Modern Slavery: a hidden crime

How it may intersect with social workers

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Director
Social Workers duties under the Modern Slavery Act (2015)

Safeguarding Enquiry for modern slavery under the Care Act (2014)

Modern slavery and where it intersects with social work
What is Human Trafficking and Modern Slavery?
 Trafficking is the **movement** of people by means such as **force, fraud, coercion or deception** with the aim of **exploiting** them.

It is modern day **SLAVERY**
Someone is in slavery if they are:

- forced to work - through mental or physical threat
- owned or controlled by an 'employer', usually through mental or physical abuse or the threat of abuse
- dehumanised, treated as a commodity or bought and sold as 'property'
- physically constrained or has restrictions placed on his/her freedom
## Human Trafficking

<table>
<thead>
<tr>
<th>ACT</th>
<th>MEANS</th>
<th>PURPOSE</th>
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<tbody>
<tr>
<td>• recruitment</td>
<td>• the threat or use of force</td>
<td>• sexual exploitation</td>
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<tr>
<td>• transportation</td>
<td>• abduction</td>
<td>• forced labour or services</td>
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<tr>
<td>• transfer</td>
<td>• fraud</td>
<td>• slavery or practices similar to</td>
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<td>• harbouring</td>
<td>• deception</td>
<td>slavery</td>
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<td>• receipt</td>
<td>• the abuse of power or of a position of</td>
<td>• servitude</td>
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<td></td>
<td>vulnerability</td>
<td>• forced criminality</td>
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<td></td>
<td>• the giving or receiving of payments or</td>
<td>• removal of organs (also known as</td>
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<td></td>
<td>benefits</td>
<td>organ harvesting)</td>
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Types of Slavery

- Sexual Exploitation
- Domestic Servitude
- Forced Labour
- Debt Bondage
- Organ Harvesting
- Criminal Exploitation
- Child Trafficking
Numbers based on type of exploitation

- Sexual Exploitation, 1741
- Domestic Servitude, 488
- Labour Exploitation, 2327
- Organ Harvesting, 4
- Unknown Exploitation, 589
Where people came from

- United Kingdom: 819
- Albania: 777
- Vietnam: 739
- China: 293
- Nigeria: 264
- Romania: 259
- Sudan: 237
- Eritrea: 189
- India: 140
- Poland: 102
Modern Slavery Act 2015

The Modern Slavery Act 2015 contains 2 main modern slavery offences, punishable by up to life imprisonment:

1. Slavery, servitude and forced or compulsory labour
2. Human trafficking
Interaction with potential victims of slavery

- First Responder
- Referral into services
- Whilst someone is in the NRM
  - If someone has additional needs under the Care Act (during or post NRM)
  - As someone is exiting the NRM (housing, needs assessment, safeguarding enquiry)
    - Immediate safeguarding concerns
Legislative considerations for your practice

Duty to Notify (Section 52 of the Modern Slavery Act, 2015)

Safeguarding Duty (Section 42 of the Care Act, 2014)

Localism Act (Section 1)

National Referral Mechanism Support (Section 48, 49 & 50 of the Modern Slavery Act & Home Office Policy)
Modern Slavery Act
Section 52

Duty to Notify

Duty to notify the Home Office about a potential victim of trafficking or slavery.

Either via the National Referral Mechanism (if consent is given)
Or via the MS1 Duty to Notify Form
General Indicators

• Physical Appearance
  • Isolation
• Few or no personal effects
• Poor living conditions
• Restricted freedom of movement
  • Unusual travel times
• Reluctance to seek help
The National Referral Mechanism (NRM)

- Framework used to identify victims and collate data
- Used to provide appropriate support and protection (via Salvation Army from centralised Government fund - 2020)
- Grants a minimum 90-day reflection and recovery period during the process – with access to counselling, housing, finance, legal advice
- Any one can identify a potential victim but referrals into this mechanism must be made by designated first responders.
National Referral Mechanism

Through the NRM, if an individual wants to leave their situation and access support they will be able to access:

- Temporary safe accommodation
- Support worker (in accommodation or as outreach)
- Medical treatment
- Help to cope with experience
- Interpreters
- Assistant finding independent legal advice

The Salvation Army Adult Care Contract 0300 3038151
Safeguarding Duty

Section 42

Care Act, 2014

Required to undertake an enquiry to establish if any action needs to be taken to prevent or stop abuse or neglect, where there is reasonable cause to suspect that an adult has needs for care and support, is experiencing or is at risk of this, and is unable to protect themselves from the abuse or neglect due to their needs.
Decide what action is needed to help and protect the adult

- Establish the facts
- Check individual’s views
- Assess the need for support, protection and think about how these may be met
  - Protect from abuse and harm
  - Establish if anyone else is at risk
- Work out any follow-up actions or other organisations that need to be engaged.
Safeguarding Enquiry
Section 42
Care Act, 2014

Where an individual has no recourse to public funds the safeguarding enquiry and protection plan should explore what housing options are available.

- NRM
- Needs assessment under the Care Act
- Section 1 of the Localism Act

Even if no action is taken following the enquiry individuals should be provided with information about their options.
Independent Child Trafficking Advocates (ICTAs) are specialist professionals who support children who have potentially been trafficked to navigate the complex systems of social care, immigration and criminal justice.

The Secretary of State must make such arrangements as the Secretary of State considers reasonable to enable persons (“independent child trafficking advocates”) to be available to represent and support children who there are reasonable grounds to believe may be victims of human trafficking.
Barriers Victims may face

- Trauma Bonds
- Language barriers
- Cultural barriers
- Religious barriers
- Voodoo and Spiritual practices
- Threats to self
- Threats to family
- Debt bondage
- Family implicit in their exploitation
- Learning difficulties
- System not offering them assistance
- Time
- Trust
- Shame and guilt
- Immigration status
Engagement with Social Workers

Capacity Assessments (Mental Capacity Act)
Age Assessments
Safeguarding Referrals/Concerns
Housing Referrals (Care Act)
Learning Disability Assessments (Children and Families Act)
Multi-agency working and meetings
Modern Slavery Helpline Number
08000 121 700

www.unseenuk.org
Children’s Service South West

Children Services South West is an Ofsted registered familial home for foreign national children who are thought to be potential victims of human trafficking and modern slavery.

Referral Number: 0300 0200 637

Ofsted URN: 1263623

The registered manager is Paul Collins

manager@childrenservicesw.org
Child Trafficking Advice Centre
CTAC
0808 800 5000

https://www.nspcc.org.uk/services-and-resources/childrens-services/child-trafficking-advice-centre-ctac/
NRM Forms


Duty to Notify Information & Forms
