



Modern Day Slavery Report

SUMMARY

1.1 This report provides an overview of Modern Slavery and the Derby & Derbyshire response to the Modern Slavery Act 2015.

1.2 Modern Slavery Act 2015

The Modern Slavery Act was passed on March 26th 2015. The Law focuses on tougher punishments for traffickers and better protection of modern slavery victims.

The act gives law enforcement the tools to tackle modern slavery, ensure perpetrators can receive suitably severe punishments for these appalling crimes and enhance support and protection for victims.

RECOMMENDATION

2.1 To consider the information provided and make any comments and relevant recommendations on the content.

REASONS FOR RECOMMENDATION

3.1 To ensure that Board members are kept updated on the development of the Modern Slavery Partnership and recent legislative changes.

3.2 To ensure that the Board has sufficient opportunity to make any comments or recommendations in relation to the two areas discussed.

SUPPORTING INFORMATION

4.1 What Is Modern Slavery?

Slavery did not end with abolition in the 19th century. The practice still continues today in one form or another in every country in the world. Modern Slavery encompasses Slavery, Servitude, Forced and compulsory labour, Human trafficking and Exploitation. It affects people of all ages, gender and races - women forced into prostitution, children and adults forced to work in agriculture, domestic work, or factories and sweatshops producing goods, forced marriage - the illegal practice still

afflicts the modern world.

According to the International Labour Organisation around 21 million men, women and children around the world are in a form of slavery.

There are many different characteristics that distinguish slavery from other human rights violations, however only one needs to be present for slavery to exist. 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 of movement.

Human trafficking is a form of modern slavery, where an individual is moved or recruited using threats, deception, abduction or other means, for the purposes of exploitation. Article 3 of the Palermo Protocol defines human trafficking:

"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.

It covers not only the trafficking of individuals from foreign countries in or out of the UK, but also covers individuals who have been trafficked domestically – be they of foreign nationality or UK citizens.

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... "

There are differences between 'people smuggling' and 'human trafficking', people smuggling is characterised by the consent by the customer and the smuggler and a contractual agreement that terminates upon arrival at the destination. Victims of human trafficking are not consenting and are subject to continual exploitation on arrival.

- 4.2 Trafficking and Slavery take advantage of vulnerable adults and children in our communities. Victims endure experiences that are horrifying in their inhumanity. Protecting vulnerable people is a key aspiration of the City's Community Cohesion Charter and Cohesion & Integration Plan.

Victims of modern slavery are not consenting and are subject to continual exploitation. There are three essential elements, (economic) exploitation, the lack of human rights and control of one person over another by the prospect or reality of violence. The exploitation of these victims can take many forms:

- Sexual exploitation
 - People coerced, forced or intimidated into providing services of a sexual nature.
- Domestic servitude
 - People who live with a family, working as a domestic servant or nanny with little freedom and/or no payment.
- Forced labour
 - This could be people working in factories or on farms, or fast food restaurants. Often involves the trafficker withholding wages or paying a reduced wage to the victim
- Benefit fraud
 - Fraudulent and forced claims whereby the trafficker controls the payments received.
- Forced street crime
 - People begging or committing pickpocket or robbery offences, typically in public places or on public transport.
- Cannabis cultivation
 - People forced to work in houses growing cannabis.
- Organ trafficking
 - People who are trafficked so that their organs can be harvested, typically kidneys.

4.3 The scale of modern slavery - National

There are challenges associated with measuring the scale of modern slavery in the UK. Victims of modern slavery tend to be controlled and hidden away or may not come forward due to feelings of fear. Some victims may not be identified by those who encounter them. Worryingly, others may not view themselves as victims of exploitation and are content with their circumstances as an improvement upon previous living conditions/quality of life.

The two most reliable sources of data are

- The National Referral Mechanism - NRM, a support process to which a range of organisations refer potential victims
- The Annual Strategic Assessments published by the National Crime Agency - NCA .

Both data sources show a consistent and sustained increase in the detection of modern slavery in the UK since data was first collected. The NRM process and specialist support was initially established to deal solely with victims of human trafficking. In July 2015, the Government contract for adult victim care in England and Wales was extended to cover victims of all forms of modern slavery, in line with the recommendations of a review of the NRM system. Since the scope of the contract was only extended recently, the data below only covers victims of human trafficking.

The table below shows that the number of NRM referrals has increased every year since 2011. This cannot be taken to indicate whether the prevalence of modern slavery is increasing, decreasing or remaining static, and the figures are highly likely to reflect increased reporting as a result of the increasing public profile of modern slavery.

| Year | 2011 | 2012 | 2013 | 2014 |
|-----------------------------------|-------|-------|-------|-------|
| Total referrals | 946 | 1,186 | 1,746 | 2,340 |
| UKHTC Strategic Assessment | 2,077 | 2,255 | 2,744 | 3,309 |

The UKHTC Strategic Assessment combines NRM referrals with intelligence reporting from other NGOs and public bodies, including local police forces, to provide a wider view of the potential scale and extent of human trafficking in the UK. This includes cases where the potential victim did not consent to be referred to the NRM.

Based upon analysis, the Home Office has estimated that in 2013 there were between 10,000 – 13,000 potential victims of modern slavery in the UK. Whilst this figure can only be an estimate, it is consistent with the view that the scale of modern slavery in the UK is significant and demands a comprehensive strategic response.

To address this problem across the UK, the Modern Slavery Act 2015 has introduced a ‘duty to notify’ which requires specified public bodies to report all potential cases of modern slavery to the Home Office to help improve the picture of modern slavery in the UK. Adult victims will be able to remain totally anonymous if they wish, so that the Government can still collect data in those cases where the victim does not want to engage with the authorities or receive any support.

4.4 **Exploitation Type and Country of origin of potential victims**

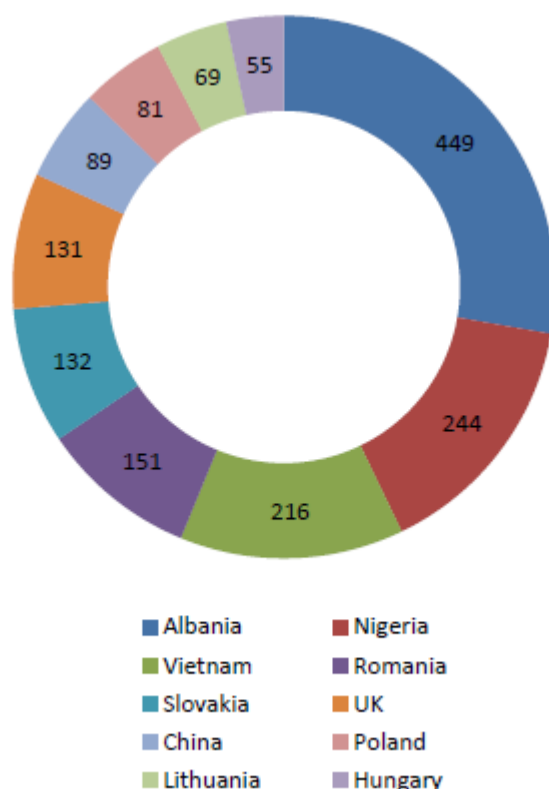
The following people may be particularly vulnerable to the risks of trafficking:

- unaccompanied, internally displaced children
- children accompanied by an adult who is not their relative or legal guardian
- young girls and women
- former victims of trafficking
- vulnerable adults - Traffickers can select victims from amongst vulnerable groups, for example, people with:
 - substance misuse issues
 - debts, in country of origin or as a result of their illegal migration
 - mental health problems
 - learning disabilities

A common factor of trafficking is that the trafficker will present a scenario in which the potential victim can improve the quality of their life and that of their family. Vulnerable people are often targeted as being easier to coerce into a situation where they can be manipulated.

Among potential adult victims, the single most common exploitation type was sexual exploitation - 40% - followed by labour exploitation - 35%, which includes exploitation for criminal purposes. Among potential child victims, the single most common identified exploitation type was labour exploitation - 34%. The chart below gives the data for reported adult and child cases broken down by reported exploitation type.

In 2014, potential victims of trafficking were reported to originate from 96 countries. The most common country of origin for both adult and child potential victims was Albania - 20%. The UK was the sixth most common country of origin overall - 9th for adults and 3rd for children - highlighting that internal trafficking remains a major issue.



Top ten source countries for 2014 based on referrals to the NRM

4.5 The scale of modern slavery – Derby & Derbyshire

Although the scale of Modern Slavery in Derby and Derbyshire is still being mapped and awareness of this crime is still relatively low, a number of operations have taken place, with a total of 106 victims rescued – 86 adults/20 children:

- Op Retriever - Trafficking for child sexual exploitation
- Op Kern - Trafficking for sexual exploitation
- Op Vera – Trafficking for sexual exploitation
- Op Attwood – Labour exploitation and Benefit fraud
- Op Barmouth – Labour exploitation around food processing and warehousing
- Op Broadcast - Trafficking for sexual exploitation

Car washes, forced labour and prostitution continue to be key areas of exploitation in the city and county. The nationalities of victims are primarily Albanian; Bulgarian; Czech; Latvian; Polish; Romanian; Slovakian and Vietnamese

4.6 Derby & Derbyshire Modern Slavery Partnership

In response to the growing awareness of this crime and evidence of Modern Slavery in the City, the Derby & Derbyshire Modern Day Slavery Partnership was established in January 2015. The aim of the partnership is to support and enable the discovery of and response to incidents of human trafficking & modern slavery through a victim-centred, multidisciplinary, and collaborative community effort. The Derby & Derbyshire Modern Slavery Partnership was established in January 2015 and includes partners from the public, faith, voluntary and community sectors.

Actions under Pursue and Prevent are intended to reduce the threat from modern

slavery crime through disruption and deterrence. Actions taken under Protect and Prepare are intended to reduce overall vulnerability to modern slavery, through protecting vulnerable people, raising awareness and resilience and improving victim identification and support.

Partnership Members:

- Baltic States Community Group
- Bishop of Derby's Office
- British Red Cross
- Dept. for Work and Pensions
- Derby City Council
- Derby Homes
- Derby Hospitals NHSFT
- Derbyshire Constabulary
- Derbyshire County Council
- Derbyshire Fire and Rescue
- Gang Masters Licensing Authority
- Growing Communities Together
- HM Revenue and Customs
- Immigration Enforcement
- Multi Faith Centre
- Roma Community Care
- Safe and Sound
- Safeguarding Boards
- Salvation Army
- University of Derby

4.7 **Key Actions for the Derby & Derbyshire Modern Slavery Partnership**

The Partnership focuses activities on four strategic themes in line with the Governments Modern Slavery Strategy:

- PURSUE – Prosecuting and disrupting individuals and groups responsible for modern slavery
- PREVENT – Preventing people from engaging in modern slavery
- PROTECT – Strengthening safeguards against modern slavery by protecting vulnerable people from exploitation and increasing awareness of and resilience against this crime
- PREPARE – Reducing the harm caused by modern slavery through improved victim identification and enhanced support

An Action Plan has been agreed under the four strategic themes and priority activity focuses on:

1. Risk & Threat Assessment of the nature and types of slavery across the city and county
2. Training and awareness tailored to First Responders, faith, community and voluntary sector groups, homelessness charities/agencies
3. Development of online training and resources
4. A communications campaign to improve both public and private sector awareness of the signs of modern slavery.
5. Development of a Practical Guide for frontline staff
6. Pre NRM support covering emotional, social care and safe accommodation needs
7. Multi-agency task force to facilitate investigations and prosecutions

OTHER OPTIONS CONSIDERED

5.1 Do nothing. To do nothing risks this crime going undetected and failing to fulfil the requirements of the Duty to Notify

This report has been approved by the following officers:

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| Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s) | John Tomlinson |
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| For more information contact: Background papers: List of appendices: | Pop Gill 01332 643044 purjinder.gill@derby.gov.uk None Appendix 1 – Implications |
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| IMPLICATIONS |
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Financial and Value for Money

- 1.1 None arising from this report

Legal**2.1 Modern Slavery Act 2015**

The Modern Slavery Act was passed on March 26th 2015. The act gives law enforcement the tools to tackle modern slavery, ensure perpetrators can receive suitably severe punishments for these appalling crimes and enhance support and protection for victims.

2.2 Section 52 of the Modern Slavery Act 2015 - Duty to Notify

On 01 November 2015, the “duty to notify”, set out in Section 52 of the Modern Slavery Act 2015, came into force. The duty requires public authorities to notify the government where they have reasonable grounds to believe that a person may be a victim of slavery or human trafficking.

The duty applies to the police, local authorities, the National Crime Agency, the Gangmasters Licensing Authority and UK Visas and Immigration, Immigration Enforcement and Border Force staff.

3.3 The Care Act 2014

Local Authorities must act where it has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there) - (a) has needs for care and support (whether or not the authority is meeting any of those needs), (b) is experiencing, or is at risk of, abuse or neglect, and (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Personnel

- 3.1 There are no implications arising directly from this report

IT

- 4.1 None directly arising from this report.

Equalities Impact

- 5.1 Effective scrutiny benefits all Derby people and the very nature of the Board ensures that it looks in depth at equality in all its investigations.

Health and Safety

6.1 None directly arising from this report.

Environmental Sustainability

7.1 None directly arising from this report.

Property and Asset Management

8.1 None directly arising from this report.

Risk Management

9.1 None directly arising from this report.

Corporate objectives and priorities for change

- 10.1 This report contributes to the following Council objectives:
- Feeling safe and being safe.
 - A strong community.
 - Good health and well-being.