

MSPEC Lunchtime Seminar: Statistical Analysis of the National Referral Mechanism

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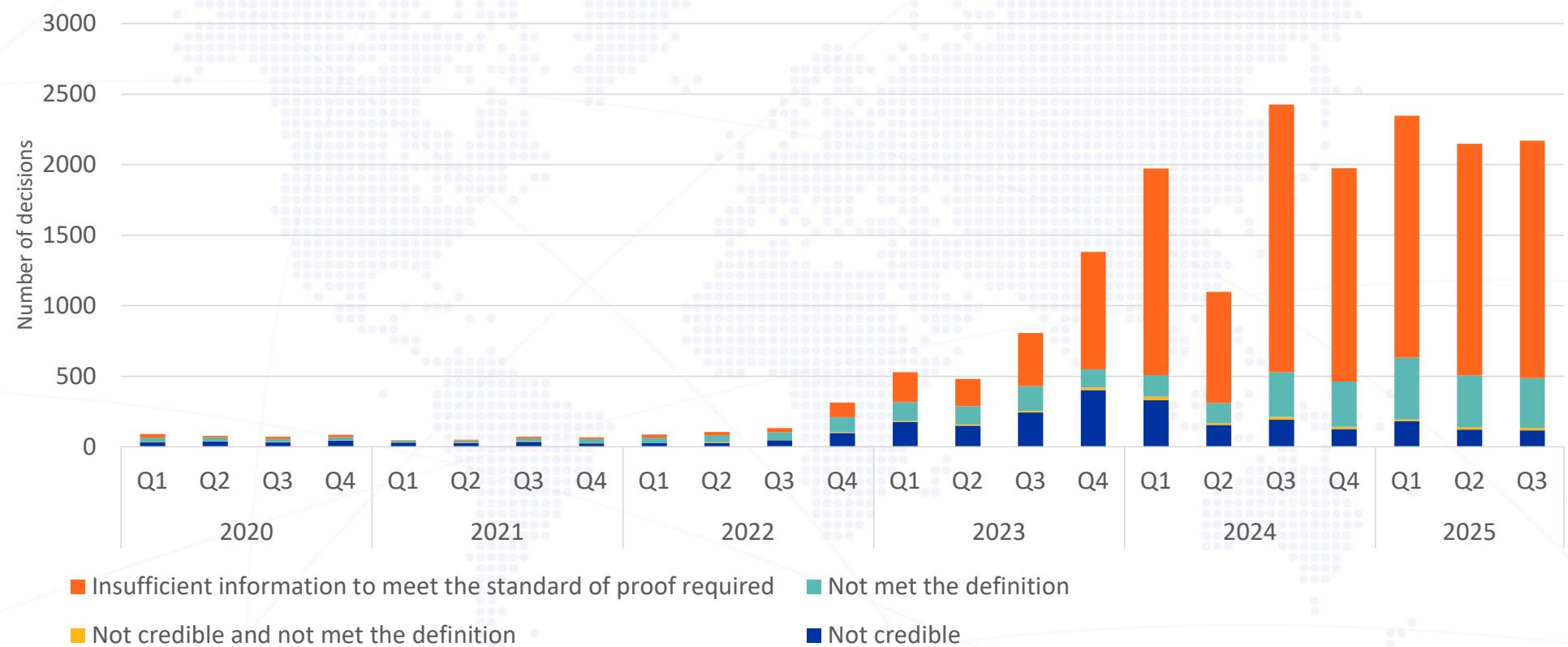
This work [AH/T012412/2] was supported by the Modern Slavery and Human Rights Policy and Evidence Centre, funded by the Arts and Humanities Research Council.

Context

- 2024 saw a record 7506 negative CG decisions, an increase of 1067% compared to 643 such decisions in 2022.
- Commitment to end NRM backlog within 2 years.
- Call for evidence on the identification of victims of modern slavery.
- Recent reforms and commentary on reconsideration request policy.

1. Negative Conclusive Grounds (CG) decisions

Reasons for negative CG decisions



Insufficient Information

Key findings

- Referrals by a Government Agency were 1.53 times more likely to be given a negative CG decision for insufficient information.
- Cases decided by the IECA were 2.67 times more likely to receive a negative CG for this reasons than cases decided by the SCA.

Recommendations

- Assess the capacities of government agencies and deliver capacity building as required.
- Reforms to policy and practice to improve information sharing for persons in prison and detention.

Not met the definition

Key finding

- Cases recorded as “not specified or unknown” exploitation were 2.44 times more likely to be given a negative CG decision for this reason.

Recommendations

- Amend the NRM referral form to allow for “at risk of sexual/labour/etc exploitation”.
- Publish anonymised analysis of the types of responses in the free-text fields of not specified or unknown exploitation.

Not credible

Key finding

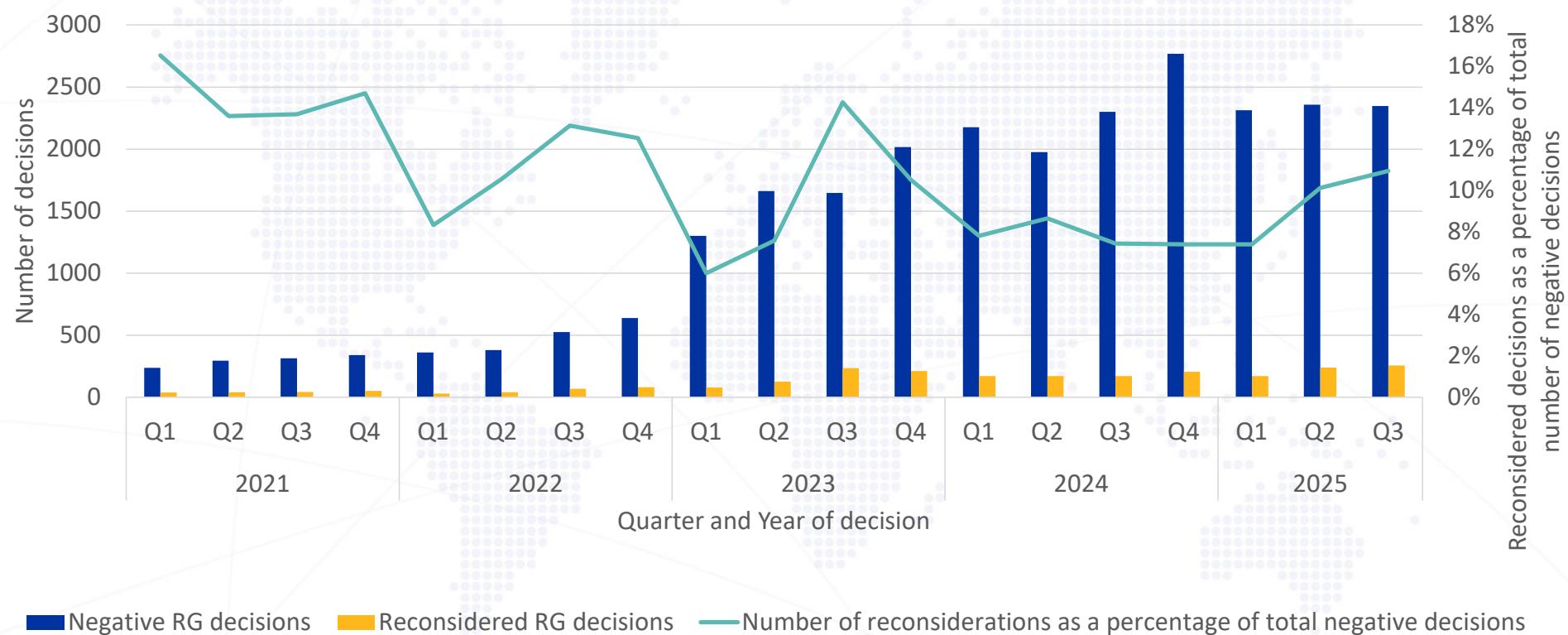
There was a 78% increase in the likelihood of males receiving this decision.

Recommendations

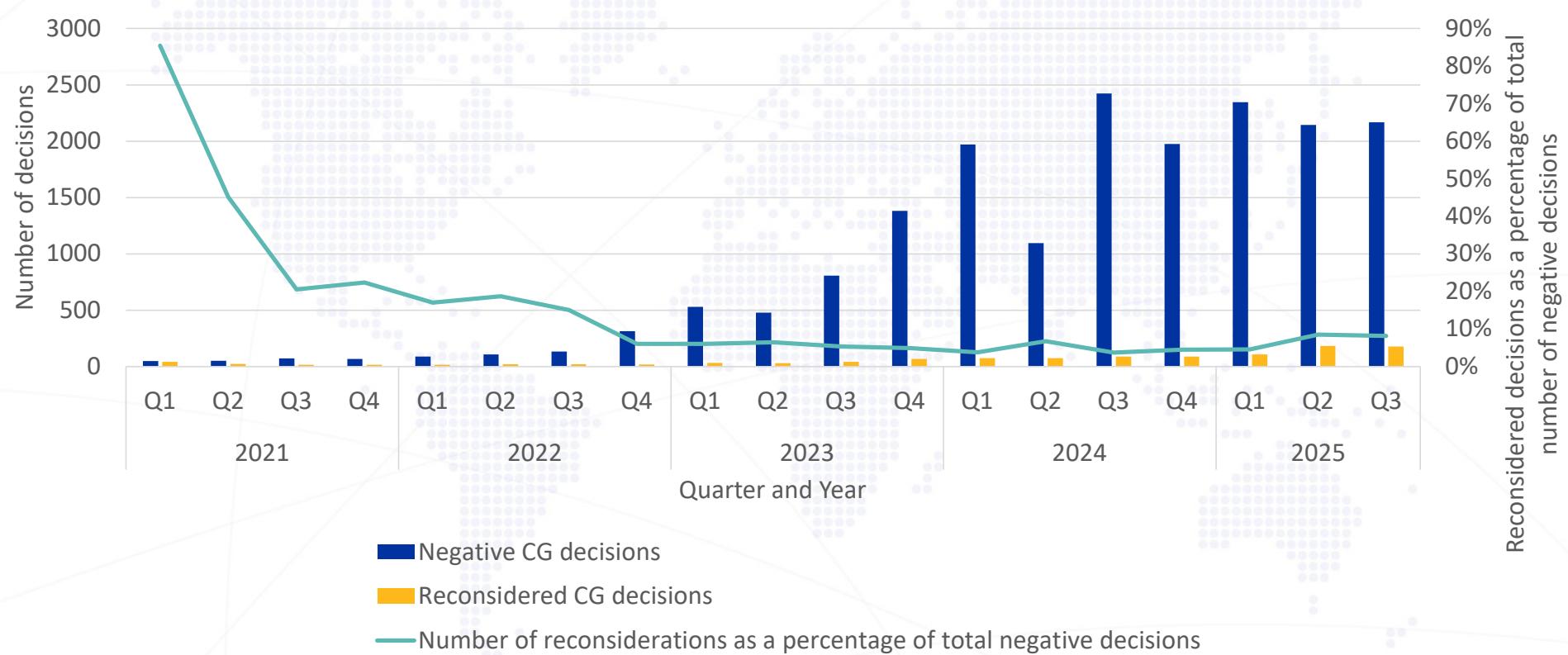
- Further research is needed about the details of the credibility issues for males receiving negative decisions on these grounds.
- Update the Statutory Guidance to more broadly address issues affecting disclosure for males which could impact credibility.

2. Reconsiderations

Number of negative Reasonable Grounds (RG) decisions and reconsidered RG decisions



Number of negative CG decisions and reconsidered CG decisions



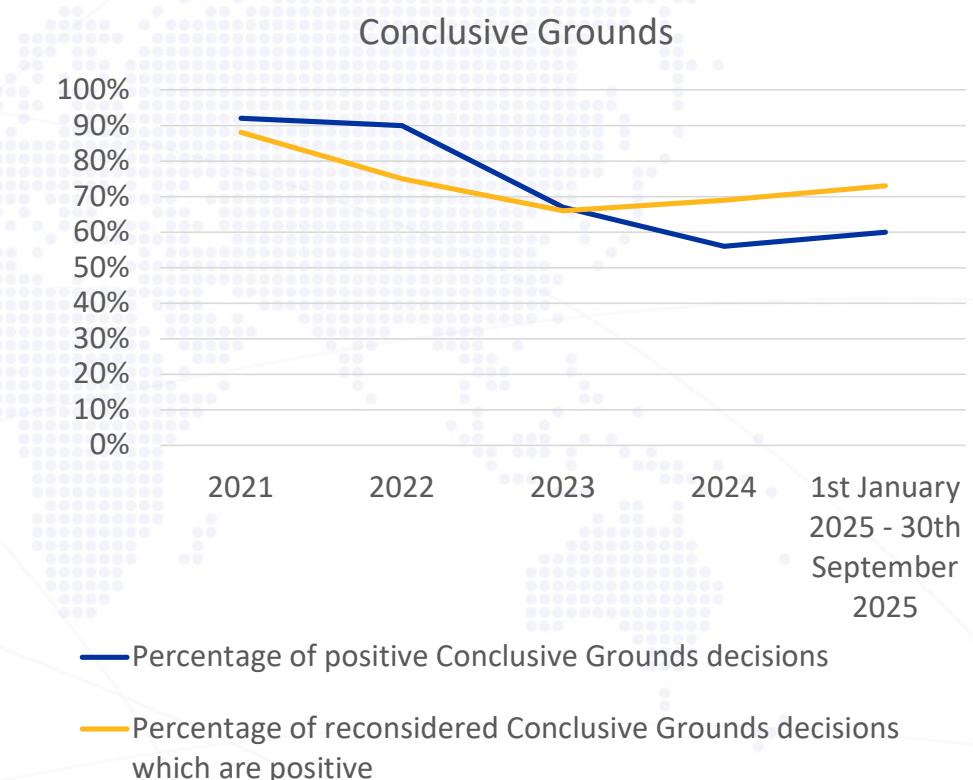
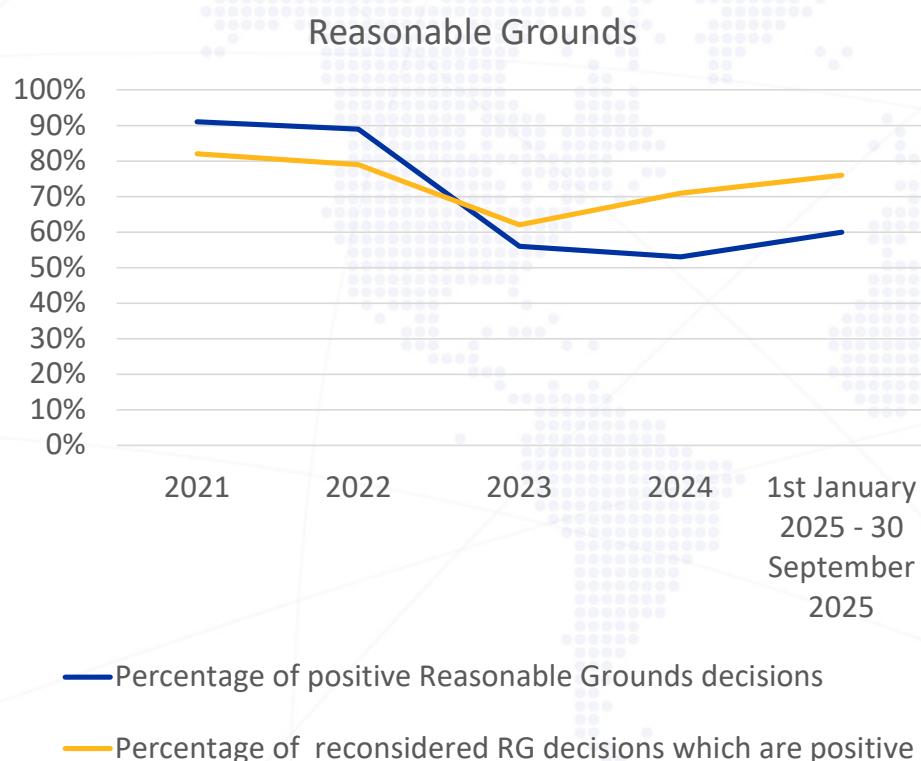
Changes to policy for reconsideration requests

- The timeline to submit a reconsideration for decisions not made in line with the guidance was reduced from 90 days to 30 days.
- An additional timeline (30 days) was introduced to submit a reconsideration based on new evidence.

Key findings

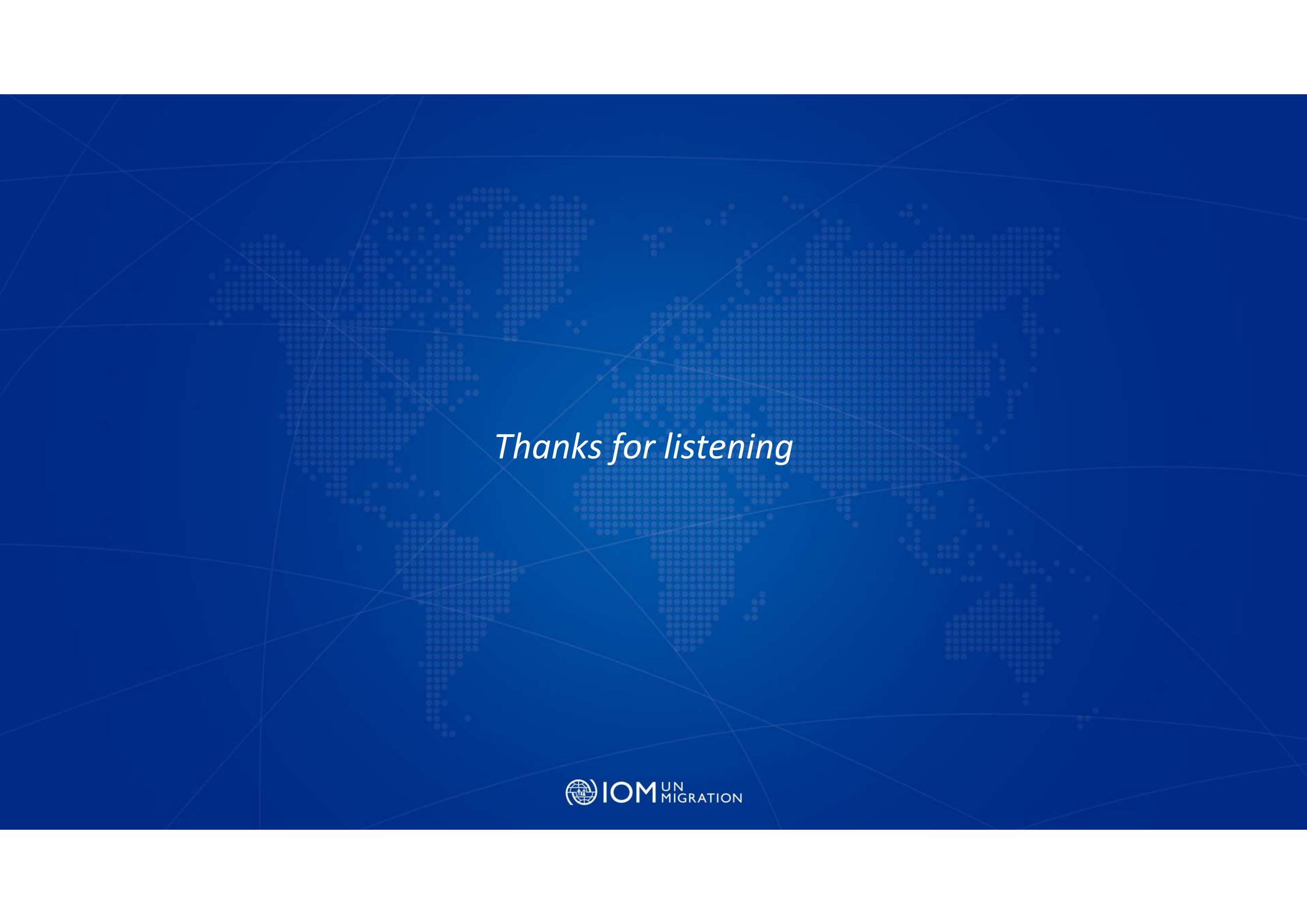
- Immigration Enforcement is overrepresented as a first responder for reconsideration requests for RG decisions.
- 83% of reconsidered RG decisions were positive for females compared to 67% for males.
- Over 650 people who were initially given a negative RG decision went on to receive a positive CG decision following the reconsideration of their RG decision.

Percentages of all decisions and reconsidered decisions which are positive



Recommendations for reforms to reconsideration requests

- Amend the changes to timelines for reconsideration requests.
- Amend policy to ensure anyone with a negative RG or CG has the right to make a reconsideration request, regardless of any ongoing immigration processes.



Thanks for listening