



## DEBATE PACK

Number CDP-2018-0206, 4 October 2018

# Tackling modern-day slavery

## Westminster Hall, Tuesday 9 October 2018, 6.30pm

A Westminster Hall debate on Tackling modern-day slavery is scheduled for Tuesday 9 October 2018 at 6.30pm. The Member leading the debate is Gareth Snell MP.

The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

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## Background

The Government has described modern slavery as a “brutal form of organised crime in which people are treated as commodities and exploited for criminal gain”, which “takes a number of forms, including sexual exploitation, forced labour and domestic servitude”. [The Home Office says](#) that the true extent of modern slavery is difficult to ascertain, as it is a “highly complex and hidden crime”.

Legislation to tackle modern slavery was enacted across all UK jurisdictions in 2015. The [Modern Slavery Act 2015](#) received royal assent on 26 March 2015. The [Human Trafficking and Exploitation \(Scotland\) Act 2015](#) and the [Human Trafficking and Exploitation \(Criminal Justice and Support for Victims\) Act \(Northern Ireland\) 2015](#) were passed in Scotland and Northern Ireland, respectively. The legislation provides for similar victim support measures and law enforcement powers throughout the UK.

As Home Secretary, Theresa May set up [an independent review of the 2015 Act](#) a year after it came into force. The review, by barrister Caroline Haughey QC, found that the 2015 Act had set “an international benchmark to which other jurisdictions aspire”. It found that slavery remained under-reported, but the operational response was improving. However, the review said there were problems, including a lack of consistency between law enforcement and criminal justice agencies and poor-quality intelligence at all levels. The review recommended better training and a more structured approach to prosecuting and preventing slavery.

In April 2017 the [Work and Pensions Committee published a report following its inquiry into victims of modern slavery](#). The Chair, Frank Field MP, announcing the report, said there was “a shocking lack of awareness and co-ordination in the front line services dealing with modern slavery” and called for an “urgent review” to ensure some minimum safeguards for victims were in place.

On 30 July 2018, the Home Office announced plans to launch an independent review of the Modern Slavery Act 2015. The review is being led by Frank Field MP, Maria Miller MP and Baroness Butler-Sloss. The aim of the Review is to understand and report on how the 2015 Act is operating in practice, how effective it is, and whether the legal framework for tackling modern slavery is fit for purpose now and in the future. The Review is due to report to the Home Secretary before the end of March 2019.

# 1. News and blogs

UK Human Rights Blog

[Human trafficking: is our system for combating it fit for purpose?](#)

28 September 2018

Home Office

[UK agrees principles for tackling modern slavery in supply chains](#)

25 September 2018

Rights Info

[UK child trafficking cases more than double over last year](#)

11 September 2018

Independent Anti-Slavery Commissioner

[New report finds low compliance with Modern Slavery Act in UK agricultural sector](#)

15 August 2018

Recruiter

[Home Office launches review into modern slavery and labour exploitation](#)

7 August 2018

Out-Law.com (Pinsent Masons)

[Review of UK modern slavery laws commissioned](#)

31 July 2018

Gangmasters and Labour Abuse Authority

[Government commissions independent review of Modern Slavery Act 2015](#)

30 July 2018

Home Office

[Government commissions independent review of the Modern Slavery Act 2015](#)

30 July 2018

Home Office in the media

[Crime Minister's statement on independent review of the Modern Slavery Act 2015](#)

30 July 2018

Independent Anti-Slavery Commissioner

[Joint statement calls on Government for central modern slavery registry](#)

3 July 2018

Independent Anti-Slavery Commissioner

[Government must use the power of public procurement to tackle slavery](#)

18 June 2018

Independent Anti-Slavery Commissioner

[Eradicating recruitment fees is crucial for tackling modern slavery](#)

11 June 2018

Archbishop of Canterbury

[Archbishop pays tribute to "outstanding leadership" of UK Anti-Slavery Commissioner](#)

17 May 2018

Catholic Church in England and Wales

[UK's first Independent Anti-Slavery Commissioner resigns - Cardinal Nichols praises Kevin Hyland](#)

17 May 2018

Focus on Labour Exploitation

[Inaugural UK Anti-Slavery Commissioner resigns, questioning independence of the role](#)

17 May 2018

Independent Anti-Slavery Commissioner

[Ending my tenure as Independent Anti-Slavery Commissioner](#)

17 May 2018

## 1.1 Press

BBC News

['County lines' drug dealer who trafficked children jailed](#)

4 October 2018

Independent

[Brexit plan to bring in more non-EU workers could lead to 'sharp rise' in exploitation, warns charity](#)

18 September 2018

Independent

[Labour accuses Theresa May of 'hollow' modern slavery pledges](#)

29 August 2018

Financial Times

[Modern slavery campaigners turn to online exploitation](#)

28 August 2018

Telegraph

[How your high street manicure or hair cut could be funding modern slavery](#)

11 August 2018

BBC news

[Modern slavery law review as gangs 'evolve'](#)

30 July 2018

Guardian

[Modern-day slavery costs UK up to £4.3bn a year, says Home Office](#)

30 July 2018

Evening Standard

[Victims of sex slavery suffering hundreds of rapes and assaults, new figures reveal](#)

30 July 2018

Guardian

[Home Office under fire over 'muddled' strategy on slavery that fails victims](#)

23 May 2018

Independent

[UK's first Independent Anti-Slavery Commissioner resigns citing government interference](#)

17 May 2018

Guardian

[Home Office has no way of monitoring success of modern slavery crackdown](#)

2 May 2018

Guardian

[Modern slavery in the UK is inflicting misery under our noses every day](#)

Abda Khan 20 September 2017

Guardian

[Latest figures reveal more than 40 million people are living in slavery](#)

19 September 2017

## 2. Parliamentary Business

### 2.1 Ministerial Statements

[Independent Review of the Modern Slavery Act 2015](#)

**Victoria Atkins (The Parliamentary Under Secretary of State for Crime, Safeguarding and Vulnerability):**

On 30 July, the Home Office announced plans to launch an independent review of the Modern Slavery Act 2015. The review is being led by the rt hon. Frank Field MP, the rt hon. Maria Miller MP and the rt hon. Baroness Butler-Sloss.

The introduction of the Modern Slavery Act 2015, the first legislation of its kind in the world, has helped to transform the UK's response to modern slavery. More victims are being identified and supported; more offenders are being prosecuted; and thousands of companies have published statements setting out the steps they have taken to tackle modern slavery in their supply chains. The UK is determined to lead global efforts to tackle this barbaric crime and as the methods used by criminals to exploit vulnerable people evolve, and our understanding of this crime evolves, it is important to consider our legislative approach.

The aim of the Review is to understand and report on how the 2015 Act is operating in practice, how effective it is, and whether the legal framework for tackling modern slavery is fit for purpose now and in the future. In doing so, the Review will need to take into account any significant economic, social and technological changes since the 2015 act was passed.

The following provisions of the Act will be considered in the Review:

- section 3 on the meaning of exploitation
- sections 8-10 on reparation orders
- sections 40 to 44 on the Independent Anti-Slavery Commissioner
- section 45 on the statutory defence
- section 48 on independent child trafficking advocates
- section 54 on transparency in supply chains

The Review will gather evidence and seek views from relevant stakeholders across a range of sectors and interest groups. The findings and recommendations of the Review will represent the views of the reviewers, who will be supported by a secretariat seconded from the Home Office.

The Review will aim to report to the Home Secretary before the end of March 2019. Following approval, the Home Secretary will lay the report in Parliament.

A copy of the Review's terms of reference will be placed in the House Library and are available on [www.gov.uk](http://www.gov.uk).

5 September 2018 | Written statement | HCWS 935

### Safeguarding Announcement

#### **Robert Goodwill (The Minister of State for Children and Families):**

I am pleased to publish this statement about the safeguarding of unaccompanied asylum-seeking and refugee children jointly with my Right Honourable Friend Brandon Lewis MP, Home Office Minister of State (Immigration and International).

Today the Department for Education and the Home Office are publishing three documents relating to the care of Unaccompanied Asylum Seeking and Refugee Children.

#### **The new safeguarding strategy for unaccompanied asylum seeking and refugee children**

This new safeguarding strategy sets out the additional actions the Government will take to safeguard and promote the welfare of unaccompanied asylum seeking and refugee children that recognises the increasing numbers and specific needs of these children in the UK.

The strategy includes commitments to:

- increase placement capacity, improve the skills and confidence of foster carers, and review funding available to local authorities;
- improve information and advice available to children and families who are reunited through the Dublin Regulation;
- support professionals caring and working with these children through revised guidance, information and resources;
- improve processes for transfer of children from Europe and supporting local authorities to assess and provide support for both them and their families.

Alongside the safeguarding strategy, we are publishing two related documents: the Government's response to the consultation to revise the statutory guidance; and the updated guidance, now called: Care of unaccompanied migrant children and child victims of modern slavery, for local authorities on the care of unaccompanied asylum seeking and trafficked children - first published in 2014. This updated guidance acknowledges the safeguarding challenges that local authorities and partners continue to deal with to give these children stability. I will place a copy of these documents in the House Libraries.

Events around the recent migration crisis have meant that it was necessary to update the guidance to be of maximum use to local authorities who are caring for a bigger and more varied cohort of children. A number of respondents during the public consultation requested that there should also be further recognition of the needs and vulnerabilities specific to unaccompanied children and the measures required to keep them safe and the guidance has been expanded accordingly. The updated statutory guidance also reflects the



legislative developments such as the Modern Slavery Act 2015, and policy developments such as the National Transfer Scheme for unaccompanied asylum seeking children.

We would like to take this opportunity to thank all the local authorities, non-governmental organisations and carers who have helped us develop the safeguarding strategy. They will play an integral part in delivering its commitments and we continue to be immensely grateful.

We would also like to express our deep thanks and gratitude to Edward Timpson for all of his work supporting vulnerable children. We are pleased that we can fulfil the commitment to publish this strategy, set out in a joint Written Ministerial Statement in November 2016, in our new roles as Minister of State for Children and Families and Minister of State (Immigration and International).

[UASC Safeguarding Strategy 2017](#) (PDF Document, 612.43 KB)

[UASC Statutory Guidance Gov. Consultation Response](#) (PDF Document, 423.11 KB)

[UASC Statutory Guidance 2017](#) (PDF Document, 667.65 KB)

**1 November 2017 | Written statement | HCWS 216**

## 2.2 Debates

[Modern Slavery Act 2015](#)

HC Deb 26 October 2017 c479-514

[Modern Slavery \(Victim Support\) Bill \[HL\] 2017-19](#)

Second reading

HL Deb 8 September 2017 c2212-48

## 2.3 Parliamentary Questions

[Human Trafficking: Convictions](#)

**Asked by: Lord Hylton**

To ask Her Majesty's Government what information, if any, they have received from North Africa, the Middle East and Europe about successful prosecutions for offences connected with trafficking in persons; and if none, whether they will call for better intelligence sharing about such crimes.

**Answered by: Lord Keen of Elie | Attorney General**

There is no information held about successful prosecutions for offences connected with trafficking in persons in North Africa, the Middle East and Europe.

However, the UK shares relevant information on organised immigration crime (OIC) with partners in source, transit and destination countries for illegal migration. This takes place both on a bilateral basis and through the European Migrant Smuggling Centre within Europol.

Through the multi-agency Organised Immigration Crime Taskforce, the government is improving the intelligence picture around OIC, modern slavery and human trafficking, undermining the criminal business model and building the capacity of upstream law enforcement partners to tackle the threat.

The police transformation program includes an analytical team, the Joint Slavery and Trafficking Analysis Centre (JSTAC) which is building and developing the strategic intelligence picture by improving data collection and focused analysis of the information gathered. To aid in international dissemination of information, a seconded national expert to Europol to coordinate activity between UK law enforcement and European counterparts during cross-border investigations has been implemented.

**14 September 2018 | Written question | HL 9975**

### [Human Trafficking](#)

**Asked by: Baroness Doocey**

To ask Her Majesty's Government why they have issued instructions for officials to delay consideration of discretionary leave for victims of trafficking until they consider the Court of Appeal judgment in *PK(Ghana) v Secretary of State for the Home Department* [2018] EWCA Civ 98.

**Answered by: Baroness Williams of Trafford | Home Office**

Following the judgment in *PK(Ghana)* officials were instructed to temporarily defer most decisions on whether to grant discretionary leave to remain to trafficking victims. This was to enable new guidance to be prepared that would take account of the findings of the Court.

Grants of discretionary leave continued to be made if it was found that a grant was necessary to enable a trafficking victim to seek compensation through the courts or to assist the police with a criminal investigation or prosecution. Victims also continued to be granted leave if they qualified for refugee status or under other provisions in the Immigration Rules.

The new guidance was published on 8 August 2018 and normal decision making has therefore resumed. The guidance is available on the GOV.UK web-pages at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/732594/dl-for-victims-of-modern-slavery-v1.0ext.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/732594/dl-for-victims-of-modern-slavery-v1.0ext.pdf)

14 September 2018 | Written question | HL 9943

### [Agriculture: Seasonal Workers](#)

**Asked by: Afzal Khan**

To ask the Secretary of State for the Home Department, what steps he plans to take to ensure that the new seasonal workers scheme does not facilitate modern slavery; and what role the (a) modern slavery taskforce and (b) anti-slavery commissioner will have in oversight over that scheme.

**Answered by: Caroline Nokes | Home Office**

Full details of how the seasonal workers pilot will operate will be announced in due course. Ensuring the protection and wellbeing of participating migrant workers is of primary importance. We are working with the Gangmasters and Labour Abuse Authority to ensure that we get this right.

13 September 2018 | Written question | 171481

### [Human Trafficking](#)

**Asked by: Afzal Khan**

To ask the Secretary of State for the Home Department, whether decisions on National Referral Mechanism referrals on behalf of potential victims of trafficking in detention are allocated to a specific team within the UK Competent Authorities.

**Answered by: Caroline Nokes | Home Office**

When referred into the National Referral Mechanism, potential victims of trafficking or modern slavery are considered by one of the UK's competent authorities: the National Crime Agency (NCA), UK Visas & Immigration (UKVI), and Immigration Enforcement (IE) for a very small number of cases.

The consideration of referrals for potential victims of trafficking who are detained and are not UK or EEA nationals is conducted by trained decision makers within UKVI and IE, depending on the nature of the detention. The consideration of referrals for UK and EEA nationals is conducted by the NCA.

13 September 2018 | Written question | 171419

[Slavery: Victims](#)

**Asked by: Stephanie Peacock**

To ask the Secretary of State for Education, what his policy is on the eligibility of survivors of modern slavery for publicly-funded education; what discussions he has had with the Home Secretary on the application of the Immigration Rules to institutions which provide education for survivors of modern slavery.

**Answered by: Nadhim Zahawi | Department for Education**

Under international law, all children have the right to an education. Children and young people who are the survivors of modern slavery will normally be in local authority care while their immigration status is under consideration.

Such 'looked-after children' must be given highest priority for admission to English state-funded schools and young people in this situation are eligible for funding for 16-19 education or training in England.

To meet the eligibility requirements for student support for higher education in England, a student should normally be resident in England, have 'settled' status or a recognised connection with the UK and have been a resident of the UK and Islands (Channel Islands and the Isle of Man) for the three years prior at the start of the course. Exceptions are made for students who have been granted refugee status following a successful asylum claim, including the proportion of that group who have been confirmed as victims of modern slavery.

My right hon. Friend, the Secretary of State regularly meets Cabinet colleagues to discuss a variety of issues.

**11 September 2018 | Written question | 169676**

[Independent Anti-slavery Commissioner](#)

**Asked by: Stephanie Peacock**

To ask the Secretary of State for the Home Department, what budget is allocated to the Office of the Independent Anti-Slavery Commissioner; and how much of that budget has been spent in the current financial year.

**Answered by: Victoria Atkins | Home Office**

The Independent Anti-Slavery Commissioner's budget for 2018/19 is £575,000. Expenditure for this financial year to the end of August 2018 is £270,497.

**10 September 2018 | Written question | 170396**

[Modern Slavery: Prosecutions](#)

Oral questions

HC Deb 6 September 2018 c322-4

Including:

**Asked by: Kerry McCarthy**

I welcome the fact that the number of prosecutions has gone up, I think by 27%. Is the Solicitor General having discussions about how we treat young people who are involved in county lines? Will they be treated as criminals, or as the victims of, in many cases, modern slavery?

**Answered by: Robert Buckland | Solicitor General**

I know the hon. Lady takes a keen interest in this issue through her all-party group and in other work, and she hits the nail on the head when it comes to the difficult decisions that are sometimes made. I assure her that the typology on county lines that the CPS published only a few months ago has a particular focus on such issues. There will be times when a decision to prosecute must be made, but many of the people involved—particularly young people—are victims who need support.

**Asked by: John Lamont**

In Scotland the police are alarmed by the rise in reports of potential human trafficking offences, and those individuals and gangs do not stop at the border. What discussions is the Solicitor General having with his counterparts north of the border to ensure that there is a UK-wide approach to this issue?

**Answered by: Robert Buckland | Solicitor General**

As a border MP, my hon. Friend knows the issue acutely. In February 2016 the Directors of Public Prosecutions for England and Wales and for Northern Ireland, and indeed the Lord Advocate for Scotland, met and pledged their commitment to providing a whole-of-UK approach to human trafficking and slavery. As a result, quarterly meetings are held at official level between the jurisdictions, and there is a regular exchange of information and best practice to make sure we get it right.

### 3. Organisations and further reading

[Modern Slavery Act 2015: recent developments](#), Commons Library Briefing Paper CBP-7656, 25 October 2017

Home Office, [Modern Slavery Act 2015 independent review: terms of reference](#), 17 August 2018

Home Office, [Economic and social costs of modern slavery](#), 17 August 2018

HM Government; Northern Ireland Executive; Scottish Government; Welsh Government, [2017 UK annual report on modern slavery](#), October 2017

#### [Independent Anti-Slavery Commissioner](#)

Independent Anti-Slavery Commissioner, [Annual report 2016-2017](#), October 2017

Caroline Haughey, [Modern Slavery Act 2015 review: one year on](#), Home Office, 31 July 2016

An independent review into the effectiveness of the criminal justice provisions in the Modern Slavery Act 2015 one year after coming into effect, commissioned by the Prime Minister in her previous role as Home Secretary.

UK Visas and Immigration; Immigration Enforcement, [Operational guidance: discretionary leave for victims of modern slavery](#), 10 September 2018

#### **Parliament**

Home Affairs Committee, [Modern slavery inquiry](#)

Home Affairs Committee, [Call for written evidence into modern slavery](#), 18 July 2018

Public Accounts Committee, [Reducing modern slavery](#), HC 886, 2 May 2018

National Audit Office, [Reducing modern slavery](#), HC 630, 15 December 2017

Work and Pensions Committee, ["Inexcusable" lack of support for modern slavery victims](#), 30 April 2017

Work and Pensions Committee, [Victims of modern slavery](#), HC 803, 30 April 2017

### **Bills before Parliament 2017-19**

[Modern Slavery \(Transparency in Supply Chains\) Bill \[HL\] 2017-19](#)

[Modern Slavery \(Victim Support\) Bill \[HL\] 2017-19](#)

### **All-Party Parliamentary Group**

Register Of All-Party Parliamentary Groups, [APPG on Human Trafficking and Modern Slavery](#)

Human Trafficking Foundation, [APPG on Human Trafficking and Modern Slavery](#)

### **Organisations and research reports**

Anti-Slavery International, [Anti-Trafficking Monitoring Group](#)

Business and Human Rights Resource Centre, [Modern Slavery Registry](#)

Business and Human Rights Resource Centre, [First year of FTSE 100 reports under the UK Modern Slavery Act: towards elimination?](#), September 2017

[Walk Free Foundation](#)

University of Nottingham Rights Lab, [Modern slavery meaning and measurement: new approaches](#), PaCCS [Partnership for Conflict, Crime and Security Research] Policy Briefing, 2018

Independent Anti-Slavery Commissioner and University of Nottingham Rights Lab, [Collaborating for freedom: anti-slavery partnerships in the UK](#), 2017

Independent Anti-Slavery Commissioner and University of Nottingham Rights Lab, [Researching modern slavery in the UK: a survey of research about UK modern slavery and by UK-based researchers](#), 2018

Independent Anti-Slavery Commissioner and University of Nottingham Rights Lab, [Modern slavery research: the UK picture](#), 2018

Independent Anti-Slavery Commissioner and University of Nottingham Rights Lab, [Agriculture and Modern Slavery Act reporting: poor performance despite high risks](#), 2018



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