

**DATA DENIAL
THREATENS**

**HOW DATA ~~DENIAL~~
THREATENS THE**

FIGHT AGAINST

SLAVERY

AFTER EXPLOITATION

27 SEPTEMBER 2020



**“THIS IS VERY MUCH A HIDDEN CRIME AND
WE NEED TO GET IT OUT IN THE OPEN”**

– Former Modern Slavery Minister, Karen Bradley (2014)¹.

**“THERE ARE NO OFFICIAL STATISTICS ON THE
NUMBER OF HUMAN TRAFFICKING VICTIMS WHO
ENTER IMMIGRATION DETENTION.**

**THE GOVERNMENT HAS SAID THAT... IT IS
IMPOSSIBLE TO DISTINGUISH BETWEEN THOSE
WHO HAVE AND HAVE NOT SPENT TIME IN
IMMIGRATION DETENTION.”**

*– House of Commons Debate Pack: Immigration Detention
of Survivors of Trafficking and Modern Slavery (2019)².*

¹ BBC News, (2014). *Slavery levels in UK 'higher than thought'*. Last accessed 20 September 2020: <https://www.bbc.co.uk/news/uk-30255084>

² Wilkins, H., Dawson, J., Lalic, M., (2019). *Immigration detention of survivors of trafficking and modern slavery*, House of Commons Library. Last accessed 20 September 2020: <https://commonslibrary.parliament.uk/research-briefings/cdp-2019-0185>



EXECUTIVE SUMMARY

Since the passage of the Modern Slavery Act 2015, the UK Government has announced various funding streams in recognition of the role that research can play in the fight against slavery. A proportion of the £6 million Modern Slavery Innovation Fund, announced a year after the Act came into force, was apportioned to “*crucial research into this global issue*”³. Meanwhile, the 2019 launch of the Policy and Evidence Centre (PEC) for Modern Slavery carries the purported aim of bringing together “*academics, policymakers, businesses, civil society and the public on a scale not seen before in the UK to solve this global challenge*”⁴. In recognition of the ‘secretive’ nature of this crime, former Prime Minister Theresa May posited that the PEC would help identify the scale of slavery and survivors’ needs. Positioning her administration as one committed to evidence building, May told the press:

*“As both Home Secretary and Prime Minister I have endeavoured to shine a light on this hidden crime.”*⁵

That same week, the Government came under fire after it transpired that data on the detention and deportation of trafficking victims was withheld from the former Chair of the Work and Pensions Select Committee, Frank Field MP. After Exploitation’s launch report was widely-publicised, as it catalogued the detention of 507 potential trafficking victims and numerous deportations of throughout 2018^{6, 7, 8}. Not only were vulnerable victims of crime found to be at risk of immigration reprisals, the report also proved that Government has easy access to the modern slavery figures it previously denied holding⁹. The report was quickly picked up by MPs who had been refused similar data, first during a Westminster Hall debate on the subject tabled by Jess Philips MP and shortly after via an Urgent Question tabled by then-Shadow Home Secretary Diane Abbott¹⁰.

³ Gov.UK (2016). *UK gives £6 million boost to global slavery battle*. Last accessed 12 August 2020: <https://www.gov.uk/government/news/uk-gives-6-million-boost-to-global-slavery-battle>

⁴ Modern Slavery Policy and Evidence Centre (2020). *About Us*. Last accessed 11 September 2020: <https://modernslaverypec.org/about-us>

⁵ UKRI (2019). *Prime Minister announces cutting-edge modern slavery research centre*, last accessed 11 September 2020: <https://ahrc.ukri.org/newsevents/news/prime-minister-announces-cutting-edge-modern-slavery-research-centre/>

⁶ Mee, E., (2019). *Hundreds of trafficking victims held in immigration detention centres*, Sky News. Last accessed 1 September 2020: <https://news.sky.com/story/hundreds-of-trafficking-victims-held-in-immigration-detention-centres-11759284>

⁷ Taylor, D., (2019). *More than 500 victims of trafficking detained in 2018, UK study finds*. The Guardian. Last accessed 1 September 2020: <https://www.theguardian.com/law/2019/jul/09/more-than-500-victims-of-trafficking-detained-in-2018-uk-study-finds>

⁸ Bulman, M., (2019) *Home Office accused of covering up plight of hundreds of trafficking victims wrongly detained*. The Independent. Last accessed 1 September 2020: <https://www.independent.co.uk/news/uk/home-news/home-office-modern-slavery-trafficking-victims-immigration-detention-detained-foi-data-a9007251.html>

⁹ Esslemont, M., (2019). *Supported or Deported? Understanding the deportation and detention data held on human trafficking and slavery*, After Exploitation. Last accessed 1 September 2020: <https://afterexploitation.com/reports/>

¹⁰ Westminster Hall Debate. *Immigration Detention: Trafficking and Modern Slavery*. 9 July 2019, Vol 663. Last accessed 1 September 2020: <https://bit.ly/2G2w5mv>



“IF IT WERE NOT FOR AFTER EXPLOITATION, AS MY RIGHT HON FRIEND
THE MEMBER FOR HACKNEY NORTH AND STOKE NEWINGTON (MS ABBOTT) SAID,
WE WOULD HAVE NO IDEA WHAT THOSE NUMBERS WERE .”

- Frank Field, former MP for Birkenhead.
Urgent Question on ‘Immigration Detention: Victims of Modern Slavery’¹¹

Despite wide-scale political recognition of the statistics, and a direct challenge to Theresa May’s track record on slavery in her last Prime Minister’s Questions¹², little has changed one year on. At the time of writing, survivor outcomes are still largely absent from official Government reporting, whilst the scale of state-induced risks to recovery – such as the deportation and detention of victims - remains obscured by FOI and PQ rejections.

Worryingly, rather than committing to increased transparency, the Government is rightly or wrongly perceived by legislators as unsupportive of publishing slavery outcomes. In October 2019, After Exploitation supported in drafting a ground-breaking provision in the Modern Slavery (Victim Support) Bill, which would have mandated the Secretary of State to report on the number of survivors who access support, are deported or detained¹³. However, upon the Bill’s re-tabling, the clause was removed the Bill’s sponsor due to Government “advice”¹⁴.

Lord McColl of Dulwich
in written correspondence
to After Exploitation,
18 December 2019.

I want to thank you for your help in contributing the section on Data Reporting to the Modern Slavery (Victim Support) Bill, which was published in October.

It is clear from your research that achieving more accurate reporting on the immigration status of victims will help prevent victims being wrongfully detained and deported.

Nonetheless, I have received advice that to get my Bill accepted by the Government and through Parliament, it must remain as streamlined as possible. This means that I have regrettably removed the data reporting clause from my Bill that will be going forward in the next ballot.

I wanted to write to let you know before the ballot and in doing so want to stress that I think it a very important provision. The only reason why I am removing it is - as I say - that I have been advised it will make the Bill too broad, increasing the chances of it not progressing.

I understand that this will be a frustration to you, as it is to me.

¹¹ Fields, F., (2019). *Immigration Detention: Victims of Modern Slavery*. 17 July 2019. Vol 663. Hansard. Last accessed 1 September 2020: <https://bit.ly/3mS20Kv>

¹² Coaker, V., (2019) Prime Minister’s Questions, 24 July 2019. 12:38:04. Last accessed 1 September 2020: <https://parliamentlive.tv/event/index/f5cde8c8-11c2-457d-8b88-627d8ab4e5fb?in=12:00:35>

¹³ After Exploitation, (2019). *Victim Support (Modern Slavery) Bill: After Exploitation welcomes calls for data transparency*. Last accessed 3 September 2020: <https://afterexploitation.com/2019/10/29/victim-support-modern-slavery-bill-after-exploitation-welcomes-calls-for-data-transparency/>

¹⁴ Full correspondence accessible: https://afterexploitation.files.wordpress.com/2020/09/scan_0005-1.pdf



We are concerned that mandates to release data on slavery outcomes are being perceived as political threats rather than opportunities. After Exploitation holds that releasing data on the detention, deportation, and return of slavery survivors, alongside figures on the numbers accessing statutory support, would fulfil both a moral imperative and a valuable research function. Further, whilst FOI requests have served an important role thus far in holding the Government to account, it should not be up to civil society to make sense of piecemeal FOI data when robust figures, assured to the standard of Official Statistics, could be released by Government for the benefit of researchers.

Additionally, such a reliance on continued FOI investigations by civil society is not sustainable in the fight against labour abuse. After Exploitation notes the significant time that many FOI requests take to fulfil, including the raising of repeated time complaints and appeals processes where agencies refuse to provide data within the legal time limit of 20 working days under the Freedom of Information Act 2000. For example, we received an FOI in June 2020, demonstrating that 1 in 5 (19%) individuals recognised as potential trafficking victims are not referred to support through the National Referral Mechanism (NRM), the UK's framework for identifying and support modern slavery survivors. Whilst this data formed the basis of wide-scale reporting on the issue^{15,16} the FOI itself was provided only after multiple time complaints by the requester, who secured a response more than nine months after the deadline¹⁷. It is not reasonable, nor is should it be necessary, for modern slavery charities to allocate this amount of staff resource to challenge Government over readily-available data.

This briefing identifies at least 25 instances in which data on the immigration status, detention, and return of survivors was wrongly withheld from Members in both the Commons and Lords. We make the case for transparency by setting out modern slavery data 'priorities', outlining the information already referenced by public authorities in more than 100 FOI requests on trafficking submitted by After Exploitation. We recommend that Government commits to data transparency in four areas of modern slavery policy:

- 1 . Immigration insecurity
- 2 . Immigration detention
- 3 . Deportation and voluntary return
- 4 . Support outcomes

This report argues that, in all but the latter area of focus, data is already centrally stored and could be released as national statistics with a cost implication comparable to existing quarterly data on asylum, detention, deportation and other immigration outcomes.

¹⁵ Taylor, D., (2020). *Thousands of potential trafficking victims 'not given vital support'*, The Guardian. <https://www.theguardian.com/uk-news/2020/jun/24/thousands-of-potential-trafficking-victims-not-given-vital-support>

¹⁶ Bulman, M., (2020). *Thousands of suspected trafficking victims 'slipping through the net' when identified by authorities, figures show*, MSN News and The Independent. Last accessed 25 September 2020: <https://www.msn.com/en-gb/news/uknews/thousands-of-suspected-trafficking-victims-slipping-through-net-when-identified-by-authorities-figures-show/ar-BB15T7Hl>

¹⁷ FOI request accessible via What Do They Know: https://www.whatdotheyknow.com/request/ms1_forms



RECOMMENDATIONS

GOVERNMENT

We call on Government to release the following data at regular intervals, in order to improve accountability and outcomes for trafficked people. The following information is already held on the Case Information Database (CID), and can be extracted within 24 hours of staff time:

- **Detention** of potential and recognised trafficking victims
- **Deportation** and **voluntary return** of potential and recognised trafficking victims
- **Immigration outcomes** of survivors living with immigration insecurity

Capturing and releasing the following outcomes should also be explored, urgently:

- **Support** provided or denied to potential and recognised trafficking victims, including safehouse referrals and subsistence
- **Legal aid support** provided to victims and potential victims living with immigration insecurity

LAW ENFORCEMENT

Data sharing

Law enforcement must commit to a sustained 'firewall' preventing the sharing of victims' data for the purposes of immigration enforcement. In cases where victims fear immigration reprisals, the absence of a binding data-sharing assurance may prevent survivors from accessing support or disclosing vital intelligence.

CHARITIES

Freedom of Information

Where charities are refused information on modern slavery via Freedom of Information (FOI) request, which they reasonably believe to be held by a public authority, we encourage them to challenge these rejections. Information on doing so is available on the [Information Commissioner's website](#), and sharing findings via [What Do They Know](#) can allow others in the sector to access a more comprehensive picture of slavery data.

LOCAL AUTHORITIES

More efforts must be made across local government to consistently record both **safeguarding concerns** relating to modern slavery and the **support outcomes** following recognition.



1. IMMIGRATION INSECURITY

BACKGROUND

There are no dedicated citizenship pathways or visas for victims of trafficking, even where the state recognises that an individual has been exploited. More generally, the UK lacks any “*trafficking-specific long-term alternative to deportation for foreign victims*”¹⁸. However, there are some immigration outcomes which may provide victims with varying levels of security.

Firstly, non-EU victims will receive ‘automatic’ consideration for three immigration outcomes (asylum, humanitarian protection, and discretionary leave), once recognised as a trafficking victim. However the framework for identifying and supporting victims, the National Referral Mechanism (NRM), can be difficult to navigate successfully. Potential victims wait an average of 14 months for a final outcome¹⁹ and only 1 in 5 (17%) final decisions granted to non-EU claimants will be successful²⁰. The 8 in 10 (83%) rejected non-EU claimants may be subject to immigration enforcement, and will not be automatically considered for an immigration status. It is unclear how many victims are granted or denied forms of immigration security after exiting the NRM, as no official statistics are published.

Sarah Newton MP, previously Minister for Vulnerability, Safeguarding and Countering Extremism, stated that by introducing a grant of ‘automatic’ Discretionary Leave for confirmed victims, “*abuse of the NRM would increase by people seeking access to benefits*”²¹. However, with no official statistics on the immigration outcomes of modern slavery survivors, it is impossible to judge whether current policy is working in favour of victims.

DATA REFUSALS

Freedom of Information requests by After Exploitation reveal that over 286 immigration outcomes are held centrally on the Home Office’s Case Information Database (CID)²² and these can all be cross-referenced with trafficking data²³. For example, in a sampling exercise by After Exploitation, the Home Office provided data on the detention of ‘failed asylum seekers’ who also received NRM decisions²⁴.

¹⁸ United States Department of State (2018). *2018 Trafficking in Persons Report – United Kingdom*. Last accessed 20 September 2020: <https://www.refworld.org/docid/5b3e0a45a.html>

¹⁹ Home Office (2020). *Modern Slavery: National Referral Mechanism and Duty to Notify Statistics, UK Quarter 2 2020 – April to June*. Table_30. Accessible: <https://www.gov.uk/government/publications/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-quarter-2-2020-april-to-june/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-quarter-2-2020-april-to-june>

²⁰ After Exploitation, (2020). *Analysis: Trafficking decisions on non-EU national’s claims ‘nearly five times more likely’ to be rejected than British claims*. Accessible: <https://afterexploitation.files.wordpress.com/2020/04/after-exploitation-analysis-nrm-statistics-2020.pdf>

²¹ Accessible: <https://www.parliament.uk/globalassets/documents/commons-committees/work-and-pensions/Letter-from-Sarah-Newton-MP-to-Chair-re-modern-slavery-session-17-2-2017.pdf>

²² Accessible: https://www.whatdotheyknow.com/request/immigration_outcomes_held_on_cid

²³ Accessible: https://www.whatdotheyknow.com/request/nature_of_data_held_by_cid

²⁴ Accessible: https://www.whatdotheyknow.com/request/nature_of_data_held_by_cid



This triangulation of three sets of CID data proves that highly detailed information on detention, immigration and slavery can be provided with ease. This evidence is solidified by further correspondence, in which the Home Office confirms that only one central database (CID) is used for storing all “in-country” immigration outcomes²⁵.

However, despite the Government’s well-documented collation of immigration and slavery outcomes in this centralised location, the Government has never released figures on the immigration outcomes of victims. In fact, despite evidence to the contrary, the Government has continued to obscure access to this information when petitioned by members of the public via FOI, or MPs via PQs. One FOI by After Exploitation, requesting the asylum, humanitarian protection and discretionary leave outcomes of victims, was rejected for being “vexatious”²⁶.

Meanwhile, the Government has rejected seven Parliamentary Questions on the immigration outcomes of trafficking survivors since the Modern Slavery Act 2015 was introduced. [Appendix: PQ table]. In 2018, Lord McColl of Dulwich requested Discretionary Leave outcomes of victims between 2009 and 2018, which was rejected on the grounds that the data is “not published”²⁷. In the same year, former MP Frank Field asked for the number of victims who “*did not receive discretionary leave to remain or asylum claim... in the most recent year for which data is available*”, and was informed that the only figures held were released three years ago.²⁸ Further requests for broader immigration outcomes granted to victims, tabled by Kate Green MP²⁹ and former MP Vernon Coaker³⁰ were also rejected on the basis that “*visa information and NRM information are held on separate databases*” *ibid*.

However, subsequent FOI responses received by British Red Cross and Scottish Refugee Council spanning a significant period, between 2015 and 2017, confirm that the aforementioned PQs could have been answered. The figures released as part of the report *Hope For the Future*, illustrate that data on asylum and discretionary leave outcomes were available three years more recently than the information provided to Field. Meanwhile, figures on the number of victims living “without immigration leave” could have been provided to Coaker.³¹ We are concerned that avoidable PQ and FOI rejections are hampering democratic discussions around potential citizenship pathways and immigration options for victims.

RECOMMENDATION

We urge the Government to release data on the immigration outcomes issued to survivors of trafficking. This can be provided as part of the Government’s Annual Modern Slavery Report, or in a disaggregated format within its existing quarterly immigration statistics.

²⁵ Accessible: https://www.whatdotheyknow.com/request/atlas_database_category_fields_r

²⁶ Accessible: https://www.whatdotheyknow.com/request/asylum_dl_and_humanitarian_prote

²⁷ <https://questions-statements.parliament.uk/written-questions/detail/2018-06-28/h19089>

²⁸ <https://questions-statements.parliament.uk/written-questions/detail/2018-11-06/188736>

²⁹ <https://questions-statements.parliament.uk/written-questions/detail/2020-01-30/10372>

³⁰ <https://questions-statements.parliament.uk/written-questions/detail/2019-09-02/284646>

³¹ Featonby, J., Gallagher, J., (2019) *Hope For the Future*, pg 13. British Red Cross. Accessible: <https://www.redcross.org.uk/-/media/documents/about-us/research-publications/human-trafficking-and-modern-slavery/hope-for-the-future.pdf>



2. IMMIGRATION DETENTION

BACKGROUND

Individuals awaiting a decision on an immigration claim may be detained under Immigration Powers in prison-like settings. These locations include Short-Term Holding Facilities, Immigration Removal Centres, and prisons themselves.³²

Where individuals are detained, existing vulnerabilities may be exacerbated. In part, this is due to factors such as poor access to healthcare, insufficient mental health interventions amongst suicidal detainees and patchy legal support within detention settings^{33,34,35, 36,37}. The mental and physical health risk factors associated with detention pose significant threats to individuals already made vulnerable by trafficking, and the risk of suicidal ideation and self harm amongst trafficked people within detention is documented³⁸.

Dr Frank Arnold of Medact explained in an After Exploitation briefing dated 14 February 2020:

“As a doctor I have examined several people who have been trafficked, then arrested and detained for extended periods, and have then very belatedly received reasonable or conclusive grounds decisions by the National Referral Mechanism. Unsurprisingly most displayed strong evidence of traumatisation from the trafficking and persisting exacerbation of PTSD from re-traumatisation.”

*“To take a trafficked person who is no longer under control of their abusive exploiters and subject them to detention is to substitute one form of powerlessness for another.”*³⁹

As well as the broader figures on the numbers of victims and potential victims held in detention, it is clear that data on detention and vulnerability more generally would be relevant to the work of modern slavery scholars. However, despite the Home Office confirming to After Exploitation that it holds data on the prevalence of suicide attempts and deaths in detention⁴⁰, a subsequent request for concrete figures was rejected on the basis of cost⁴¹.

³² Right to Remain (2020). *Toolkit*, accessible: <https://righttoremain.org.uk/toolkit/detention/>

³³ <https://atleu.org.uk/cases/2018/3/27/ms-v-secretary-of-state-for-the-home-department>

³⁴ Lousley, G., et al (2017). *We are still here. Women for Refugee Women*

³⁵ McGinley, A., Trude, A., (2012). *Positive duty of care? The mental health crisis in immigration detention, AVID and BID*

³⁶ Helen Bamber Foundation (2017). *Submission to the 2017 stephen shaw review of welfare in Detention of vulnerable persons*, Helen Bamber Foundation. Last accessed 12 June 2019: <http://www.helenbamber.org/wpcontent/uploads/2018/03/Shaw-Review-II-HBF-SUBMISSION-11.12.17.pdf>

³⁷ Sceats, S., (2015). *Freedom From Torture submission to the Shaw Review, Freedom From Torture*. Last accessed 21 June 2020: [https://www.freedomfromtorture.org/sites/default/files/2019-02/Freedom from Torture submission to the Shaw Review \(June 2015\).pdf](https://www.freedomfromtorture.org/sites/default/files/2019-02/Freedom%20from%20Torture%20submission%20to%20the%20Shaw%20Review%20(June%202015).pdf)

³⁸ Katona, C., Robjant, K., Shapcott, R., Witkin, R., (2015). *Addressing the mental health needs in survivors of modern slavery*, Freedom Fund & Helen Bamber Foundation. Accessible: <https://d1r4q0yivcc7lx.cloudfront.net/uploads/2015-Addressing-the-Mental-Health-Needs-in-Survivors-of-Modern-Slavery.pdf>

³⁹ <https://afterexploitation.com/2020/02/14/1256-potential-trafficking-victims-detained-last-year/>

⁴⁰ Accessible: https://www.whatdotheyknow.com/request/data_held_on_aar

⁴¹ Accessible: https://www.whatdotheyknow.com/request/deaths_self_harm_and_levels_of_v



DATA REFUSALS

On nine occasions since the Modern Slavery Act 2015 was introduced, MPs and Lords have been refused data on the detention of modern slavery survivors [Appendix: PQ table].

Lord McColl of Dulwich⁴², Alex Norris MP⁴³, Chris Ruane MP⁴⁴, David Davis MP⁴⁵, Frank Field MP⁴⁶, Kate Osamor MP⁴⁷, Angela Crawley MP⁴⁸ and Louise Haigh MP⁴⁹ were refused data on the detention of trafficking victims between 1 June 2015 and 25 September 2020. In four of nine recorded PQ rejections relating to immigration detention and slavery, the Government continued to deny data on the basis that it was not held “centrally” [Appendix: PQ table]. We are concerned that this data was refused, given the significant emotional and practical impact detention has on survivors.

After Exploitation’s research reveals that between 2017 and 2019, whilst Parliamentarians were being denied this exact data, the detention of potential victims was rising by 206%⁵⁰:

HOME OFFICE STATISTICS ON THE IMMIGRATION
DETENTION OF INDIVIDUALS WITH NRM DECISIONS

YEAR OF DETENTION	POTENTIAL (positive Reasonable Grounds)	CONFIRMED* (positive Conclusive Grounds)
2017	410	225
2018	914	106
2019	1,256	42
TOTAL	2,580	373
	* Some potential victims will still be awaiting a final decision on their trafficking claim, as the mean waiting time for a conclusive grounds decision is 14 months	

⁴² <https://questions-statements.parliament.uk/written-questions/detail/2020-02-26/hl1944>

⁴³ <https://questions-statements.parliament.uk/written-questions/detail/2019-10-29/7203>

⁴⁴ <https://questions-statements.parliament.uk/written-questions/detail/2019-10-17/1597>

⁴⁵ <https://questions-statements.parliament.uk/written-questions/detail/2019-07-11/276156>

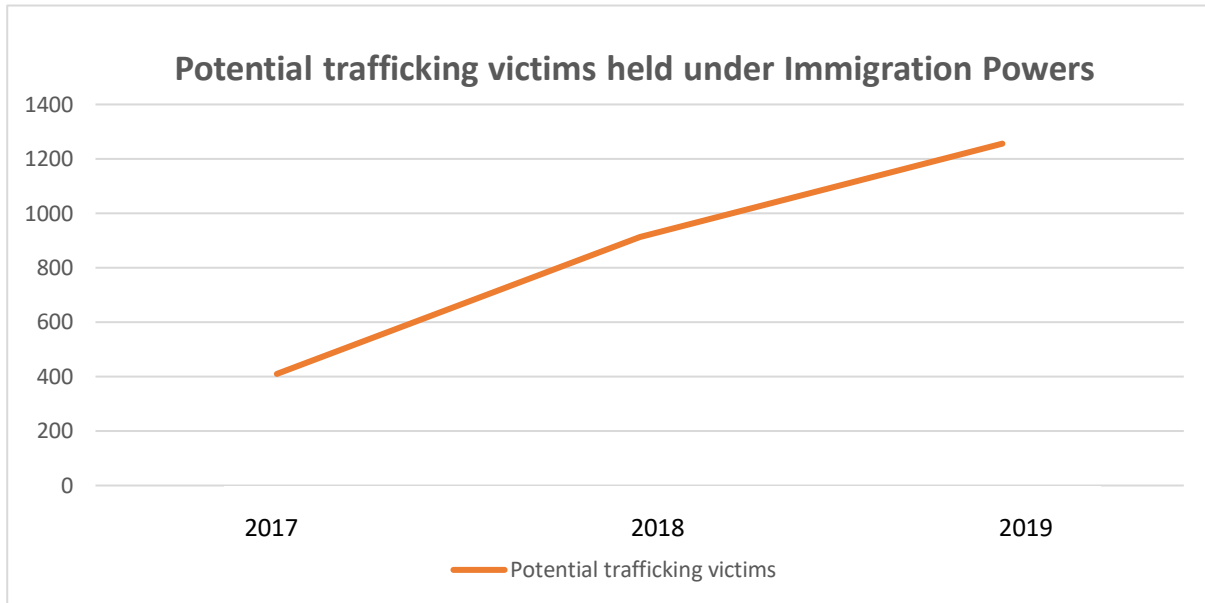
⁴⁶ <https://questions-statements.parliament.uk/written-questions/detail/2019-06-19/266715>

⁴⁷ <https://questions-statements.parliament.uk/written-questions/detail/2015-11-17/16552>

⁴⁸ <https://questions-statements.parliament.uk/written-questions/detail/2019-02-14/221825>

⁴⁹ <https://questions-statements.parliament.uk/written-questions/detail/2015-09-14/10189>

⁵⁰ Accessible: https://www.whatdotheyknow.com/request/nrm_outcomes_after_detention_201



Home Office guidance emphasises that vulnerable adults should only be detained “where immigration consideration outweighs any risk identified” such as cases where individuals may hold ‘foreign national offender’ status⁵¹. However, a subsequent FOI request by After Exploitation found that only 11% (n=54) of potential trafficking victims detained (n=507) and 21% (n=5259) of the total detention population in 2018 (n=24,773) held FNO status⁵². This preliminary data raises serious questions around the ‘immigration considerations’ being used to detain people, as so few are recognised offenders. Even in cases where trafficking victims do hold FNO status, this does not necessarily reflect diminished vulnerability. For example, data on FNO status may reflect crime committed as a result of exploitation, such as forced theft or drug cultivation.

In the absence of official data on the detention of potential and recognised victims, the practice of detaining survivors has grown exponentially each year.

RECOMMENDATION

The Government must improve data reporting on vulnerability and risks in detention amongst the general detainee population. Recorded risk outcomes, such as cases of suicide, suicide attempts, deaths in detention and self harm, should be released publicly. On modern slavery, the Government should report the detention of victims and potential victims as part of the Secretary of State’s Annual Modern Slavery Report, or in a quarterly format similar to the Home Office’s existing detention statistics.

⁵¹ Home Office (2019), *Adults at Risk in Immigration Detention, Version 5.0*. Pg 4, Last accessed 15 September 2020: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/919791/adults-at-risk-policy-v5.0ext.pdf

⁵² https://www.whatdotheyknow.com/request/fnos_in_detention



3 . DEPORTATION + VOLUNTARY RETURN

BACKGROUND

Data on the both the deportation and voluntary return of trafficking victims is crucial, as the threat of immigration enforcement is frequently used by traffickers to manipulate victims. Amongst survivors surveyed in the UK, Belgium, Netherlands, and United States, the fear of deportation is the most commonly cited factor preventing victims from engaging with authorities.⁵³

Deportation may cause anxiety amongst survivors for a number of reasons, such as the threat of re-trafficking upon return.⁵⁴ Equally, fear of corruption amongst local government and law enforcement, upon return, is often well-founded. In a research briefing released by the UNODC, a number of interviewees reported *“being apprehended by officials at the airport and held until they or their families paid a bribe. Sometimes they [victims] were threatened that they would be publicly exposed as being prostitutes.”*⁵⁵ Victims may also face the same push factors which still threaten to increase vulnerability or pose danger upon return, such as abject poverty or persecution on the basis of sexuality, gender, or another protected characteristic⁵⁶.

On voluntary returns of victims, more data is needed in light of ambiguous Government rhetoric. In 2019, a Commons statement confirmed that victims of trafficking may be “deported” if they are “refusing to leave” the UK via the Voluntary Returns Scheme (VRS).⁵⁷ This political approach to voluntary return raises questions around the conditions under which victims are expected to consider voluntary return. In particular, if some victims are being asked to undertake a voluntary return where their only alternative is deportation, this practice should solicit concern around the extent to which this option is truly ‘voluntary’.

Despite the importance of data on both enforced and voluntary return of trafficking victims, no Government statistics are released on these outcomes.

⁵³ Uddin N., (2017). *The Fight Against Modern Slavery and Human Trafficking: The Role of Victim Support in Prosecuting This Crime*. pg 5. Winston Churchill Memorial Trust. Last accessed 22 September 2020: <https://www.wcmt.org.uk/fellows/reports/fight-against-modern-slavery-and-human-trafficking>

⁵⁴ International Organization for Migration (2010). *The Causes and Consequences of Re-trafficking: Evidence from the IOM Human Trafficking Database*. Last accessed 22 September 2020: https://publications.iom.int/system/files/pdf/causes_of_retrafficking.pdf

⁵⁵ United Nations Office on Drugs and Crime (2011). *The Role of Corruption in Trafficking in Persons*, pg 12. Last accessed 14 September 2020: https://www.unodc.org/documents/human-trafficking/2011/Issue_Paper_-_The_Role_of_Corruption_in_Trafficking_in_Persons.pdf

⁵⁶ Adams, C. (2011). *Re-trafficked victims: How a human rights approach can stop the cycle of re-victimization of sex trafficking victims*. George Washington International Law Review

⁵⁷ Nokes, C., (2019). *Immigration Detention: Victims of Modern Slavery*, 17 July 2019, Vol. 663. Hansard. Accessible: <https://bit.ly/2XPZVG2>



However, FOI requests by After Exploitation confirm that both voluntary and enforced returns and trafficking outcomes are held centrally on the CID.^{58, 59} In sampling exercises by After Exploitation, FOI responses document the statistics on voluntary and enforced return, in respect of trafficking and potential trafficking victims, held centrally.

HOME OFFICE STATISTICS ON THE DEPORTATION AND VOLUNTARY RETURN OF INDIVIDUALS WITH NRM DECISIONS (2016-2018)

Demographic	Enforced removal	Voluntary removal
Number of individuals who had a positive Reasonable Grounds (RG) decision before return	8	73
Number of individuals who had a positive Conclusive Grounds (CG) decision before return	30	25

Whilst the data suggests a relatively small proportion of potential and confirmed victims are deported, the use of voluntary return as a ‘stand-in’ for the deportation of victims remains pertinent. In particular, subsequent examination of voluntary returns data by After Exploitation revealed that a majority of potential victims (52%) returning via voluntary return were initially held in immigration detention⁶⁰, leaving charities to question whether such returns may be undertaken by survivors out of desperation rather than as a result of informed consent⁶¹.

DATA REFUSALS

On four separate occasions, MPs and Lords have requested, and been refused, data on the deportation or voluntary return of trafficking victims via Parliamentary Questions [*Appendix: PQ Table*]. This month, a report by the Anti Slavery Commissioner has confirmed additional data on voluntary returns amongst victims, alongside NRM waiting time statistics⁶² previously denied to Yvette Cooper MP in 2018⁶³ and Baroness Hamwee in 2019⁶⁴.

⁵⁸ Accessible: https://www.whatdotheyknow.com/request/voluntary_return_category_fields

⁵⁹ Accessible: https://www.whatdotheyknow.com/request/voluntary_removals_of_potential

⁶⁰ After Exploitation (2019). *Human trafficking: Voluntary returns data*. Accessible: <https://afterexploitation.files.wordpress.com/2019/08/voluntary-trafficking-returns-after-exploitation-pdf>

⁶¹ Guilbert, K., (2019) *Exclusive: UK found sending home dozens of slavery victims despite re-trafficking fears*. Thomson Reuters Foundation. Last accessed 20 September 2020: <https://news.trust.org/item/20190805233940-tryd8/>

⁶² Independent Anti Slavery Commissioner (2020). *IASC Annual Report 2019-2020*. Accessible: https://www.antislaverycommissioner.co.uk/media/1461/ccs207_ccs0520602790-001_iasc_annual-report-2019-2020_e-laying.pdf

⁶³ Accessible: <https://questions-statements.parliament.uk/written-questions/detail/2018-10-23/182690>

⁶⁴ Accessible: <https://questions-statements.parliament.uk/written-questions/detail/2019-03-27/hl14851>



Yet, in spite of the aforementioned evidence, data on voluntary return and deportation continues to be denied in PQ responses. On 5 April 2019, Baroness Hamwee asked for the number of recognised trafficking victims who were deported. This request was also rejected, on the basis that the Home Office “does not collate or publish the data requested”⁶⁵, despite evidence to the contrary obtained by After Exploitation.

As recently as this month, Alex Norris MP was denied data on the use of the VRS by recognised survivors despite the Home Office having provided similar data to After Exploitation. Norris’ request was rejected on the basis that “*the Home Office holds data on those identified as having been trafficked into the UK, but not in a format which can easily be reported.*”⁶⁶

Equally, data on child trafficking and deportation continues to be obscured. On 12 July 2019, Ed Miliband MP asked for data on the number of trafficked children who were deported upon turning 18 years of age. This request was rejected on the basis that “*providing the information requested would therefore require a manual check of individual records which could only be done at disproportionate cost.*”⁶⁷ However, in that same month, an investigation by BuzzFeed found that such data on immigration outcomes a child victims of trafficking could be provided within at least 24 hours of Home Office staff time, after a protracted legal battle over a near-identical FOI⁶⁸.

We are concerned that data on the voluntary return and deportation of trafficking victims, which is could so easily be extracted, continues to be withheld from political stakeholders.

RECOMMENDATION

We urge the Government to release data on the deportation and voluntary return of potential and recognised victims of trafficking. This can be provided as part of the Government’s Annual Modern Slavery Report, or in a quarterly format similar to the Home Office’s immigration statistics.

We also encourage the government to begin exploring ways to capture and report the long-term outcomes of potential and recognised victims accessing the Voluntary Returns Scheme. It is in the public interest to understand the nature of support provided to victims upon return, and in the interest of wider society to understand whether survivors are successfully rebuilding their lives or facing risk upon return.

⁶⁵ Accessible: <https://questions-statements.parliament.uk/written-questions/detail/2019-03-27/hl14852>

⁶⁶ Accessible: <https://questions-statements.parliament.uk/written-questions/detail/2020-09-08/86742>

⁶⁷ <https://questions-statements.parliament.uk/written-questions/detail/2019-07-09/275161>

⁶⁸ Bradley, J., Dugan, E., (2019). *Hundreds Of Child Trafficking Victims Have Been Refused The Right To Stay In The UK*, BuzzFeed. Last accessed 25 September 2020: <https://www.buzzfeed.com/janebradley/child-trafficking-victims-refused-uk>



4 . SUPPORT PROVISIONS

BACKGROUND

Data gathering on the below areas of support provision are worthy of urgent exploration. Whilst the nature of information Government holds on safe housing, local government support, and legal aid allocation is contestable at the time of writing, these areas of focus impact survivor outcomes and are therefore worthy of future exploration.

FURTHER EXPLORATION NEEDED

Safe housing

For many survivors of slavery, safe house access is a vital provision to prevent the homelessness, destitution, and security concerns associated with leaving settings of exploitation. Research by Queen Mary's University found that alternatives to secure safe housing, such as National Asylum Support Service (NASS) accommodation, were *"widely regarded amongst [practitioner] interviewees as unsuitable for vulnerable people who are often subjected to further trauma as a result."*⁶⁹

Despite the importance of access to safe housing, there is no mechanism mandating Government or contractors to report the number of accepted, rejected, or failed safehouse referrals in a detailed format.

Of data that is currently collated by the contractor overseeing safe house provision in the UK, The Salvation Army, some ambiguity persists. For example, in the charity's most recently available report, 935 individuals listed as "eligible" for safe housing are not allocated accommodation due to "no further contact". One possible reason for a "no further contact", outlined in the report footnotes, is that incomplete information may have been provided by a First Responder.⁷⁰ The existence of nearly a thousand "eligible" potential victims, who may be missing out on safe housing due to poor quality referrals, could represent a significant policy challenge. It is vital that Government commits to publishing data on the reasons for rejected referrals, so that political stakeholders, civil society, journalists and researchers can address barriers to safe housing facing trafficking victims.

⁶⁹ Murphy, C., (2018). *A Game of Chance? Long-term support for survivors of modern slavery*, pg 12. St Mary's University Twickenham London. Accessible: <https://www.stmarys.ac.uk/research/centres/modern-slavery/docs/2018-jun-a-game-of-chance.pdf>

⁷⁰ The Salvation Army (2019). *Supporting Victims of Modern Slavery: Year eight report on the Salvation Army's Victim Care and Co-ordination Contract*, pg 17



Local government

The Salvation Army report also highlights that, even where victims have access to some form of advocacy under the Victim Care and Co-ordination Contract, they may still face destitution after exiting the NRM as a result of their immigration status. Many victims of trafficking have No Recourse to Public Funds (NRPF), which makes it impossible to access many of the same benefits or housing entitlements available to UK nationals.⁷¹

In 2019, Salvation Army reported that 94 individuals leaving its service were moved into NGO or Local Authority accommodation, whilst 56 “had not secured accommodation” and would be reliant on services such as “homelessness shelters” and “food banks”^{IBID}. It must be noted that this figure only represents victims who have been placed within safe housing and granted some access to advocacy so the real number of victims reliant on local services is likely to be higher.

Despite the clear role that Local Government is expected to play in addressing destitution upon exit from, or in lieu of, the NRM, there is still a need for consistent Local Government reporting on outcomes of modern slavery safeguarding concerns. This would allow campaigners to understand the potential challenges facing councils where they may struggle to assist trafficked individuals accessing support outside of the NRM.

Legal advice

Under provisions in the Modern Slavery Act 2015⁷² and the Legal Aid, Sentencing and Punishment of Offenders Act 2012⁷³, potential and recognised victims are eligible for certain forms of legal aid, including in cases relating to immigration status. However, as non-EU victims are ‘automatically considered’ for asylum, humanitarian protection and discretionary leave after a positive Conclusive Grounds decision within the NRM, some ambiguity remains as to whether potential victims are eligible for legal aid in immigration cases where automatic consideration has not yet taken place. Clarification was only reached in 2018, when *R LL v Lord Chancellor CO/3581/2017* established that potential trafficking victims of non-EU nationality could access legal aid for supporting with a discretionary leave claim before an NRM decision⁷⁴. However, in the absence of data on legal aid provision, researchers have no way of quantifying the number of victims receiving suitable legal assistance. There is no statutory obligation for First Responders to signpost victims to legal representation, so many survivors eligible for legal aid-funded assistance may not be making use of this provision.

⁷¹ Local Government Association & Independent Anti Slavery Commissioner (2017). *Tackling Modern Slavery: A Council Guide*. Last accessed 25 September 2012: https://www.local.gov.uk/sites/default/files/documents/22.12_Modern_slavery_WEB%20202.pdf

⁷² Accessible: <https://www.legislation.gov.uk/ukpga/2015/30/notes/division/5/5/3>

⁷³ Accessible: <https://www.legislation.gov.uk/ukpga/2012/10/schedule/1/enacted>

⁷⁴ ATLEAU, (2018). *Legal aid and immigration advice for victims of modern slavery*. Last accessed 3 September 2020: <https://atleu.org.uk/news/legalaidimmigrationadvice>



After Exploitation submitted four FOI requests to the Legal Aid Agency to understand the scale of legal aid grants to trafficking victims, but all were rejected on the basis that data is not stored in a reportable format.^{75 76 77 78}. For this reason, it is vital the Government commits to tracking the frequency with which modern slavery survivors are making use of, or missing out on, Legal Aid provisions.

Law enforcement

Second only to Home Office staff, police forces in England and Wales are responsible for the highest number of modern slavery referrals and 'duties to notify' (in which Government is alerted to victims bypassing NRM support)⁷⁹.

It is vital that a firewall is established to prevent victims' data being shared for the purposes of immigration enforcement, such as in cases where potential victims do not engage with the NRM. Data-sharing reform is particularly vital in the fight against slavery, due to dual fear of authorities and immigration enforcement documented amongst trafficked populations⁸⁰. Currently, this fear is well-founded. The UK holds more potential victims, than traffickers, behind bars. Whilst the most recently available three-year average for convictions against traffickers stands at 38 annually⁸¹, the most recent three-year average for the detention of potential victims rests at a 2163% higher rate of 860 annually⁸². In instances where the First Responder in a trafficking case is a law enforcement official, it is vital that victims are able to access specialist independent support at the earliest possible opportunity.

RECOMMENDATIONS

The UK Government must capture and report the number of accepted, rejected, and failed safe house referrals, and encourage standardised local government reporting of modern slavery safeguarding concerns and outcomes. The latter figure could be used by campaigners to understand the challenges facing councils in providing accommodation to trafficking victims unrecognised by the State. Meanwhile, the application, acceptance and rejection rate for legal aid submitted by victims of modern slavery should be recorded by the Legal Aid Agency released. Amongst law enforcement agencies, a 'firewall' preventing the sharing of victims' data for purposes of immigration enforcement should be developed and implemented in order to secure the trust of victims.

⁷⁵ Accessible: <https://www.whatdotheyknow.com/request/employment-law-cases-funded-sinc>

⁷⁶ Accessible: <https://www.whatdotheyknow.com/request/advice-and-assistance-in-respect>

⁷⁷ Accessible: <https://www.whatdotheyknow.com/request/ltr-and-lte-services-offered-sin>

⁷⁸ Accessible: <https://www.whatdotheyknow.com/request/legal-aid-allocation-in-cases-of>

⁷⁹ Home Office (2020). Modern Slavery: National Referral Mechanism and Duty to Notify Statistics, UK Quarter 2 2020 – April to June. Table_30. Accessible: <https://www.gov.uk/government/publications/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-quarter-2-2020-april-to-june/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-quarter-2-2020-april-to-june>

⁸⁰ Farrell, A., Dank, M., de Vries, I., Kafafian, M., Hughes, A., & Lockwood, S. (2019). *Failing victims? Challenges of the police response to human trafficking*. Criminology & Public Policy, Issue 3

⁸¹ Independent Anti Slavery Commissioner (2020). IASC Annual Report 2019-2020. Pg 63. Accessible:

https://www.antislaverycommissioner.co.uk/media/1461/ccs207_ccs0520602790-001_iasc-annual-report-2019-2020_e-laying.pdf

⁸² Accessible: <https://www.whatdotheyknow.com/request/nrm-outcomes-after-detention-201>

**Parliamentary Questions – Rejected requests for modern slavery data**

September 2015 – September 2020

URL	Answer date	Tabled by	Answered by	Category (data requested)	Question	Answer
https://www.parliament.uk/business/publications/written-questions-answers-statements/written-questions-answers/?page=1&max=20&questiontype=AllQuestions&house=commons%2clords&uin=91797	24-Sep-2020	Alex Norris MP (Labour)	Chris Philip MP (Conservative)	Immigration status	To ask the Secretary of State for the Home Department, how many and what proportion of foreign national victims of human trafficking and modern slavery (a) applied for and (b) were granted (i) asylum (ii) humanitarian protection or (iii) Discretionary Leave to Remain in each year from 2016 to 2019 inclusive were EU nationals.	<p>The Home Office does not publish data on how many and what proportion of the victims of human trafficking or modern slavery, and those who are foreign national victims, who were granted asylum, humanitarian protection or discretionary leave for the years 2016 to 2019, as this information is not held in a reportable format. This also includes those who are EU nationals and/or on the grounds of circumstances unconnected to human trafficking or modern slavery.</p> <p>However, The Home Office can state how many people were granted asylum, humanitarian protection or discretionary leave, and can be found at Asy_02a of the published Immigration Statistics:</p> <p>https://www.gov.uk/government/publications/immigration-statistics-year-ending-june-2020/list-of-tables</p>



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HIDDEN FUTURES: HOW DATA DENIAL THREATENS THE FIGHT AGAINST SLAVERY

https://www.theyworkforyou.com/wrans/?id=2020-09-18.91796.h&s=speaker%3A25687#g91796.q0	24-Sep-2020	Alex Norris MP (Labour)	Chris Philip MP (Conservative)	Immigration status, NRM decisions	<p>To ask the Secretary of State for the Home Department, how many and what proportion of the victims of (a) human trafficking or (b) modern slavery who were granted asylum or humanitarian protection in each of (i) 2016, (ii) 2017, (iii) 2018 and (iv) 2019 were granted asylum or humanitarian protection on the grounds of circumstances unconnected to human trafficking or modern slavery.</p>	<p>The Home Office does not publish data on how many and what proportion of the victims of human trafficking or modern slavery, and those who are foreign national victims, who were granted asylum, humanitarian protection or discretionary leave for the years 2016 to 2019, as this information is not held in a reportable format. This also includes those who are EU nationals and/or on the grounds of circumstances unconnected to human trafficking or modern slavery.</p> <p>However, The Home Office can state how many people were granted asylum, humanitarian protection or discretionary leave, and can be found at Asy_02a of the published Immigration Statistics:</p> <p>https://www.gov.uk/government/publications/immigration-statistics-year-ending-june-2020/list-of-tables</p>
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https://questions-statements.parliament.uk/written-questions/detail/2020-09-09/87669	17-Sep-20	Simon Fell MP (Conservative)	Victoria Atkins MP (Conservative)	NRM decisions, NRM appeals	To ask the Secretary of State for the Home Department, what proportion of applications to the National Referral Mechanism received a reasonable grounds decision in each of the last five years following appeal of a negative decision.	Statistics relating to the number of referrals made to the National Referral Mechanism by region is not currently published by the Single Competent Authority. Published statistics include the police force the referral was sent to for investigation and crime recording purposes. Data tables detailing the number of RG decisions made and their outcomes for the last five years can be found here: https://www.gov.uk/government/statistics/national-referral-mechanism-statistics-uk-end-of-year-summary-2019 . The published data details the final outcome of an RG decision and does not take into account any previous decisions that may have been made on a particular case. There is no appeals process for negative RG outcomes, however an individual, or someone acting on their behalf, may request reconsideration of a negative RG decision. Further detail on this can be found in the Modern Slavery Act 2015 – Statutory Guidance for England and Wales v1.02 sections 14.220 - 14.235. All negative decisions are reviewed by a Technical Specialist who is senior to a Decision Maker.
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https://questions-statements.parliament.uk/written-questions/detail/2020-02-26/hl1944	11-Mar-20	Lord McColl of Dulwich (Conservative)	Baroness Williams of Trafford (Conservative)	NRM decisions, Immigration detention	To ask Her Majesty's Government how many victims of human trafficking with a positive (1) reasonable, and (2) conclusive, grounds decision are currently held in immigration detention.	The Home Office does record the number of all individuals referred to the National Referral Mechanism (NRM) this information is published quarterly and can be found at: https://www.gov.uk/government/statistics/national-referral-mechanism-statistics-quarter-3-2019-july-to-september This information does not distinguish between those detained under immigration powers and those living in the community. The reason for this is two-fold, firstly because the NRM referral is not an immigration route by which individuals should regularise their stay in the United Kingdom and secondly, because a person's status in immigration detention is not permanent and can change. The use of immigration detention in all cases is subject to regular reviews and consequently, a change in circumstance may result in a different consideration. It is quite possible that an immigration detainee is referred to the National Referral Mechanism during a detention period and is re-leased into the community at any point during that process. As National Referral Mechanism (NRM) referrals, Reasonable Grounds and Conclusive Grounds decisions are considered separately from immigration enforcement action, there is no central record of those who have received a positive (1) reasonable, and (2) conclusive, grounds decision and are detained under immigration powers. The Home Office therefore does not collate or publish the data requested. Published data on the number individuals held in immigration detention can be found at https://www.gov.uk/government/publications/immigration-statistics-year-ending-december-2018/how-many-people-are-detained-or-returned
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HIDDEN FUTURES: HOW DATA DENIAL THREATENS THE FIGHT AGAINST SLAVERY

https://questions-statements.parliament.uk/written-questions/detail/2020-01-30/10372	11-Feb-20	Kate Green MP (Labour)	Victoria Atkins MP (Conservative)	NRM decisions, Immigration status	To ask the Secretary of State for the Home Department, what proportion of people in the UK on a six month domestic work visa and who entered the National Referral Mechanism received a reasonable grounds decision after their visa expired in the last two years.	<p>The Home Office publishes quarterly statistics regarding the National Referral Mechanism (NRM) which can be found at: https://www.gov.uk/government/statistics/national-referral-mechanism-statistics-quarter-3-2019-july-to-september and the UK Annual Report on Modern Slavery which can be found at: https://www.gov.uk/government/publications/2019-uk-annual-report-on-modern-slavery</p> <p>In addition Home Office statistics on domestic work visas can be found at: https://www.gov.uk/government/collections/migration-statistics Visa information and NRM information are held on separate databases. Cross matching data between the two databases is not straightforward as the two datasets do not contain a common unique identifier.</p>
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<p>https://questions-statements.parliament.uk/written-questions/detail/2019-10-29/7203</p>	<p>04-Nov-19</p>	<p>Alex Norris MP (Labour)</p>	<p>Victoria Atkins MP (Conservative)</p>	<p>NRM decisions, Immigration detention</p>	<p>To ask the Secretary of State for the Home Department, what proportion of National Referral Mechanism referrals receive negative Reasonable Grounds decisions for (a) people in immigration detention and (b) people outside of immigration detention.</p>	<p>The Home Office publishes quarterly statistics regarding the National Referral Mechanism (NRM) which can be found at: https://www.gov.uk/government/statistics/national-referral-mechanism-statistics-quarter-2-2019-april-to-june and the UK Annual Report on Modern Slavery which can be found at: https://www.gov.uk/government/publications/2019-uk-annual-report-on-modern-slavery This information does not distinguish between those detained under immigration powers and those living in the community. The reason for this is two-fold, firstly because the NRM referral is not an immigration route by which individuals should regularise their stay in the United Kingdom and secondly, because a person's status in immigration detention is not permanent and can change. The use of immigration detention in all cases is subject to regular reviews. Requests for reconsideration of negative reasonable grounds decisions are taken in line with the published policy which can be found at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/828756/victims-modern-slavery-competent-auth-v8.0.pdf Where an individual considers that a National Referral Mechanism decision has been made incorrectly, the decision can be challenged by way of Judicial Review. It is not possible to distinguish solely from reportable database fields without a manual review of individual records the number of requests for reconsideration that were rejected because they were not in line with policy, the number of requests for reconsideration that were refused due to insufficient grounds for reconsideration. It is also not possible to distinguish solely from reportable database fields whether a reconsideration case type was the result of a reconsideration request as defined in the published policy, the result of litigation including judicial review or the result of the reconsideration of a suspended case.</p>
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HIDDEN FUTURES: HOW DATA DENIAL THREATENS THE FIGHT AGAINST SLAVERY

https://questions-statements.parliament.uk/written-questions/detail/2019-10-17/1597	25-Oct-19	Chris Ruane MP (Labour)	Victoria Atkins MP (Conservative)	Immigration detention	To ask the Secretary of State for the Home Department, what estimate she has made of the number of victims of trafficking or slavery who have been subject to immigration detention in each year since 2010.	<p>The Home Office record the number of all individuals referred to the National Referral Mechanism (NRM) and this information is published quarterly and can be found at:</p> <p>https://www.gov.uk/government/statistics/national-referral-mechanism-statistics-quarter-2-2019-april-to-june</p> <p>This information does not distinguish between those detained under immigration powers and those living in the community. The reason for this is two-fold, firstly because the NRM referral is not an immigration route by which individuals should regularise their stay in the United Kingdom and secondly, because a person's status in immigration detention is not permanent and can change. The use of immigration detention in all cases is subject to regular reviews and consequently, a change in circumstance may result in a different consideration. It is quite possible that an immigration detainee is referred to the National Referral Mechanism during a detention period and is released into the community at any point during that process.</p>
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https://questions-statements.parliament.uk/written-questions/detail/2019-09-02/284646	05-Sep-2019	Vernon Coaker MP (Labour)	Victoria Atkins MP (Conservative)	Immigration status	To ask the Secretary of State for the Home Department, how many confirmed victims of modern slavery are waiting for a decision on their immigration status; and if she will make a statement.	<p>Prior to the transfer of National Referral Mechanism decision making responsibilities to the Home Office Single Competent Authority (SCA) in April 2019, publications were produced by the National Crime Agency (NCA) and can be accessed via the NCA website. https://nationalcrimeagency.gov.uk/component/finder/search?q=national+referral+mechanism+&Search=</p> <p>Responsibility for publishing the NRM statistics now sits with the Home Office, and the first report (Q2 2019) was published at the end of August. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/827508/national-referral-mechanism-statistics-quarter-2-2019-april-to-june.pdf</p> <p>The publication does not distinguish the immigration status of confirmed victims but invites stakeholders to submit their interest into a review of how the publication of NRM statistics can be improved. It is not possible to accurately provide data on the number of confirmed victims awaiting a decision on their immigration status currently due to the range of potential immigration outcomes following an NRM decision.</p>
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AFTER EXPLOITATION

HIDDEN FUTURES: HOW DATA DENIAL THREATENS THE FIGHT AGAINST SLAVERY

https://questions-statements.parliament.uk/written-questions/detail/2019-07-11/276156	22-Jul-19	David Davis MP (Conservative)	Victoria Atkins MP (Conservative)	NRM decisions, Immigration detention	To ask the Secretary of State for the Home Department, what proportion of migrant detainees referred to the National Referral Mechanism were subsequently given positive decisions by the Home Office that there were reasonable grounds to believe they were trafficked to the UK.	<p>The Government is committed to identifying and supporting victims of modern slavery. The National Crime Agency regularly publishes NRM data, and the number of potential victims referred into the NRM for 2018 is available online here:</p> <p>https://nationalcrimeagency.gov.uk/component/finder/search?=&national+referral+mechanism+end+of+year+2018&Search=</p> <p>Annual summary statistics for previous years are also published on the NCA website. The statistics also show the outcomes of reasonable and conclusive grounds decisions. This data does not distinguish whether individuals are migrant detainees. Since 29th April this year the Single Competent Authority (SCA) took over responsibility for decision making in the NRM from the NCA and UKVI. Publishing of statistics for future years regarding the NRM will therefore be the responsibility of the Home Office.</p>
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AFTER EXPLOITATION

HIDDEN FUTURES: HOW DATA DENIAL THREATENS THE
FIGHT AGAINST SLAVERY

https://questions-statements.parliament.uk/written-questions/detail/2019-07-11/276155	22-Jul-19	David Davis MP (Conservative)	Victoria Atkins MP (Conservative)	NRM decisions, Immigration detention	To ask the Secretary of State for the Home Department, how many migrant detainees were referred to the National Referral Mechanism in each year since 2015.	<p>The Government is committed to identifying and supporting victims of modern slavery. The National Crime Agency regularly publishes NRM data, and the number of potential victims referred into the NRM for 2018 is available online here:</p> <p>https://nationalcrimeagency.gov.uk/component/finder/search?q=national+referral+mechanism+end+of+year+2018&Search</p> <p>Annual summary statistics for previous years are also published on the NCA website. The statistics also show the outcomes of reasonable and conclusive grounds decisions. This data does not distinguish whether individuals are migrant detainees. Since 29th April this year the Single Competent Authority (SCA) took over responsibility for decision making in the NRM from the NCA and UKVI. Publishing of statistics for future years regarding the NRM will therefore be the responsibility of the Home Office</p>
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AFTER EXPLOITATION

HIDDEN FUTURES: HOW DATA DENIAL THREATENS THE FIGHT AGAINST SLAVERY

https://questions-statements.parliament.uk/written-questions/detail/2019-07-09/275161	12-Jul-19	Ed Miliband MP (Labour)	Caroline Nokes MP (Conservative)	Child trafficking, deportation, NRM decisions	<p>To ask the Secretary of State for the Home Department, how many young people that were victims of trafficking have been removed from the UK after they reached 18 years of age in the last 12 months.</p>	<p>This Government is committed to supporting victims of trafficking and the introduction of the Modern Slavery Act 2015 has ensured we protect those in need and target those committing this abhorrent crime. All applications are looked at on a case-by-case basis, with caseworkers giving careful consideration to the circumstances of each individual and no one who is found to be at risk of persecution or serious harm in their country of origin will be returned there. Unaccompanied child victims who are not granted refugee status or discretionary leave to remain are not required to leave the UK unless we are confident that there are safe and adequate reception arrangements in the country to which they will be returned. Instead, leave to remain is granted for 30 months or until they are 17½ years of age, whichever is the shorter period. Upon turning 18, they are expected to return to their home country or make a further application to the Home Office if they believe they have a lawful basis to remain.</p> <p>The Government has also set out an ambitious funding programme to tackle modern slavery abroad. Last year the Government announced it would double its official development assistance spend to £150 million to tackle modern slavery internationally. This includes the £33.5m Modern Slavery Fund, which tackles modern slavery in key countries from which victims are regularly trafficked to the UK. For example, this Fund has programmes in Nigeria (£5m) and Vietnam (£3m). These programmes will help to catch offenders, support victims and stop people falling into slavery in the first place. The Home Office record the number of all individuals referred to the National Referral Mechanism (NRM) and this information is published Quarterly by the National Crime Agency. This information does not distinguish an individual’s immigration status. Providing the information requested would therefore require a manual check of individual records which could only be done at disproportionate cost.</p>
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AFTER EXPLOITATION

HIDDEN FUTURES: HOW DATA DENIAL THREATENS THE FIGHT AGAINST SLAVERY

<p>https://questions-statements.parliament.uk/written-questions/detail/2019-06-19/266715</p>	<p>24-Jun-19</p>	<p>Frank Field MP (Labour)</p>	<p>Caroline Nokes MP (Conservative)</p>	<p>Immigration detention</p>	<p>To ask the Secretary of State for the Home Department, how many people held in a immigration detention centre (a) are recognised as victims of modern slavery and/or human trafficking and (b) claim to be victims of modern slavery and/or human trafficking.</p>	<p>(a) The Home Office records the number of individuals that have received a positive Conclusive Grounds decision and this information is published quarterly by the National Crime Agency, found at http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics. As NRM referrals, Reasonable Grounds and Conclusive Grounds decisions are considered separately from immigration enforcement action, there is no central record of those who have received a positive Conclusive Grounds decision and are detained under immigration powers. The Home Office therefore does not collate or publish the data requested (b) The Home Office record the number of all individuals referred to the National Referral Mechanism (NRM) and this information is published Quarterly by the National Crime Agency, found at http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics</p> <p>This information does not distinguish between those detained under immigration powers and those living in the community. The reason for this is two-fold, firstly because the NRM referral is not an immigration route by which individuals should regularise their stay in the United Kingdom and, secondly, because a person's status in immigration detention is not permanent and can change. The use of immigration detention in all cases is subject to regular reviews and consequently a change in circumstance may result in a different consideration. It is quite possible that an immigration detainee is referred to the National Referral Mechanism during a detention period and is released into the community at any point during that process.</p>
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https://questions-statements.parliament.uk/written-questions/detail/2019-04-18/245917	26-Apr-19	Liz Saville Roberts MP (Plaid Cymru)	Caroline Nokes MP (Conservative)	Immigration status, Voluntary return	<p>To ask the Secretary of State for the Home Department, how many potential victims of modern slavery referred to the National Referral Mechanism in 2018 have (a) been granted residency in the UK as a consequence of their exploitation and (b) agreed to return to their country of origin.</p>	<p>Identified victims of modern slavery may be eligible for discretionary leave in line with the Discretionary Leave Policy for victims of modern slavery: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/739436/dl-for-victims-of-modern-slavery-v2.pdf The specific information you have requested is not readily available and could only be obtained at disproportionate cost. This is because a manual search through individual records would be required to identify victims of modern slavery who were granted protection-based leave or another form of leave more favourable than discretionary leave as a consequence of their exploitation. As identified victims include EEA nationals who may be exercising treaty rights it is not possible to provide a complete figure for the number of victims who have agreed to return to their country of origin. The National Crime Agency publishes statistics on referrals into the National Referral Mechanism on a quarterly basis. Further analysis is contained within the 2018 UK Annual Report on Modern Slavery. These reports are available via the following links: https://nationalcrimeagency.gov.uk/who-we-are/publications/282-national-referral-mechanism-statistics-end-of-year-summary-2018 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/749346/2018_UK_Annual_Report_on_Modern_Slavery.pdf Migration statistics including the number of people granted residency and those leaving the UK are available via the following link: https://www.gov.uk/government/publications/immigration-statistics-year-ending-december-2018/summary-of-latest-statistics</p>
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https://questions-statements.parliament.uk/written-questions/detail/2019-03-27/hl14851	09-Apr-19	Baroness Hamwee (Liberal Democrat)	Baroness Williams of Trafford (Conservative)	NRM waiting times	To ask Her Majesty's Government whether a person who has been referred to the National Referral Mechanism as a potential victim of trafficking or modern slavery can be removed from the UK while awaiting (1) a reasonable grounds decision, and (2) a conclusive grounds decision.	A person who has been referred to the National Referral Mechanism as a potential victim of trafficking or modern slavery cannot be removed while consideration is being given to whether there are reasonable grounds to believe they are a victim. If the reasonable grounds decision is positive, they cannot be removed during the period that further consideration is being given to whether there are conclusive grounds to believe they are a victim.
https://questions-statements.parliament.uk/written-questions/detail/2019-03-27/hl14852	05-Apr-19	Baroness Hamwee (Liberal Democrat)	Baroness Williams of Trafford (Conservative)	Deportation, Voluntary return	To ask Her Majesty's Government how many victims of trafficking or modern slavery who have received a positive conclusive grounds decision have been removed from the UK in the last period of twelve months for which figures are available.	The Home Office record the number of individuals that have received a positive Conclusive Grounds decision and this information is published Quarterly by the National Crime Agency. As NRM referrals, Reasonable Grounds and Conclusive Grounds decisions are considered separately from immigration enforcement action, there is no central record of those who have received a positive Conclusive Grounds decision and later removed. The Home Office therefore does not collate or publish the data requested.



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https://questions-statements.parliament.uk/written-questions/detail/2019-02-14/221825	19-Feb-2019	Angela Crawley MP (Scottish National Party)	Caroline Nokes MP (Conservative)	Detention, NRM decisions	To ask the Secretary of State for the Home Department, how many suspected victims of human trafficking have been held in immigration detention since 2015.	<p>The Home Office record the number of all individuals referred to the National Referral Mechanism (NRM) and this information is published Quarterly by the National Crime Agency. This information does not distinguish between those detained under immigration powers and those living in the community. The reason for this is two-fold, firstly because the NRM referral is not an immigration route by which individuals should regularise their stay in the United Kingdom and, secondly, because a person's status in immigration detention is not permanent and can change.</p> <p>The use of immigration detention in all cases is subject to regular reviews and consequently a change in circumstance may result in a different consideration. It is quite possible that an immigration detainee is referred to the National Referral Mechanism during a detention period and is released into the community at any point during that process.</p>
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https://questions-statements.parliament.uk/written-questions/detail/2018-11-06/188736	12-Nov-18	Frank Field MP (Labour)	Caroline Nokes MP (Conservative)	Immigration status	To ask the Secretary of State for the Home Department, how many victims of modern slavery received a positive conclusive grounds decision but then did not receive discretionary leave to remain or a positive asylum claim in the most recent year for which data is available.	The most recent information on the issue was set out in a letter of 17 February 2017 and relates to the year 2015. This was sent to the Rt Honourable member in his capacity as Chair of Work and Pensions Select Committee. As set out in that letter, 1,043 people were confirmed as victims of modern slavery in 2015. Of these individuals, 379 had applied for asylum at the time the information was collected and 216 had been granted asylum. A further 123 of the individuals had been granted some other form of leave to remain. Some of the individuals may have been granted asylum or leave to remain for another reason since the data was collected but that data is not available.
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https://questions-statements.parliament.uk/written-questions/detail/2018-10-23/182690	26-Oct-18	Yvette Cooper MP (Labour)	Victoria Atkins MP (Conservative)	NRM waiting times	To ask the Secretary of State for the Home Department, what proportion of referrals to the National Referral Mechanism received a conclusive grounds decision during the 45-day recovery and reflection period; and what the timeframe was for decisions to be made on the remainder of referrals in (a) 2016 and (b) 2017.	The National Crime Agency (NCA) is responsible for publishing National Referral Mechanism (NRM) data and does so on a quarterly basis. The NCA does not publish data about the timescales for reaching reasonable grounds or conclusive grounds decisions. No NRM decisions are made during a potential victim's 45 day reflection and recovery period. Published data on the referrals to the National Referral Mechanism (NRM) is available via the following link: http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics . Further information is also available in the 2018 UK Annual Report on Modern Slavery https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/749346/2018_UK_Annual_Report_on_Modern_Slavery.pdf which was published on 18 October 2018.
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https://questions-statements.parliament.uk/written-questions/detail/2018-10-15/179211	23-Oct-18	Rushanara Ali MP (Labour)	Caroline Nokes MP (Conservative)	Deportation, First responders	To ask the Secretary of State for the Home Department, how many suspected victims of human trafficking have been deported after being referred by the police to UK Visas and Immigration.	The figures for the number of suspected victims of trafficking or modern slavery referred into the National Referral Mechanism (NRM) are published by the National Crime Agency. The NRM is a framework for identifying victims of human trafficking or modern slavery and ensuring they receive the appropriate support. In 2017, 5145 potential victims of trafficking were referred to the NRM, of which 1384 were referred by the police. For 2018 (up to the end June) there has been 3289 referrals into the NRM, of which 995 were via the police. In order to understand how many of those referrals by the police were subsequently deported (or removed) we would need to extract the biodata from the NRM systems and cross-match it with the Case Information Database (CID). This data is not currently available at this time.
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https://questions-statements.parliament.uk/written-questions/detail/2018-06-28/hl9089	12-Jul-18	Lord McColl of Dulwich (Conservative)	Baroness Williams of Trafford (Conservative)	Immigration status	To ask Her Majesty's Government how many victims of human trafficking and modern slavery were granted discretionary leave to remain in the UK in each financial year from 2009–10 to date; and of those how many were (1) EEA nationals, and (2) non-EEA nationals.	<p>The specific information you have requested is not currently published. Statistics on the total number of people granted discretionary leave for all reasons can be found online at the following address: https://www.gov.uk/government/statistics/immigration-statistics-april-to-june-2017-data-tables The National Crime Agency publishes statistics on referrals into the National Referral Mechanism on a quarterly basis. These reports are available via the following links and the documents are attached for ease of reference.</p> <p>http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics https://www.gov.uk/government/publications/2017-uk-annual-report-on-modern-slavery</p>
https://questions-statements.parliament.uk/written-questions/detail/2018-06-14/153744	19-Jun-18	Vernon Coaker MP (Labour)	Caroline Nokes MP (Conservative)	Immigration status	To ask the Secretary of State for the Home Department, how many confirmed victims of modern slavery following a positive conclusive grounds decision have not been granted discretionary leave to remain and face deportation.	Any potential decisions to refuse applications for discretionary leave to remain for confirmed victims of modern slavery are currently on hold pending further guidance and consideration of the Court of Appeal judgment in the case of (PK (Ghana) v SSHD) on 13 February 2018. No data is available on the number of people who might be subject to deportation if their discretionary leave applications are refused once decision making is resumed.



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https://questions-statements.parliament.uk/written-questions/detail/2018-05-23/hl8180	05-Jun-18	Lord McColl of Dulwich (Conservative)	Baroness Williams of Trafford (Conservative)	Immigration status	To ask Her Majesty's Government, in each of the last five calendar years, what percentage of victims of modern slavery who have made an application for discretionary leave to remain following a positive National Referral Mechanism conclusive grounds decision (excluding those non-EEA national victims who were considered for discretionary leave on the grounds of their personal circumstances automatically) have received a decision about the discretionary leave within (1) 45 days, (2) eight weeks, and (3) six months.	All applications for discretionary leave made by victims of modern slavery are considered on a case by case basis and processing times vary with complexity of individual circumstance. The Home Office does not publish data on the processing times for such applications. As part of the ongoing reform of the National Referral Mechanism, changes will be made to ensure a quicker, more certain decision making process that victims have confidence in and which may include customer service standards.
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https://questions-statements.parliament.uk/written-questions/detail/2015-11-17/16552	24-Nov-15	Kate Osamor MP (Labour)	James Brokenshire MP (Conservative)	Immigration detention	To ask the Secretary of State for the Home Department, how many detainees held in Yarl's Wood Immigration Removal Centre (a) claim that they are victims of human trafficking and (b) have been identified by the National Referral Mechanism as victims of human trafficking.	Individuals who have been identified as victims of trafficking by the competent authorities are normally considered suitable for detention in only very exceptional circumstances, which include cases where there is a risk of public harm. This data is not collected centrally and accurate figures are not available. Once a person is detained their continued detention remains under review by the Home Office at least at monthly intervals, and earlier in response to any change of circumstances that might have a material effect on their detention.
https://questions-statements.parliament.uk/written-questions/detail/2015-10-09/10911	14-Oct-15	Kate Osamor MP (Labour)	Karen Bradley MP (Conservative)	Immigration detention	To ask the Secretary of State for the Home Department, how many victims of human trafficking have been detained in the last five years.	Individuals who have been identified as victims of trafficking by the competent authorities are normally considered suitable for detention in only very exceptional circumstances, which include cases where there is a risk of public harm. This data is not collected centrally and accurate figures are not available. Once a person is detained their continued detention remains under review by the Home Office at least at monthly intervals, and earlier in response to any change of circumstances that might have a material effect on their detention.



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https://questions-statements.parliament.uk/written-questions/detail/2015-09-14/10189	28-Sep-15	Louise Haigh MP (Labour)	Richard Harrington MP (Conservative)	Immigration detention	To ask the Secretary of State for the Home Department, what recent estimate she has made of the number of victims of trafficking who were detained in immigration detention since (a) January 2015 and (b) June 2015.	Individuals who have been identified as victims of trafficking by the competent authorities are normally considered suitable for detention in only very exceptional circumstances, which include cases where there is a risk of public harm. This data is not collected centrally and accurate figures are not available. Once a person is detained their continued detention remains under review by the Home Office at least at monthly intervals, and earlier in response to any change of circumstances that might have a material effect on their detention.
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