all DtN reports for Albanian nationals related to criminal exploitation or labour and criminal exploitation (in combination), and 98% of all DtN reports for Albanian nationals related to labour exploitation, were submitted with respect to males;

With regard to **Albanian females**, 156 DtN reports were recorded, with UKVI being the main **referring agency** (121, 77.5%). Only five reports were filed by the police, in stark contrast with the pattern for Albanian males. As far as **type(s) of exploitation** is concerned, 70% of cases related to sexual exploitation (109 out of 156), followed by sexual and labour (14, 9%). Key points from the data were that:

1. 77.5% of DtN reports for Albanian females were submitted by UKVI, with only 5 DtN filed by the police (see comparison above with males);
2. 98% of DtN reports for Albanian nationals related to sexual exploitation were submitted in respect of females.

Romanian nationals

With respect to **gender**, 62% of Romanian nationals reported through the DtN process were females (393), while 38% were male (236), for a total of 629 reports. In terms of **referring agencies**, the majority of DtN reports for Romanians were filed by the police (328, 52%), followed by UKBF (158, 25%), and GLAA (86, 14%). For UKBF, Romanian nationals constituted the most reported individuals (158 out of 422, 37%). With regard to **type(s) of exploitation**, the majority of Romanian nationals were reported as having been subjected to labour exploitation (266, 42%), followed by sexual exploitation (205, 32%).

Considering that females represented 62% of all Romanian nationals in the DtN dataset, the paragraph below offers a more detailed analysis of DtN data regarding **Romanian females**. While the distribution of **referring agency** was similar to the overall pattern for Romanian nationals – with the police being the main authority (52% of overall Romanian national reports, 61% for Romanian female reports) – there was a significant difference in exploitation type(s). With regard to **type(s) of exploitation**, while the majority of Romanian nationals were reported as having been subjected to labour exploitation, the majority of Romanian females were reported as having been subjected to sexual exploitation (205, 52%), followed by labour exploitation (83, 21%). Multiple forms of exploitation, namely labour and sexual, were reported only in 24 cases (6%). Key points from the data were that:

1. The totality of DtN reports for sexual exploitation for Romanian nationals were filed for females;
2. Despite Romanian nationals being the most represented nationality in GLAA DtN reports, only 26 cases concerned Romanian females.

With regard to Romanian males, 236 DtN reports were recorded, with – once again – the police being the main **referring agency** (91, 38%), followed by GLAA (60, 25%). As far as **type(s) of exploitation** is concerned, no case of sexual exploitation was reported and the vast majority of reports (183, 77%) concerned labour exploitation. Key points from the data were that:

1. The vast majority of DtN reports with regard to Romanian males were filed by the police and GLAA and concerned labour exploitation;
2. Romanian males were over-represented in GLAA DtN reports, compared to the overall numbers of Romanian reports across reporting agencies or authorities.

Eritrean nationals

With respect to **gender**, 82% of Eritrean nationals reported through the DtN were males (416), with 18% females (91), for a total of 507 reports. In terms of **referring agencies**, almost all DtN reports for Eritreans were filed by UKVI (488, 96%). With regard to **type(s) of exploitation**, the majority of Eritrean nationals were reported as having been subjected to labour exploitation (325, 64%). In 117 instances (23%), no type of exploitation was recorded. Cases of sexual exploitation and labour and domestic exploitation were significantly lower (respectively 26, or 5%, and 20, or 4%).

Considering that males represented 82% of all Eritrean nationals in the DtN dataset, the paragraph below offers a more detailed analysis of DtN data regarding **Eritrean males**. The distribution of **referring agency** was similar to the overall pattern for Eritrean nationals – with UKVI being the main authority (96% of overall Eritrean nationals DtN reports, 97% for Eritrean males reports) – and so was the distribution of **exploitation type(s)**, with the vast majority of Eritrean males reported as having been subjected to labour exploitation (304, 73%). Multiple forms of exploitation were reported only in 10 cases (2%) – 9 for labour and domestic, and 1 for labour and sexual. Key points from the data were that:

1. 82% of Eritrean national DtN reports concerned males and 97% of Eritrean males were reported by UKVI;
2. The majority of DtN reports for males related to labour exploitation;
3. There was an almost exact gender balance in the context of labour and domestic exploitation, with 9 male reports and 11 female reports.

With regard to Eritrean females, 91 DtN reports were recorded, with – once again – UKVI being the main **referring agency** (85, 92%). As far as **type(s) of exploitation** is concerned, there was a similar share of cases of sexual exploitation (25, 27%) and labour exploitation (21, 23%). The data thus indicated that:

1. The distribution of type(s) of exploitation for Eritrean females in DtN reports was almost equal between labour and sexual exploitation.

Sudanese nationals

With respect to **gender**, 99% of Sudanese national DtN reports concerned males (438), compared to 1% females (5), for a total of 443 reports. In terms of **referring agencies**, almost all DtN reports were filed by UKVI (422, 95%). With regard to **type(s) of exploitation**, the majority of Sudanese nationals were reported as having been subjected to labour exploitation (408, 92%).

Considering that males represented 99% of all Sudanese nationals in the DtN dataset, the paragraph below offers a more detailed analysis of DtN data regarding **Sudanese males**. The distribution of **referring agency** was similar to the overall pattern for Sudanese nationals – with UKVI being the main authority (95% of overall Sudanese nationals reports, 96% for Sudanese male reports) – and so was the distribution of **exploitation type(s)**, with the vast majority of Sudanese males reported as having been subjected to labour exploitation (406, 93%). The data thus indicated that:

1. 99% Sudanese national DtN reports concerned males, with the overwhelming majority of these relating to labour exploitation (93%).

With regard to Sudanese females, 5 DtN reports were recorded, with – once again – UKVI being the main **referring agency** (3, 60%). As far as **type(s) of exploitation** is concerned, reports filed included a range of types (labour, sexual, and organ harvesting).

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Chinese nationals

With respect to **gender**, 80% of Chinese nationals reported through the DtN procedure were females (311), while 20% were males (80), for a total of 391 reports. In terms of **referring agencies**, the majority of DtN reports were filed by UKVI (189, 48%) and the police (185, 47%). With regard to **type(s) of exploitation**, the majority of Chinese nationals were reported as having been subjected to sexual exploitation (219, 56%), followed by labour exploitation (76, 19%).

Considering that females represented 80% of all Chinese nationals in the DtN dataset, the paragraph below offers a more detailed analysis of DtN data regarding **Chinese females**. There was a slight difference in terms of **referring agency**, with the police reporting 171 cases (55%) against the 132 (42%) reported by UKVI. With regard to **type(s) of exploitation**, the majority of Chinese females were reported as having been subjected to sexual exploitation (217, 69%), followed by sexual and labour exploitation (39, 12%). The data thus indicated that:

1. In 81% of DtN reports for Chinese nationals, Chinese females were recorded as having been subjected to sexual exploitation, whether alone or in conjunction with labour exploitation;
2. The main referring agency for Chinese females in DtN reports was the police.

With regard to **Chinese males**, 80 DtN reports were recorded, with UKVI being the main **referring agency** (57, 70%), followed by the police (16, 20%). As far as **type(s) of exploitation** is concerned, the majority of DtN concerned labour exploitation (55, 67%), followed by criminal exploitation (10, 12%). The data thus indicated that:

1. There was a significant over-representation of Chinese males in DtN reports submitted by UKVI compared to the overall number of reports concerning Chinese nationals;
2. The vast majority of Chinese males reported through the DtN process were recorded as having been subjected to labour exploitation, in contrast with the overall data on Chinese nationals in the DtN data.

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Vietnamese nationals

With respect to **gender**, 70% of reported Vietnamese nationals in the DtN data were males (258), compared to 30% females (108), for a total of 366 reports. In terms of **referring agencies**, almost all DtN reports were filed by UKVI (165, 45%), followed by the police (146, 40%). With regard to **type(s) of exploitation**, the main form of exploitation was labour exploitation (134, 37%), followed by criminal exploitation (64, 18%), and labour and criminal exploitation (53, 15%).

Considering that males represented 70% of all Vietnamese nationals in the DtN dataset, the paragraph below offers a more detailed analysis of DtN data regarding **Vietnamese males**. The distribution of **referring agency** was similar, though not identical, to the overall pattern for Vietnamese nationals – while UKVI was the main referring agency for all Vietnamese nationals, the police was the main referring agency for Vietnamese

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males (117, 45%), followed by UKVI (104, 40%), and UKIE (23, 9%). In terms of **exploitation type(s)**, 40% of Vietnamese DtN reports concerned labour exploitation (102), followed by criminal exploitation (57, 22%), and labour and criminal exploitation (51, 20%). Key points from the data were that:

1. The vast majority of Vietnamese criminal exploitation DtN reports related to males (57 out of 64) and almost all labour and criminal exploitation DtN reports related to Vietnamese males (51 out of 53);
2. The referring agency which most often reported Vietnamese males was the police, followed by UKVI.

With regard to Vietnamese females, 108 DtN reports were recorded, with UKVI being the main **referring agency** (61, 56%), followed by the police (29, 27%), and local authorities (10, 9%). As far as **type(s) of exploitation** is concerned for Vietnamese nationals in the DtN data, there was a prevalence of labour exploitation (32, 30%), followed by sexual exploitation (14, 13%). There were a very low number of reports of criminal exploitation (7, 6%) and other multiple forms of exploitation including criminal exploitation (6, 6%). The data thus indicated that:

1. DtN reports relating to Vietnamese females were mainly filed by UKVI;
2. Most of the DtN reports for Vietnamese females concerned labour exploitation and sexual exploitation, with a minority concerning criminal exploitation (alone or as part of multiple forms of exploitation), in contrast with the pattern for Vietnamese males.

British nationals

With respect to **gender**, 66% of reported British nationals in DtN reports were males (415), compared to 34% females (215), for a total of 631 reports – which include a report where gender was recorded as unknown. In terms of **referring agencies**, the vast majority of DtN reports for British nationals were filed by the police (524, 83%), followed by local authorities (98, 16%). With regard to **type(s) of exploitation**, the main form of exploitation recorded in DtN reports for British nationals was criminal exploitation (316, 50%), followed by sexual exploitation (77, 12%), labour exploitation (60, 10%), and labour and criminal exploitation (56, 9%).

Considering that males represented 66% of all British nationals in the DtN dataset, the paragraph below offers a more detailed analysis of DtN data regarding **British males**. The distribution of **referring agency** was identical to the overall pattern for British nationals – with the police being the main referring agency (346, 81%), followed by local authorities (62, 15%). In terms of **exploitation type(s)**, 49% of DtN reports for British males concerned criminal exploitation (203), followed by sexual exploitation (53, 13%), and labour – as well as labour and criminal exploitation, both at 38 (9%). Key points from the data were that:

1. The vast majority of DtN cases for British males were reported by the police (81%), with a significantly lower involvement of local authorities (15%) and other FROs (2%);
2. There was a significant prevalence of cases of criminal exploitation in DtN reports for British males, whether alone or in conjunction with labour exploitation;

3. The majority of sexual exploitation DtN reports for British nationals related to males (53 out of 77, 69%).

With regard to British females, 215 DtN reports were recorded, with the police, once again, being the main **referring agency** (177, 82%), followed by local authorities (36, 17%). As far as **type(s) of exploitation** is concerned, there was a prevalence of criminal exploitation (113, 53%), followed by a similar share of cases involving sexual exploitation (24, 11%) and labour exploitation (22, 10%) for British nationals in the DtN data. There were, in addition, 18 cases of both labour and criminal exploitation as multiple exploitation (8%). As such:

1. There was a significant prevalence of cases of criminal exploitation for British females in DtN reports, whether alone or in conjunction with labour exploitation (61% combined).

Part 4: An exploratory analysis of reasons for not entering the NRM

In addition to data on gender, nationality, type(s) of exploitation, and referring agency, the DtN dataset contained another element of analysis – namely, the reason(s) why an individual decided not to enter the NRM. In contrast with the other elements analysed in the subsections above, the "reason for not entering the NRM" is an open text box in the DtN form, meaning that First Responders are able to add, free from a dropdown menu constraint, notes and information about why an individual is unable or unwilling to be referred into the NRM – and, ultimately, why the DtN report was filed in the first place. In some instances, the dataset contained quotes from the individual refusing the NRM referral, while in other cases the field appeared to contain perceptions of the First Responder as to why the individual refused an NRM referral (see more on this in the table of codes below).

Prior to receiving the Home Office DtN data for 2020-2021, the research team held discussions in the context of focus groups with people with lived experience of modern slavery, where participants shared their experiences, knowledge, and perceptions as to why individuals may decide not to enter the NRM.[170] The research team collected a number of reasons, including, *inter alia*, the length of the process and the nature of the support offered (such as the conditions within safehouses and the requirements they impose on residents), a feeling that entering the NRM might result in a loss of control over one's situation, fears around not being believed, perceptions of having to engage with the criminal process, and fears of potentially being arrested or deported. The research team also collected information from First Responders through the survey, in which more than 50% of respondents stated that they had experience in filing DtN reports. On average, respondents who indicated having filed at least one DtN report scored their level of preparation (including as a result of training) at 8.32 out of 10, Compared to a lower average of respondents who have not filed any DtN report. The 22 respondents who indicated having filed DtN reports mentioned, amongst the reasons for refusing a referral, lack of trust in, or fear of, the authorities (11), denial of exploitation and/or victim status

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[170] Subsequent references are all to the LEFGs.

(11), fear of traffickers (6), confusion over the NRM (2), and not seeing a benefit in being referred (1).[171]

This information, alongside existing research on the NRM process, informed our coding processes. As such, the MoU DtN dataset was coded both inductively (based on focus groups and existing research findings), as well as deductively (based on themes and patterns of responses). The coding process resulted in the identification of a total of 45 codes (which will be explored below), with an indication of their frequency and a short description. It is important to note at the outset that the sum of "Frequency" will not equate to the number of data entries (5,321) as the research team attributed up to two codes for each dataset entry.[172] It is also important to note that a very significant number of entries (1,025 out of 5,321, or 19% of all entries) did not provide any reasons – these were either left blank, or the First Responder simply inserted 'DTN', 'MS1',[173] or 'No consent given'. This limits, to a degree, the comprehensiveness of the analysis. Where a response was provided for not giving consent to enter the NRM, typically only one reason was given, with a maximum of two reasons given.

Code	Frequency	Description
FR provided no response	1,025 (20% of total dataset entries)	This code includes all instances where the First Responder either left the text box empty, or only submitted a response indicating: 1) DtN 2) MS1 3) N/A It also includes instances in which the First Responder indicated that the report was compiled prior to engaging with the individual (5 instances).
Potential victim (PV) denied exploitation experience / victim status	803 (15% of total dataset entries, 23% of dataset entries with at least one reason)	This code includes instances in which it was reported that the individual stated that they have not been exploited and/or are 'not a victim', and thus that the NRM 'does not apply' to them. This should be read with caution, as denial of exploitation and/or victim status cannot be equated with *factual* absence of exploitation.
PV gave no reason	725 (14% of total dataset entries)	This code includes all instances in which the First Responder indicated that the question was posed (directly or indirectly), but the individual did not give a particular reason as to why they did not consent to entering the NRM.
PV wishes to put the experience behind them	498 (10% of total	This code includes instances in which it was reported that the individual stated they wanted to 'get on with [their] life', or 'put it in the past'. It

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[171] See section A3 of Part 2 for a discussion of common concerns noted by First Responders around the operation of the NRM by people with lived experience of modern slavery.

[172] There were no reports that required more than two codes, based on the information available in the dataset. It is also worth noting that the majority of reports have been coded via a single code due to a scarcity of information in the 'reasons for not entering the NRM' field.

[173] MS1 is the name of the DtN form, thus fields that only indicated MS1 were coded as 'FR provided no response'.

	dataset entries, 14% of dataset entries with at least one reason)	was often associated with references to the referral being potentially detrimental to the individual's wellbeing: see "Referral would be detrimental to PV's wellbeing" below.
PV is afraid of traffickers	342 (7% of total dataset entries, 10% of dataset entries with at least one reason)	This code includes instances in which it was reported that the individual stated they were afraid of repercussions from traffickers, with a focus on their own health and wellbeing. See further under "Family reasons".
PV refused to engage	287 (5% of total dataset entries, 8% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated they did not want to engage with the process. While it could have been coded as "PV gave no reason", the research team felt that the use of the word *engagement* was worthy of a separate category.
PV feels safe	277 (5% of total dataset entries, 8% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated that they felt safe and/or had access outside of state-provided specialised modern slavery services to a support network and/or services – including, for example, within a particular community.
FR perception	162 (3% of total dataset entries, 5% of dataset entries with at least one reason)	This is a macro-code which includes several sub-categories that relate to particular perceptions of the First Responder compiling the DtN. These may relate to the way(s) in which the NRM was explained to the individual – in so far as it was possible to understand this from a limited text box – and/or to what the First Responder perceived the reason(s) for not entering to be. This code includes, *inter alia*: 1) PV does not wish to support prosecution; 2) PV has misperception of NRM as immigration focused; 3) FR compiled a collective referral; 4) FR was unaware of NRM; 5) PV cannot provide sufficient intel. This final category is considered particularly relevant given the implication that it means that collaboration with the criminal investigation or prosecution was a requirement.

FR lost contact with PV or representative	155 (3% of total dataset entries, 4% of dataset entries with at least one reason)	This code includes all instances where it was suggested that consent was not obtained due to contact with the individual being lost. This code also includes a limited number of instances where the individual died before the referral could be compiled (2) and where there were suggestions that the individual might have been re-trafficked (1).
Referral would be detrimental to PV's wellbeing	132 (3% of total dataset entries, 4% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual did not want to enter into the NRM due to fear of re-traumatisation and potential detrimental impact(s) on their wellbeing – especially from a mental health perspective. As mentioned above, this code is often found alongside "PV wishes to put the experience behind them".
PV is unaware of referral	122 (2% of total dataset entries, 4% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the DtN was filed without the knowledge of the individual – and thus without any direct engagement. The majority of these instances relate to court proceedings, where the Crown Prosecution Service requested a referral to be made (by the police), but the individual was not reachable / had not been contacted by the referring agency.
PV does not need support	113 (2% of total dataset entries, 3% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual indicated that they did not need support. It was often found alongside references to "PV feels safe" and/or "PV already has protection framework".
FR did not ask for reason	111 (2% of total dataset entries, 3% of dataset entries with at least one reason)	While this code could have been (or become) part of "FR perception", the research team believed it was significant to highlight this as a separate code, considering its frequency and significance for the research. This code includes all instances in which the First Responder did not ask – and stated they did not ask – the individual for a reason as to why they were declining an NRM referral.
PV is not ready to be referred	106 (2% of total dataset entries, 3% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual did not feel ready to be referred into the NRM, whether because they needed more time to think about it, or because they could not process the information on the NRM that they had received during the interview. In some instances, the First Responder indicated that the individual was

		signposted to support services.
PV does not see benefit of referral	89 (2% of total dataset entries, 3% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated that the NRM was not offering sufficient guarantees and/or benefits – oftentimes linked to the individual's specific needs (e.g., compensation) or to the inability of the NRM to remedy the situation of (past) exploitation. In several cases, this was coded alongside "Timing (past exploitation)" – see below.
Timing (past exploitation)	86 (2% of total dataset entries, 2% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated that the exploitation happened in the past and that they were not interested in the NRM. Oftentimes, this was coded alongside "PV does not see benefit of referral" or "PV wishes to put the experience behind them". In some cases, it was linked to the exploitation occurring in a third country (for instance, during a migration journey).
Field was redacted	73 (1% of total dataset entries, 2% of dataset entries with at least one reason)	This code includes all instances in which the First Responder provided an answer but, because of the field being redacted by the Home Office prior to sharing the dataset, it was not possible to identify any reason(s).
PV prioritised asylum application / already has refugee status	72 (1% of total dataset entries, 2% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated that they did not consent to enter the NRM because either they decided to give priority to their asylum application or they already had refugee status and were therefore not interested in pursuing an NRM referral. This was often linked to "PV wants to avoid delays to asylum claim".
PV wishes to return to country of origin	71 (1% of total dataset entries, 2% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated they were only interested in repatriation – whether to (re)join their family (see also "Family reasons") or to put the experience behind them (see also "PV wishes to put the experience behind them").
PV already has protection framework	67 (1% of total dataset entries, 2% of dataset entries with at least one	This code includes all instances in which it was reported that the individual explained that they were already receiving state support outside of the NRM, be that through social workers and/or local authorities, or through other public services.

	reason)	
Family reasons	64 (1% of total dataset entries, 2% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated that they did not want to be referred for reasons that had to do with their family. This code includes, *inter alia*: 1) Family reasons – fear for family members; 2) Family reasons – threats to family members; 3) Family reasons – financial; 4) and Family reasons – perpetrator is a family member. It does, therefore, include both instances where the wellbeing of family member(s) is in danger, whether in the United Kingdom or in the country of origin, and where threats to the individual's wellbeing come from their own family member(s), as in the case of family members who are involved with traffickers. This latter scenario represents, however, only a handful of cases.
PV wants legal advice	63 (1% of total dataset entries, 2% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated they wanted to seek legal advice before deciding, or they were in the process of receiving legal advice on the NRM. While this could have been part of the "PV is not ready to be referred" code, the explicit mention of legal advice was an element that the research team deemed significant.
PV wishes to continue in current work / situation	53 (1% of total dataset entries, 2% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated they would rather stay in their current situation than be referred into the NRM, mostly for economic reasons (including the need to repay a debt) but also for immigration-related reasons. This also includes: 1) PV wishes to retain right / ability to work; 2) and PV is afraid of deportation / has a pending deportation order.
PV is afraid of authorities / reporting to the police	51 (1% of total dataset entries, 1% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated they were afraid of the authorities – more often than not of the police and/or the immigration authorities – and that they were afraid that the state was unable or unwilling to protect them.
PV wants to avoid delays to	43	This code includes all instances in which it was reported that the individual stated that they had

asylum claim	(1% of total dataset entries, 1% of dataset entries with at least one reason)	an ongoing asylum claim and they believed – whether following legal advice or based on network knowledge – that the NRM would delay their claim.
PV does not trust the system	42 (1% of total dataset entries, 1% of dataset entries with at least one reason)	This code includes instances in which it was reported that the individual stated they did not trust the system, in particular – but not limited to – its ability to ensure protection against traffickers and deliver some form of justice. This includes, *inter alia*: 1) PV does not want to formalise referral (pen to paper); 2) PV believes the system is racist; 3) PV is only interested in being released (and not interested in engaging with the state).
PV does not want support	41 (1% of total dataset entries, 1% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated they did not want support (see above "PV does not need support" for the distinction). This was often coded together with "PV feels safe" or "PV denied exploitation experience / victim status".
Exploitation happened outside of the UK	37 (1% of total dataset entries, 1% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated that the exploitation happened outside of the United Kingdom and that the NRM was therefore unable to have any meaningful consequence on justice and/or accountability. In several instances, this was associated with "PV wishes to put the experience behind them" or "Referral would be detrimental to PV's wellbeing".
PV is 'grateful' to traffickers	37 (1% of total dataset entries, 1% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated they were grateful to traffickers, or have forgiven traffickers and do not want to 'cause [them] trouble'.
Unclear from entry	33 (1% of total dataset entries, 1% of dataset entries with at least one	This code includes all instances where a response was provided by the First Responder, but it was unclear what the reason was for not entering the NRM. While this could have been coded as "PV gave no reason", there were elements of a reasoning provided by the individual, but the recording of said elements

	reason)	did not allow for a full understanding of the circumstances.
PV is out of country	33 (1% of total dataset entries, 1% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual had already left the United Kingdom. While this could have been coded as "FR lost contact with PV or representative", the research team considered it significant that in these instances contact was lost not within the United Kingdom, but outside of the territory.
PV wants to avoid trouble	26 (less than 1% of total dataset entries, less than 1% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated that they wanted to avoid getting into trouble. It was, however, unclear whether this related to fear of traffickers and/or fear of reporting to the authorities. The research team thus left the code as it appeared in the entry.
PV is afraid of being stigmatised	23 (less than 1% of total dataset entries, less than 1% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated that they were afraid of being stigmatised, especially within their own communities. They therefore did not want anyone to know about their victimhood and exploitation.
Language barriers	20 (less than 1% of total dataset entries, less than 1% of dataset entries with at least one reason)	This code includes all instances in which it was reported that it was impossible to communicate with the individual due to language barriers. While this could have been coded as "PV gave no reason" or "FR provided no response", the research team believed it was significant to highlight the specificities of this code.
PV has already been referred	19 (less than 1% of total dataset entries, less than 1% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual had already been referred into the NRM, and that the referral would therefore have been a duplicate of an earlier engagement.
PV is in prison	19 (less than 1% of total dataset	This code includes all instances in which it was reported that the individual was detained in prison at the time of the report, and that no access to the individual could be secured for the

	entries, less than 1% of dataset entries with at least one reason)	purpose of establishing whether they wanted to be referred or not.
PV is afraid	17

(less than 1% of total dataset entries, less than 1% of dataset entries with at least one reason) | This code includes all instances in which it was reported that the individual stated they were afraid, though not specifying whether they were afraid of traffickers, the authorities, family members, or stigma (or a combination of the above). |
| **Religion** | 14

(less than 1% of total dataset entries, less than 1% of dataset entries with at least one reason) | This code includes all instances in which it was reported that the individual did not want the state to be involved, as they did not believe it could deliver 'justice', which in their words was 'in God's hands'. |
| **PV wishes to remain anonymous** | 12

(less than 1% of total dataset entries, less than 1% of dataset entries with at least one reason) | This code includes all instances in which it was reported that the individual stated that they wanted to remain anonymous. While this could have been coded under many other categories, it was significant – in the eyes of the research team – that anonymity came up as a distinct concept. |
| **PV wishes to avoid relocation within the UK** | 12

(less than 1% of total dataset entries, less than 1% of dataset entries with at least one reason) | This code includes all instances in which it was reported that the individual stated that they were integrating in a specific location within the United Kingdom and they did not want to be relocated. The research team believes that this could have been coded as "FR perception", as entering the NRM does not necessarily mean being relocated, but there were not enough data points to confidently state that this was a misrepresentation of the NRM on the part of the First Responder. |
| **PV has criminal charges** | 3

(less than 1% of total dataset entries, less than 1% of dataset entries | This code includes all instances in which it was reported that the individual stated that they did not want to be referred because of pending criminal charges. This is a code that, even after careful analysis, leaves more questions open than answered. |

	with at least one reason)	
PV blames themselves for the exploitation	3 (less than 1% of total dataset entries, less than 1% of dataset entries with at least one reason)	This code includes instances in which it was reported that the individual stated that they did not want to be referred because they felt that they were to blame for what happened to them, thus refusing assistance and support.
PV is unable to consent	3 (less than 1% of total dataset entries, less than 1% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual was unable to give consent, due for example to inebriation or use of substances.
PV does not wish to be seen as a 'snitch'	3 (less than 1% of total dataset entries, less than 1% of dataset entries with at least one reason)	This code includes all instances in which it was reported that the individual stated that they were not a 'snitch' or a 'grass' – in other words, that they did not want to be seen as cooperating with state authorities.
PV was instructed by solicitor not to consent	1 (less than 1% of total dataset entries, less than 1% of dataset entries with at least one reason)	This code includes the only instance in which it was explicitly stated that a solicitor instructed the individual not to consent – though the reasons are unknown.

Having set out the 45 codes that the research team used to analyse the dataset, the report now turns to exploring clusters and themes within the codes. While not all codes are readily identifiable as falling into specific categories, the research team has developed a list of **four macro themes to classify reasons for not entering the NRM: personal reasons, exploitation-related reasons, structural reasons, and process-related reasons**. While some of these codes might have been placed under more than one umbrella category, the research team decided to only assign one code to each category (considering also the level of detail, or lack thereof, within the dataset).

Personal reasons

Generally speaking, **personal reasons** relate to the individual not self-identifying as having been trafficked and/or exploited, the individual feeling they already have a protection framework (mostly not from the state, but rather within their community/communities), the individual fearing the traffickers (or related concerns), and the individual's wellbeing – including family matters and wanting to leave the exploitation experience behind.

Codes falling under personal reasons are: *PV feels safe; PV does not need support; PV wishes to return to the country of origin; PV wishes to continue in current work / situation; PV wishes to put the experience behind them; Referral would be detrimental to PV's wellbeing; PV is afraid of being stigmatised; PV is grateful to traffickers; PV denied exploitation experience / victim status; PV prioritised asylum application / already has refugee status; PV does not want support; PV is out of country; PV refused to engage; PV does not wish to be seen as a snitch; PV is afraid of traffickers; PV wants to avoid trouble; PV is not ready to be referred; PV wants legal advice; PV wishes to remain anonymous; PV wishes to avoid relocation within the UK; Religion; Family reasons; PV blames themselves for the exploitation; PV was instructed by solicitor not to consent; PV is afraid; PV has criminal charges; and PV is unable to consent.*

Exploitation-related reasons

Exploitation-related reasons relate to the location and timing of exploitation, partially overlapping with both personal and structural reasons – whether the individual is unwilling to relive a past experience of exploitation, or whether the NRM is presented to individuals as being irrelevant for past exploitation and/or exploitation outside of the United Kingdom.

Codes falling under exploitation-related reasons are: *Exploitation happened outside of the UK; Timing (past exploitation).*

Structural reasons

Structural reasons relate to: fear or distrust of authorities or otherwise not seeing a benefit to entering the NRM because of its nature; First Responders having lost contact with individuals (or their representative); the perceived negative impact of the NRM on the timing of an asylum application; and other structural flaws and/or gaps – including DtN forms being filed without the individual's awareness, or an inability of First Responders to contact individuals in custody.

Codes falling under structural reasons are: *PV is afraid of authorities / reporting to the Police; PV does not trust the system; PV does not see benefit of referral; PV already has protection framework; PV wants to avoid delays to asylum claim; Language barriers; FR lost contact with PV or representative; PV is in prison; PV is unaware of referral.*

Process-related reasons

Lastly, **process-related reasons** are a mixed category that consists of, for the vast majority, issues around First Responders' perception of the NRM (including their role

within it), as well as the connection(s) between the NRM and other protection systems. A significant number of cases reflect perceptions of the First Responder which result in superficial or incomplete engagement with the question of whether the individual consents to enter the NRM – as the report will explore in further detail below.

Codes falling under process-related reasons are: *FR perception; FR did not ask for reason; PV gave no reason; PV has already been referred; No response provided; Unclear from entry; Field was redacted.*

A) An analysis of codes by gender

A first layer of inquiry relates to gender, with a view to understanding whether there are similarities or differences in terms of the prevalence and distribution of codes. With regard to **males** (3,321 DtN), the predominant codes were:

1) FR provided no response (633, 19%);
2) PV gave no reason (520, 16%);
3) PV wishes to put the experience behind them (380, 11%);
4) PV denied exploitation experience / victim status (279, 8%);
5) PV is afraid of traffickers (203, 6%);
6) PV refused to engage (181, 5%); and
7) PV feels safe (163, 5%).

Summed together, these codes made up 70% of the total DtN dataset with regard to reasons for males not entering the NRM.
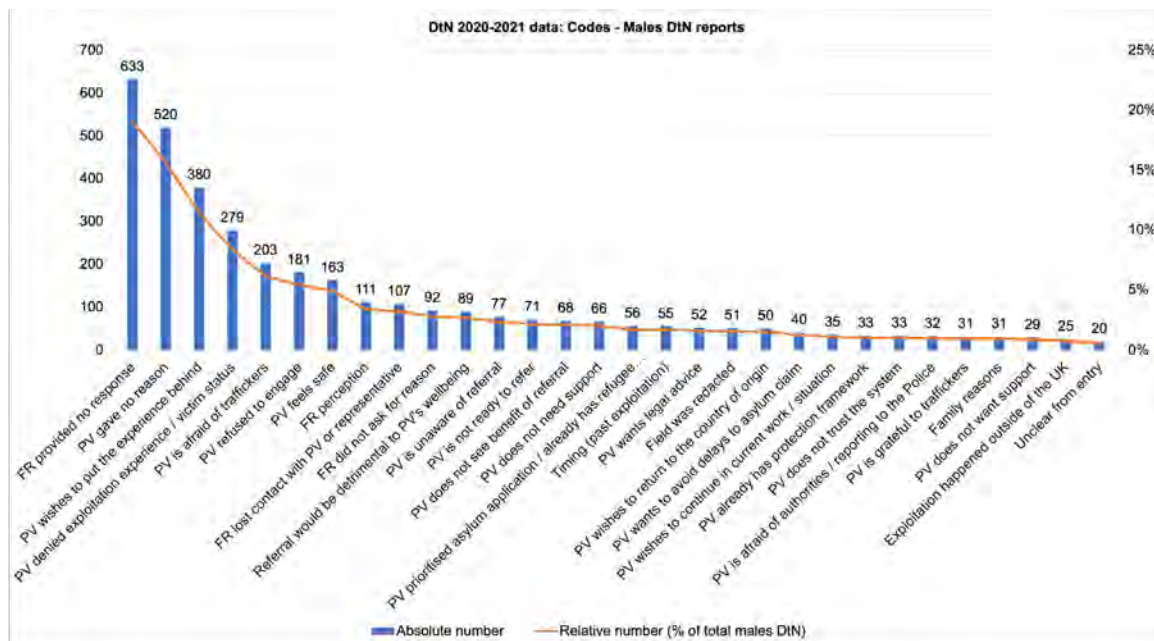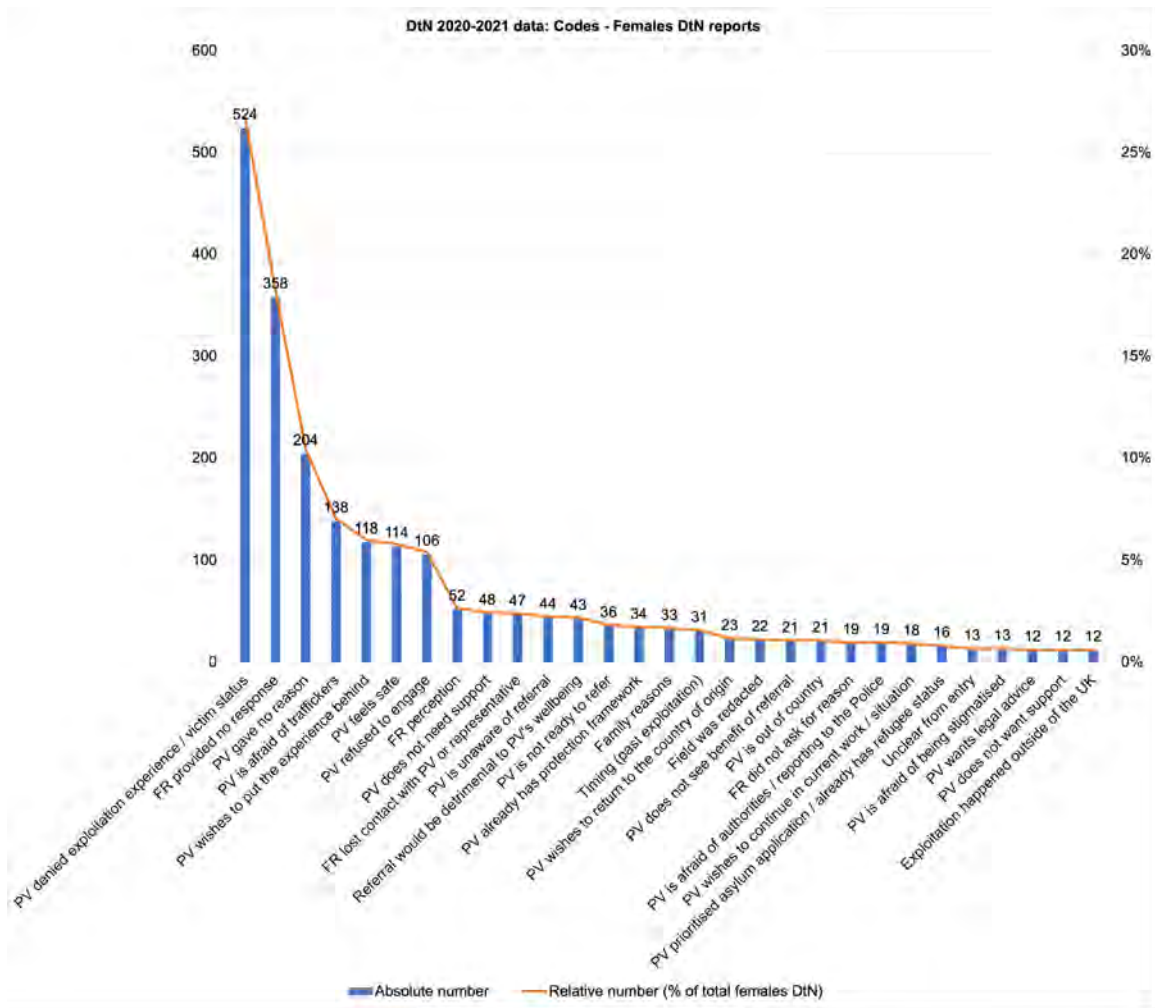

Leaving aside reports where no reason was given, the distribution is recalculated as follows:
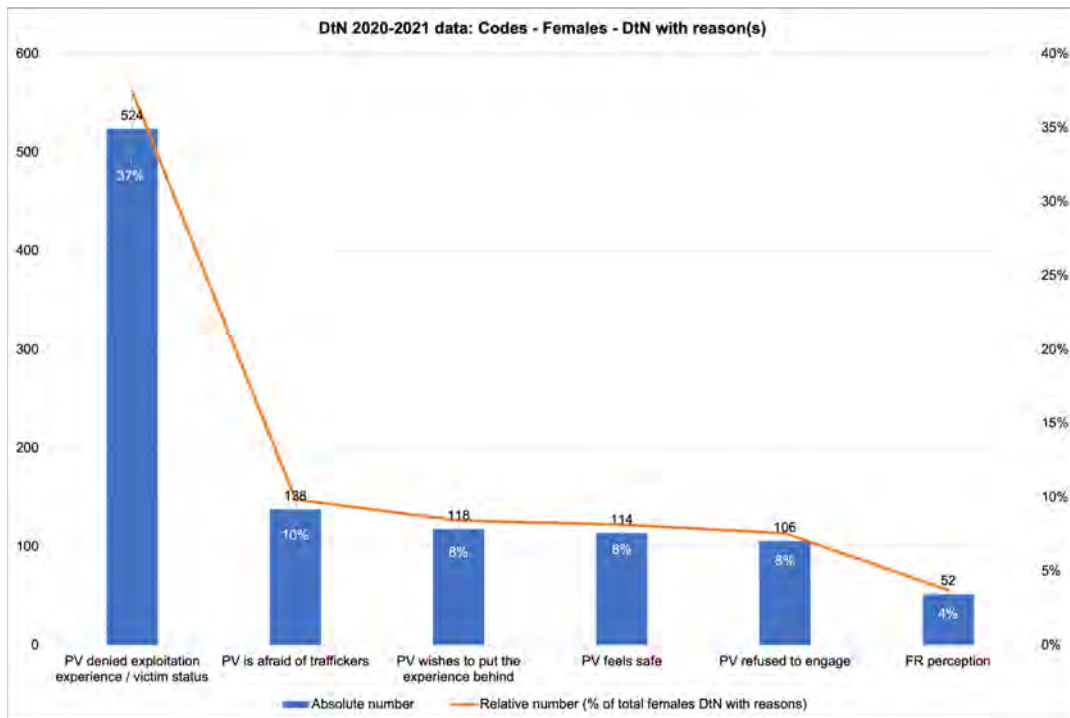
DtN 2020-2021 data: Codes - Males - DtN with reason(s)
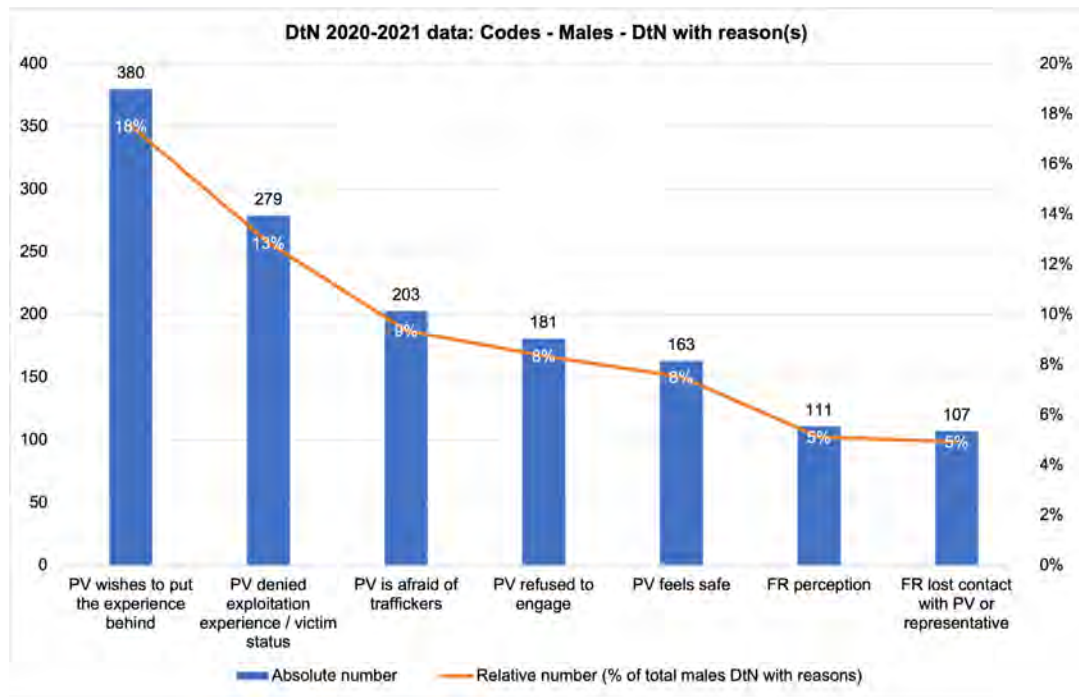
With regard to **females** (1,960 DtN), the predominant codes were:
1) PV denied exploitation experience / victim status (524, 27%);
2) FR provided no response (358, 18%);
3) PV gave no reason (204, 10%);
4) PV is afraid of traffickers (138, 7%);
5) PV wishes to put the experience behind them (118, 6%);
6) PV feels safe (114, 6%); and
7) PV refused to engage (106, 5%).

Summed together, these codes made up 70% of the total DtN dataset with regard to reasons for females not entering the NRM.

DtN 2020-2021 data: Codes - Females DtN reports

Leaving aside reports where no reason was given, the distribution is recalculated as follows:

DtN 2020-2021 data: Codes - Females - DtN with reason(s)

While there are similarities in terms of relative numbers – including, e.g., the fact that in around 18%/19% of cases across genders the FR did not provide a response, and that in around 5%/6% of cases the person refused to enter the NRM because they felt safe – there are also significant discrepancies. Indeed, for **males**, the most common reasons for not entering the NRM were the desire to put the exploitative experience behind them (11% of all male DtN reports) and the denial of the exploitation experience and/or victim status (8%), while for **females**, it was a denial of the exploitation experience and/or victim status (27% of all females DtN reports) and fear of traffickers (7%). When the percentages are recalculated, leaving aside "FR provided no response" and "PV gave no reason" (that is to say, only considering instances where a reason was given), the **desire to put the exploitative experience behind them** was recorded in 18% of male reports and 8% of female reports; the **denial of the exploitation experience and/or victim status** in 13% of male reports and 37% of female reports, and **fear of traffickers** in 9% of male reports and 10% of female reports.

## B) An analysis of codes by (selected) nationalities

A second layer of inquiry relates to nationality. While covering all nationalities in the scope of this report is not feasible, this subsection will explore codes for the same selected nationalities that were covered in section B3 of Part 3, owing to prevalence in the DtN data set for 2020-2021 of Albanian, Romanian, Eritrean, Sudanese, Chinese, Vietnamese, and British nationals. As a general note to this subsection, for each nationality two tables have been created: one that considers all codes (with at least 5 entries), and one that considers all DtN reports that included a reason – that is to say, leaving "FR provided no response" and "PV gave no reason" aside – to allow for the recalculation of the weight of each reason for not entering the NRM on the basis of the number of DtN reports that indicated at least one reason.

In general, there is some degree of consistency in terms of reason(s) for not entering the NRM across nationalities, namely: the desire to leave the exploitative experience behind, the denial of the exploitation experience and/or victim status, a refusal to engage with the authorities, a sense of safety, and fear of traffickers. However, there are some trends that are nationality-specific, including:

1. Denial of the exploitation experience and/or victim status was the predominant code for Romanian nationals (50%), Chinese nationals (37%), and Vietnamese nationals (25%) who provided at least one reason for their decision not to enter the NRM;
2. The desire to leave the exploitation experience behind was the predominant code for Eritrean and Sudanese nationals (47% in both instances) who provided at least one reason for their decision not to enter the NRM;
3. Fear of traffickers was the predominant code for Albanian nationals (21%) who provided at least one reason for their decision not to enter the NRM, and a significant one for Chinese nationals (13%);
4. A refusal to engage with the authorities was the predominant code for British nationals (18%) who provided at least one reason for their decision not to enter the NRM.

Albanian nationals

The most common codes for Albanian nationals were "PV gave no reason" and "FR provided no response". The two combined covered 37% of DtN reports relating to Albanian nationals, meaning that the reason(s) for not entering the NRM were unknown in 281 out of 765 cases.


DtN 2020-2021 data: Codes - Albanian nationals
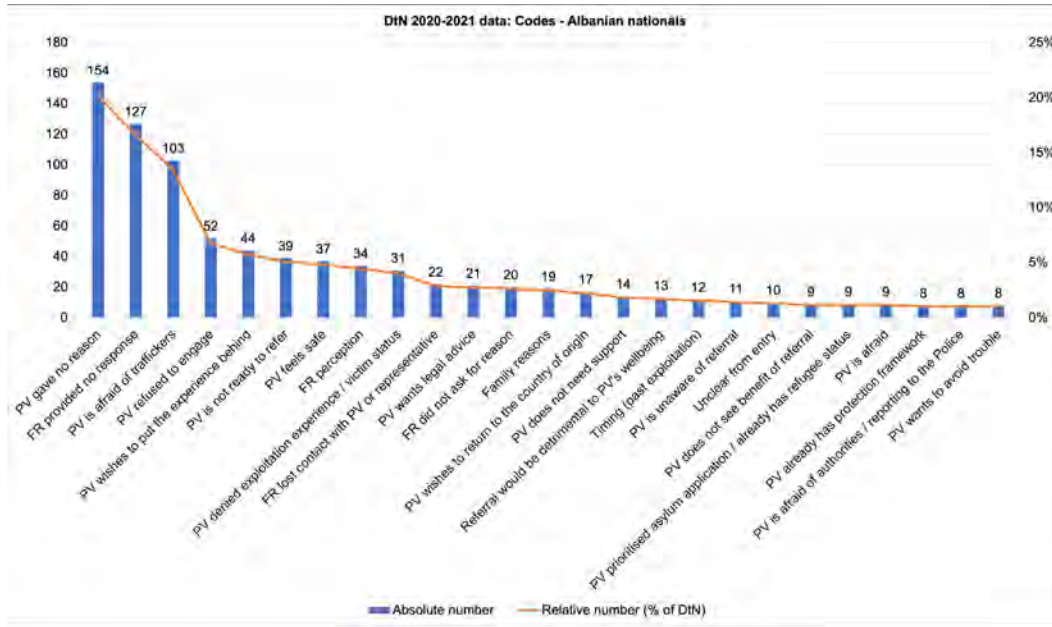
Setting aside cases where no reason was provided, the distribution of codes is recalculated as follows:

DtN 2020-2021 data: Codes - Albanian - DtN with reason(s)
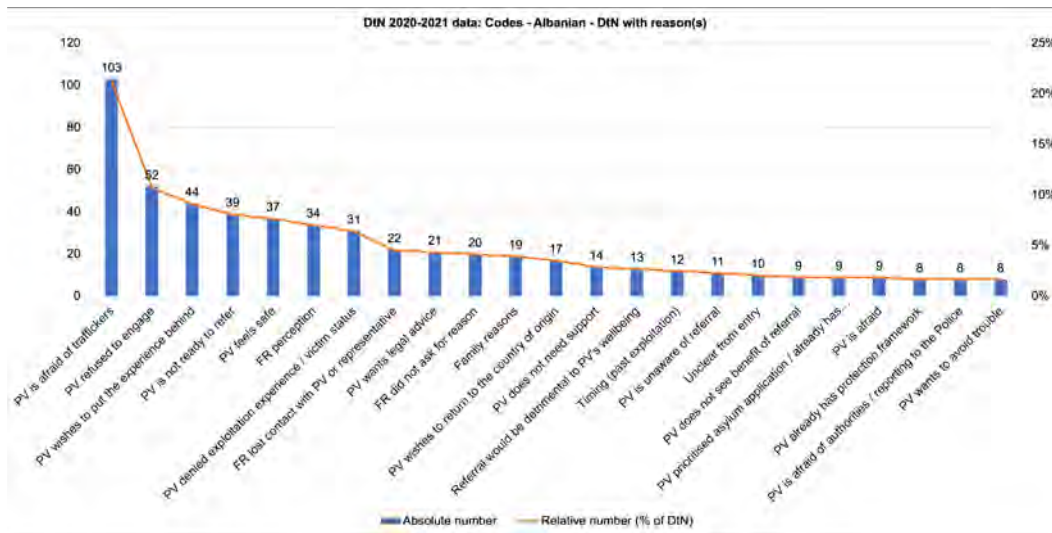
The most common reasons given for not giving consent to enter the NRM for Albanian nationals were **fear of traffickers** (103, 21%), followed by a refusal to engage with the authorities (52, 11%), and the desire to leave the exploitative experience behind (44, 9%).

Romanian nationals

The most common code for Romanian nationals was "PV denied exploitation experience / victim status".
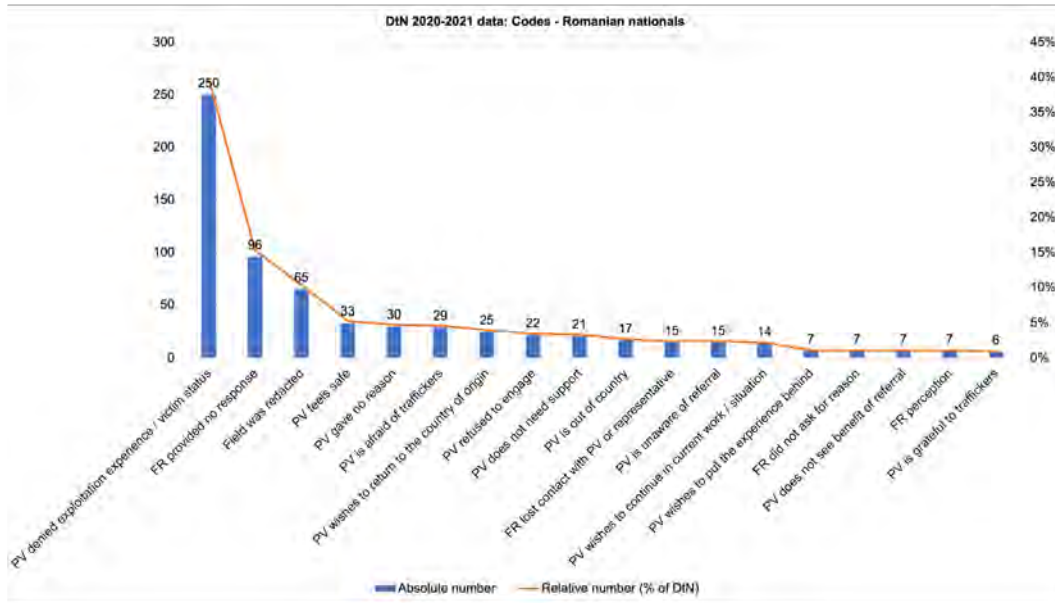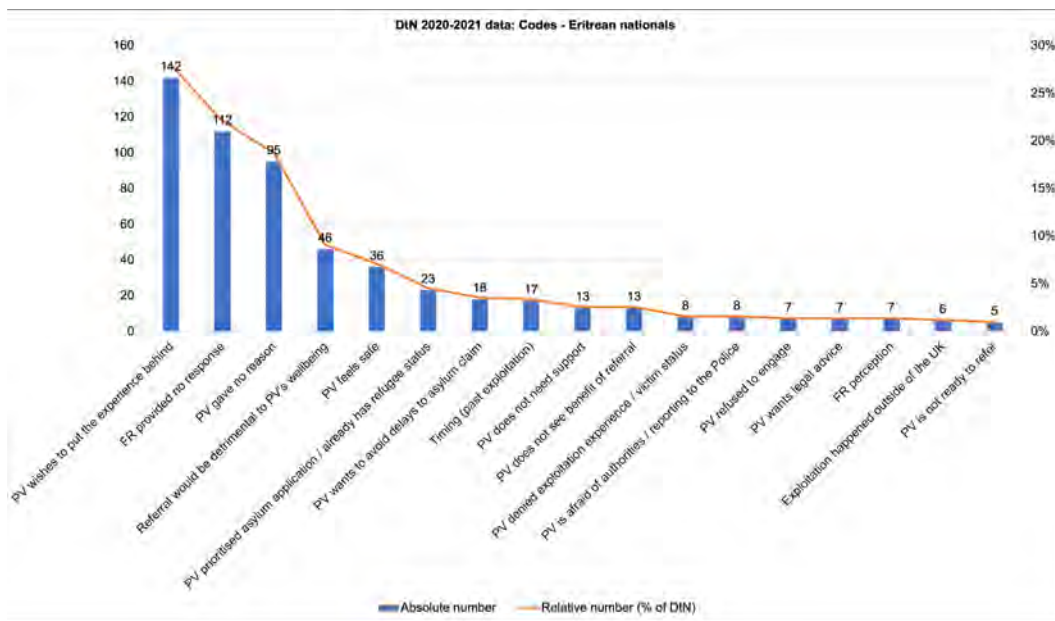

DtN 2020-2021 data: Codes - Romanian nationals

Setting aside all reports where no reason was provided, the distribution is recalculated as follows:

DtN 2020-2021 data: Codes - Romanian - DtN with reason(s)
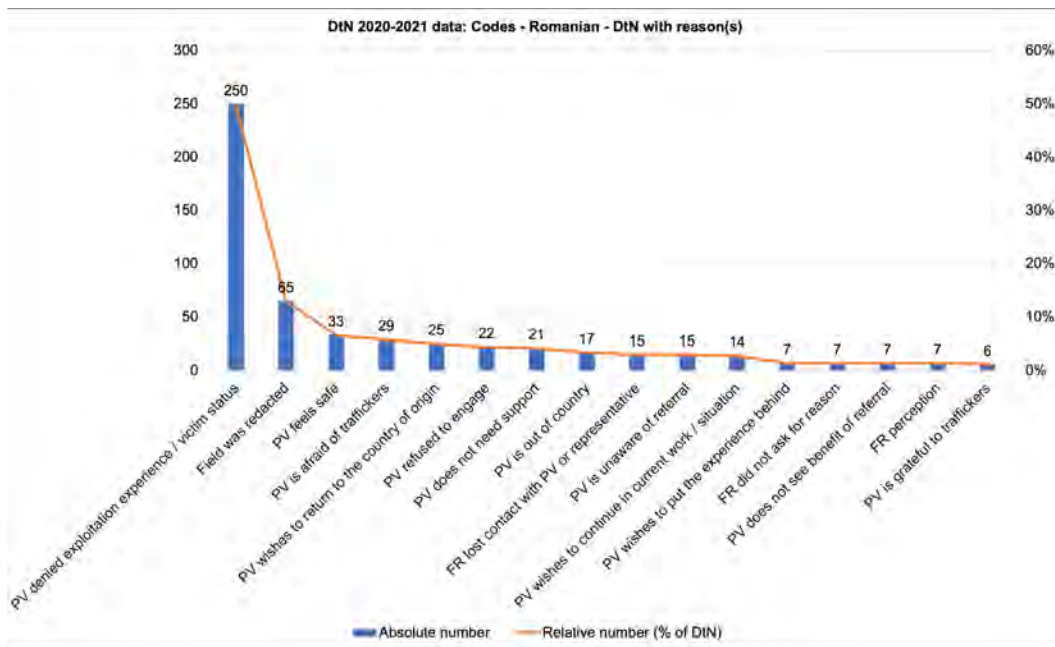
The most common reasons given for not giving consent to enter the NRM for Romanian nationals were **denial of exploitation and/or victim status** (250, 50%), followed by reasons that were not disclosed due to redacted fields in the dataset (65, 13%), and a sense of safety (33, 7%).

Eritrean nationals

The most common codes for Eritrean nationals were "PV wishes to put the experience behind them", followed by "FR provided no response", and "PV gave no reason".
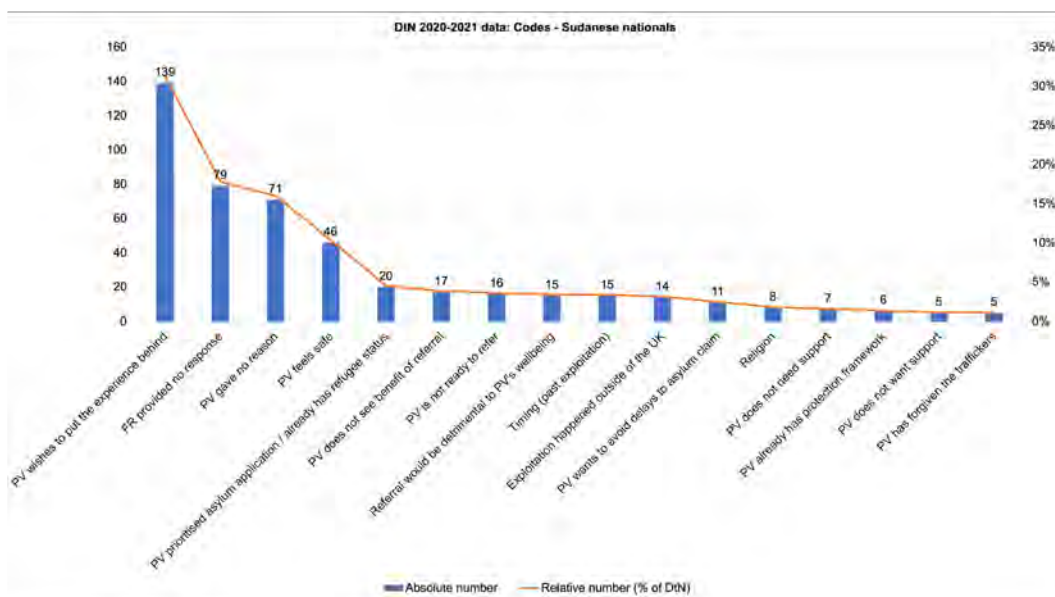

DtN 2020-2021 data: Codes - Eritrean nationals

Setting aside all reports where no reason was provided, the distribution is recalculated as follows:

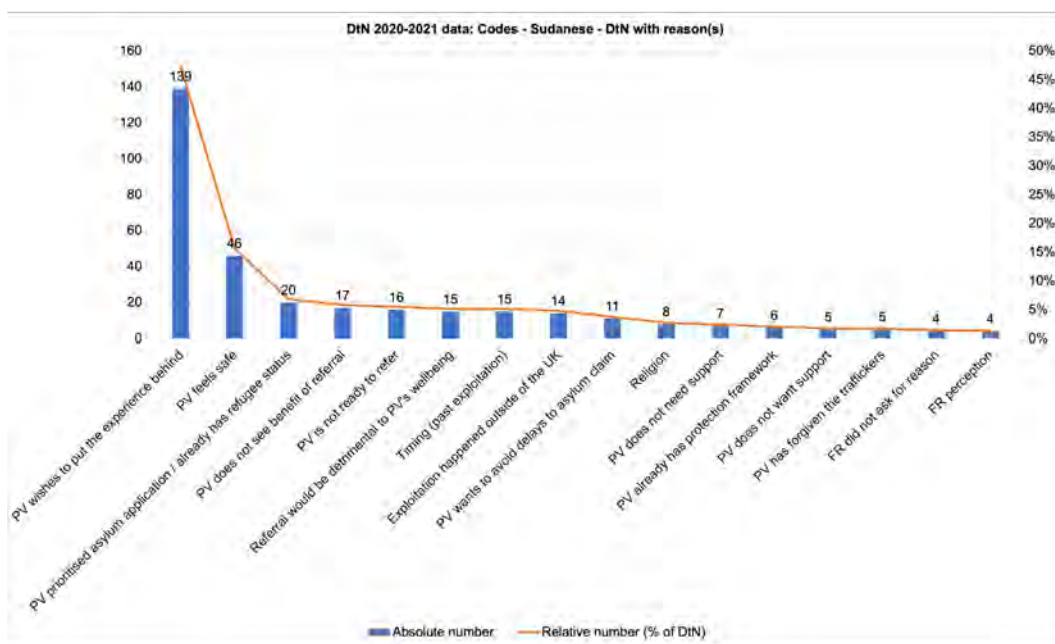DtN 2020-2021 data: Codes - Eritrean - DtN with reason(s)
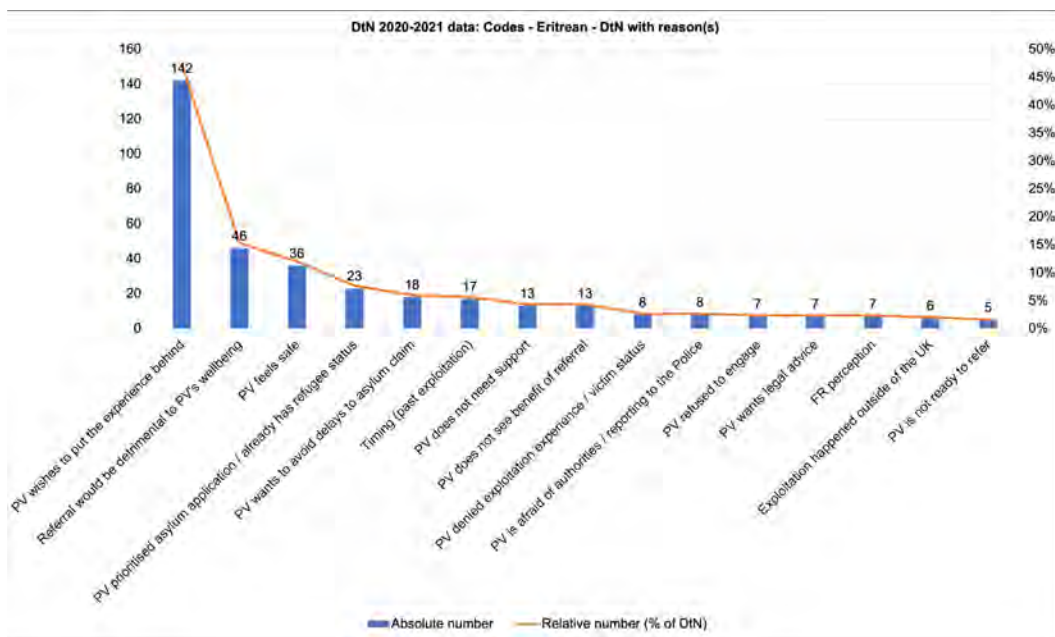
The most common reasons given for not giving consent to enter the NRM for Eritrean nationals were the **desire to leave the exploitative experience behind** (142, 47%), followed by the individual believing that a referral would be detrimental to their wellbeing (46, 15%), and a sense of safety (36, 12%).

Sudanese nationals

The most common codes for Sudanese nationals were "PV wishes to put the experience behind them", followed by "FR provided no response", and "PV gave no reason".

DtN 2020-2021 data: Codes - Sudanese nationals

Setting aside all reports where no reason was provided, the distribution is recalculated as follows:

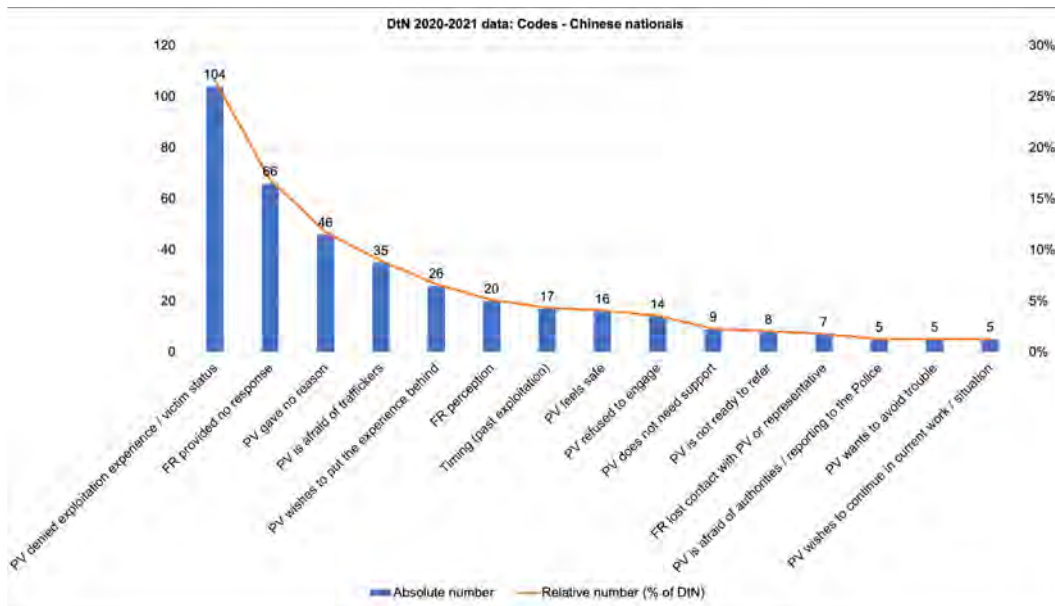DtN 2020-2021 data: Codes - Sudanese - DtN with reason(s)

The most common reasons given for not giving consent to enter the NRM for Sudanese nationals were the **desire to leave the exploitative experience behind** (139, 47%), followed by a sense of safety (46, 16%), and the prioritisation of an asylum application and/or already having refugee status (20, 7%).
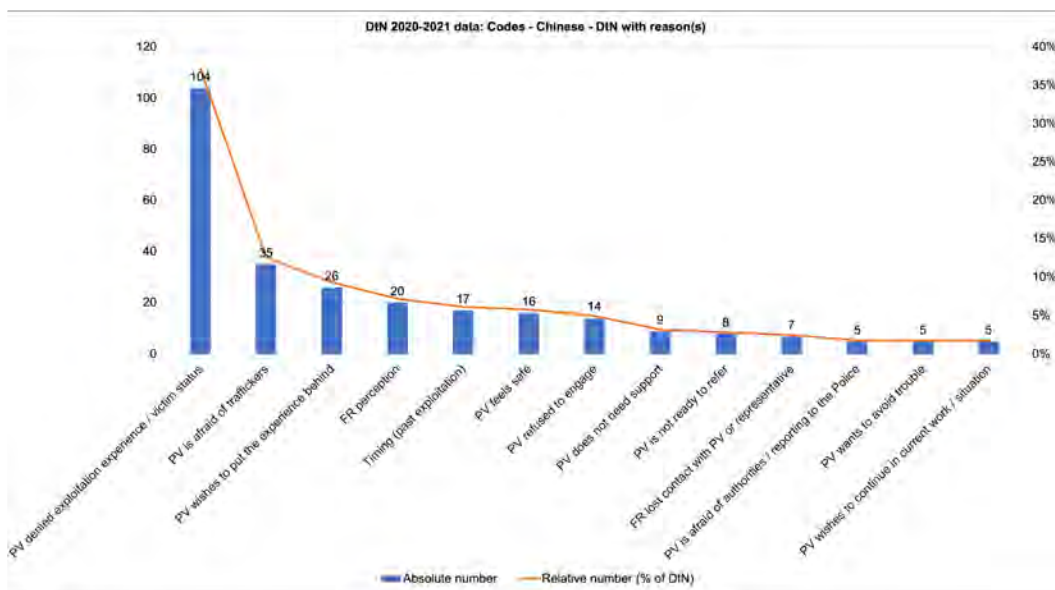
Chinese nationals

The most common codes for Chinese nationals were "PV denied exploitation experience / victim status", followed by "FR provided no response", and "PV gave no reason".

DtN 2020-2021 data: Codes - Chinese nationals

Setting aside all reports where no reason was provided, the distribution is recalculated as follows:

DtN 2020-2021 data: Codes - Chinese - DtN with reason(s)

The most common reasons given for not giving consent to enter the NRM for Chinese nationals were the **denial of exploitation and/or victim status** (104, 37%), followed by fear of traffickers (35, 13%), and the desire to put the exploitative experience behind (26, 9%).

Vietnamese nationals

The most common codes for Vietnamese nationals were "FR provided no response" and "PV gave no reason", followed by "PV denied exploitation experience / victim status".

DtN 2020-2021 data: Codes - Vietnamese nationals

Setting aside all reports where no reason was provided, the distribution is recalculated as follows:

DtN 2020-2021 data: Codes - Vietnamese - DtN with reason(s)
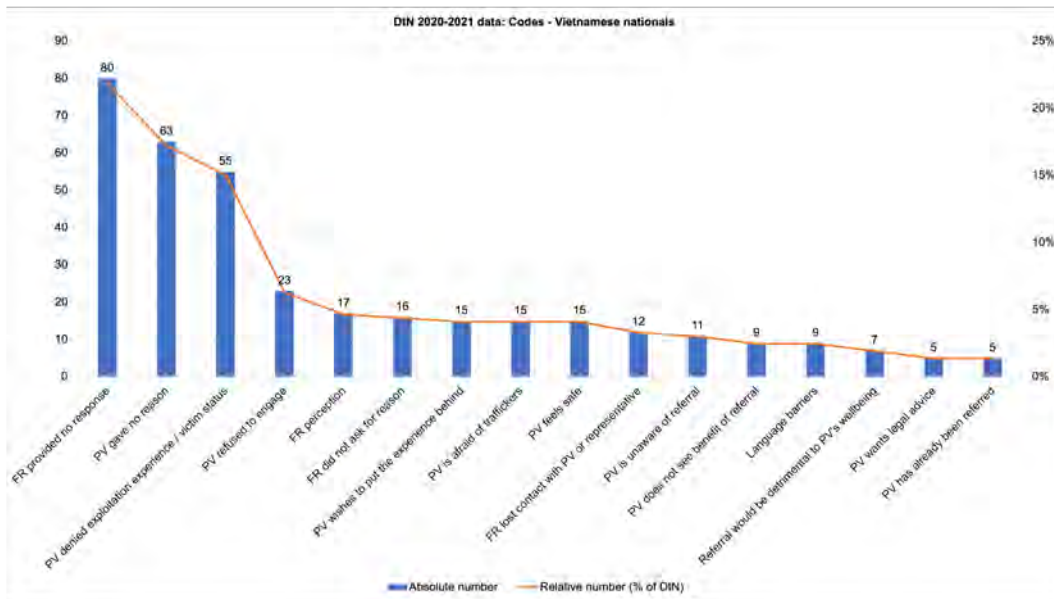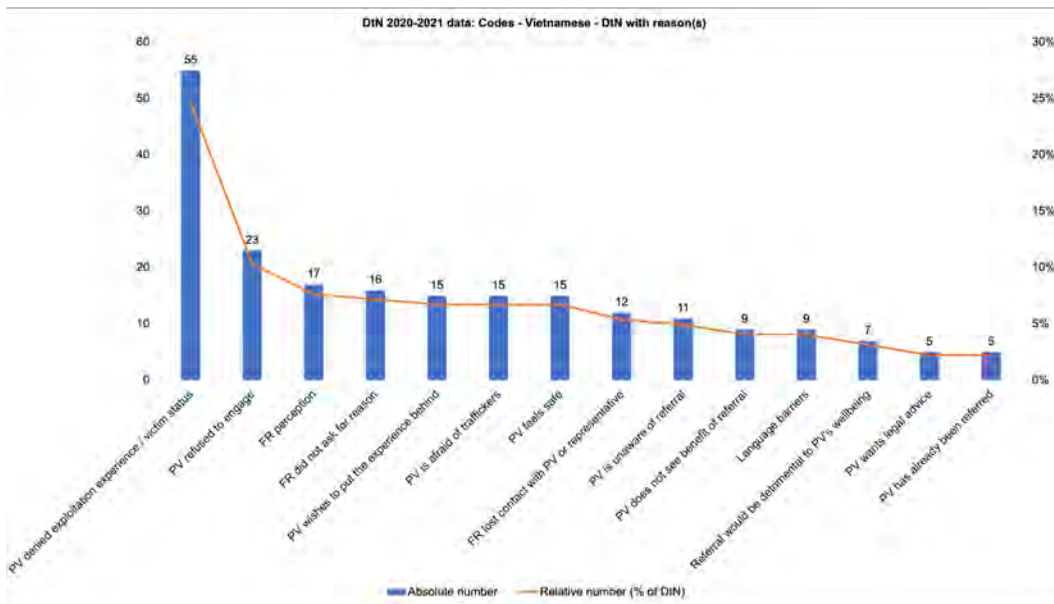
The most common reasons given for not giving consent to enter the NRM for Vietnamese nationals were the **denial of exploitation and/or victim status** (55, 25%), followed by a refusal to engage with authorities (23, 10%), and "FR perception" (26, 9%). Amongst the information coded as FR perception, by way of example, the dataset included references to the individual not being able to 'give enough details to the police that would be enough for an investigation'.

British nationals

The most common codes for British nationals were "FR provided no response" and "PV refused to engage", followed by "PV denied exploitation experience / victim status".
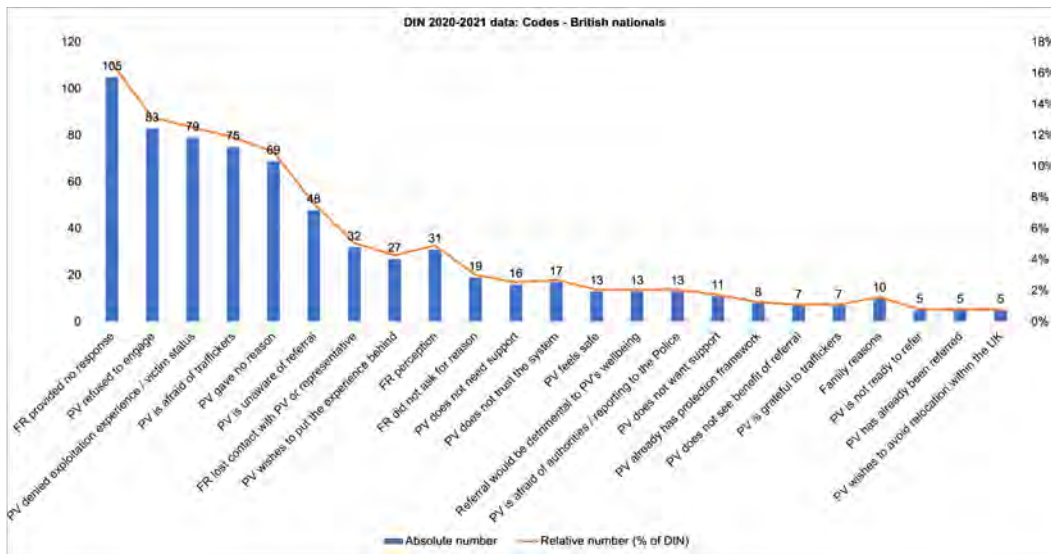

DtN 2020-2021 data: Codes - British nationals

Setting aside all reports where no reason was provided, the distribution is recalculated as follows:

DtN 2020-2021 data: Codes - British - DtN with reason(s)
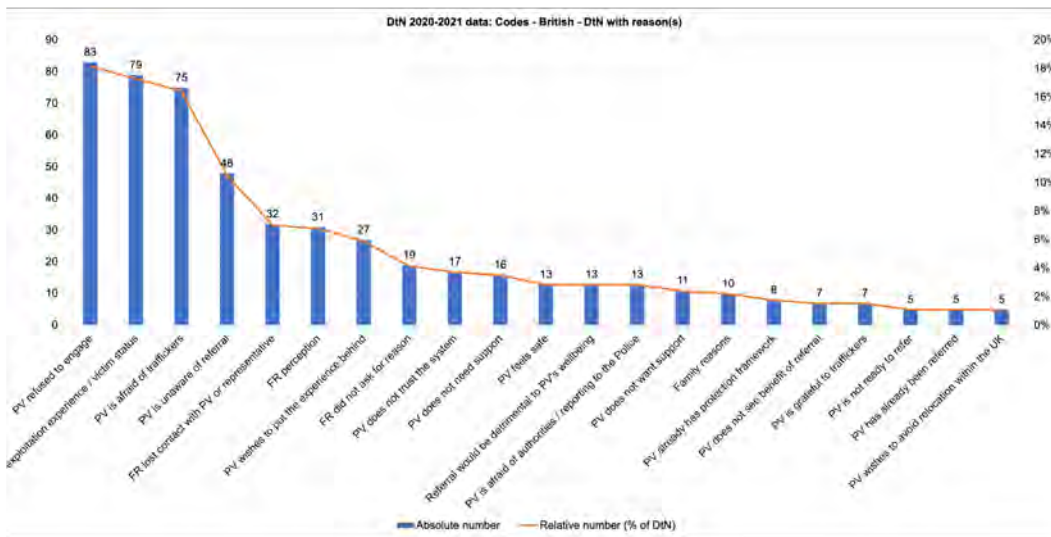
The most common reasons given for not consenting to enter the NRM for British nationals were a **refusal to engage with authorities** (83, 18%), followed by the denial of exploitation and/or victim status (79, 17%), and fear of traffickers (75, 16%).

## C) An analysis of codes by (selected) referring agencies

A third and last layer of enquiry relates to referring agencies. As in subsection B1 of Part 3, this subsection will explore the 2020-2021 MoU DtN data with reference to the police and UKVI, selected on the basis of them being the two agencies with the most DtN reports in 2020-2021.

By comparing police and UKVI reports, a few trends are worth highlighting:

1. Fear of traffickers was a common code both in police and UKVI DtN reports: in reports where a reason was provided, fear of traffickers appeared in 9% of police reports and 12% of UKVI reports;

2. In the majority of police reports where at least one reason was given, denial of exploitation experience and/or victim status was predominant (37%), while the code was minimally present in UKVI reports (less than 2%);

3. In the majority of UKVI reports where at least one reason was given, a desire to leave the experience behind was predominant (31%), while the code was minimally present in police reports (less than 5%);

4. Refusal to engage with the authorities was a significant code in police reports (16%), but not in UKVI reports (less than 2%) where at least one reason was given;

5. Amongst UKVI DtN reports, around 7% of individuals who gave a reason for not entering the NRM mentioned not being ready to be referred, and around 10% mentioned that the referral would have had a detrimental impact on their wellbeing (which often appeared together with an indication of a desire to put the experience behind them). These codes were hardly present in police reports (combined, less than 4%).

Police

The most common codes for police DtN reports were "PV denied exploitation experience / victims status", followed by "FR provided no response" and "PV gave no reason" – which together constituted 28% of all reports.

DtN 2020-2021 data: Codes - Police DtN reports
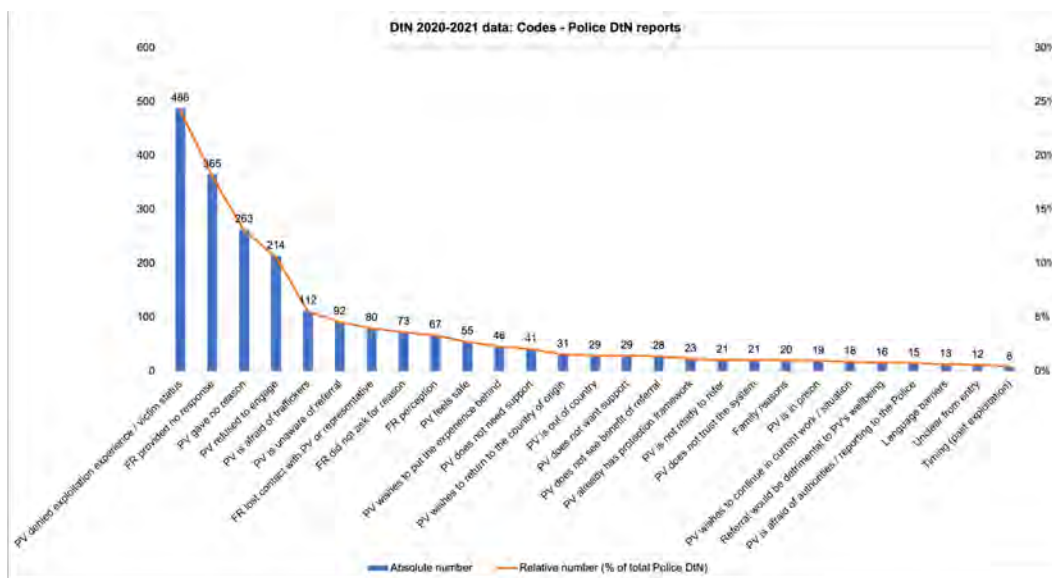
In 140 instances, the First Responder either did not ask for a reason (73, 3%), or provided information in the DtN form that suggests a misleading explanation of the NRM process (63, 3%) – for example, 'Wont [sic] support investigation'.

Setting aside all reports where no reason was provided, as well as instances in which the reason was not asked, the distribution is recalculated as follows:
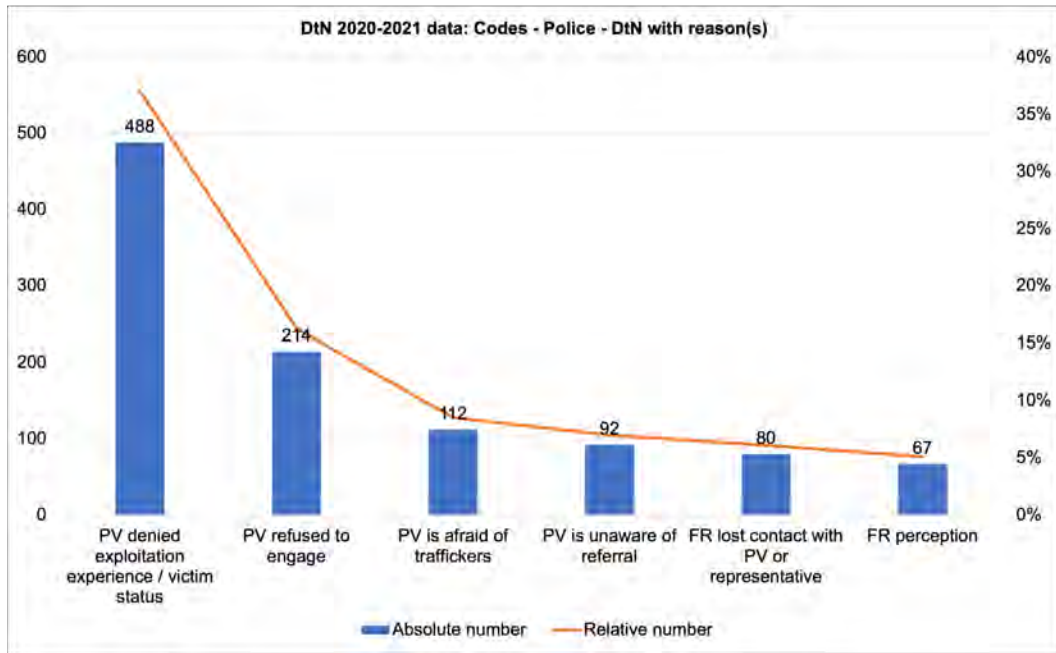
The most common reasons given for not giving consent to enter the NRM for individuals reported by the police were **denial of exploitation and/or victim status** (488, 37%), followed by a refusal to engage with the authorities (214, 16%) and fear of traffickers (112, 9%).

UKVI

The most common codes for UKVI DtN reports were "FR provided no response", followed by "PV wishes to put the experience behind them" and "PV gave no reason". Combined, "FR provided no response" and "PV gave no reason" made up 34% of all reports.
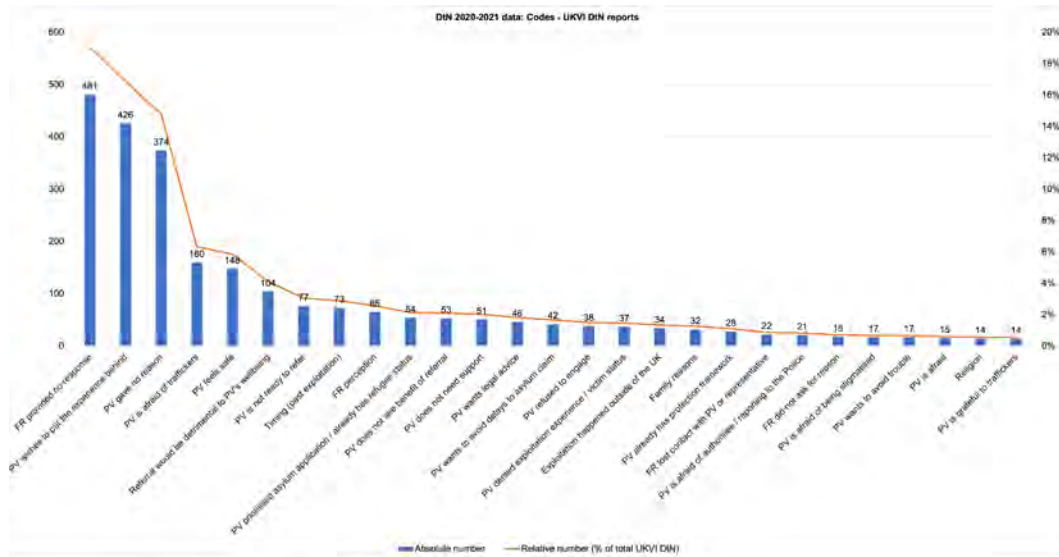
Setting aside all reports where no reason was provided, the distribution is recalculated as follows:

The most common reasons not to enter the NRM for individuals reported by UKVI were the **desire to put the experience behind them** (426, 31%), followed by fear of traffickers (160, 12%), and a sense of safety (148, 11%) – the latter often associated with the fact that exploitation happened outside of the United Kingdom (e.g., in transit during a migration journey).
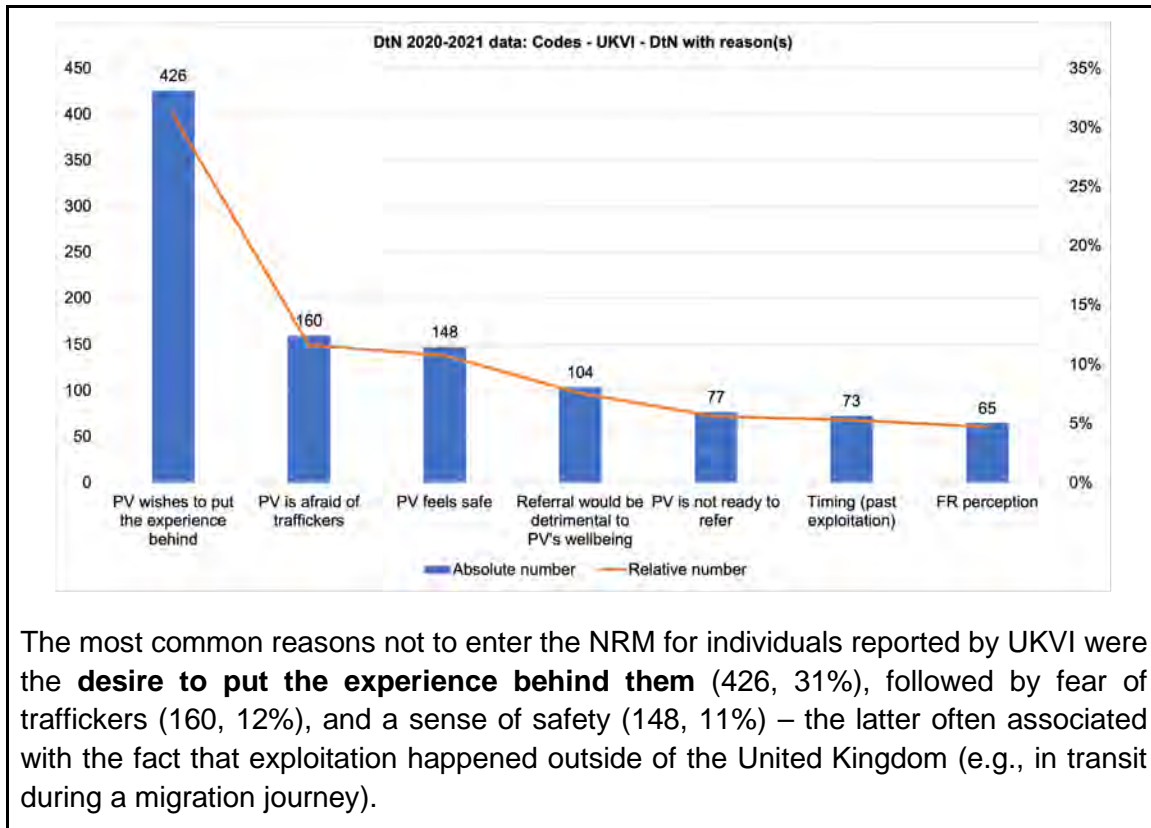
D) The meaning of 'informed consent'

To be able to provide informed consent to an NRM referral, an individual with lived experience of modern slavery must be provided with:

all the information in terms of why an organisation or individual is concerned about them, an explanation of support available to them, and an understanding as to what accepting this support would mean. This should include exploring the benefits and risks as well as the likelihood of both of these. In addition, there should be a discussion as to any practical alternatives so that individuals are able to make an informed choice.[174]

In focus groups held with people with lived experience of modern slavery, an overwhelming majority of consultants shared that they had either felt compelled to consent to a referral, were not sure what exactly they were consenting to, or had been referred without giving consent at all.[175] The coding and data analysis offers a complementary perspective on the meaning of 'informed consent'. From a quantitative perspective, 41% of DtN reports in 2020-2021 contain one or more of the following codes: "FR provided no response", "PV gave no reason", "FR perception", "PV is unaware of referral", and "FR did not ask for reason". While it is impossible to ascertain the dynamic of interviews in cases where the First Responder did not provide any response, as well as in cases where the First Responder indicated that the individual did not give any reason(s) (or where they themselves did not ask for a reason), a qualitative analysis of the codes "FR perception" and "PV is unaware of referral" is (at least partly) possible.

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[174] HTF, 'The Slavery and Trafficking Survivor Care Standards' (n 127) 44-45.
[175] LEFGs.

D1. (Mis)representation of the NRM nature and process

The first issue in terms of informed consent was the **accuracy of information provided by First Responders on the nature of the NRM process.** Indeed, without accurate information, consent (or lack thereof) cannot be deemed to be 'informed'. Many notes contained in the 'reasons for not entering the NRM' field clearly indicated that the information provided hinted at a requirement to collaborate with (criminal) investigations, or provide information to the police, as part of the NRM process.[176] In these latter cases, the inability to provide 'sufficient intel' was often reported as the reason for not entering the NRM. In a handful of instances, the First Responders' notes hinted at a perception of the NRM as an immigration-focused system, and thus 'unfit' for those who already hold legal status in the United Kingdom. In a few other cases, the individual did not consent based on an assumption (and/or a misrepresentation) that being referred into the NRM would necessarily entail relocation within the United Kingdom and accommodation in a safe house.

Of particular interest due to its prevalence in the dataset was the issue around **cooperation with the police and/or provision of 'intel' as a requirement to be referred into the NRM**. The language used by First Responders tended to follow specific patterns, including keywords such as:

1) 'Not supporting formal action';
2) 'Did not want referring to police';
3) 'Applicant would not be able to recognise those people again';
4) 'Refusing to assist police with the investigation';
5) 'Not willing to support police action in this case';
6) 'Didn't want to make any complaints';
7) 'Applicant said it is difficult to get evidence'.

It therefore appears that cooperation with the police and/or provision of intel to facilitate the identification of traffickers was presented or understood as a condition for referral, or at least as a necessary part of the NRM, and that, consequently, individuals felt that they could not consent to a referral because they would not be able or willing to support an investigation.

It is also significant that in 169 instances the individual stated they were not ready to be referred based on the information they were given, or that they wanted to seek legal advice before being referred – including, but not limited to, with regard to potential impact(s) on asylum claims.

Another key element in the context of informed consent was **language barriers**. In 20 instances, the First Responder indicated that they were not able to communicate with the individual due to a lack of interpreters and/or limited ability to engage through the English language, despite the Statutory Guidance stating that: 'It is important that, where the

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[176] While it is true that under the Modern Slavery Statutory Guidance, all NRM referrals must be sent on to the police (for the purposes of recording a modern slavery crime and investigating potential criminal activities), this does not equate to a duty to cooperate and/or provide 'sufficient' information to the police – a distinction that ought to be made clear when engaging with people with lived experience of modern slavery at referral stage. Statutory Guidance, para. 5.33.

individual has the capacity to consent, that they understand what they are consenting to. [...] This may require the assistance of an appropriate interpreter.'[177]

D2. Referrals without consent

Another set of reports dealt with individuals with whom the First Responder had not engaged directly while submitting a DtN. Despite concerns being raised in the focus groups around individuals being referred into the NRM without giving consent, these cases highlight instances in which **individuals were denied the possibility of being referred into the NRM regardless of whether they consented (or not)**. In several instances, this was because either the 'potential victim is not identified at present' or the 'potential victim is in prison'. Some of these reports were based on intel provided by the Crown Prosecution Service (CPS) or the police, and so were likely filed in to comply with the statutory duty to notify. Nonetheless, it is significant that – in so far as it can be gathered from the DtN data – no *meaningful* attempt to establish contact was been made when the individual's details were known to the First Responder. Some examples of this pattern were identifiable in comments such as:

1) 'Due to the subject being in custody I have been unable to speak to the subject';
2) 'The victim is under investigation for crimes [and] has not been notified of this referral as he hasn't given any details for Exploiters';
3) 'I have not spoke [sic] with the victim myself I have been directed to complete the referall [sic] by a senior prosecuting lawyer with the CPS';
4) 'The individual was not present at the time this referral was made and therefore, was unable to concent [sic]'.

This set of reports is supplemented by those instances in which contact was established but then lost. The dataset contained 155 instances of "FR lost contact with PV or representative", including two instances in which it was reported that the individual passed away. In the other 153 instances, the reasons for loss of contact were diverse and include, *inter alia*, individuals absconding or going missing, delays in replies by legal representatives, and the lack of an address for correspondence (often linked with homelessness).

E) NRM, DtN, and data silences

Across Parts 3 and 4 of this report, while some patterns emerge clearly (especially with regard to gender, nationality, referring agency, and type(s) of exploitation), data on reasons why adults decide (or not) to enter the NRM offer only partial insights. While this is the result of a variety of reasons, it is clear that one of the main silences is the product of the **overall low quality of DtN reports**. Without duplicating statistical information that has already been presented, the fact that one in every five DtN reports (20%) contains no information on 'reasons for not entering the NRM', and that 39% of reports contain very limited information and/or information that clearly points to misrepresentations of the NRM system (namely, "FR provided no response", "PV gave no reason", "FR perception", "FR did not ask for reason"), is demonstrative of a missed opportunity to gather information about why individuals decide not to give consent for entering the NRM. While it is not currently a legal requirement to collect information with regard to 'reasons for not entering the NRM', First Responders should be strongly encouraged to do so. For the purpose of

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this report, the research team has focused on the possibilities of training to remedy some of these structural and systemic flaws, with the hope that better data collection can lead to better insights, and consequently to better protection responses.

Part 5: Conclusions and recommendations

It is clear from all aspects of this research that there remain very significant gaps in ensuring that adults with experiences of modern slavery are identified accurately by First Responders and given appropriate information to make an informed decision on whether to enter the NRM. It is also clear from the research that significant gaps exist in the understanding of *why* adults with lived experience of modern slavery refuse to being referred into the NRM – a gap that is only partially filled by the analysis contained in this report of DtN data for 2020 and 2021.

The quality of NRM referrals remains a critical concern and one that requires urgent, serious, and thorough consideration. Good quality and accessible training for First Responders and frontline organisations is a critical component of building the capacity to identify and refer people into the NRM (including by ensuring their ability to provide informed consent), as well as down alternative safeguarding routes. Such training should appropriately incorporate the voices of people with lived experience of modern slavery and address both knowledge (e.g., definitions, understanding of indicators, and understanding of processes and requirements), skills (e.g., trauma-informed communication), and competences (e.g., how to gather relevant information and make referrals with the requisite level of detail). It should be regular, up-to-date, and targeted, and it should also be monitored and evaluated. Indeed, the research revealed an absence of structured, ongoing monitoring and evaluation of training, owing to a lack of time and resources. The report further shows that formal and informal opportunities for sharing training experiences and resources could have a marked benefit on the type, quality, and effectiveness of training provided.

Since 2020, proportionally more people have been refusing a referral into the NRM, yet the underlying reasons continue to remain unknown. Part of this derives from the ways in which data is collected in DtN reports, where the 'reasons for not entering the NRM' field is a non-mandatory, open text box, often providing scant details, if any details at all, as to why people refused to be referred. Indeed, in around 20% DtN reports for 2020 and 2021, the First Responder filing the report did not indicate any reason as to why the individual refused to enter the NRM, and in another 14% the First Responder simply stated that the person 'gave no reason'. As such, a total of 34% of reports offered no details as to the reasons for the refusal to be referred. In reports where at least one reason was recorded, the most common was that the person denied the exploitation experience or victim status (23% of reports which included at least one reason), followed by wanting to put the experience behind them (14%), being afraid of traffickers (10%), a refusal to engage (8%), and that the individual felt safe/was already being supported (8%). The need for more data on reasons for refusing to enter the NRM is addressed in the recommendations below.

A) For the Modern Slavery Unit at the Home Office

A1. General recommendations

1. Ensure that changes to law, policy and processes, including any changes to the NRM and DtN online referral forms and Statutory Guidance, are communicated to First Responder Organisations prior to coming into effect. First Responders must be given adequate time to familiarise themselves with any such changes and to prepare accordingly, including, where necessary, by providing additional training to their staff. Support should also be offered to help First Responders adapt to any such changes and to ensure they are able to perform their functions effectively – for instance, in the form of detailed guidance on the practical effects of changes on the referral process and online form;

2. Ensure that changes to law, policy and process follow a clear consultation procedure and that transparency is maintained when making and communicating decisions related to modern slavery. This applies, among other things, to decisions surrounding the composition of First Responder Organisations, as well as ministerial commitments to implementing pre-NRM Places of Safety.

3. Ensure that the views and experiences of individuals with lived experience of modern slavery and of those involved in frontline work inform all legislative, policy, and practical developments, including the development of any training materials.

A2. Training recommendations

1. Update the Home Office e-learning modules for First Responders as a matter of priority, and ensure that these are amended in advance of any future changes to the referral process to ensure that First Responders can be trained on these before they come into effect;

2. Make it mandatory for all statutory First Responder Organisations to ensure that all staff members who are internally tasked with submitting NRM referrals and DtN reports complete training consistent their level of knowledge on a regular (e.g., annual) basis;

3. Introduce a programme for monitoring satisfactory completion of the e-learning by requiring an email address to access the module and asking knowledge and confidence-based questions before and after the training is completed. The monitoring data should be made publicly available (in an aggregated and anonymised form) so that it can be used to better understand and improve training uptake among First Responders;

4. Support the further development of an accessible database of training materials and create a standardised tool for monitoring and evaluating training provided to First Responders, potentially building on the training assessment framework developed as part of this project (see Annex 1).

A3. Duty to Notify recommendations

1. Openly publish detailed DtN data which includes all information gathered via the reports (save for the information that ought to be redacted for data protection purposes) to allow further engagement and analysis by the public, researchers, and civil society actors;

2. Improve data collection by making the field 'reasons for not entering the NRM' on the referral form a mandatory one. The collection of more data on this topic will

allow for more effective monitoring of trends and patterns in DtN reports. In addition to the open text box for 'reasons for not entering the NRM', a new multiple-choice question could be added, based on the codes created in this report, so that the reasons for not entering the NRM can be easily analysed and concerns about entering the NRM assessed;

3. Explore the feasibility of taking steps to widen the number of organisations which can submit a Duty to Notify report. Currently, this is only First Responder Organisations, which may not show an accurate representation of the true scale of people with lived experience of modern slavery being identified yet refusing to being referred into the NRM. It is possible that once the Illegal Migration Act comes into effect, fewer people with lived experience of modern slavery will make contact with the authorities, making the DtN data less reflective of how many people decide not to enter the NRM. Any concerns about the qualifications of organisations to make DtN referrals could be addressed through by requiring organisations to have completed the Home Office e-learning modules first.

B) For First Responders (and other Frontline Organisations)

B1. General recommendations

1. Identify Single Points of Contact ("SPOCs") within the organisation who can advise on referrals or complex cases. These individuals should have the appropriate knowledge and experience to perform this role, including completion of a higher level of training;
2. Provide ongoing support to First Responders and staff of relevant frontline organisations, including necessary psycho-social support, in recognition of the nature of the work and the possibility of burnout, secondary trauma, and related issues.

B2. Training recommendations

1. Make training mandatory within all First Responder Organisations for all staff members who are internally tasked with filing NRM referrals and DtN reports, as well as for all other staff members who may come into contact with people with lived experience of modern slavery in a professional capacity;
2. Ensure that the meaning of 'informed consent' is clearly communicated in all levels of training, and that staff members understand the need to ensure that informed consent is obtained, rather than assumed, for all NRM referrals;
3. Ensure that the views and experiences of people with lived experience of modern slavery inform the design, development, delivery and monitoring of training delivered to First Responder Organisations and all other frontline organisations whose staff may come into contact with people with lived experience of modern slavery in a professional capacity;
4. Provide an induction and facilitate mentoring opportunities for new staff members involved in identification and referral processes;
5. Building on the training assessment framework developed as part of this project, develop training monitoring mechanisms informed by measurable objectives and standards and ensure that these are regularly implemented. These monitoring mechanisms should be based around an understanding of training evaluation as an ongoing learning opportunity for the individual, programme and organisation;

6. Consider opportunities for partnering with other frontline organisations (including, but not limited to, civil society organisations and modern slavery Lived Experience Advisory Groups) in the design, development, delivery and evaluation of training programmes.

C) Areas for further research

Monitoring and evaluation of training is an area that needs further data collection and research, as does the current availability of training provision among First Responders. Further research is also required to analyse areas of support that would benefit FROs and other frontline organisations and to explore how their needs (both practical, capacity-based needs, as well as other support needs, such as those relating to secondary trauma) could be best addressed. In addition, research is required to analyse in greater detail the findings of the DtN data presented in this study (as well as any findings from more recent DtN data), in so far as distinctive patterns have emerged with regard to reasons for not entering the NRM based on nationality and gender, as well as in relation to variations between the proportion of DtN reports to NRM referrals by nationality. This research should also take into account how recent policy developments – such as the implementation of the Nationality and Borders Act – have contributed to changing patterns or otherwise impacted the operation of the DtN process.

Annexes

Annex 1: Pilot framework for assessing training effectiveness

Training Assessment Checklist – a 12 Point Programme

1. Is your audience clearly defined and understood? Understanding the learning needs of participants in terms of knowledge, skills, and awareness is critical to ensure the relevance of the training.
    a. At which point in the employment service (if relevant) is the training undertaken?
    b. Are there any insights available into existing levels of awareness of the team?
    c. Have conversations been had with prospective participants on the training to determine their choices and preferences?
    d. Is the training personalised on the basis of the receiving audience and their level of knowledge and experience of dealing with modern slavery cases?
2. Has the format of the delivery of the training been thoroughly considered? Why has in-person, hybrid, or online training been selected? What are the pros and cons of each model and which are most likely to work in this context? What is feasible?
3. Is the training regularly updated to take into account policy changes and new trends?
4. Perspectives of people with lived experience of modern slavery:
    a. If it is appropriate to do so, have the perspectives of people with lived experience of modern slavery been considered in the design of the training materials?
    b. If appropriate, are people with lived experience of modern slavery involved in designing and/or delivering the training?
    c. If people with lived experience of modern slavery are involved in the preparation and/or delivery of the course, have safeguarding measures been put in place?
5. Perspectives of professionals undertaking the same or similar work:
    a. Have people undertaking the same or similar work (to that undertaken by the participants) been involved in the design, development, delivery and assessment of the training being provided?
6. To what extent is/are the trainer(s) able to, and are comfortable with, sharing some of their own experiences relevant to the material being presented?
7. Have the people delivering the training received appropriate training themselves? The training should cover both substantive and pedagogical matters.
8. On content, have you made sure that:
    a. You are using the correct definitions (and understanding) of modern slavery and human trafficking, providing a comprehensive account of the various ways in which trafficking and modern slavery can manifest;
    b. The distinction (but also potential overlaps) between different forms of modern slavery is clearly identified and explained, and different types of exploitation are addressed in a comprehensive manner;
    c. There is adequate engagement with international and domestic legal standards;
    d. Other relevant concepts (e.g., consent) are adequately explained;

e. Indicators of trafficking and modern slavery, both personal and contextual, are discussed in sufficient detail and presented in a logical manner that can easily be applied;

f. Relevant processes and mechanisms for safeguarding and NRM referrals are explained in detail, and opportunities are provided to challenge misconceptions of the referral process (including, for example, that an NRM referral requires cooperation with the investigation and prosecution of the offender);

g. Tips on how to prepare a strong referral are shared with participants (a 'dos' and 'don'ts').

9. Does the training as planned provide sufficient opportunity to challenge pre-existing notions, including around:

a. Understandings of modern slavery; who might be a victim thereof; what a victim may or may not look/sound like?

b. Understanding of indicators of modern slavery?

10. How is the training being evaluated, including in the short term (benchmarking knowledge ahead of the session, immediately after the session), medium term (within 3 months of the session) and longer term (e.g., within 6-12 months of the session).

a. What measures have been put in place to ensure that:

i. Evaluation considers both knowledge and skills gained through the course.

ii. That evaluation questionnaires intended for after the course receive a good number of responses.

iii. The evaluation can capture the additional training and other needs of participants and facilitate organisations' ability to address those needs.

11. Have you considered seeking advice from independent commentators who might be able to assess the training design and/or delivery and provide feedback on its strengths and weaknesses?

12. Is support available for any participants, trainers or others involved in the training who may find the content distressing? It would be helpful to ensure that this information is regularly, prominently and clearly provided to trainers and participants.

Annex 2: Survey

Respondent Data

Name (optional)
Organisation (optional)
Sector:
      First Responder – Public authority
      First Responder – NGO
Your role:
      Police Officer
      Border Force Officer
      Immigration Officer
      Labour Inspector
      Community Safety Officer
      Social Worker
      Support Worker
      Manager
      Policy Coordinator
      Other (please specify)
Work location (tick all that apply):
      England
      Wales
      Northern Ireland
      Scotland

1. In your capacity as a First Responder, how many cases of modern slavery have you been involved in responding to in the last 12 months (even if the initial identification, NRM referral, or the Duty to Notify was made by someone else)?
      None
      1-10
      11-20
      21+

2. On a scale of 1 to 10, how prepared do you feel to identify people with lived experiences of modern slavery (encompassing both initial identification and referral to the NRM/Duty to Notify)?
To what extent do you agree with the following statements:
      I feel equally prepared to identify people with lived experiences of modern slavery irrespective of their biological sex
      I feel equally prepared to identify people with lived experiences of modern slavery irrespective of their gender identity
      I feel equally prepared to identify people with lived experiences of modern slavery irrespective of exploitation type (including but not limited to sexual exploitation, forced labour, forced criminality, domestic servitude)
      I feel equally prepared to identify people with lived experiences of modern slavery irrespective of nationality/immigration status

I feel I have a strong grasp of the National Referral Mechanism and the practical realities faced by people with lived experiences of modern slavery that go through the NRM system

3. To what extent do you consider your answer to the above questions to be linked to the training you have received from your current/immediate past employer?

    Very much
    Partly
    In a very limited way
    Not at all
    Not applicable – I have not received training on modern slavery

4. What other factors (besides training from your employer, if received) do you attribute to this?

    My academic or previous training
    My personal research and reading
    Training I undertook in my own time and at my own expense
    On the job experience
    Direct experience of exploitation
    Other (please specify)
    Not applicable – I learnt everything through this training (if received)

5. What format was the training you received delivered in?
Virtual (live)

    E-learning (including training videos)
    Face to face
    Hybrid
    Other (Please elaborate)

6. Is in-service training on modern slavery a regular feature at your work? How often is training offered by your employer? What does the training cover?

7. What do you consider to be three key strengths (and/or good practices) of the training you received?

8. What do you consider to be three key weaknesses of the training you received? [These can be linked to content/knowledge gaps; format; accessibility etc.]

9. Based on your experience, what elements should any training for new staff working for First Responders include?

10. Based on your experience, what elements should any refresher training for current staff of First Responders include?

11. In your opinion, how important (on a scale of 1 to 5) is it that First Responders receive training on:

    The definition and understanding of modern slavery
    Personal indicators of modern slavery (e.g., personal background, isolation)
    Contextual indicators of modern slavery (e.g., living conditions, passport withheld etc.)
    Barriers to disclosure people with lived experiences of modern slavery might face in coming forward and requesting support
    Nature and procedures of the NRM
    The role of First Responders as part of the NRM

How to make a NRM referral, including practical information on how to find the NRM form, how to fill it out, and the information that is needed (and any information that should not be included)

The Duty to Notify procedure, including practical information on how to find the form, how to fill it out, and the information that is needed (and any information that should not be included)

Channels for protection other than the NRM (e.g., possibility and conditions of applying for asylum, signposting to alternative support etc.)

Ensuring the informed consent of adults to enter the NRM

Information on a trauma-informed approach

Other observations (please specify)

12. Do you have any further comments or suggestions regarding the training you have received / that is offered to new staff members of First Responder Organisations?

13. Do you think that modern slavery training for frontline workers in First Responder Organisations should be mandatory?

Yes, for all frontline workers in a First Responder Organisation

Yes, for some frontline workers in a First Responder Organisation

No

13.B [If 13 is B] → For which frontline workers do you think that modern slavery training should be mandatory?

14. Can you please explain your answer to question 13 above. What do you consider to be the benefits and risks of mandatory training?

We are also interested in the information and support that is provided to those suspected by you and/or your organisation of having lived experiences of modern slavery (prior to initiating an NRM referral or Duty to Notify procedure).

15. What information do you provide individuals suspected of having lived experiences of modern slavery when you first come into contact with them?

16. What format is this information provided in?

Written (e.g., leaflet)

Verbal (e.g., meeting, phone call)

Visual (e.g., pre-recorded video)

Other

17. Which languages is the above information provided in? Are translations/interpreters available to support the delivery of this information?

18. What, in your experience, are the general questions/topics that people considering entering the NRM usually ask you?

19. Have you ever come across individuals who did not consent to enter the national referral mechanism?

Yes

No

19.a [If Q19 is Yes]: What were the reasons for that reluctance to enter the NRM?

19.b [If Q19 is Yes]: How did you deal with the situation? [Please ensure that no identifiable details of any such individual are disclosed]

Annex 3: Training evaluation form

*** ***This form was used in the context of the project to ensure consistency in experts' reviews of the training materials*** ***

This document is intended to support those individuals invited to review training materials in their assessment whilst allowing the project to identify key trends in those assessments and ensure a degree of consistency in how the various training materials are reviewed. The document is not prescriptive and whilst we do ask that you answer all of the questions, we welcome any further observation that you might have.

Package Ref No:

1. Please provide your initial overall assessment of the training materials reviewed including a brief summary of their key strengths and weaknesses.

2. Which of the following manifestations of modern slavery are covered? [Yes/No and comments]

> Sexual exploitation
> Forced labour
> Domestic servitude
> Forced criminality
> Forced begging
> Forced marriage
> Removal of organs
> Online exploitation
> Other (specify)

3. Based on the information available to you, how would you assess the content of the training on each of the following:

Scale: Inaccurate, very weak, weak, satisfactory, good, very good. Please feel free to add comments to your evaluation.

> Overall content
> The definition and understanding of modern slavery
> Personal indicators of modern slavery (e.g., personal background, isolation)
> Contextual indicators of modern slavery (e.g., living conditions, passport withheld etc.)
> Barriers to disclosure people with lived experiences of modern slavery might face in coming forward and requesting support
> Nature and procedures of the National Referral Mechanism
> The role of the First Responders/ attendees as part of National Referral Mechanism
> Channels for protection other than the National Referral Mechanism (e.g., possibility and conditions of applying for asylum, signposting to alternative support etc.)
> Ensuring the informed consent of adults to enter the National Referral Mechanism
> Nature and procedures of Duty to Notify

_____

        Advice on how to make a National Referral Mechanism referral, including practical information on how to find the National Referral Mechanism form and the information that is needed
        Information on a trauma-informed approach
        Other observations (please specify)

4. To what extent do you think that this training is likely to result in the proper, or a better, identification of people with lived experiences of modern slavery who are:

Scale: Very unlikely, unlikely, likely, very likely. Please feel free to add comments to your evaluation

        Adult women
        Adult men
        LGBTQIA+ persons
        Persons with disabilities
        British nationals
        Third-country nationals
        Children

5. To what extent are each of the following aims achieved by the training materials?

Scale: Not achieved at all, partially achieved, fully achieved. Please feel free to add comments to your evaluation

        Understanding modern slavery and human trafficking and the range of its manifestations in the particular geographical or professional space
        Support / inform / improve the identification of people with lived experiences of modern slavery
        Understand the responsibilities and processes in place for addressing issues of modern slavery in the United Kingdom
        Build the capacity of participants to understand the responsibilities assigned to them under the 2015 Modern Slavery Act and the National Referral Mechanism

6. To what extent do you consider the content of the training to be appropriate to meet the training's stated aims and objectives?

7. What are the key strengths of the training materials reviewed?

8. Are there elements of the training that you consider to be promising practices that should be shared with, and incorporated by, other stakeholders?

9. What are the key weaknesses of the training materials reviewed?

10. What improvements/changes would you recommend to this training?

11. Do you have any additional comments to make?

MODERN SLAVERY & HUMAN RIGHTS | POLICY & EVIDENCE CENTRE

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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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