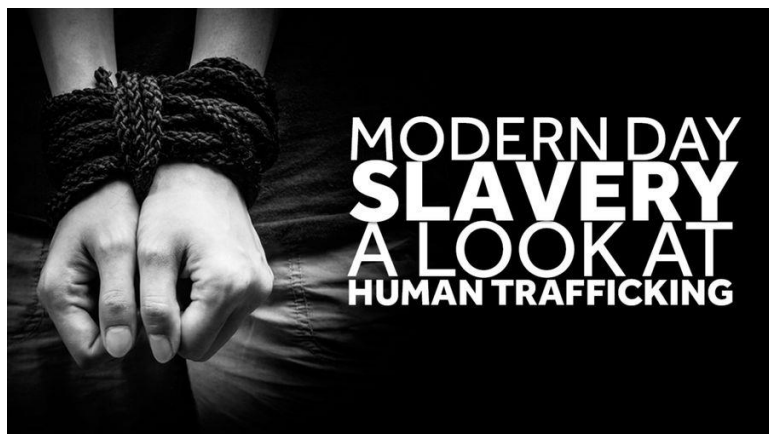




By the end of this lesson, you will be able to:

1. **State** offences that are covered under modern slavery umbrella
2. **State** the types of exploitation
3. **Identify** signs of human trafficking and modern days slavery



**QTS** - Has anyone had any experience of dealing with a person for modern day slavery or human trafficking, either previously a Special Constable, PCSO etc.? If anyone has and they are happy to share with the group, trainer to facilitate discussion.

## Modern Day Slavery...Modern Slavery Act 2015

(1) A person commits an offence if—

(a) the person holds another person in slavery or servitude & the circumstances are such that the person knows or ought to know that the other person is held in slavery or servitude, or

(b) the person requires another person to perform forced or compulsory labour & the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour.

Modern Slavery Act 2015 – S45 – statutory defence for victims of modern day slavery



QTS

**Q. What do you think ‘human trafficking’ and ‘modern day slavery’ are?**

**Q. What do you associate with the term ‘human trafficking’?**

**Q. What do you associate with the term ‘modern day slavery’?**

Trainer to record responses on whiteboard and facilitate discussion around the legislation

The Modern Day Slavery Act 2015 covers various areas of legislation and will cover topics such as Child Trafficking, Sex Trade and aspects of the Human Rights

## **Section 45 – Statutory Defence**

The Modern Slavery Act 2015, Section 45, introduces a statutory defence for victims of modern slavery. The defence will apply to a person who is a victim of trafficking or slavery and has been compelled to commit an offence as a direct consequence of being a modern slavery victim. It will be a condition of the new defence that a person in the same circumstances as the victim had no realistic alternative but to act in the way they did. In making that assessment, the age, sex and any physical or mental illnesses are taken into account by the court.

The defence will not apply to a number of serious offences – mainly violent and sexual offences – set out in the Bill. However, it will cover the offences that victims of modern slavery are typically forced to commit, such as cannabis cultivation, offences related to prostitution, and immigration offences.

The defence has been drafted to reflect that children are in a different position to adults and any compulsion may not be of the same explicit type. Compulsion can reflect all the circumstances of the case, not just explicit force by the perpetrator. Where an offence is not covered by the defence, the CPS will still consider whether it is in the public interest to prosecute or not, considering the Director of Public Prosecutions guidance on modern slavery cases. In serious cases (such as rape or where someone had been killed), it is essential that prosecutors can look at all the circumstances of the case and consider both the victim of the offence and position of the modern slavery victim when determining whether it is in the interests of justice, that a prosecution should proceed.

### **Benefits –**

- The defence will ensure that right at the start of a case, police and prosecutors are aware that they should not be taking action against victims of modern slavery who have the benefit of the defence.
- The defence demonstrates and strengthens the Government's existing commitment not to criminalise victims.
- The defence will encourage victims to come forward and give evidence against their abusers, helping to prevent further modern slavery offences.

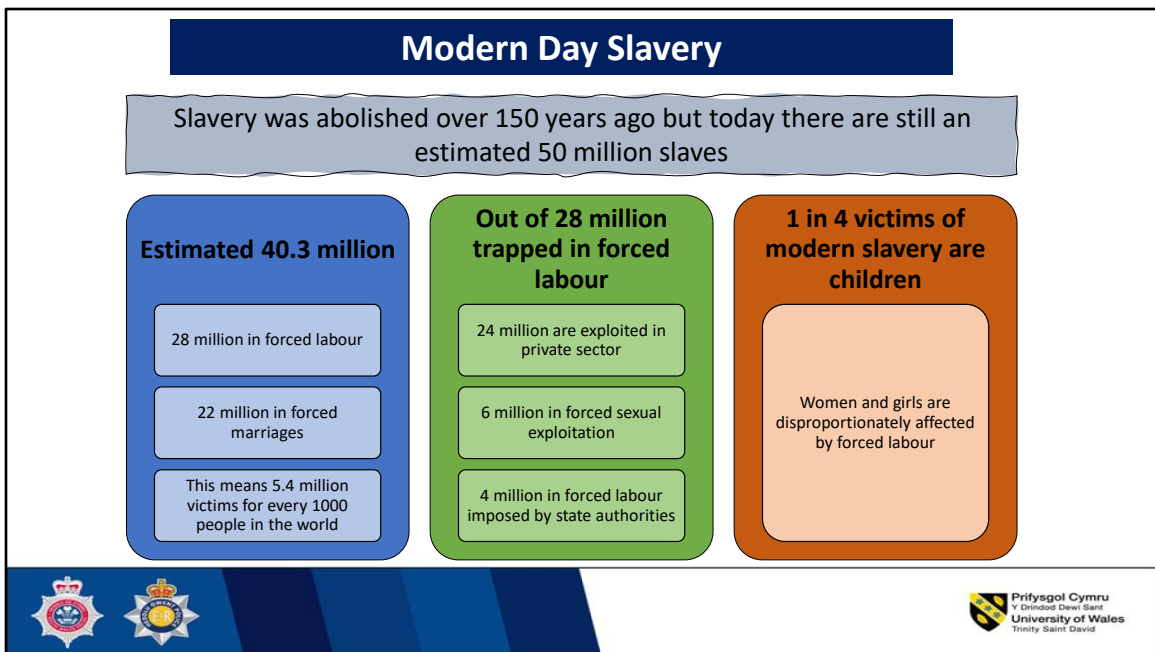
## **45- Defence for slavery or trafficking victims who commit an offence**

**(1)**A person is not guilty of an offence if—

- (a)the person is aged 18 or over when the person does the act which constitutes the offence,
- (b)the person does that act because the person is compelled to do it,
- (c)the compulsion is attributable to slavery or to relevant exploitation, and

(d) a reasonable person in the same situation as the person and having the person's relevant characteristics would have no realistic alternative to doing that act.

**Trainer to give Hand Out of the Act**



(Statistics obtained 29/12/22)

It is estimated that:

**50 million** people worldwide are in **modern slavery**, 28 million are in forced labour, **22 million** are in forced marriages, around 10, 000 people in the UK are in modern slavery according to the UK Government, more than 100,000 people in the UK are in modern slavery according to slavery experts (ie much more than official figures)

**1 in 4 victims of modern slavery are children.**

Out of the **28** people trapped in **forced labour**, **24 million** people are exploited in the **private sector** such as domestic work, construction or agriculture; **6 million** persons in **forced sexual exploitation**, and **4 million** persons in **forced labour imposed by state** authorities.

**Women and girls are disproportionately affected** by forced labour, accounting for

99% of victims in the commercial sex industry, and 58% in other sectors

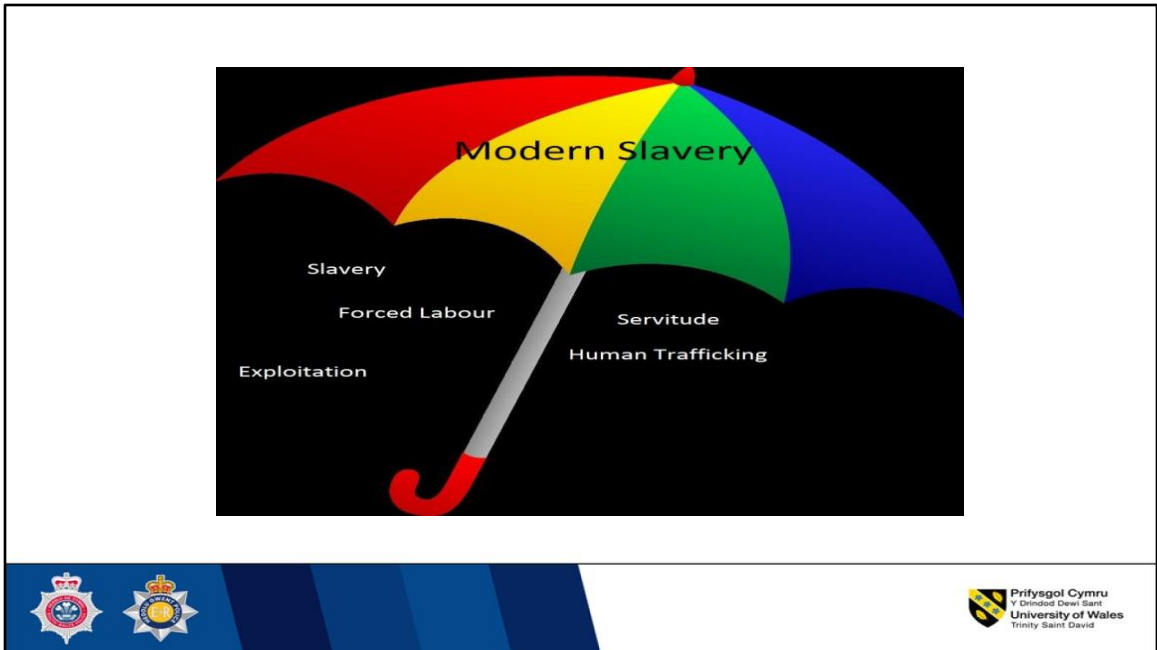
Source: <http://www.unseenuk.org/>

Modern slavery is a heinous and often hidden crime. It includes slavery, servitude, forced and compulsory labour and human trafficking. The impact can be devastating for the victims.

**QTS**

**Is anyone surprised by the statistics?**

**Did anyone think they would be higher/lower?**



Modern Slavery Bill 2015 is the Umbrella offence, it includes definitions of Slavery, Forced Labour, Servitude, Human Trafficking and Exploitation. Which we will examine during the input.

The Modern Slavery Bill was imposed as until 2015 there had been gaps in the legislation regarding human trafficking offences.

This input is to raise your awareness and will concentrate on human trafficking.

SLAVERY/SERVITUDE/FORCED-COMPULSORY LABOUR.....a) Person holds another in slavery or servitude and the person knows OR ought to know that person is held in slavery or servitude. b) person requires another person to perform forced or compulsory labour and the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour.

TRAFFICKING.....arranges or facilitates the travel of another person with a view to them being exploited.

EXPLOITATION...if 1 or more.....1) slavery/forced labour 2) sexual exploitation 3) removal of organs 4) securing services by force/threats or deception 5) securing services, etc from children and vulnerable people.

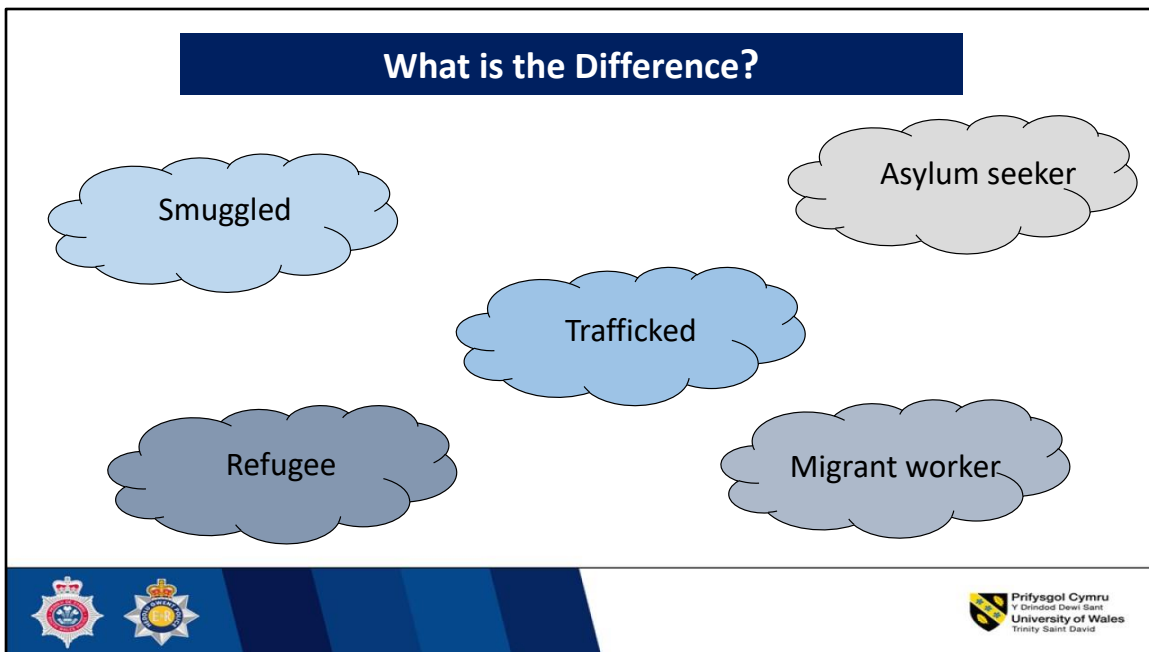
**QTS – Are there any other offences you would consider under this legislation?**



Plays off HUMAN TRAFFICKING HTDVD...IFO FILE BETTER

[https://www.youtube.com/watch?v=tE\\_IduB6bQc](https://www.youtube.com/watch?v=tE_IduB6bQc)

**QTS – what are your thoughts about this clip?**



**Activity 1 :** Trainer to split class into 5 groups and give each group a piece of flip chart paper, coloured pens and 1 of the following words:

- Smuggled
- Trafficked
- Asylum seeker
- Refugee
- Migrant worker

Each group to discuss and record what they think their word means. Each group to present to other groups.

Trainer to facilitate discussion around group answers

**Smuggling** – the facilitation, transportation or illegal entry of a person or persons across an international border in violation of one or more countries laws either clandestinely or through deception such as the use of fraudulent documents.

**Human Trafficking** – is the trade in humans most commonly for the purpose of sexual slavery, forced labour, commercial exploitation for the trafficker or others, or for the extraction of organs or tissues including surrogacy & ova removal.

**Asylum Seeker** – A person who leaves their own country for their safety, often for

reasons of fear of persecution because of race, religion, social group or political opinion & has crossed an international border into a country which he or she hopes will protect them & allow them to live there

**Refugee** – Is a person who was an asylum seeker, but whose application to remain in the country they have fled to has been successful & they have therefore been granted leave to remain in that country.

**Migrant Worker** – Refers to a person who is engaged or has been engaged in a paid activity in a country of which he or she isn't a national.

**Q. What is the difference between smuggled and trafficked....smuggled consent/believing...trafficking ultimate aim not that.**

**Q. What do we hear in our community about migrant workers.**

## Internal Trafficking

Recruiting vulnerable children and adults

Moving them to another place, often another country

Using threats, force or deception to make them do something against their will

Exploiting them to make money or provide services for their traffickers.



### QTS – what would you consider to be internal trafficking?

Talk about whether we mean “into UK”, “out of UK” & “around the UK” – from one area or city to another – known as Internal Trafficking. Human Trafficking could even be from one room or floor to another.

Usually for those coming into the country, it is for a job they have applied for but turns out to be something completely different when they arrive.

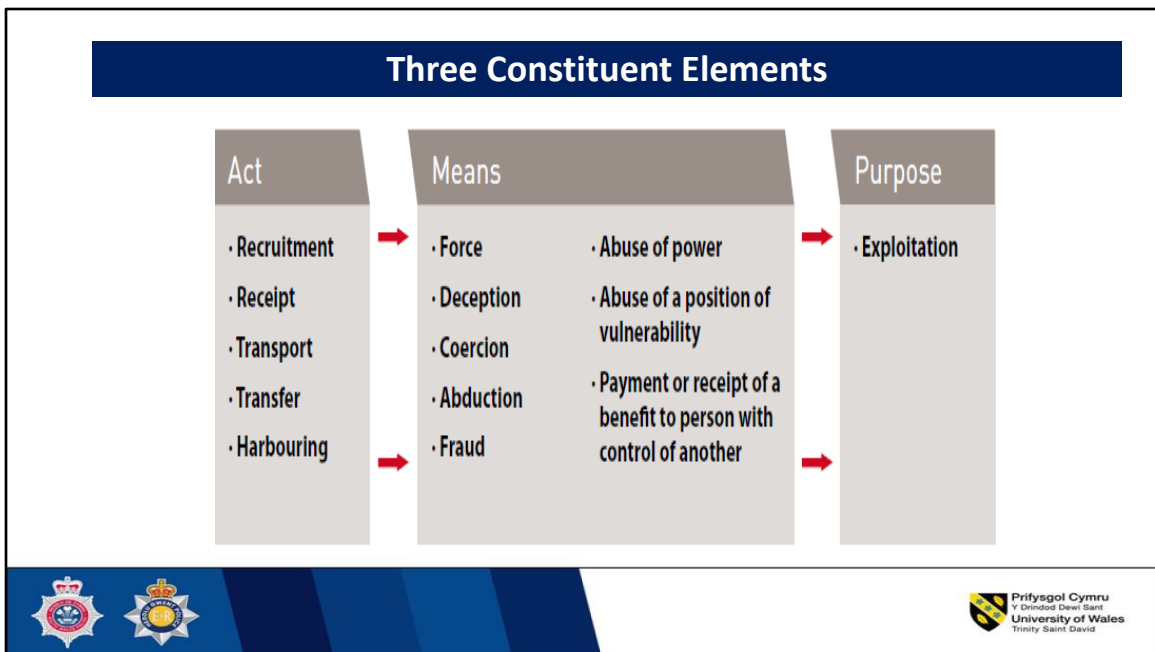
While many organisations have different work streams or departments, the traffickers have a person they regard as a commodity, who they use and abuse at will. They do not simply categorise any single facet but will make use of the victim however they see fit.

It is a fact that traffickers will ‘coach’ victims not to engage with ‘the Authorities’ – Police and Social Services. The fact that many victims come from under- developed areas where corruption is rife, is often used by the traffickers to ensure that they are reluctant to engage with Police or SSD.

**\*\*\* There is no definition as to the length of the journey, Trafficking can be from ROOM TO ROOM and would constitute an offence under the Modern Slavery Act 2015. \*\*\***

**When dealing with suspects, it would be prudent to seize any computer equipment and mobiles etc. under the relevant section e.g. Section 18/section 32 search.**

**This could lead to further intelligence in relation to OCGs etc.**



Give Definition of trafficking from UN Trafficking in Persons Protocol. (in diagrammatic form on the PPT slide – written definition below)

### **The Palermo Protocol**

The Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Convention Against Transnational Organized Crime (also known as the Palermo Protocol) is the internationally accepted definition of human trafficking. This Protocol (which is in force) was signed by the United Kingdom on 14 December 2000 and ratified on 9 February 2006. It provides a definition of trafficking which has since become a widely accepted standard and used in other international instruments.

**“Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”**

The principal difference between people smuggling and human trafficking is the element of exploitation. It is important to examine the end situation when the victim is recovered to determine whether they have been smuggled or trafficked.

**The Act** (What is done)

Recruitment, transportation, transfer, harbouring or receipt of persons.

**The Means** (How it is done)

Threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim.

**The Purpose** (Why it is done)

For the purpose of exploitation, which includes exploiting the prostitution of others, sexual exploitation, forced labour, slavery or similar practices and the removal of organs or body tissue.

The Palermo Protocol establishes children as a special case for whom only two components required - **movement and exploitation** - because a child cannot give consent to being exploited, even if they are aware/agreeable to being moved .

Child trafficking = Act & Purpose only

Child forced labour = purpose only

Child trafficking = Act & purpose only

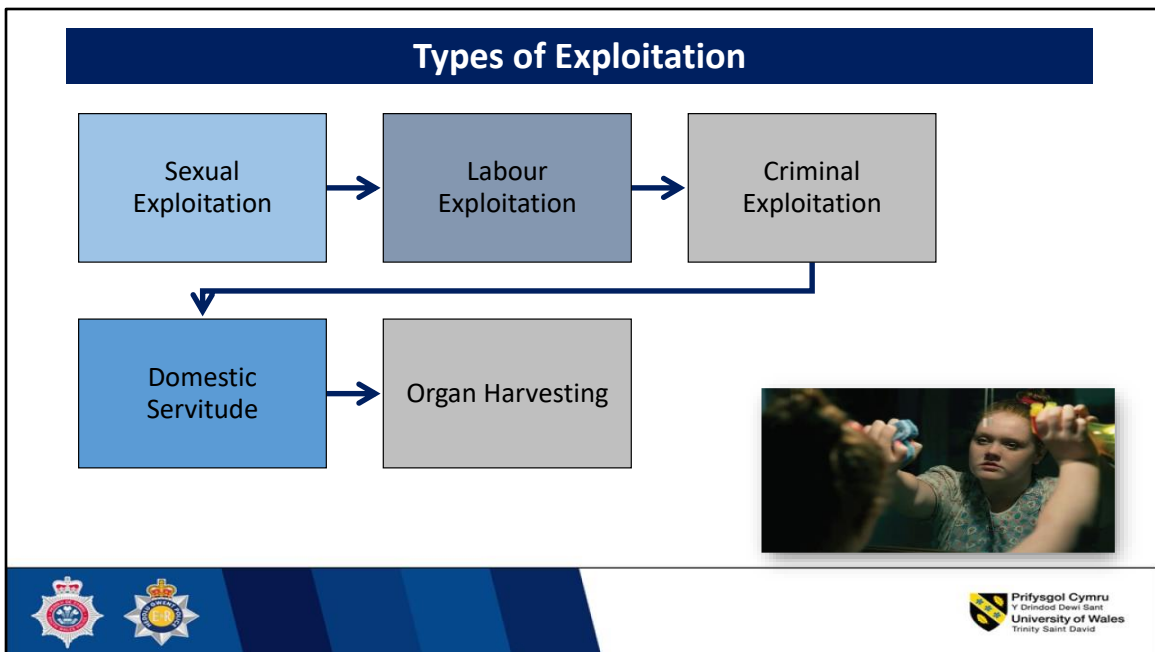
Forced Labour = Means & Service. Service means as a result of the means an individual provides a service for benefit, e.g. begging, sexual services, manual labour & domestic service

Child forced labour = service only

Victims of trafficking have not consented, or the consent they did give is rendered meaningless by the actions of the traffickers, e.g. deception. However, for those who have been trafficked the very purpose of their journey is to put them into an exploitation situation from which the traffickers can profit. Human trafficking can be categorised as sexual exploitation (rape and prostitution) and non-sexual exploitation (begging, forced labour, domestic servitude, cannabis cultivation, pick-pocketing, human organ transplant, slavery)

People being smuggled as illegal migrants have usually consented to being smuggled. The relationship between an illegal migrant and a people smuggler is a commercial transaction which ends on completion of the journey.

All three of the following items must be present in order to meet the definition of trafficking, unless the person trafficked is under the age of 18, in which case the 'means' is irrelevant. In such cases, only the 'act' and 'purpose' need be present.



**QTS – what types of exploitation can you name?**

**Board blast types of exploitation before showing this slide.**

**Sexual** - frequently through prostitution where victims are placed into off-street brothels, forced to see many clients, and receive either little or no money.

**Forced labour** - where victims are forced to work very long hours and hand over all of their wages to their traffickers or controllers, e.g. domestic situations as nannies or maids, sweatshop factories, construction sites, farm work, paving/ tarmacking

**Criminal** – drugs, cannabis farming, organised crime, begging, benefit fraud, sshoplifting/Theft, Credit card/ATM fraud, Selling Stolen Goods, DVD Pirating and Sales( up until recently we treated as offender and did not consider exploitation.

**Domestic Servitude** - victims who live and work in households where they are forced to work through threats of serious harm and physical and sexual assaults.

**Enabling others to acquire benefit** - this can include but is not restricted to money from state financial assistance such as child benefit or unemployment benefit

**Organ harvesting** - where victims are trafficked in order to sell their body parts and organs for transplant; eggs, kidneys, eyes (China)...Nothing reported to date in Wales.

**Children** - children are amongst the most vulnerable victims; sometimes they are sold into forced labour or domestic work through debt bondage by family members where they are vulnerable to sexual or physical abuse.



**Activity 2:** Trainer to split class into 3 groups. Each group to discuss 1 of the following questions:

**Q1. What might make children & adults vulnerable to being trafficked?**

**Q2. How are they recruited?**

**Q3. Where/ how might you find victims of trafficking being exploited in the UK?**

In their groups, students to discuss and record their answers to their given question. Students to record answers on flip chart paper and present to other groups.

## Group Activity

Discuss and record your answers to the following:

How do you as a professional recognise:

1. The signs/indicators of a trafficked child or adult victim?
2. The health impacts on a victim?
3. What stops a victim from coming forward?



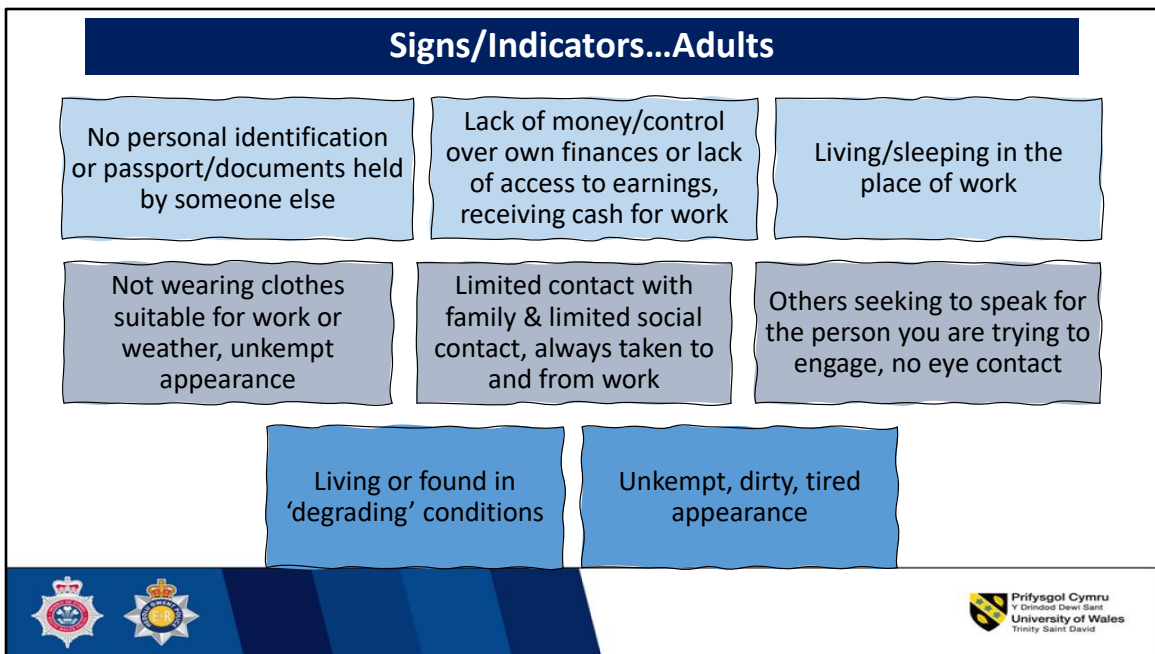
**ACTIVITY 3:** Trainer to split the class into 2 groups and give each group a piece of flip chart paper and coloured pens. Trainer to tell the groups to split their flipchart paper into 2 columns and add the titles Child & Adult (1 in each column). Groups to discuss the questions and record answers on flip chart paper.

Trainer to use next 2 slides to de-brief activity, to ensure that students have covered:

- Indicators both physical & emotional
- Health – physical, emotional & mental
- The barriers that would stop a victim telling us what is happening to them.

**OP LENTEN**

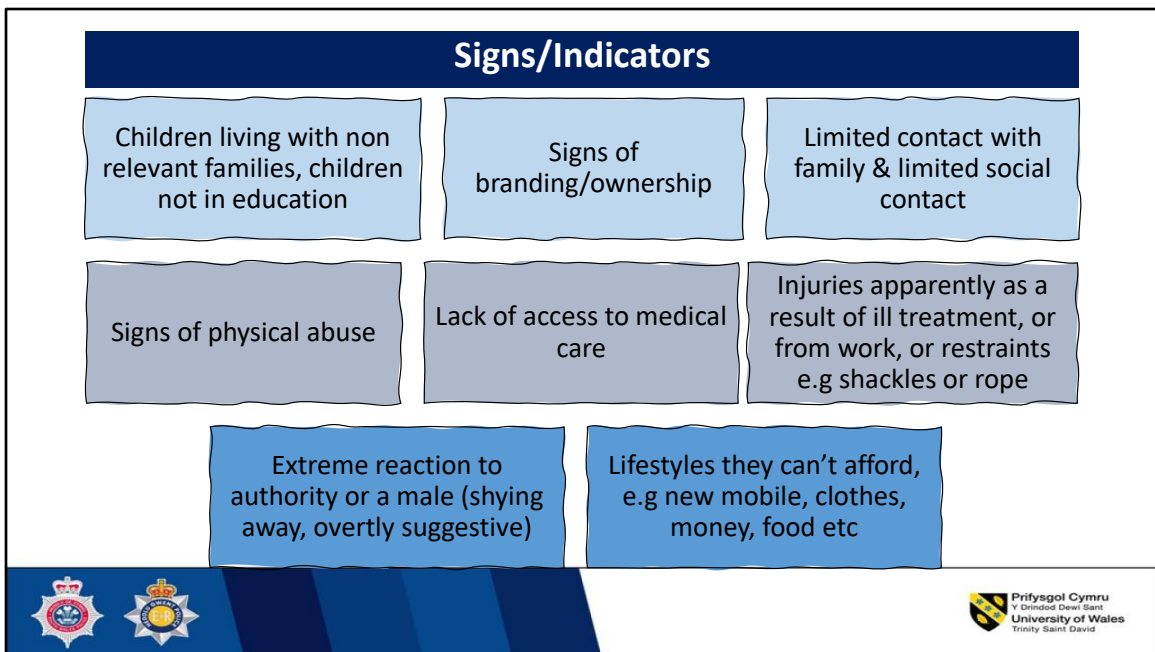
**ROCHDALE SEX TRAFFICKING GANG**



#### GENERAL INDICATORS People who have been trafficked may:

- Believe that they must work against their will
- Be unable to leave their work environment
- Show signs that their movements are being controlled
- Feel that they cannot leave
- Show fear or anxiety
- Be subjected to violence or threats of violence against themselves or against their family members and loved ones
- Suffer injuries that appear to be the result of an assault
- Suffer injuries or impairments typical of certain jobs or control measures
- Suffer injuries that appear to be the result of the application of control measures
- Be distrustful of the authorities
- Be threatened with being handed over to the authorities
- Be afraid of revealing their immigration status
- Not be in possession of their passports or other travel or identity documents, as those documents are being held by someone else
- Have false identity or travel documents
- Be found in or connected to a type of location likely to be used for exploiting people
- Be unfamiliar with the local language
- Not know their home or work address

- Allow others to speak for them when addressed directly
- Act as if they were instructed by someone else
- Be forced to work under certain conditions
- Be disciplined through punishment
- Be unable to negotiate working conditions
- Receive little or no payment • Have no access to their earnings
- Work excessively long hours over long periods
- Not have any days off
- Live in poor or substandard accommodations
- Have no access to medical care
- Have limited or no social interaction
- Have limited contact with their families or with people outside of their immediate environment
- Be unable to communicate freely with others
- Be under the perception that they are bonded by debt
- Be in a situation of dependence
- Come from a place known to be a source of human trafficking
  - Have had the fees for their transport to the country of destination paid for by facilitators, whom they must payback by working or providing services in the destination
- Have acted on the basis of false promise



For young people being internally trafficked remember: Expensive lifestyles, e.g. new mobile, clothes, money, food, etc.

Older “boyfriends” (5 years plus)

Other signs – children

For children, things to look out for :-

-look intimidated

Have no friends their own age

Have no access to education

Have no time to play

Have no access to their parent/guidance

Behave in a way that does not correspond with behaviour typical of children their age

Entered the country illegally

No passport or id, or false documentation

Possesses money or goods not accounted for

Malnourished

Accompanied by an adult who insists on remaining with the child at all times

Has a prepared story very similar to those that other children have given

Exhibits maturity not expected in a child of such age  
Shows signs of physical or sexual abuse, and/or has contracted a sexually transmitted infection or has an unwanted pregnancy  
Has a history with missing links and unexplained moves  
Appears to be missing for periods  
Among a number of unrelated children found at one address  
Known to beg for money  
Performs excessive housework chores and rarely leaves the residence  
Quality of the relationship between the child and their adult carers is not good  
Not been registered with or attended a GP practice, or enrolled in school  
Excessively afraid of being deported

### **Vulnerability Indicators:**

#### **Home Environment**

a child who comes from an unstable family environment or where there is conflict between parents/siblings  
has suffered neglect, maltreatment, physical or sexual abuse  
absence of any parental attachment to the child and a lack of emotional care  
whose parent(s) do not provide positive role model behaviours; are unable to communicate effectively with the child; provide poor discipline; do not give guidance or set proper boundaries  
whose parents replace positive discipline with uncaring harsh or violent punishment  
has a parent(s) who has alcohol, substance, drug or mental health issues  
has witnessed domestic violence or violent conflict  
comes from a broken home, is separated from a parent or has a parent in prison  
lives with a gang member or who has family members involved in gang activity and criminality  
is exposed to violent media

#### **Personal**

who has suffered traumatic life experiences  
has a low academic achievement, significant levels of truancy and unauthorised absences; has a poor attendance record or is regularly excluded from school (school exclusion is a high vulnerability factor)  
is within the care system; and/or is historically involved with social services  
has a history of missing (research shows that the peak ages of running away and becoming involved with gangs are the same – 15 years)  
feels socially isolated; is bullied or bully's others  
has learning disabilities or difficulties  
has mental health issues, depression or behavioural problems  
is vulnerable to peer pressure and intimidation  
has poor self-esteem  
has a lack of ethnic identity or feels socially isolated with no support  
is unable to regulate own emotions and behaviour, displays anger and resentment towards society or demonstrates physical violence and aggression  
has alcohol or drug issues

## Community

lives in an area with high gang activity

has become involved in antisocial and criminal behaviour early, which has led to persistent offending and juvenile convictions

associates with friends, peers who are involved in antisocial and aggressive behaviour

lives in an area where drugs are readily available; or is exposed to drug use

lives in areas with high levels of poverty, unemployment, social housing and crime comes from communities who have experienced war situations prior to arrival in the UK or groups more likely to tolerate crime

has no positive role models in the community?

comes from an area which lacks diversionary activities (e.g. youth services)

lacks aspirations, has little or no job prospects, is likely to become unemployed

attends a school where gang recruitment is known to occur

has no or little of access to productive social activities and opportunities

has disengaged from support services

## Gang Member

**Professionals should strive to assemble an evidenced based assessment, built on a wide range of indicators.**

becomes secretive, becomes distant or has withdrawn from family

deteriorating behaviour; increased rule breaking, aggression, and threatening behaviour

has broken off relationships with old friends and has begun to associate with a new group of young people (may even display aggression towards previous friends) drops out of positive activities

has a sudden loss of interest in school, begins to truant and has noticeable decline in academic achievement

stays out unusually late, begins to go missing or has unauthorised absences

has begun to talk about a particular individual or persons who they seem to hold in esteem and appears to be influencing them

noticeable changes in appearance. Begins to dress in a particular style or appears to be wearing 'colours' or a logo (specific uniform) similar to the group they associate with. Many gangs wear particular items of clothing that identify them collectively and set them apart from rival gangs. This wearing of clothes can be subtle and not noticeable e.g. the angle or how an item of clothing is worn, particular brands, a colour, symbols or jewellery

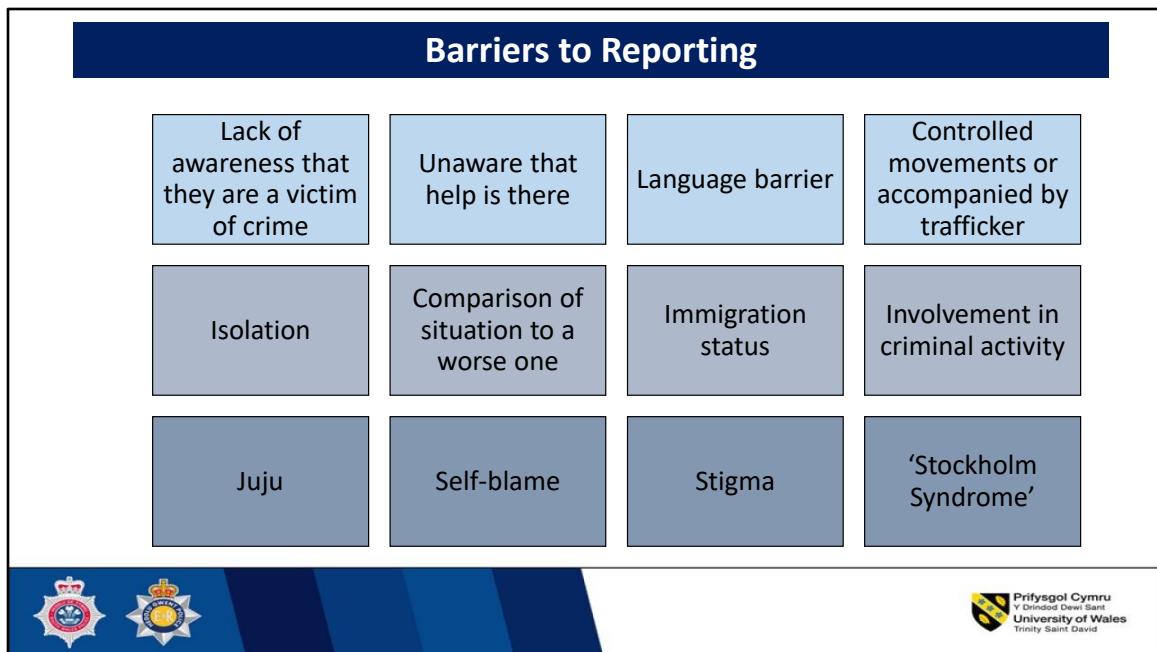
has multiple mobiles or regularly changes mobile devices

has started using new or unknown slang words or uses unusual hand signals to communicate with friends – some gangs have their own terminology and way of greeting each other, either verbally or by hand signs

has specific drawings or tags on everyday objects such as clothes, bedroom doors, furniture, walls, school books – graffiti is often used to mark a gang's territory, their dominance of the area, having the added advantage of intimidating and causing fear

in the people that live in the area  
has unexplained money, expensive clothing, jewellery and possessions –certain jewellery, symbols and clothes can also be an indicator of membership or affiliation with a specific gang  
has an unusual interest in gangster-influenced music, videos, movies, or websites that glorify weapons and gang culture  
have images/videos of themselves ‘glorifying’ their gang membership – many gang members keep photographs featuring themselves and fellow gang members, often posing with cash, champagne and weapons. Where possible professionals should check a young person’s social media accounts or phones for images.  
has obtained new tattoos, or purpose made scars or burn marks – specific tattoos, scar or burn patterns/designs can indicate gang affiliation  
has a new nickname –gang members often (but not always) have a street name which is normally derived from a personal trait, their physical appearance or an action they may have carried out  
is showing signs of drug use  
is committing criminal offences – shoplifting, robbery, drugs (street robbery as a first-time entry into the criminal justice system can be a significant factor)  
is getting into fights; has unexplained physical injuries and/or refuses to seek medical treatment  
has started carrying a weapon  
is concerned about the presence of unknown youths in the area, scared of or refuses to enter certain areas

**\*\*Trainer to handout/email distribute ‘Modern Slavery Awareness & Victim Identification Guidance’\*\***



**Stockholm syndrome**, or **capture–bonding**, is a psychological phenomenon in which hostages express empathy and sympathy and have positive feelings toward their captors, sometimes to the point of defending them. These feelings are generally considered irrational in light of the danger or risk endured by the victims, who essentially mistake a lack of abuse from their captors for an act of kindness.

Stockholm syndrome can be seen as a form of **traumatic bonding**, which describes “strong emotional ties that develop between two persons where one person intermittently harasses, beats, threatens, abuses, or intimidates the other

It suggests that the bonding is the individual’s response to trauma in becoming a victim. Identifying with the aggressor is one way that the ego defends itself. When a victim believes the same values as the aggressor, they cease to be a threat.

**Juju** often known as magic or voodoo ( a very powerful form of psychological control)

## 'Darrell's Story'



Darrell Simester lived in horrendous conditions and suffered for more than 13 years forced to work for a man without pay on a farm in Wales.

Forced to wash in a trough meant for animals and live in a rat-infested shed, Darrell Simester was found in an “appalling state” on Cariad Farm outside Newport.

The man who forced him to work for well over a decade - while his family had no idea what had happened to him - has been jailed.

David Daniel Doran, 42, admitted forcing Simester to work on his farm, which Mr Simester’s family said had made him “unrecognisable” from the man they had last seen.

He was sentenced to 4.5 years of imprisonment, he was convicted before the Modern Slavery Act 2015.

Whilst Darrel was at the farm, he required medical attention and was admitted to hospital for treatment, he was discharged back to his perpetrator address, had health staff raise concerns at this stage could’ve saved Darryl from several more years of abuse.-

## **1 in 5 victims report having come into contact with health care services during the time they are trafficked**

### **Common Indicators**

If the person:

- is accompanied by someone who appears controlling, who insists on giving information and speaking for them
- is withdrawn and submissive, seems afraid to speak to anyone in authority
- provides vague and inconsistent explanations of where they live, employment or schooling
- has old or serious injuries left untreated
- provides vague information, is reluctant to explain how the injury occurred or reluctant to provide a medical history
- is not registered with a GP, nursery or school • has experienced being moved locally, regionally, nationally or internationally
- appears to be moving location frequently
- appearance suggests general physical neglect • struggles to speak English
- has no official means of identification or has suspicious looking documents.

### **Consider trafficked?**

### **Common indicators for labour exploitation :**

People who have been trafficked for labour exploitation may:

- Live in groups in the same place where they work and leave those premises infrequently, if at all
  - Live in degraded, unsuitable places, such as in agricultural or industrial buildings
- Not be dressed adequately for the work they do: for example, they may lack protective equipment or warm clothing
- Be given only leftovers to eat
- Have no access to their earnings
- Have no labour contract
- Work excessively long hours
- Depend on their employer for a number of services, including work, transportation and accommodation

Notices have been posted in languages other than the local language.

- There are no health and safety notices.
- The employer or manager is unable to show the documents required for employing workers from other countries.
- The employer or manager is unable to show records of wages paid to workers.
- The health and safety equipment is of poor quality or is missing.

- Equipment is designed or has been modified so that it can be operated by children.
- There is evidence that labour laws are being breached.
- There is evidence that workers must pay for tools, food or accommodation or that those costs are being deducted from their wages

## Man held as 'slave' for two years and subjected to brutal beatings

Scrap metal dealer Anthony Baker kept his victim in squalor while he and son Harvey Baker both repeatedly and seriously assaulted the 20-year-old



Anthony Baker pleaded guilty to holding a man in servitude and subjecting him to forced or compulsory labour contrary to the Modern Slavery Act as well as four counts of assault occasioning actual bodily harm, one count of unlawful wounding, and one count of inflicting grievous bodily harm.

Harvey Baker pleaded guilty to six counts of assault occasioning actual bodily harm, three of inflicting grievous bodily harm, and one of unlawful wounding.

All the offences cover the period October 2016 to January 2019.



### January 2019 – Wales

A scrap metal dealer subjected a vulnerable man to repeated brutal beatings and forced him to work for free for more than two years.

The 20-year-old victim, who had been living in a YMCA before falling into the clutches of Anthony Baker, was rescued by police who had gone to the isolated compound near the Briton Ferry bridge following calls from concerned members of the public.

The man was suffering with a catalogue of horrific injuries, including open wounds.

What was surprising about this case was that the neighbours in the area have been calling him 'the slave' but no-one reported anything for almost 2 years. If the right measures were taken could he have escaped his situation before it got to the stage it was when he was rescued by police.

### Common Indicators

If the person:

appears frightened and controlled

is withdrawn and submissive, seems afraid to speak to anyone in authority

new injuries left untreated & reluctant to explain how the injury occurred

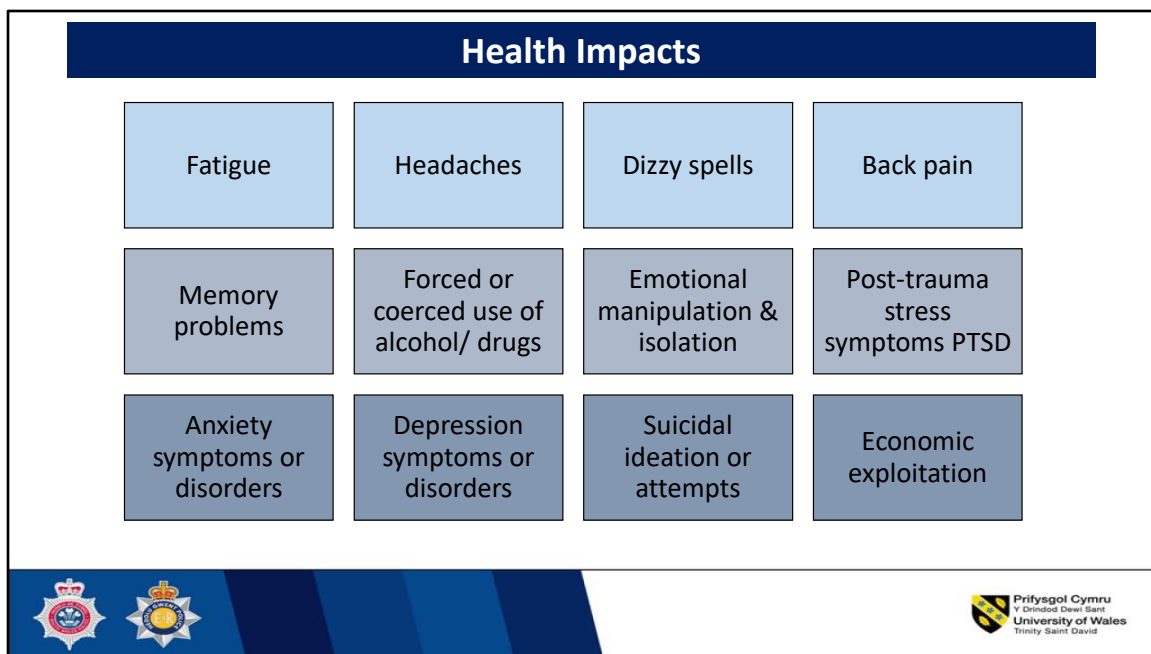
old or serious injuries left untreated  
provides vague information, is or reluctant to provide a medical history  
is not registered with a GP  
malnutrition  
Stockholm syndrome  
Was homeless prior to being offered accommodation  
**Consider trafficked?**

**Common indicators for labour exploitation :**

- Live in groups in the same place where they work and leave those premises infrequently, if at all
  - Live in degraded, unsuitable places, such as in agricultural or industrial buildings
- Not be dressed adequately for the work they do: for example, they may lack protective equipment or warm clothing
- Be given only leftovers to eat
- Have no access to their earnings
- Have no labour contract
- Work excessively long hours
- Depend on their employer for a number of services, including work, transportation and accommodation

Notices have been posted in languages other than the local language.

- There are no health and safety notices.
- The employer or manager is unable to show the documents required for employing workers from other countries.
- The employer or manager is unable to show records of wages paid to workers.
- The health and safety equipment is of poor quality or is missing.
- Equipment is designed or has been modified so that it can be operated by children.
- There is evidence that labour laws are being breached.
- There is evidence that workers must pay for tools, food or accommodation or that those costs are being deducted from their wages



## QTS – what possible health implications can you think of?

physical abuse,

Threats, intimidation, abuse

Sexual abuse

Substance misuse

Social restrictions

Deprivation: food and sleep

Ritual abuse

Exposure to infectious diseases

Affects of physical, sexual or psychological abuse

Chronic deprivation – e.g. food

Hazards – poor ventilation, sanitation, exposure to chemicals...

Trauma

The most common physical health symptoms include: fatigue, headaches, sexual and reproductive health problems, back pain and significant weight loss

Mental health systems tend to persist for longer than most of the physical health problems.

Labour trafficking risks include: poor ventilation and sanitation; extended hours, repetitive-motion activities; poor training in use of lifting heavy equipment; chemical hazards; lack of protective equipment; heat or cold extremes; and airborne and bacterial contamination.

These can cause: exhaustion, dehydration, heat stroke, stress, hypothermia, frost-bite, respiratory problems and skin-infections

## 'Free the Unseen'



<https://www.youtube.com/watch?v=1RBbIPD60Wg&feature=youtu.be>

**QTS – what are your thoughts about this clip?**

## Horse Trading Web



<https://www.youtube.com/watch?v=k-l5EtcewdM>

### Horse Trading Video – Gangmasters and Labour Abuse Authority

Explain to the students that the video uses the GLAA's experiences with real human traffickers to illustrate the methods they use and the lengths they will go to exploit workers for profit. This video is very powerful in showing how the trafficker chooses their victims very carefully, by using controlling factors (physical violence, debt bondage, language barrier, fear etc.) and vulnerability factors (poverty, unemployment, isolation, better lifestyle, etc).

The traffickers demean the victims by calling them horses and uses them as human commodities, so even they attempt to escape their situation they never really escape as they are left with debt in their names to deal with.

### Common indicators for labour exploitation :

People who have been trafficked for labour exploitation may:

- Live in groups in the same place where they work and leave those premises infrequently, if at all

- Live in degraded, unsuitable places, such as in agricultural or industrial buildings
- Not be dressed adequately for the work they do: for example, they may lack protective equipment or warm clothing
- Be given only leftovers to eat
- Have no access to their earnings
- Have no labour contract
- Work excessively long hours
- Depend on their employer for a number of services, including work, transportation and accommodation

Notices have been posted in languages other than the local language.

- There are no health and safety notices.
- The employer or manager is unable to show the documents required for employing workers from other countries.
- The employer or manager is unable to show records of wages paid to workers.
- The health and safety equipment is of poor quality or is missing.
- Equipment is designed or has been modified so that it can be operated by children.
- There is evidence that labour laws are being breached.
- There is evidence that workers must pay for tools, food or accommodation or that those costs are being deducted from their wages

**QTS – what are your thoughts about this clip?**



### **QTS - So what would you do if you suspect a victim of human trafficking/modern day slavery?**

So what do we do when we suspect that we have a victim of MS? Actions, National Referral Mechanism, Duty to Notify and Statutory Obligation, initial actions are discussed on the following slides

If a person discloses they are victims, they must be treated as such

Slavery and Trafficking Risk Orders (STRO)

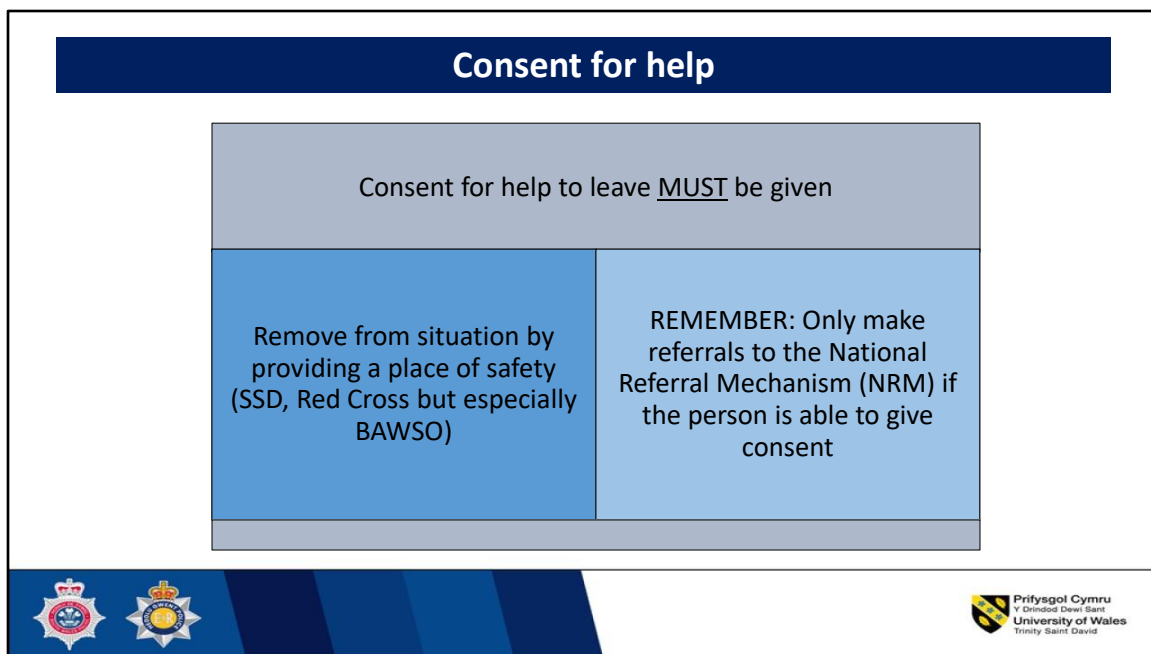
#### **Details**

Part 2 of the Modern Slavery Act 2015 introduces 2 new civil orders designed to prevent the harm caused by slavery and human trafficking offences: Slavery and Trafficking Prevention Orders (STPOs) and Slavery and Trafficking Risk Orders (STROs). The police, the National Crime Agency, immigration officers and labour abuse prevention officers from the Gangmasters and Labour Abuse Authority can apply to court for these orders, which allow the courts to place a range of restrictions on the behaviour and activities of a person who poses a risk of committing slavery or

trafficking offences.

The Home Office has published this statutory guidance, issued under section 33 of the Modern Slavery Act 2015, as a practical tool intended to help those responsible for applying for STPOs and STROs carry out their responsibilities effectively and appropriately.

The forms should be printed, completed and posted to the court with supporting documents.



If an adult does not consent to enter the NRM, a DtN (Duty to Notify) referral should be completed using the same online process.

Again, make reference to Victim Pathway, and discuss BAWSO further. If they don't want help to leave now:

Refer to MARAC

Provide information about assistance and support

Be aware that any written material could be detected by traffickers

Try to arrange a follow-up appointment

From 1 November 2015, specified public authorities are required to notify (duty to notify S52 of the Modern Slavery Act 2015) the Home Office about any potential victims of modern slavery they encounter in England and Wales.

The online system provides optional and mandatory fields to enable you to submit the referral. Adult cases who do not provide consent to be referred into the NRM process, automatically become DtN referrals on the online system.

**Note: A trainer from each Force to discuss the ‘victim pathway’ that they follow.**

This is Force specific. Both SWP and Gwent to discuss about its own victim pathway and give localized handouts

# NRM

## National Referral Mechanism



Give a copy of the NRM flowchart

The National Referral Mechanism (NRM) is a framework for identifying and referring potential victims of modern slavery and ensuring they receive the appropriate support.

An online referral system is used for referrals into the NRM and for Duty to Notify referrals (DtN).

If an adult does not consent to enter the NRM, a DtN (Duty to Notify) referral should be completed using the same online process.

We are now legally obliged to complete an NRM, as a result of the MS Bill 2015. BAWSO are very good and may complete on our behalf. Previous to this, Victims

have been dealt with, without the Police being informed. BAWSO and Red Cross have been provided with Training re Forensic, keeping written records for intel purposes as well as evidentially. Bearing that in mind, they are also trained to only obtain first accounts and NOT to “interview”.

Number of potential victims of modern slavery referred into the National Referral Mechanism (NRM) or via the Duty to Notify (DtN) process from 1 January to 31 March 2022 (quarter 1).

- 3,777 potential victims of modern slavery were referred to the Home Office in quarter 1 2022, representing a 13% increase compared to the preceding quarter (3,334) and a 29% increase from quarter 1 2021 (2,939)
- The number of referrals received this quarter is the highest since the NRM began in 2009 (the previous highest number was 3,343 in quarter 4 2019)
- 54% (2,054) of referrals were for potential victims who claimed exploitation as adults and 39% (1,471) claimed exploitation as children
- adult potential victims most commonly claimed labour exploitation (33%; 681), whereas child potential victims were most often referred for criminal exploitation (46%; 670)
- The most common nationalities referred this quarter were Albanian, UK and Eritrean
- The Home Office received 987 reports of adult potential victims via the DtN process, the highest quarterly figure since this began

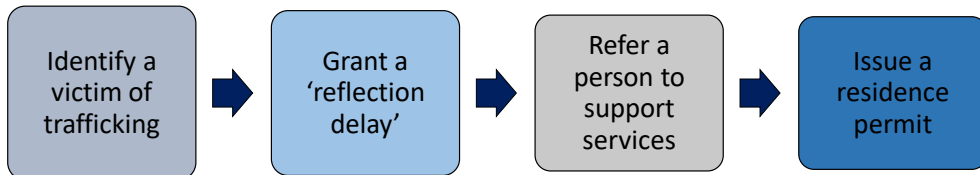
In quarter 1 2022, 45% (1,702) of the referrals came from government agencies, compared to 43% in quarter 4 2021. Of these referrals, 41% (690) came from Home Office Immigration Enforcement, matching the proportion of the previous quarter, whilst a large proportion came from UK Visas and Immigration (55%; 944). NGO and third-sector

organisations accounted for 7% (272) of referrals. Police forces accounted for 25% (941) of NRM referrals in quarter 1 2022 (compared to 27% in quarter 4 2021). Local authorities accounted for 23% (861) of referrals, mostly for child potential victims.

Source: [www.gov.uk](http://www.gov.uk)

## NRM: National Referral Mechanism

The process whereby 'first responder organisations' send the referral to the relevant 'competent authority' who then:-



**Competent authorities:-** The Modern Slavery Human Trafficking Unit (MSHTU) based in the National Crime Agency (NCA) – UK and European nationals will be referred to this body first. The Home Office (UK Visas and Immigration) – non European nationals will be referred here

**First Responder organisations are:** Police forces, certain parts of the Home Office, UK Visa & Immigration, Border Force, Immigration Enforcement, National Crime Agency, local authorities, Gangmasters & labour Abuse Authority, Salvation Army, Migrant Help, Medaille Trust, Kalayaan, Barnado's, Unseen, NSPCC (CTAC), BAWSO, New Pathways, Refugee Council

First responder organisations have the following responsibilities. These responsibilities are invested in the organisation and it is for the organisation to decide how it will discharge these responsibilities:

- identify potential victims of modern slavery and recognise the indicators of modern slavery



- gather information in order to understand what has happened to them
- refer victims into the NRM via the online process (in England and Wales this includes notifying the Home Office if an adult victim doesn't consent to being referred - DtN)
- provide a point of contact for the competent authority to assist with the Reasonable and Conclusive Grounds decisions and to request a reconsideration where a first responder believes it is appropriate to do so

A first responder is an individual working at a first responder organisation that is involved in discharging one of the duties of the organisation listed above.

Reflection delay (next slide) – stress free time to think.

Residence permit – within 45 days

## National Referral Mechanism

The  
'reasonable  
ground'  
decision

The  
'conclusive  
grounds'  
decision



A 'reasonable grounds decision' is made within five days of receiving the referral. This may involve seeking additional information from the first responder or from specialist Non-Governmental Organisations (NGOs) or social services. The threshold at Reasonable Grounds stage for the trained decision makers is; "from the information available so far I believe but cannot prove" that the individual is a potential victim of trafficking or modern slavery.

The 'conclusive grounds decision' which is made after a minimum of 45 days or a maximum of 18-24 months and confirms whether an individual is a victim of human trafficking. Further information is sought about the referral and this additional information is used to make a conclusive decision on whether the referred person is a victim of human trafficking or modern slavery. Conclusive Decision is that on the balance of probability "it is more likely than not" that the individual is a victim of human trafficking or modern slavery

### Reasonable grounds decision

The SCA (Competent authority) does not have any criminal or other prescribed investigative powers. Its staff are not accredited investigative officers. The SCA is able to undertake further enquiries, such as sending questions for a response to an individual or their legal representative, and it can request information from the different parties involved in a case. Where appropriate, the SCA will make contact with police – either the officer in charge or the senior investigating officer – for further information from a relevant or linked investigation.

However, NRM decisions are heavily dependent on the information provided by external parties, over which the SCA has no control. The SCA makes decisions based on the relevant information that is available at the time, to the specific evidential threshold for each type of decision.

Following the submission of an NRM, the police have an ongoing duty to provide updates to the SCA. Information that the police hold about the progress of the investigation can be critical to their reasonable grounds and conclusive grounds decision-making process. This information is the evidence gathered as part of the investigation, including – but not limited to – witness statements, travel information, suspect interviews, digital media and mobile phone evidence. Updates can be provided by quoting the Unique Reference Number (URN) to [nrm@modernslavery.gov.uk](mailto:nrm@modernslavery.gov.uk) or by contacting the Duty Line on 0207 035 5689, which is open from Monday to Friday between 10am and 4pm.

The SCA will first decide if there are **reasonable grounds** to believe that the person is a victim. The test for a reasonable grounds decision is 'I suspect but cannot prove'. General indicators of a potential victim's behaviour, circumstances and responses to questions are taken into account in reaching the decision.

The SCA aims to make reasonable grounds decisions within five working days of receiving a referral. Emergency support is available for potential victims who would otherwise be destitute during this time. A positive reasonable grounds decision entitles the potential victim to a recovery and reflection period for a minimum of 45 days, and until the conclusive grounds decision is made.

During this time, adult victims can receive accommodation and subsistence, specialist support such as counselling, access to physical and mental health care, and signposting to services such as legal aid. Child victims are supported by local authorities under their statutory safeguarding duties.

The recovery and reflection period is intended, in part, to aid a victim's recovery from their immediate physical or psychological trauma before deciding whether to support an investigation or prosecution. However, this does not preclude the victim from speaking with law enforcement to provide intelligence or information, or from making a statement if they wish to assist an investigation.

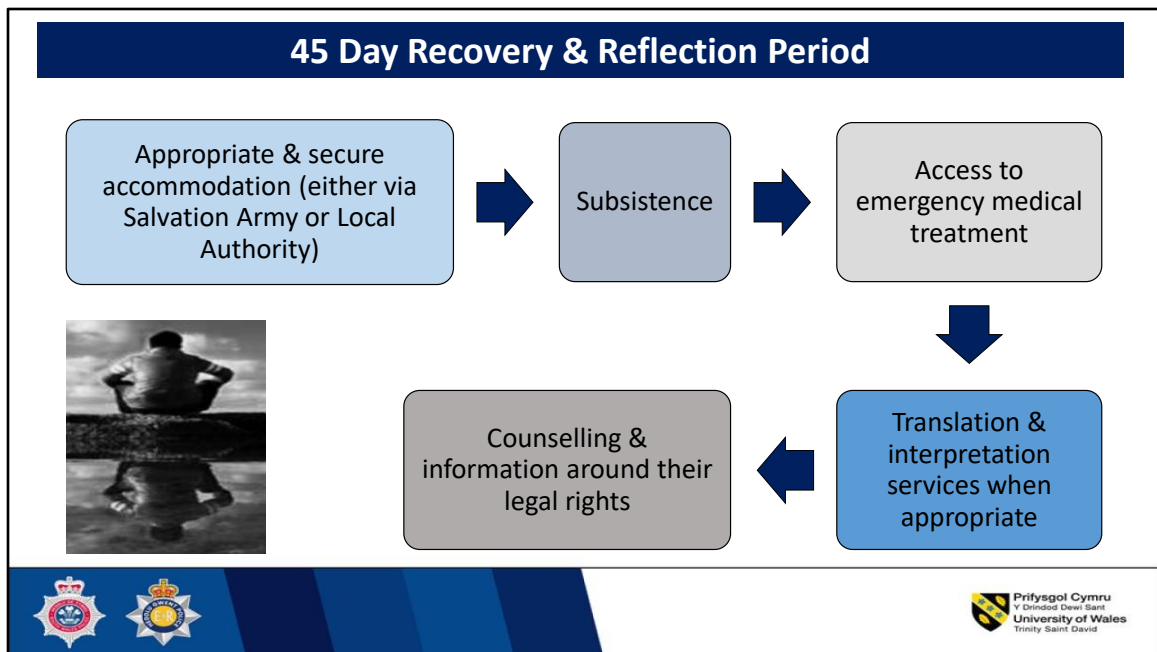
## **Conclusive grounds decision**

During the recovery and reflection period, further information and evidence will be collected by the SCA to enable a **conclusive grounds** decision to be made. A conclusive grounds decision determines whether, 'on the balance of probabilities', there is sufficient information to decide that the person is a victim of modern slavery.

When the conclusive grounds decision is made, adults with a positive decision receive a further period of move-on support, the length of which is based upon the individual victim's needs. This move-on support period is in place to help victims to safely transition out of NRM support. Those with a negative decision receive support for a further nine days.

Following a positive conclusive grounds decision, victims may be eligible for a renewable residence permit, which may be granted for up to 30 months. This may be granted where:

- a victim is cooperating with an investigation or criminal proceedings and the police want the victim to remain in the country to assist
- the victim is seeking compensation from their exploiters in UK courts
- it is deemed necessary owing to their personal circumstances.



Form received by NRM

Contacting key agencies – information gathering

If Reasonable grounds decision given within 5 days

Then 45 day reflection

Info around their legal rights – to help through the process

**\*\*\*\*\*Modern Slavery: Risk Assessments for those victims placed in accommodation after entering the National Referral Mechanism\*\*\*\*\***

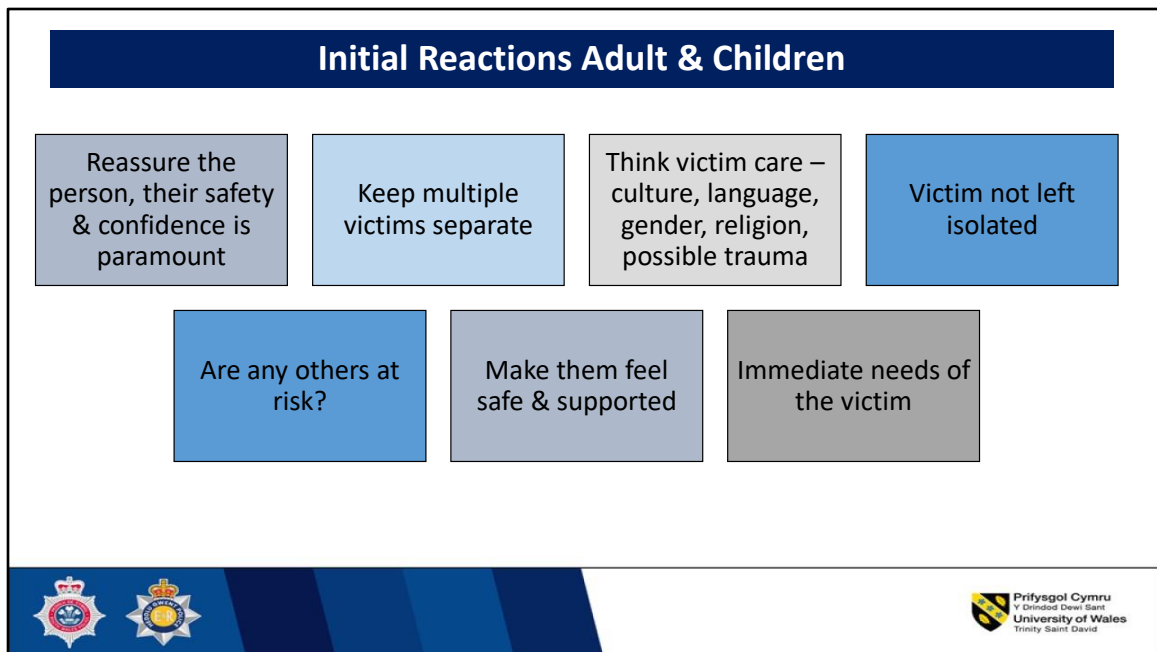
Officers are reminded that when carrying out risk assessments for those potential victims entering the National Referral Mechanism (NRM), the Salvation Army (TSA) **MUST** be made aware of any risk the potential victim may pose to other residents.

When an adult potential victim requests support, it is possible the Single Competent Authority may ask to speak directly to an Officer so that they can safeguard the potential victim, TSA staff and other vulnerable users in the accommodation – please ensure that should you receive such contact you respond promptly.

If you identify any risks in your assessment, you should include the detail in the free text area of the digital NRM form at the time of submission – anything urgent must be addressed directly with the TSA.

The Salvation Army 24 hour referral line is: 0800 808 3733

**\*\* Trainer to handout/email/distribute 'Important points for NRM submission' \*\***



### **Firstly, respect the rights, choices, and dignity of each individual**

- Warmth, Empathy, Listening
- Conduct interviews in private settings
- Option of male or female staff
- Do not judge
- Do not re-victimize
- Be patient
- Ask only relevant, necessary questions
- Avoid multiple interviews
- Assessment of immediate risk

Don't leave the victim on their own even if you're just getting them a drink – it's important not to re-victimize the person & by leaving them alone with no idea whether you'll come back or not (like the trafficker) you could do this without thinking.

Use open questions & remember certain phrases e.g. trafficking victim, may have no meaning. They may deny they are a victim of trafficking

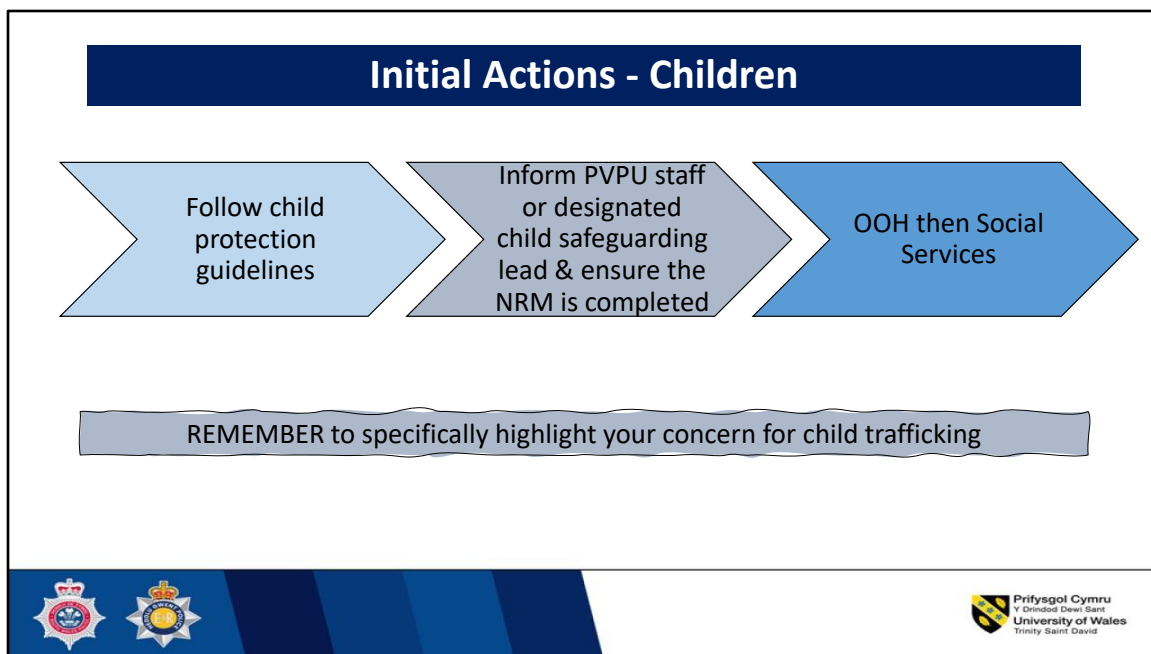
Tell me about.....

Explain to me.....

Describe to me.....

Clarifying questions you may need to use:

Could you leave your job if you want to?  
Could you come and go as you please?  
Have you been hurt or threatened if you tried to leave?  
Has your family been threatened?  
Do you live with your employer?  
Where do you sleep and eat?  
Are you in debt to your employer?  
Do you have your passport/identification? Who has it?



## MANDATORY COMPLETION OF NRM FOR CHILDREN

**Private Fostering** -When a child is under the age of 16 (18 if disabled) is cared by someone who is not their parent or a close relative for 28 days or more, Agencies (specially schools have highlighted indicators such as –

- Several children with the same name and DOB
- Children who speak a different language from the same 'family'
- "Parent" who doesn't know the child's allergies or medical history
- "Parent" who doesn't speak the same language as their child
- Different religions within a 'family' unit

## Age disputes

Where there is concern that a child or young person may have been trafficked and an age dispute arises, the 'child' should be given the benefits of the doubt to their age until the safeguarding and trafficking issues have been addressed. (council of Europe's Convention on Action Against Trafficking in Human Beings)

\*\*

## Initial Actions Adult Victims

Before talking to potential victim, isolate individual from person accompanying them without raising suspicions

Use a qualified, DBS checked translator/interpreter who understands victim's cultural needs

Use indirect questions, the phrase 'trafficking' or 'slavery' victim may have no meaning. They may deny they are a victim of these

Do not make promises & be careful not to be judgmental

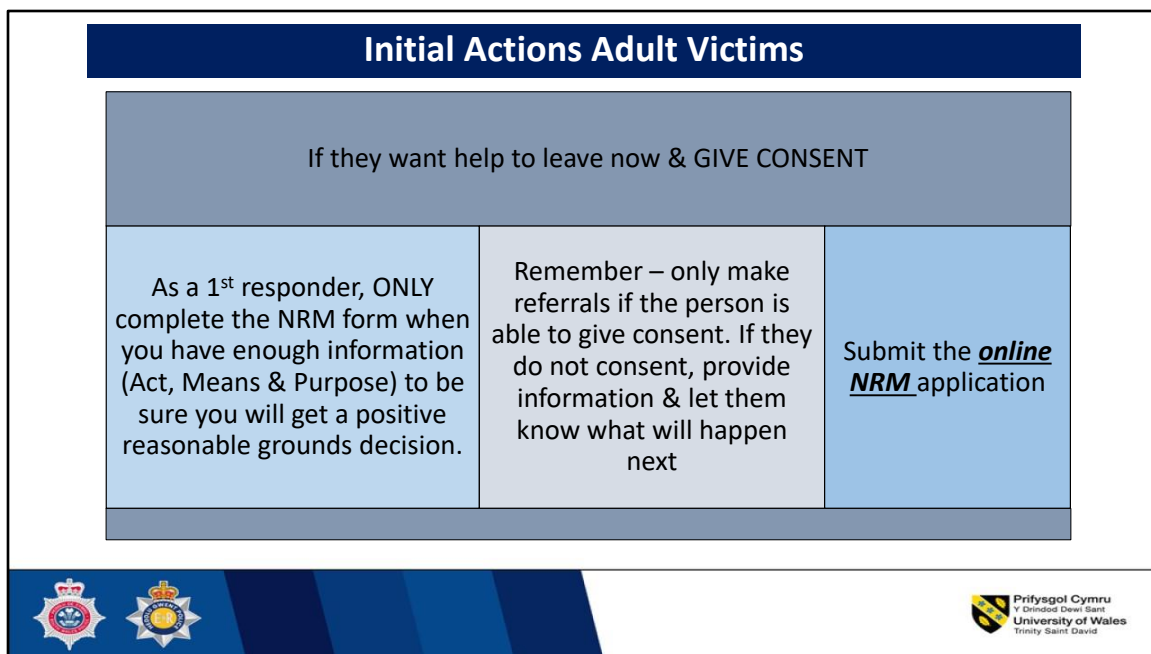
Refer to your Supervisor or local safeguarding lead



- Individual accompanying person may be trafficker posing as spouse, other family member or employer.
- Reassure them about confidentiality
- Do not let concerns you may have about challenging cultural beliefs stand in the way of assessing safety, especially of a child (lesson from serious case reviews)
- Try to find out more about the situation but be careful not to use leading questions: Use TED (as with safeguarding) Tell me..., Explain to me..., Describe to me....
- Ensure that you use the words – “I think this person has been trafficked” or I think this person is a victim of human trafficking”

### Translation/Interpreter Services:

- Ensure that interpreters used are approved and accredited.
- Do not use other potential victims as interpreters as they may be offenders and or influencing the potential victim.
- Ensure the interpreter is aware of the potential traumatic nature of the case and the potential length of the investigation.
- Consider the gender of the interpreter and potential victims.
- Ensure conversation is accurately recorded.
- If a telephone interpretation service is used ensure that they are making adequate records and the call is recorded

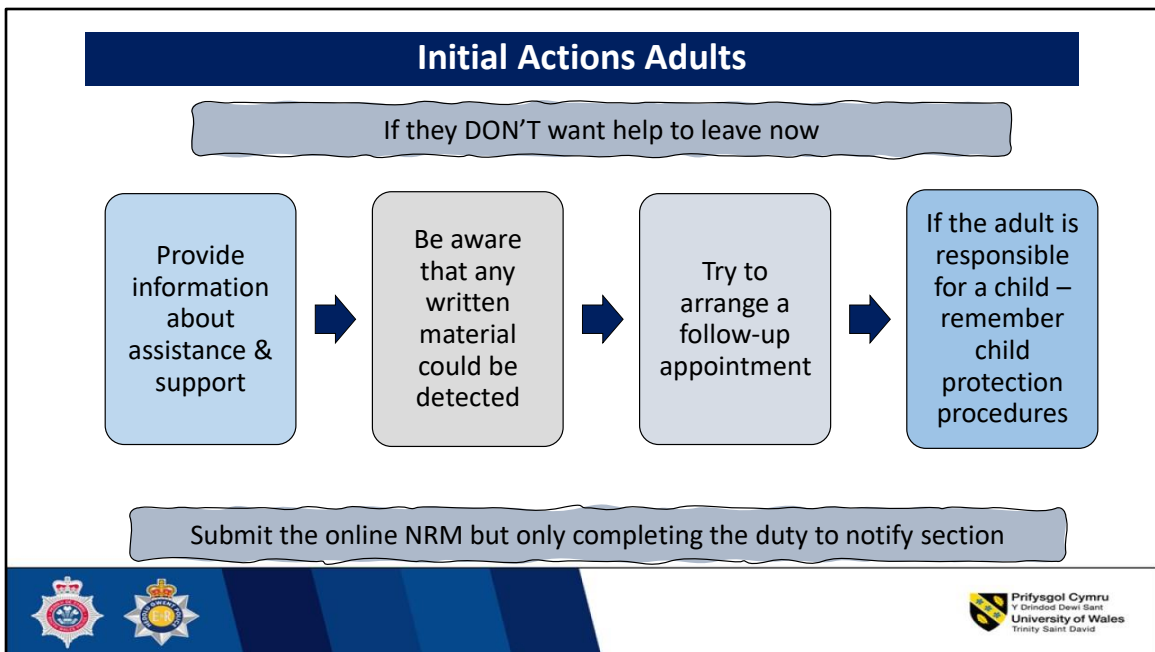


The person completing the referral form is known as the first responder

From 1 November 2015, specific public authorities have a duty to notify the Secretary of State of any person identified in England and Wales as a suspected victim of slavery or human trafficking.

Where a specified public authority has reasonable grounds to believe that a person may be a victim of slavery or human trafficking, it must notify the Home Office. If the person consents to enter the national referral mechanism (NRM), you use the NRM form.

If the person has not consented to enter the NRM, you can send the ‘MS1: notification of a potential victim of modern slavery form’,



As there are safeguarding concerns although the potential victim doesn't want any assistance to leave, speak to your safeguarding lead and consider making safeguarding referrals

**\*\*Trainer to handout/email/distribute – Handout Initial Safeguarding actions Officers responsibilities\*\***

**\*\* Trainer to direct students on Moodle to 'Wales First Responders Guide to Modern Slavery\*\* This is a useful summary of much of the information covered in the lesson**

## Modern Day Slavery – Ethical Supply Chain



This mandatory video must be played to all current Police/PCSO/Specials students and including for new recruits on all programmes It has some relevance around Modern Slavery.

