



Home Office

Sarah Dines MP
Minister for Safeguarding

2 Marsham Street
London SW1P 4DF
www.gov.uk/home-office

Ms Julia Tinsley-Kent
Migrants' Rights Network
The People's Place
80-92 High Street
London
E15 2NE

By email: j.tinsley-kent@migrantsrights.org.uk

DECS Ref: MIN/0448030/22

8 November 2022

Dear Ms Kinsley-Tent,

Thank you for your email of 10 October to the Home Secretary on behalf of the Migrants' Rights Network regarding protecting the rights of modern slavery victims. I am responding as the newly appointed Minister for Safeguarding.

I would like to reassure you that the Government is committed to tackling the heinous crime of modern slavery; ensuring that victims are provided with the support they need to begin rebuilding their lives and that those responsible are prosecuted. Tackling human trafficking and modern slavery remains a top priority for this Government and we are committed to stamping out this abhorrent crime.

The National Referral Mechanism (NRM) is the UK's framework for identifying and supporting victims of modern slavery. It is one means of ensuring that adult victims receive the necessary support and assistance in the period immediately after their identification as a potential victim. The aims are to protect individuals from further harm and prevent possible re-trafficking. As you will be aware, the number of referrals into the NRM has increased significantly in recent years, with 12,727 referred into the system in 2021, a 20% increase on the preceding year.

The Home Office is working to improve training for First Responder Organisations (FROs). We have launched e-learning packages for First Responders (FR) which currently consists of two modules, one on indicators of modern slavery and how to make a referral into the NRM (published summer 2020) and a second (published in June 2021) focuses on the vulnerabilities of child victims. We are also in the process of developing a FRs Hub where learning materials will be accessible to those in FROs to help increase awareness of modern slavery indicators and drive up the quality of referrals into the system.

If a FR encounters someone they believe to be a victim of modern slavery, then that FR is expected to refer that individual into the NRM. Adult victims must give their consent for referral to the NRM; consent is not required for those aged under 18.

The competent authority will then make a reasonable grounds decision where possible within five working days, which acts to identify potential victims. Following the recovery and reflection period a further substantive conclusive grounds decision will be made as to whether the person is in fact a victim of modern slavery. Once a conclusive decision has been served, the exception to automatic deportation no longer applies on human trafficking grounds although it is possible other exceptions may still apply for example, human rights.

An individual is served with an automatic deportation decision in the normal way if they have previously been considered as a potential victim of trafficking, and they have completed a recovery and reflection period and they are ultimately considered not to be exempt from automatic deportation under any of the exceptions listed under section 33 of the 2007 Act. Where removal of the person would breach the UK's obligations under the Council of Europe Convention on Action against Trafficking in Human Beings ratified by the UK, the person is excepted from automatic deportation under section 33(6A) of the 2007 Act. The UK would be in breach of its obligations under the trafficking convention if a potential victim of modern slavery was removed or deported during the recovery and reflection period unless disqualifications on public order grounds apply.

Thank you again for taking the time to write about this important issue, and I trust this clarifies the Government's position.

Yours sincerely,

A handwritten signature in blue ink that reads "Sarah Dines".

Sarah Dines MP