Seeing beyond the negative:

An examination of key variables in the different reasons for the decisions not to formally recognise people as survivors of modern slavery

Research Summary

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This is a summary of the briefing: *Seeing beyond the negative: An examination of key variables in the different reasons for the decisions not to formally recognise people as survivors of modern slavery.* This briefing was commissioned by the Modern Slavery and Human Rights Policy and Evidence Centre (MSPEC), part of the University of Oxford, which in turn is funded by the Arts and Humanities Research Council (AHRC). The briefing is the first of a three-part series based on analysis of National Referral Mechanism (NRM) data by the International Organization for Migration (IOM). The full report can be accessed on the Modern Slavery PEC website at modernslaverypec.org/resources/iom-uk-briefing

The Modern Slavery PEC has actively supported the production of this Research Summary. However, the views expressed in this summary and the full report are those of the authors and not necessarily of the Modern Slavery PEC.

Key findings

1. Decisions made by the Immigration Enforcement Competent Authority (IECA) have a higher likelihood of receiving a negative Conclusive Grounds (CG) decision compared to the Single Competent Authority (SCA), and cases decided by IECA are 2.67 times more likely to receive a negative CG decision for insufficient information (more information on the two competent authorities follows in below sections).

2. People referred to the NRM by a Government Agency were 1.53 times more likely to be given a negative CG decision for insufficient information compared to non-governmental organisation (NGOs) and third sector organisations.

3. Cases that were recorded as "domestic exploitation" were 1.52 times more likely to receive a negative CG decision for the reason of not met the definition compared to those not recorded as domestic exploitation.

4. "Not specified or unknown" was the fourth most recorded type of exploitation between 2020 and 2024 after criminal exploitation, labour exploitation, labour & criminal exploitation.

5. For males, there is a 78% increase in the likelihood they will receive a not credible CG decision, compared to female referrals.

6. Adults referred to the NRM were eight times more likely to receive a negative CG decision for the reason of not credible compared to children.

7. The analysis finds that the variables of Albanian and Vietnamese nationality were more likely to get a negative CG decision recorded as not credible and less likely to get a negative CG decisions on the grounds they had not met the definition or because there was Insufficient information to meet the standard of proof required.

Background

This briefing explores the different reasons for negative Conclusive Grounds (CG) decisions from the National Referral Mechanism (NRM) (the UK's system for formally identifying and supporting victims of modern slavery) for people referred between 2020 and 2024. A negative CG decision means that the person is not recognised as a victim of modern slavery by the UK government and thus not eligible for modern slavery protections in the UK which give effect to the 2005 Council of Europe Convention on Action Against Trafficking in Human Beings (ECAT). When an individual receives a negative CG decision, they have up to fourteen working days of move-on support before they fully exit the support provided through the NRM.

The briefing provides the findings of quantitative analysis of the publicly available disaggregated UK NRM data on potential victims of modern slavery from the UK Data Service (UKDS).[1]

A focus on negative CG decisions is important at a time when more people than ever (both in absolute and percentage terms) are receiving a negative CG decision. 2024 saw a record 7506 negative CG decisions, an increase of 1067% compared to 643 such decisions in 2022. In comparison, positive CG decisions in 2024 increased by 77% compared to 2022. In 2024, 44% of CG decisions were negative compared to only 10% in 2022.

Methodology

The sample size of cases which were analysed for the briefing is 9,695. That is the total number of cases where a reason is recorded for a negative CG decision issued to people referred to the NRM between 1st January 2020 and the end of 2024. To analyse the factors associated with negative conclusive grounds decisions, a binary logistic regression model was used.

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1. Home Office, Modern Slavery Research & Analysis. (2024). National Referral Mechanism and Duty to Notify Statistics, 2014-2024. [data collection]. 14th Edition. UK Data Service. SN: 8910, DOI: http://doi.org/10.5255/UKDA-SN-8910-14

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Findings

Decisions made by the Immigration Enforcement Competent Authority (IECA) have a higher likelihood of receiving a negative CG decision compared to the Single Competent Authority (SCA). In particular, cases decided by Immigration Enforcement Competent Authority (IECA) are 2.67 times more likely to receive a negative CG decision for insufficient information compared to the Single Competent Authority (SCA).

This likelihood occurs after controlling for the other variables of age, gender, nationality, location of exploitation, and other variables which were examined (as discussed in the methodology).

This finding is consistent with a report by the Independent Chief Inspector of Borders and Immigration on the IECA which was published in December 2024 which identified challenges for the IECA in gathering information for their cases to make decisions. The report explains that,

"Difficulties with evidence gathering contributed to the problem of insufficient information to make a positive CG decision. DMs [decision makers] did not automatically have access to potentially relevant information, such as an individual's detention or prison healthcare records, despite the stated purpose of the IECA being to streamline decisions by having "ready access to the majority of pertinent information". DMs were likely to make negative CG decisions where there was insufficient evidence, rather than be proactive in requesting specific information that could inform the decision, which they saw as the responsibility of the case preparation team."

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People referred to the NRM by a Government Agency were 1.53 times more likely to be given a negative CG decision for insufficient information compared to non-governmental organisation (NGOs) and third sector organisations.

The government agency type comprises the following individual First Responder Organisations (FROs): Gangmasters and Labour Abuse Authority (GLAA), UK Immigration Enforcement (IE) UK Border Force (UKBF) and UK Visas and Immigration (UKVI) and the National Crime Agency. However, the overwhelming majority of the referrals by 'government agency' are made by UKVI and IE which total nearly 32,500 (20,349 by UKVI and 12,122 by IE) of the 35,000 NRM referrals by a 'government agency' between 2020-2024.

The analysis of the data finds that people referred to the NRM by a Government Agency were 1.53 times more likely to be given a negative CG decision for insufficient information compared to referrals made by NGOs and third sector organisations. The FRO responsible for making a referral is highly relevant to difficulties in the provision of information and evidence for making CG decisions. The Modern Slavery Act Statutory Guidance (Statutory Guidance) requires that competent authorities "request more information from the following parties involved in the case as far as it is reasonable to do so and ask that they provide any further information within 14 days (at the point of making the request) before taking the decision." The first of the following parties listed is 'First Responder Organisation'.[2]

Cases that were recorded as "domestic exploitation" were 1.52 times more likely to receive a negative CG decision for the reason of not met the definition compared to those not recorded as domestic exploitation.

One hypothesis for this finding is a possible impact of people being referred to the NRM as a potential victim of domestic exploitation who fall under the three examples of "unclear cases" mentioned in the Statutory Guidance.[3] The UK Modern Slavery Act does not recognise forced marriage as a form of modern slavery. However, there are strong overlaps between domestic exploitation and

2. See 14.143 of the Modern Slavery Act Statutory Guidance https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims/modern-slavery-statutory-guidance-for-england-and-wales-under-s49-of-the-modern-slavery-act-2015-and-non-statutory-guidance-for-scotland-and-northe

3. Modern Slavery Act Statutory Guidance, Version 3.12, 1st May 2025, Sections 2.65-2.76. Available at: https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims/modern-slavery-statutory-guidance-for-england-and-wales-under-s49-of-the-modern-slavery-act-2015-and-non-statutory-guidance-for-scotland-and-northe

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forced marriage[4] and some measures (e.g. the Global Estimate on Modern Slavery produced by WalkFree, ILO and IOM) do recognise forced marriage as a form of modern slavery.[5] The Statutory Guidance explains that, "a forced marriage alone would not necessarily mean that a person is a victim of modern slavery. Cases referred to the NRM must be considered in accordance with this guidance to see whether all components of the definition of either trafficking or slavery, servitude or forced and compulsory labour are present."[6]

"Not specified or unknown" was the fourth most recorded type of exploitation between 2020 and 2024 after criminal exploitation, labour exploitation, labour & criminal exploitation.

The Home Office's analysis of the 2024 NRM statistics explains that "first responders can provide information for unclassified exploitation in a free-text box field. This field is grouped as 'Not specified or unknown'. The UKDS NRM data shows 7752 referrals between 2020-2024 where the exploitation type is recorded as "not specified or unknown" which makes up 10% of the total 76,287 NRM referrals during the period. This made it the fourth most recorded type of exploitation during the period.

Exploitation type(s)	Number of referrals
Criminal	21594
Domestic	1274
Labour	21292
Labour & Criminal	8303
Labour & Domestic	2862
Not specified or unknown	7752
Sexual	7718
Sexual & Labour	2184

The present classifications of exploitation which are, criminal, domestic, labour, sexual and organ harvesting, appear sufficiently broad to cover the specificities of individual cases of trafficking for new and emerging forms of exploitation.

4. Justice & Care, Modern Slavery and Forced Marriage: Examining the Relationship, 2022. Available at: https://justiceandcare.org/app/uploads/2022/11/Justice-and-Care-Issue-Brief-Forced-Marriage.pdf

5. Global Commission on Modern Slavery, 2015, p17. Available at: https://www.modernslaverycommission.org/gcms_report_full_doc.pdf

6. Modern Slavery Act Statutory Guidance, Version 3.12, 1st May 2025, Section 2.75. Available at: https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims/modern-slavery-statutory-guidance-for-england-and-wales-under-s49-of-the-modern-slavery-act-2015-and-non-statutory-guidance-for-scotland-and-northe

Many people are being referred to the NRM by first responders who appear not to have been able to recognise the type of exploitation the person may have experienced as consistent within those expansive categories.

For males, there is a 78% increase in the likelihood they will receive a not credible CG decision, compared to female referrals.

Gender was a significant variable for CG cases rejected as not credible. The analysis shows that for males there is a 78% increase in the likelihood they will receive a not credible CG decision.

Despite increased referrals of potential male victims of trafficking, this data may reflect the challenges for males to be formally recognised as victims under within the current approach to identification. The Statutory Guidance recognises that "Male victims of sexual exploitation may have additional barriers to disclosure"[7] but it does not acknowledge that males might also have additional or different barriers to disclosure than females for other forms of exploitation. Research has highlighted the impacts of masculinity on the credibility of males referred to the NRM.[8]

Adults referred to the NRM were eight times more likely to receive a negative CG decision for the reason of not credible compared to children.

The variable of being an adult at the age of referral had the most significant impact in relation to not credible decisions.

This finding seems consistent with the difference in definitions for the human trafficking of adults and children. Children, unlike adults, are not expected to evidence the means of trafficking. The means could be an area where credibility is questioned for adults. E.g. the means of coercion could be contested for an adult if they appeared to have some freedom of movement, i.e. leaving a cannabis farm to buy food. Furthermore, the Statutory Guidance makes numerous references of the need for decision makers to consider the specific factors impacting children when assessing the credibility of their case, which means decision makers are more

7. https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims/modern-slavery-statutory-guidance-for-england-and-wales-under-s49-of-the-modern-slavery-act-2015-and-non-statutory-guidance-for-scotland-and-northe

8. Noemi Magugliani, (In)Vulnerable Masculinities and Human Trafficking: Men, Victimhood, and Access to Protection in the United Kingdom, Journal of Human Rights Practice, Volume 14, Issue 2, July 2022, Pages 726–744, Available at: https://doi.org/10.1093/jhuman/huac001

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understanding of inconsistencies and omissions in the details of child cases.[9]
This is reflected in the NRM data which shows that only 76 children referred to the
NRM since 2014 have received a negative CG decision on credibility grounds.[10]

**The analysis finds that the variables of Albanian and
Vietnamese nationality were more likely to get a negative
CG decision recorded as not credible and less likely to
get a negative CG decision on the grounds they had not
met the definition or because there was Insufficient
information to meet the standard of proof required.**

Between 2020-2024, the three most referred nationalities in descending order
were UK, Albanian and Vietnamese. These three nationalities represented more
than half of the referrals during the period.

This analysis finds that Albanians were 2.08 times, and Vietnamese were 2.23 times
more likely to receive a negative CG decision on the grounds that their case
was not credible. Both nationalities were simultaneously less likely to receive
a negative CG decision due to insufficient information (12% decrease in the
probability for Albanians and 5% decrease in the probability for Vietnamese) or
having not met the definition (54.5% decrease in the probability for Albanians and
54% decrease in the probability for Vietnamese).
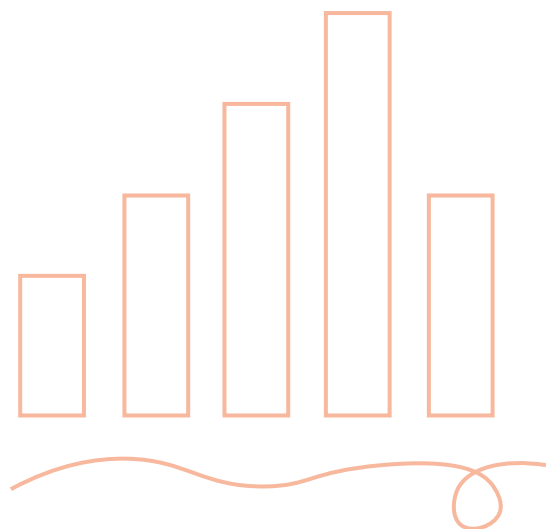
9. Modern Slavery Act Statutory Guidance, sections 9.24, 10.14 and 14.7

10. Home Office, Modern Slavery Research & Analysis. (2025). *National Referral Mechanism and Duty to Notify
Statistics, 2014-2025*. [data collection]. *17th Edition.* UK Data Service. SN: 8910, DOI: http://doi.org/10.5255/UKDA-
SN-8910-17

Recommendations for the Home Office to consider

For the first responder National Referral Mechanism identification process

1. Assess the capacities of government agencies to submit high quality NRM referrals and to provide the competent authority with further information as required (including considering requests for extensions for additional time to provide such information). Follow up with providing training and capacity building as required.

2. Amend the NRM referral form to allow for "at risk of sexual/labour/etc exploitation" to be selected.

3. Provide training to first responders on how exploitation type is recorded to ensure that the existing options of sexual/labour etc are appropriately utilised.

4. The Home Office/Forced Marriage Unit could design and deliver training for First Responder Organisations on forced marriage and domestic servitude and how to signpost such cases to the Forced Marriage Unit and other forms of support and assistance.

For the formal National Referral Mechanism identification process

1. Revisions to the Statutory Guidance which increase the requirements for steps that decision makers must take to obtain evidence, and strengthen the opportunities for individuals and their representatives to provide evidence before a decision is made.

2. Identify ways for improving information sharing for cases where people are in prison or immigration detention.

3. Amend the section on evidence gathering at CG stage in the Modern Slavery Act Statutory Guidance to recognise and address the specific challenges for people in prison or detention to provide evidence. This could include the policies on timelines to respond to requests for evidence, and specifically including people in prison or detention to the list of examples where extension requests may be granted.

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4. Re-establish a Single Competent Authority.

5. Update the Statutory Guidance to more broadly address issues affecting
    disclosure for males which could impact their credibility.

6. Further scaling up devolved decision-making panels for children referred to
    the NRM which have been piloted across thirty local authorities in England,
    Wales and Scotland and explore what such a model could look like for adults
    referred to the NRM.

Areas for further research and data analysis

1. **Understanding the different challenges in relation to the definition of
    domestic servitude**

    Research could be commissioned that can help to better understand
    different challenges in relation to the definition of domestic servitude.

2. **The reasons for males receiving negative conclusive grounds decisions
    on credibility grounds**

    Further research and analysis of anonymised conclusive grounds decisions
    could help policymakers to better understand the reasons for males receiving
    negative decisions on credibility grounds.

3. **Anonymised analysis of free-text fields of 'not specified' or 'unknown
    exploitation'**

    The Home Office could consider publishing anonymised analysis of the types
    of responses in the free-text fields of not specified or unknown exploitation
    to better understand how that function is being used and to potentially
    identify whether there are any new and emerging forms of exploitation which
    are not compatible under the current categorisation.

4. **Understanding the potential of utilising Artificial Intelligence tools such
    as Large Language Models to understand the circumstances of negative
    and positive CG decisions**

    The Home Office could explore opportunities to enable internal and external
    analysis of anonymised NRM decisions and the potentials of utilising Artificial
    Intelligence tools such as Large Language Models to better understand the
    circumstances of both negative and positive CG decisions.

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