

Modern slavery policy in the UK: evidence- informed priorities for the UK Government

Summary

October 2024



This is a Summary of the Policy Report on Priorities for the UK Government¹ which aims to inform the new UK Government's response to modern slavery. This summary and the longer Policy Report, produced by the Policy Impact team at the Modern Slavery and Human Rights Policy and Evidence Centre, draw on analysis and research funded and produced by the Centre, wider evidence and data, and our experience of engaging with lived experience experts.²

The issue: The scale of modern slavery identified across the UK is continuing to increase and modern slavery leads to significant harms for people and communities affected by it, and wider society. Modern slavery, with its many different forms of exploitation, is a complex challenge, interconnected with wider policy areas and issues, such as inequality, immigration and labour market enforcement. Addressing modern slavery requires a systemic, long-term and holistic cross-Government response, with more focus on prevention, given the many different root causes and drivers of vulnerability to exploitation.

The response: The new Government is faced with a challenging policy agenda on modern slavery, but there are significant opportunities for the Government to provide a renewed, ambitious, joined-up and prevention-centred UK policy response to modern slavery.



1. All of the references and source material for the information presented in this Summary are available in the full [Policy Report](#).

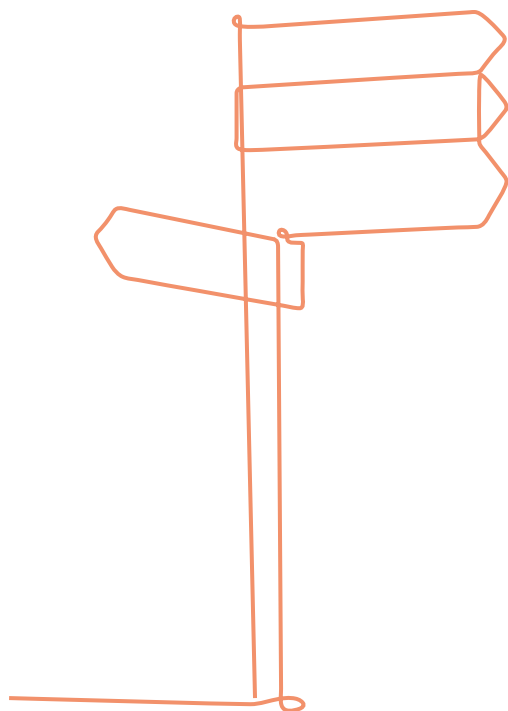
2. The Policy Brief was prepared by the Modern Slavery and Human Rights PEC Policy Impact team and we are grateful to Centre's lived experience engagement team and Jane Lasonder and other members of the Centre's Lived Experience Advisory Panel (LEAP) for their expert review, as well as researchers at the Centre's co-lead and partner institutions: Prof Alex Balch and Dr Wendy Asquith, University of Liverpool; Dr Sofia Gonzalez de Aguinaga, Bingham Centre for the Rule of Law; Dr Marija Jovanovic, Bonavero Institute of Human Rights at University of Oxford; and Dr Alicia Heys, Wilberforce Institute at the University of Hull.

In Year 1, we recommend four priorities for the UK Government:

1. Commit to a new, long-term, prevention-centred cross-Government Strategy and a strengthened legal framework on modern slavery; and put in place the necessary foundations to deliver these.
2. Improve the effectiveness of the system for protecting, identifying and supporting survivors, and bring the system back in line with the requirements of human rights law and international legal obligations.
3. Increase prosecution of offending and improve remediation for survivors.
4. Take a whole-system approach by integrating modern slavery prevention into the delivery of the Government's Missions and wider Year 1 policy priorities.

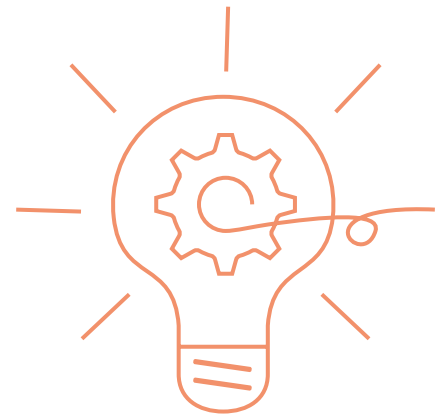
Taken together, these four priorities would increase the focus on preventing modern slavery and improve the effectiveness of the response when exploitation happens. Our recommendations ultimately aim to reduce the significant harms to individuals and communities affected by modern slavery, as well as reducing overall social and economic costs of modern slavery to the UK. A renewed response would also enable the UK to regain its international leadership on this issue.

Evidence suggests the terms 'survivors' and 'people with lived experience' are preferred terms for talking about those directly affected by modern slavery, this Summary uses the terms 'victims' and 'potential victims' in places given they are used in relevant UK and international laws on modern slavery.



Priority 1:

Commit to a new, long-term, prevention-centred cross-Government Strategy and a strengthened legal framework on modern slavery; and put in place the necessary foundations to deliver these.



Context: There is a need for a refreshed strategic vision on modern slavery, that sets out the Government's priorities and objectives, and ensures that all government departments and partners are clear about their roles and responsibilities. The most recent Modern Slavery Strategy, from 2014, is out-dated. It does not respond to recent developments that have increased vulnerability to exploitation globally and in the UK (e.g. conflict, the Covid-19 pandemic), nor respond to the way that the scale and nature of modern slavery identified in the UK has changed in the last ten years. Prevention of modern slavery - which requires activity from a range of government departments - is a particularly underdeveloped aspect of the 2014 Strategy.

The Modern Slavery Act 2015 was groundbreaking at the time of its introduction, but evidence shows there is room to significantly strengthen or improve it, especially on addressing forced labour in supply chains, where laws in other countries are increasingly going further than those of the UK.

Evidence shows that strategies, laws and policies are more effective when people with lived experience are involved in their development, however this does not happen consistently in the UK.

Recommendations: we recommend the Government commits to developing a new Strategy that has a greater focus on prevention. We recommend five foundations in Year 1 to increase the effectiveness of the strategic approach, which would lay the ground for a new Strategy to be launched in year 2:

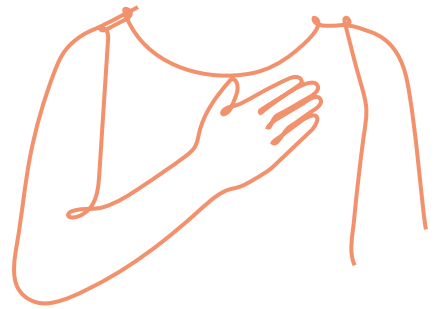


- 1. A mechanism for Government to meaningfully and ethically engage with people with lived experience of modern slavery.** This would improve the effectiveness of the strategic and policy response to modern slavery through providing a direct route for survivors to inform policies. The engagement mechanism should be co-designed with a diversity of survivors. It should be appropriately resourced and remunerated and take a non-tokenistic and trauma-informed approach. It should draw on emerging best practice, for example from the ODIHR International Survivors of Trafficking Advisory Council (ISTAC) and research on equitable principles.
- 2. Robust data and evidence.** The Government response to modern slavery should be closely informed by high-quality data and evidence and the Government should collect, analyse and publish further data on modern slavery, such as on the operation of the statutory defence (in section 45 of the Modern Slavery Act). The Government should develop a clear performance framework to measure outcomes achieved by the new Strategy.
- 3. Effective cross-Government collaboration.** The interconnections between modern slavery and wider linked policy areas require an effective mechanism for cross-government collaboration to enable accountability for developing and delivering the strategic response. Key departments should include, for example, those with responsibility for international development, safeguarding, criminal justice and labour market enforcement, as well as health, housing, education, local government, business and trade.
- 4. Effective partnership-working.** It is essential that the Government works with a wide range of partners to develop its strategic response and to deliver actions, including civil society groups, businesses, trade unions, researchers and international organisations, and survivors. Government should undertake a light-touch review of its existing partnership engagement structures to consider whether changes are needed.
- 5. Sustainable funding.** The Home Office and Foreign Commonwealth and Development Office should prepare a Spending Review bid for a dedicated stream of sustainable funding to deliver and evaluate the new Strategy, including funding for prevention activity overseas and in the UK.

New legislation: The Home Office should begin preparations now to develop a new Bill for the second Parliamentary session, for a more ambitious and effective legal framework to respond to modern slavery. This could strengthen or improve existing laws around transparency in supply chains and survivor identification, protection and support.

Priority 2:

Improve the effectiveness of the system for protecting, identifying and supporting survivors, and bring the system back in line with the requirements of human rights law and international legal obligations.



Context: the National Referral Mechanism (NRM) – the UK’s system for identifying and supporting survivors – continues to face considerable challenges. The Home Office-run NRM decision-making process involves lengthy delays (526 days on average between referral and final NRM decision in 2023), which negatively affects survivors’ wellbeing. Increasing numbers of adults identified as potential victims of modern slavery are choosing not to enter the NRM and there is a need to ensure mandatory trauma-informed, survivor-centred and culturally competent training for First Responders who refer people into the NRM.

For those receiving support through the NRM, there are a range of barriers to accessing entitlements such as housing and mental health support, including for specific groups such as British nationals and survivors in prison. Evaluations of the Home Office-commissioned Independent Child Trafficking Guardians service show it has positive outcomes for trafficked children, but the service is only available in two-thirds of England and Wales.

Measures in recent immigration legislation have reduced protections for modern slavery survivors, undermining the effectiveness of the Modern Slavery Act. These measures are incompatible with the requirements of human rights law and the UK’s international legal obligations on modern slavery. These measures are also likely to reduce victims’ willingness and ability to engage in criminal prosecutions.

There is a statutory defence in section 45 of the Modern Slavery Act, to protect those forced to commit crimes as part of their exploitation, but there is very limited data on how it works in practice. Research shows that those working in the criminal justice system need much more awareness and training about the defence, to reduce the harms associated with people being treated as criminals rather than as victims.



Recommendations: In Year 1, at the very minimum, the Government should amend immigration laws to bring them back in line with human rights law and international modern slavery obligations, to bring back protections for all modern slavery survivors.

The Home Office should increase policy focus on early identification of potential victims and people at risk of modern slavery and improve the effectiveness of training for First Responders and other frontline professionals that may come into contact with potential victims, including in healthcare and education. This should include consideration of expanding the list of First Responders to include statutory agencies such as HMPPS, making training mandatory for First Responders, and how to improve pathways for early identification by frontline professionals.

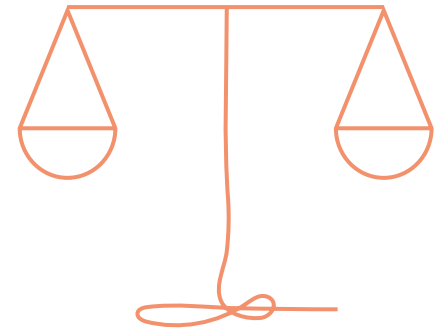
The Home Office should continue the work already underway to reduce NRM decision-making timescales, roll out Independent Child Trafficking Guardians across all of England and Wales, and ensure there is flexibility in the support provided by the new adult victim support contract to be responsive to the specific needs of different groups.

The Home Office should build a better understanding of the reasons that adults choose not to enter the National Referral Mechanism (NRM) support system to inform its policy response to addressing barriers to engagement.

The Home Office should prioritise collecting and publishing data on the use of the statutory defence for victims of modern slavery, to consider whether any changes are needed to the way it operates.

Priority 3:

Increase prosecution of offending and improve remediation for survivors



Context: Prosecutions for modern slavery offences remain low – the Crown Prosecution Service recorded 395 prosecutions and 301 convictions for crimes flagged as modern slavery in the year ending September 2023 – especially in comparison to the number of potential victims identified in the UK (just over 17,000 in 2023). Engagement from victims in the criminal justice process is often crucial for securing prosecutions, but there are a range of barriers to this, including fear of repercussions from traffickers, not identifying as a victim, fear or being detained or repatriated (for those with insecure immigration status) and awareness of modern slavery among those working in the criminal justice system. There is scope to increase use of financial investigations to secure prosecutions, but key challenges include availability of financial investigators.

Tools available in the Modern Slavery Act to disrupt perpetrators (Slavery and Trafficking Risk Orders) are underused, owing to issues including a lack of guidance, or awareness and training for law enforcement agencies.

Very few survivors of modern slavery have received compensation or other forms of remediation in practice, even though compensation has been identified as an important positive outcome for survivors. There are several barriers to accessing the legal advice often required to navigate complex compensation claims. There is low awareness of tools in the Modern Slavery Act that aim to provide reparations for victims (Slavery and Trafficking Reparation Orders).



Recommendations:

The Home Office should work with law enforcement and the Crown Prosecution Service (CPS) to better understand the obstacles to using the existing criminal offences at sections 1-2 of the Modern Slavery Act to prosecute modern slavery offending, and increase resource and focus on increasing prosecutions, including greater use of financial investigations and provision of trauma-informed training on modern slavery to relevant staff in the criminal justice system.

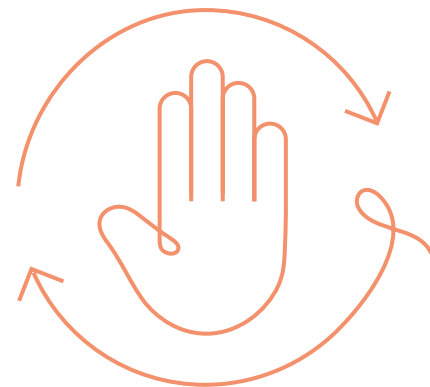
The Home Office should publish a review of the funding it provided in 2021/22 to initiatives aimed at improving victim engagement in the criminal justice system, and draw on these learnings and promising practices to inform future responses.

The Home Office should work with the police and CPS to drive a renewed effort to enhance use of Slavery and Trafficking Risk and Prevention Orders

The Home Office should work with Ministry of Justice to improve the access to legal advice to support compensation claims and address the wider barriers that survivors face when seeking compensation and accessing legal advice. The Home Office should work with criminal justice system partners to increase their awareness of Slavery and Trafficking Reparation Orders.

Priority 4:

Take a whole-system approach by integrating modern slavery prevention into the delivery of the Government's Missions and wider Year 1 policy priorities



We highlight several Government Missions and policy priorities that are interconnected with modern slavery and recommend ways the Government could factor in prevention of modern slavery and protection of those affected, for example:

Border security and asylum: the Home Office should ensure that where it seeks to return confirmed victims of modern slavery to their country of origin, this is conducted in line with international legal obligations on modern slavery. Relevant staff in the new Border Security Command should be trained in understanding indicators of modern slavery and the difference between human trafficking and human smuggling, drawing on existing good practice.

Visas and Immigration: in its reform of the points-based immigration system, the Home Office should ensure that visa regimes are re-designed to prevent and address modern slavery risks, particularly for sponsored visas in the agriculture and adult social care work sectors.

International Development: the Foreign, Commonwealth and Development Office should incorporate measures to prevent modern slavery into other priorities, including through the recently announced £83million programme to address the reasons for irregular migration in the Global South.

Labour market enforcement: the Department for Business and Trade (DBT) and the Home Office should ensure that the policy design of the new Fair Work Agency considers how the Agency will identify exploitation that constitutes modern slavery and support workers to report abuses. The Gangmasters and Labour Abuse Authority's existing responsibilities in relation to modern slavery should be maintained in the Fair Work Agency.



Homelessness: the Ministry of Housing, Communities and Local Government and the Home Office should ensure that the new homelessness strategy identifies ways to reduce vulnerability to exploitation among people who are homeless and improves access to suitable and secure housing for survivors of modern slavery.

Climate change and green energy: the Government (including DBT and the Department for Energy Security and Net Zero) should encourage UK renewable sector businesses to address modern slavery risks in their operations and supply chains and ensure that expansion of green energy does not increase the risk of modern slavery and worker exploitation.

The Policy Report also makes suggestions in the areas of Violence Against Women and Girls, Child Criminal Exploitation, housebuilding, education, public procurement and trade and investment.

Years 2-5: Our recommendations for Year 1 are intended to enable years 2-5 of the Government's term to be focused on delivery of reform, underpinned by implementation of a new modern slavery strategy, strengthening of the legal framework and dedicated programme spend.

The full Policy Report is available at: modernslaverypec.org/resources/modern-slavery-policy-in-the-uk-priorities-for-the-uk-government

MODERN SLAVERY & HUMAN RIGHTS

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The Modern Slavery and Human Rights Policy and Evidence Centre (Modern Slavery and Human Rights PEC) works 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.

The Centre is hosted by the Humanities Division at the University of Oxford. The Centre is a consortium of three universities consisting of the Wilberforce Institute at the University of Hull, the University of Liverpool, and the Bonavero Institute of Human Rights at the University of Oxford.



The Modern Slavery and Human Rights Policy and Evidence Centre is funded and actively supported by the Arts and Humanities Research Council (AHRC), part of UK Research and Innovation (UKRI).

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