

Stolen freedom: the policing response to modern slavery and human trafficking

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Foreword

In the UK, today and every day, thousands of men, women and children who are victims of modern slavery and human trafficking are being degraded and dehumanised. These crimes are multi-faceted. Cases may involve single or multiple offenders or victims, and may be national or international, organised or opportunistic. They occur in both rural and metropolitan areas, in settings ranging from nail bars to construction sites, and involve activities from domestic servitude to the trafficking of children for sexual exploitation. It is imperative that police forces are aware of the signs and indicators of these most pernicious and frequently hidden of crimes so that they can respond in an appropriate manner.

In this inspection we examined how the police in England and Wales are tackling modern slavery and human trafficking crimes, including their use of the powers and provisions set out in the Modern Slavery Act 2015. We interviewed national leads from different agencies, examined a wide range of documentation and data, and assessed operational practice in police forces, regional organised crime units (ROCU) and within the National Crime Agency (NCA).

We are grateful to all those who have contributed to the inspection and informed our work. In particular, we would like to thank the Independent Anti-Slavery Commissioner (Kevin Hyland OBE) and the National Police Chiefs' Council lead (Chief Constable Shaun Sawyer), together with their respective offices, for sharing much useful information and analysis; the Home Office's Modern Slavery Unit; and barrister Caroline Haughey for her valuable insights and support throughout the inspection.

We found clear evidence of a growing impetus at national and regional levels to improve the law enforcement response to modern slavery and human trafficking. Some forces – Greater Manchester Police in particular – are leading the way in this, and show how commitment and dedication to dealing with this type of crime can produce effective results.

Overall, however, the inspection found that the identification of victims is inconsistent, sometimes ineffective, and in need of urgent and significant improvement. Victims who come into contact with the police are not always recognised as such and therefore remain in the hands of those who are exploiting them. Others are arrested as offenders or illegal immigrants. While law enforcement has a duty to refer individuals to immigration and enforcement, the vulnerability of victims must be considered in parallel.

Our review of current and recent cases of modern slavery and human trafficking in our ten fieldwork forces also raises serious concerns about the quality of investigations. We found that investigations are being closed prematurely, with lines

of enquiry still open. In some cases, victims and witnesses were not even spoken to by the police. As a result of these failings, victims are left unprotected while offenders are not brought to justice, leaving them free to continue to exploit people as commodities.

Too much police work in this area is reactive, showing little understanding of the nature and scale of modern slavery and human trafficking. It was disappointing to find that some frontline officers did not consider modern slavery to be an issue in their force area. We were also concerned to encounter some neighbourhood officers who said that they avoided raising the issue of modern slavery and human trafficking with local communities because they did not believe the public were either interested in or sympathetic to victims of these crimes. Police forces must engage better, both internally with their own staff and externally with their local communities, to improve awareness and understanding of these abhorrent crimes.

Also, we found that the co-ordination and sharing of information and intelligence about modern slavery and human trafficking between the NCA and forces needs to be more consistent and timely. While we are encouraged by some more recent changes within the NCA, and acknowledge the further activity which has occurred in the interim, at the time of our inspection fieldwork these were not yet universally recognised by forces. We were also told that there were opportunities for the NCA to exploit and disseminate information and intelligence more quickly to forces to enable them to respond effectively to victims in their areas, and found evidence of this in our case file audit. Given that this kind of offending has no respect for force, national or indeed international boundaries, it is crucial that the relationship and co-ordination between the national, regional and local levels is positive and effective.

Overall, while progress has been made, and we acknowledge the major developments in operations and strategy both over the course of and since our inspection, we found that the police service has much to do if it is to develop an effective, coherent and consistent response to modern slavery and human trafficking. This inspection serves to establish a benchmark to enable policing at a national, regional and local level to address the spectrum of issues identified in the report.

Summary

On 28 July 2016, the Home Secretary commissioned Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services¹ to inspect the police's response to the implementation of the Modern Slavery Act 2015 in England and Wales. This report sets out the findings from our inspection and recommendations for improvement.

Modern slavery and human trafficking takes many forms, but all of them involve coercion and result in the erosion of individual volition and freedom. Victims may be forced into work, sex, domestic servitude or other forms of exploitation, suffering inhumane and degrading treatment for long periods of time. They are often subjected to threats or violence, which may also extend to those close to them.

Government estimates² previously suggested there were between 10,000 and 13,000 potential victims of modern slavery and human trafficking in the UK in 2013. However, the true number is likely to be far higher,³ because many victims are unable or reluctant to engage with authorities (or may not be recognised as victims of this kind of offending if they do) and may be moved frequently across geographical boundaries. While the plight of victims remains unseen and unresolved, offenders can and will continue to exploit them.

¹ This inspection was carried out before 19 July 2017, when HMIC took on responsibility for fire & rescue service inspections and was renamed HM Inspectorate of Constabulary and Fire & Rescue Services. The methodology underpinning our inspection findings is unaffected by this change. References to HMICFRS in this report may relate to an event that happened before 19 July 2017 when HMICFRS was HMIC. Citations of documents which HMIC published before 19 July 2017 will still cite HMIC as the publisher.

² *Modern Slavery Strategy*, HM Government, 2014, page 5. Available from: www.gov.uk/government/uploads/system/uploads/attachment_data/file/383764/Modern_Slavery_Strategy_FINAL_DEC2015.pdf

³ See, for instance, the press release issued by the NCA on 10 August 2017, in which the Director of Vulnerabilities, Will Kerr, is quoted as saying: "The growing body of evidence we are collecting points to the scale [of modern slavery in the UK] being far larger than anyone had previously thought." 'Law enforcement steps up response to modern slavery', press release issued by the NCA, 10 August 2017. Available from www.nationalcrimeagency.gov.uk/news/1171-law-enforcement-steps-up-response-to-modern-slavery

Modern Slavery Act 2015

The Modern Slavery Act 2015 aims to provide the legislative framework to equip law enforcement agencies effectively to prosecute and convict the perpetrators of modern slavery.⁴ The Act consolidated and simplified previous slavery and human trafficking legislation in England and Wales into a single statute, and introduced provisions to strengthen law enforcement and afford better protection to victims.

These provisions included:

- a statutory defence for victims who commit crimes under compulsion⁵ (the section 45 defence);
- a specific duty for public authorities (including all police forces) to notify the Home Office of any individual encountered who they believe is a suspected victim of modern slavery or human trafficking (the Duty to Notify); and
- powers to restrict the activities of those deemed to pose a clear threat to others in respect of modern slavery and human trafficking offences.

HMICFRS' inspection

Our inspection took place between November 2016 and March 2017. We adopted a wide-ranging methodology that included: examination of data and self-assessments from all 43 forces in England and Wales; fieldwork in ten forces, four regional organised crime units and the National Crime Agency; and interviews with national leads and experts. We also reviewed 92 concluded or current case files from the ten forces that we inspected.

Main findings

We found that multiple new measures and structures are being put in place to strengthen the law enforcement response to modern slavery and human trafficking. We provide details of some of these changes in chapter 2, to highlight the context in which policing operates, and the rapid pace of developments.

⁴ *Modern Slavery Bill, Factsheet: Offences (clauses 1, 2 and 3)*, Home Office, November 2014. Available from: www.gov.uk/government/publications/modern-slavery-bill-factsheets

⁵ This defence is not available for certain serious offences (mainly serious sexual and violent offences). See Schedule 4 of the Modern Slavery Act 2015. See Definitions and Interpretation section.

Response to the Modern Slavery Act 2015

Our findings show that while legislation against modern slavery and human trafficking has been strengthened this has not as yet resulted in the development of a concerted overall response on the part of the police service. We found a high level of inconsistency in the way the organisations we inspected have responded to the Act and to modern slavery and human trafficking more generally, with poor outcomes for many victims.

During our fieldwork in forces, non-specialist officers and staff displayed only a limited understanding of the new powers and provisions set out in the Modern Slavery Act 2015. We found:

- low awareness among investigators of the section 45 defence;
- limited use of the new preventative powers; and
- very low numbers of notifications to the Home Office about potential victims.

These findings suggest that many victims are not being identified, or given the full safeguards and protection that they should receive.

Leadership

The NCA is responsible for leading, supporting and co-ordinating the national response to modern slavery and human trafficking. This includes producing and maintaining the national threat picture for how this type of offending is affecting the UK, through the collection, assessment and reporting of intelligence, and the identification of emerging trends and threats.

We found evidence of a new impetus in the NCA's work to tackle modern slavery and human trafficking, with revised accountability and governance structures, and higher prioritisation of this kind of offending. However, this increase in activity is relatively recent (since November 2016, when modern slavery and human trafficking was adopted as a national priority for intelligence collection);⁶ and at the time of our inspection (January to March 2017), forces and other interested parties continued to report a lack of clarity about the NCA's role in relation to modern slavery and human trafficking.

The national intelligence picture for modern slavery and human trafficking is widely acknowledged to be underdeveloped, although the NCA is now taking a more active role across policing to help address this. However, the flow of intelligence across policing needs to improve. We found some confusion about roles and responsibilities in this regard at national, regional and local levels and were concerned to find that

⁶ Modern slavery was subsequently made a national high-priority threat area for law enforcement in March 2017. See p.25 below.

investigations have been substantially delayed due to poor co-ordination and sharing of information across policing. The NCA must ensure it is clear, consistent and quick in communicating to all parts of the police service the changes and improvements it has made, and assure itself that those changes are achieving their intended outcomes. Greater efforts must also be made by the NCA to capture and disseminate actionable intelligence stored in the NRM and through the case decision-making process undertaken in identifying victims so that policing is better informed about offending patterns and locations of interest and can better protect other potential victims.

Some of the forces we inspected had made countering modern slavery and human trafficking a strategic priority, but most had not translated this into coherent and consistent operational practice. Most forces did not have robust systems or performance measures to evaluate the effectiveness of practice in this area. A few senior officers in the forces we inspected also openly expressed a reluctance to 'turn over the stone' and proactively look for modern slavery and human trafficking offences, citing concerns about the potential level of demand. This is unacceptable.

Partnership working and proactivity

The police cannot counter modern slavery and human trafficking in isolation. They must establish effective partnership arrangements with a range of agencies to co-ordinate local activity and build up intelligence. Such partnerships were absent in some of the forces we inspected, and were patchy in others. The lack of partnership arrangements limits the ability of forces to understand local risks and deal with them effectively.⁷

Little proactive and preventative activity is taking place in the majority of forces, and we found limited understanding of local threats and high-risk locations. We found forces generally engaged in co-ordinated activity with partner agencies as part of national campaigns targeting industries frequently associated with modern slavery and human trafficking, such as car washes, nail bars and brothels. This is positive; but should be in addition to (rather than instead of) forces building a thorough understanding of the high-risk locations or industries in their local areas, which may be different to the national picture.

Victim identification and safeguarding

We found significant failings in the ability of the police to identify victims of modern slavery and human trafficking, or to take appropriate steps in relation to those who were, or should have been, identified as victims. During our fieldwork, we found many frontline contact, response, and neighbourhood officers were not confident about identifying indicators of modern slavery and human trafficking. Nor were they

⁷ We are pleased to learn that the office of the Independent Anti-Slavery Commissioner is, at the time of writing this report, conducting research to map all multi-agency modern slavery partnerships.

aware of their responsibilities to explain the national support that is available to potential victims through the National Referral Mechanism (NRM).⁸ Officers and staff across levels and roles widely regarded training in this area as ineffective.

Neighbourhood officers in several forces that we inspected told us they did not feel comfortable about raising the issues of modern slavery and human trafficking with local communities because they did not believe the public were either interested in or sympathetic to victims. This attitude potentially limits considerably the amount of intelligence that can be gleaned from local engagement. We also found some frontline officers who maintained that modern slavery and human trafficking offences were not issues in their force areas. Such attitudes must be countered if the true extent of offending is to be identified and responded to effectively.

Many forces have referred very low numbers of victims for national support. The number of referrals made by the majority of forces to the National Referral Mechanism did not show any clear increasing trend between 2014 and 2016. Similarly, the number of Duty to Notify submissions that policing organisations made to the Home Office about potential victims is also very low.

As a result of these findings, we cannot be confident that when the police encounter victims of modern slavery and human trafficking they recognise them as such and inform them of the rights to which they are entitled.

Crime recording

The Independent Anti-Slavery Commissioner, Kevin Hyland OBE, has raised serious concerns that many cases of modern slavery and human trafficking crime are under-recorded and are still not investigated.⁹ Our findings support these concerns.

In some of the cases that we reviewed, we also found failures to comply with crime-recording standards. Forces need to improve their ability to identify, and record properly, offences of modern slavery and human trafficking so that all victims receive the correct level of care and support, and suspects are brought to account.

Investigations and victim care

We found that larger investigations were generally managed well. We also found some evidence that those forces which respond to modern slavery and human trafficking through their serious organised crime structures and partnership arrangements often dealt better with this type of offence. They used a wide range of

⁸ Established in 2009, the National Referral Mechanism (NRM) is the system by which potential victims of modern slavery and human trafficking are assessed and provided with support in the UK. Potential victims must consent to being referred to the NRM. See further p.19 below.

⁹ *Independent Anti-Slavery Commissioner: annual report 2016*, Independent Anti-Slavery Commissioner, 2016, p.3. Available from: www.gov.uk/government/publications/independent-anti-slavery-commissioner-annual-report-2016

investigative tools and techniques (such as covert surveillance) to disrupt or dismantle the criminal networks facilitating modern slavery and human trafficking, as well as ensuring victims were safeguarded. When forces responded through their structures set up to protect vulnerable people, care for victims could be excellent, but there was not always the same focus on preventing the creation of future victims by dismantling the networks and holding offenders to account.

A mixture of both the serious and organised crime and the protecting vulnerable people approaches is needed if offenders are to be brought to justice, and victims protected (or indeed prevented from being victims in the first place). This is because of the complexity of many modern slavery and human trafficking cases and the high level of support often needed to enable victims to assist with investigations.

Some forces have made these offences a priority, for example by establishing dedicated units and specialist teams or by offering training and guidance to officers and staff to help them understand the new legislation. Disappointingly, however, while we encountered pockets of good practice, these were the exception rather than the norm.

In many of the forces we inspected, we found substantial problems with the way investigations were handled when they were managed at lower levels, without the formal oversight that is afforded major investigations. In one force, we reviewed seven cases and found all but one to be ineffective. Four of these had been finalised prematurely when lines of enquiry remained outstanding. In another force, we found the standard of investigation was so poor in seven out of ten cases reviewed that we referred them back to the force for further consideration. As a result, this force launched an immediate review of the quality of its modern slavery and human trafficking cases.

Failings across the cases we reviewed included:

- a clear tendency to close cases prematurely, sometimes without speaking to victims or witnesses and when lines of enquiry remained outstanding;
- extensive delays in initiating investigations (of seven and eight months in two of the cases we reviewed);
- lack of effective supervision of investigations;
- lack of focus on safeguarding all potential victims; and
- lack of co-ordination across police forces, leading to delays in investigations and to difficulties in maintaining contact with victims relocated through the NRM.

We found a tendency in some forces to refer both suspects and victims without legal status in the UK to immigration authorities rather than to investigate modern slavery and human trafficking offences, and enable potential victims to understand and access the services available to them. HMICFRS acknowledges that law enforcement has a duty to refer individuals to immigration and enforcement, but the vulnerability of victims should be considered in parallel. This lack of focus on victims was also reflected in delays in speaking to them and in inadequate communication, both of which are likely to undermine trust and confidence.

Our review of case files shows that many victims of modern slavery and human trafficking receive a wholly inadequate service from the police. Our findings underscore the need to improve considerably the handling and oversight of many investigations.

Conclusion

We found some welcome signs of progress in the way in which the police respond to modern slavery and human trafficking. There is renewed national focus on modern slavery and human trafficking, with rapid recent developments aimed at improving the experience of victims and strengthening the law enforcement response. Some forces – Greater Manchester Police in particular – are showing that commitment and dedication to dealing with this type of crime produces effective results.

However, the positive examples that we found generally were relatively small pockets of good practice or recent first steps. Overall, the police service needs to do much more before it can be satisfied that it is responding coherently and successfully to modern slavery and human trafficking. We found large inconsistencies in the service being provided, both across and within forces.

Victims are being let down at every stage. Identification, information flows, victim focus and investigative practice all need to be improved considerably, so that victims receive the full range of protections and safeguards to which they are entitled and more offenders are brought to justice.

Forces must be more proactive in looking for, identifying and preventing modern slavery and human trafficking. This does not necessarily require specialist officers; these offences occur in every force area, and while some lead to large and difficult investigations, others are far smaller in scale and less complex. Many of the failings we found in investigating modern slavery and human trafficking, and in bringing offenders to justice reflect deficiencies in basic policing practice (such as following evidential leads, governance and oversight).

Evidence of some recent progress is encouraging, with a greater level of national support now being provided through a series of developments. These include the substantial investment made under the Police Transformation Programme¹⁰ (which seeks to address many of the failings we found), enhanced national governance and co-ordination mechanisms, and adoption of combating modern slavery and human trafficking as a national priority for serious organised crime.

However, these developments cannot be seen as a panacea in addressing the spectrum of issues identified in this report. For instance, while the transformation funding may serve to act as a catalyst for improvement, it is also important to note that the Police Transformation Programme will end in March 2019. The police service needs to seize these opportunities and put sustainable plans into action, in order to improve their response to these abhorrent and pernicious crimes.

¹⁰ Details of this programme are given on pp.24-5.

1. Introduction

About modern slavery and human trafficking

Modern slavery, as referenced in the Modern Slavery Act 2015, encompasses slavery, servitude and forced or compulsory labour in addition to human trafficking. Human trafficking involves the transportation of individuals for the purposes and intent of exploitation and can involve domestic or international movement. In 2013, the Home Office estimated the number of potential victims of modern slavery and human trafficking in the UK at between 10,000 and 13,000. However, it is widely acknowledged that these figures may considerably underestimate the true scale of the problem.

In 2016, the most common countries of origin for potential victims referred to the National Referral Mechanism (NRM)¹¹ in the UK were Albania, Vietnam, the UK, Nigeria and China (although it is important to note that NRM referrals do not represent all victims of modern slavery and human trafficking in the UK, as is discussed further on p.19 below).

Modern slavery and human trafficking can range in scale and complexity from an individual forced to undertake domestic duties in a private household for little or no pay (domestic servitude) to much more substantial, sophisticated, criminal activity such as transporting hundreds of victims across national borders for the purpose of sexual or labour exploitation. Therefore, cases may involve single or multiple offenders or victims, are national or international, and organised or opportunistic. They occur in both rural and metropolitan areas and can involve activities ranging from cannabis farming to construction. However, the common thread linking crimes of modern slavery and human trafficking is that coercion and control is exerted over human beings who are treated as commodities for the personal or financial gain of others.¹²

Victims are often subjected to multiple types of exploitation, as offenders seek to derive the maximum value from them. For example, an individual may be used for identity fraud and falsely to claim benefits, while at the same time being subjected to

¹¹ *Modern slavery and human trafficking: National referral mechanism statistics - End of year summary 2016*. NCA, March 2017. Available from: www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics/2016-nrm-statistics/788-national-referral-mechanism-statistics-end-of-year-summary-2016 Information on the NRM is set out on p.19 below, and summarised in note 8 above.

¹² Exploitation in which an individual chooses to work for less than the national minimum wage or to live in undesirable conditions, without being forced or deceived into doing so, would not constitute modern slavery.

imprisonment, violence and rape. In other cases, an individual may be sexually exploited for a considerable time and then used in other ways, such as in domestic servitude, when they are no longer deemed useful for the original purpose.

Characteristics of modern slavery

Modern slavery is predominantly a hidden crime. In July 2016, the Independent Anti-Slavery Commissioner, Kevin Hyland, highlighted the plight of its victims in a speech to the Police Federation. He told the conference:

"Those in modern slavery are hidden in plain sight, housed in squalid conditions and, unlike victims of other crime, they are often unable to come forward and report their crime. Victims can be found working in factories, fields and fisheries, and other high risk industries including construction and car washes."¹³

Victims can remain hidden and excluded from society for years. If they are permitted to leave premises, offenders may accompany them at all times. Even victims who have some freedom of movement, or those who escape captivity, can be reluctant to seek help from the authorities. Reasons for this reluctance may include:

- threats made to the victim or to his or her family (in this country or abroad);
- concerns about immigration status;
- a perception that the individual's current circumstances, for example in labour exploitation, are better than those which would be encountered in his or her home country in the event of deportation;
- myths promulgated about the action that authorities may take, or wariness of authorities based on the victim's previous experiences in his or her home country;
- language or cultural barriers, including a lack of understanding of how authorities can help;
- other vulnerabilities, such as age, drug or alcohol dependency, or learning difficulties. These can make a victim more prone to exploitation but less able to seek help;
- loyalty and attachment to, or emotional or material dependency on, the offender; and
- lack of self-identification as a victim, despite the level of exploitation involved.

¹³ Unpublished speech; text provided to HMICFRS by the Independent Anti-Slavery Commissioner.

As a result, the police need to be alert to the indicators of modern slavery and human trafficking, sensitive to the circumstances of victims and thorough in their investigations. This includes looking beyond whether potential victims identify themselves as such.

Modern slavery and human trafficking may overlap and be associated with other crimes. For example, the initial sign that it may be occurring could be a report of a different type of crime or civil matter, which at first sight can appear to be relatively minor. Reports of lost passports or disputes over wages, for example, may point towards coercion and exploitation.

Modern slavery and human trafficking can also be linked with organised immigration crime or people smuggling (which involves the illicit movement of persons across national boundaries and constitutes an immigration offence). A movement that at first sight may appear to involve people smuggling can involve human trafficking. People smugglers may have the intention of exploitation (victims may be unaware of this during transportation), such as forcing individuals into the sex trade. Individuals may also be subject to debt bondage and required to perform work until the debt of transportation is repaid.

The diverse and hidden nature of modern slavery and human trafficking, the degree to which it overlaps with other types of crime and the potentially frequent movement of victims all create particular challenges for the police service. Recognising victims often requires a proactive approach, professional curiosity and a thorough understanding of the indicators of this type of offending.

Our inspection methodology

To reach an overall conclusion about how well the police have responded to the Modern Slavery Act 2015, our inspection focused on the following questions:

- To what extent have leaders demonstrated their commitment to addressing modern slavery and human trafficking?
- How well is the nature and scale of modern slavery and human trafficking understood?
- How effective are the arrangements for investigating modern slavery and human trafficking?
- To what extent is a victim-centred approach to modern slavery and human trafficking taken?
- To what extent is policing proactive in seeking to prevent modern slavery and human trafficking?

To develop these questions, HMICFRS established an expert reference group of people with extensive knowledge of modern slavery and human trafficking, some of whom have regular contact with victims. They included: Kevin Hyland, the Independent Anti-Slavery Commissioner; the barrister Caroline Haughey, who conducted a review of the Modern Slavery Act in 2016; senior policing representatives from the NCA and the Office of the NPCC lead; and others from Government (including the Home Office Modern Slavery Unit), the academic community and the voluntary sector. The full list of ERG members is in annex A.

The HMICFRS inspection team:

- analysed documentation, self-assessments and data returns from all 43 forces;
- reviewed the findings from other relevant HMICFRS inspections (for instance, those related to crime data integrity);¹⁴
- cross-referenced the data held by public agencies in relation to modern slavery and human trafficking;
- conducted fieldwork, including focus groups, case file reviews and interviews in ten police forces;
- visited four ROCUs and various locations in the NCA; and
- interviewed national policing leads and experts in the field.

More details of the methodology we used are set out in annex B.

¹⁴ HMICFRS is inspecting all 43 forces in England and Wales on a rolling basis to establish the extent to which police-reported crime information can be trusted. This programme began in April 2016. More information is available from: www.justiceinspectorates.gov.uk/hmicfrs/our-work/crime-data-integrity/

2. Context: Recent developments in the national response to modern slavery and human trafficking

The national landscape for modern slavery and human trafficking crime has changed significantly since 2008, when the UK ratified the Council of Europe Convention on Action against Trafficking in Human Beings.¹⁵ Change has been particularly evident over the last three years, during which time the legislative framework has been strengthened, law enforcement powers have increased and there has been heightened political focus on tackling this type of offending. We set out some of the major changes in this chapter to highlight the context in which policing operates, as well as the rapid pace of developments.

National Referral Mechanism (NRM)

The NRM was introduced in 2009 to meet the UK's obligations under the Convention on Action against Trafficking in Human Beings, and is the national framework through which victims of modern slavery and human trafficking are identified and referred to national support. All potential adult victims of modern slavery and human trafficking are eligible to receive specialist tailored support through the NRM upon referral by a designated first responder,¹⁶ subject to an initial assessment of their case by a competent authority.¹⁷

Once the competent authority has made an initial decision that there are reasonable grounds to believe potential victims of modern slavery or human trafficking (termed a reasonable grounds decision), they are given a supported reflection and recovery period of at least 45 days. During this time, while their case is considered and a final decision made as to whether they are recognised by the government as a victim (termed conclusive grounds decisions), they receive support such as legal advice,

¹⁵ *Council of Europe Convention on Action against Trafficking in Human Beings*, Council of Europe, 2005. For more information about the convention, see www.coe.int/en/web/anti-human-trafficking

¹⁶ First responders are designated organisations which can refer potential victims of modern slavery in the UK into the NRM. They include the police; Home Office; NCA; local authorities; and the Gangmasters and Labour Abuse Authority.

¹⁷ The two competent authorities responsible for deciding whether individuals are recognised by the Government as victims of modern slavery or human trafficking are the NCA's Modern Slavery Human and Trafficking Unit and UK Visas and Immigration. The NCA assesses cases involving European economic area nationals. UK Visas and Immigration decides all other cases, which formed 70 percent of UK NRM referrals in 2016. *Modern slavery and human trafficking: National referral mechanism statistics - End of year summary 2016*. NCA, March 2017. Available from: www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics/2016-nrm-statistics/788-national-referral-mechanism-statistics-end-of-year-summary-2016

accommodation and therapeutic support. They are also granted temporary admission or temporary release for this period if they do not have valid forms of leave to enter or remain in the UK.

First responders (including the police) who encounter a potential victim of modern slavery and human trafficking are required to explain the entitlements and support available, so victims can make informed decisions about their next steps. Adult victims must give their consent before referral for NRM support. However, referrals are mandatory for potential child victims, who are supported through Children's Services while decisions are made on their cases.

In 2014, a Home Office review of the NRM recommended an overhaul of the system, proposing that regional, multi-disciplinary panels should make the final decisions about whether individuals are recognised as victims of modern slavery and human trafficking. Following this recommendation, the Home Office conducted a pilot between August 2015 and March 2017 testing a new approach. In April 2017, the Home Secretary announced that an assessment of the NRM pilot would be published later in 2017, acknowledging that there was room for radical change and that getting immediate support to victims needed to be improved.¹⁸

Modern Slavery Strategy

The Modern Slavery Strategy, published in November 2014,¹⁹ set out the Government's broad programme of activity designed to counter modern slavery and human trafficking. It foreshadowed the main measures outlined in the Modern Slavery Act 2015, strengthening law enforcement powers and the protections afforded to victims. In particular, the strategy emphasises the role of the NCA in leading, supporting and co-ordinating the response of law enforcement at a national level and the role of ROCUs in supporting and co-ordinating operations against modern slavery. The strategy also proposed the establishment of the Independent Anti-Slavery Commissioner, with responsibilities to include supporting and challenging police forces to improve their response to modern slavery.

¹⁸ 'Home Secretary commits more support to victims of slavery.' Article published on 12 April 2017. Available from: www.gov.uk/government/news/home-secretary-commits-more-support-to-victims-of-slavery

¹⁹ *Modern Slavery Strategy*, HM Government, 2014. Available from: www.gov.uk/government/uploads/system/uploads/attachment_data/file/383764/Modern_Slavery_Strategy_FINAL_DEC2015.pdf

Modern Slavery Act 2015

The Modern Slavery Act 2015 duly consolidated and streamlined previous legislation on modern slavery and human trafficking, strengthened law enforcement powers and enhanced the protections and safeguards afforded to victims. Importantly, the Act increased to life imprisonment the maximum sentence for those convicted of the most serious modern slavery and human trafficking crimes.

Along with new measures requiring offenders to compensate victims, the Act also introduced powers to curtail the movement and activities of individuals where there is sufficient evidence that they may commit a modern slavery or human trafficking offence. The following orders can be made under the Act:

- Slavery and Trafficking Prevention Orders apply prohibitions and conditions in respect of those convicted of modern slavery or human trafficking offences, which may include restrictions on foreign travel and a requirement to notify a specified person or body of any changes in the offender's name or names and home address;
- Slavery and Trafficking Risk Orders are civil orders which may be used to apply prohibitions and conditions as necessary to those who have not been convicted, but pose a threat of committing offences under the Act; and
- Slavery and Trafficking Reparation Orders can be imposed at sentencing and require the person in relation to whom they are made to pay compensation to his or her victim(s).

The Slavery and Trafficking Prevention and Risk Orders can prohibit the defendant from activities not only in the UK but anywhere in the world, potentially offering important safeguards for victims returning to their home countries.

Section 45 of the Act introduces a statutory defence for victims regarding any offences (with the exception of certain serious offences) committed under compulsion attributable to slavery or exploitation, as defined in the Act. The section also provides an even stronger defence to those under 18 at the time the offence was committed: in these circumstances there is no requirement for compulsion, as it is sufficient that the illegal act should be a direct result of slavery or relevant exploitation and that a reasonable person in the same situation and having the same characteristics would have committed the offence. These provisions, which recognise the vulnerabilities of the victims of modern slavery and human trafficking by setting a lower threshold for the defence than the generally applicable defence of duress, should encourage law enforcement agencies to draw a clear distinction between victims and suspects at the earliest possible stage in investigations, so that victims receive all the protections available to them.

Duty to Notify

Since 1 November 2015, section 52 of the Act has obliged specified authorities (including chief constables) to notify the Secretary of State when they encounter potential victims of modern slavery and human trafficking. Referral to the NRM meets this obligation; separate notifications to the Home Office are required for all other potential adult victims (namely those who do not consent to be referred to the NRM). This is intended to help create a more accurate and complete picture of the nature and scale of modern slavery and human trafficking than that provided by NRM referrals alone.

Notification involves completing a form which (as a minimum) provides anonymous information about the victim, such as gender, nationality, the police force area where the offence is thought to have been committed, and the nature of the modern slavery or human trafficking involved. Further details may also be given if the victim consents to this. The form should be submitted within one month of encountering a victim unless there are exceptional circumstances.

Independent Anti-Slavery Commissioner

Part 4 of the 2015 Act provides the statutory basis for the role and UK-wide remit of the Independent Anti-Slavery Commissioner. The Commissioner's role is to encourage good practice in the prevention, detection, investigation and prosecution of modern slavery offences, and in the identification of victims.²⁰

The Commissioner's first strategic plan was published in October 2015 and sets out five main priorities:

- improving identification of and support for victims of modern slavery;
- improving the response of law enforcement and criminal justice;
- understanding and promoting best practice in partnership work between statutory agencies, civil societies and the private sector;
- engaging with the private sector to encourage transparency in the supply chain; and
- improving international collaboration between police forces in the UK and their European and international counterparts.²¹

²⁰ Kevin Hyland OBE was appointed the first commissioner-designate in November 2014. His role was confirmed on 31 July 2015.

²¹ *Independent Anti-Slavery Commissioner: strategic plan 2015-2017*, Independent Anti-Slavery Commissioner, 2015, pp.3–4. Available from: www.antislaverycommissioner.co.uk/media/1075/iasc_strategicplan_2015.pdf

In October 2016, the commissioner's first annual report²² raised serious concerns about how effectively the police were addressing modern slavery and human trafficking; these included the low levels of prosecutions, convictions and levels of recorded crime.

Modern Slavery Taskforce

In July 2016, the Prime Minister announced the establishment of a new Modern Slavery Taskforce,²³ intended to improve the operational response to modern slavery. With a membership including government ministers and intelligence and policy experts, it focuses on the four following main objectives:

1. bringing efforts and resources targeted at modern slavery into line with resources to deal with other forms of organised crime – including by increasing provision of investigative resources, capabilities and intelligence;
2. increasing and improving investigations into the perpetrators of modern slavery through: further education of law enforcement officers on the nature of modern slavery offences; the provision of additional tools to support investigations, such as greater data and intelligence; and more effective use of joint investigation teams (see p.67);
3. improving the number and rate of successful prosecutions by, among other things, further education of prosecuting authorities on modern slavery and improving the quality of supporting evidence; and
4. improving international co-operation against modern slavery.

Haughey Review of the Modern Slavery Act

In 2016, the then Home Secretary commissioned Caroline Haughey, a barrister with experience in prosecuting modern slavery and human trafficking cases, to review the effectiveness of the Modern Slavery Act 2015 one year after coming into effect. *The Modern Slavery Act Review*,²⁴ published on 31 July 2016, found pockets of good practice but raised significant concerns regarding the policing and wider law enforcement response. These included:

²² *Independent Anti-Slavery Commissioner: annual report 2016*, Independent Anti-Slavery Commissioner, 2016. Available from: www.gov.uk/government/publications/independent-anti-slavery-commissioner-annual-report-2016

²³ 'Prime Minister urges international action to stamp out modern slavery', press release published on gov.uk, 20 September 2016. Available from: www.gov.uk/government/news/pm-calls-for-global-action-to-stamp-out-modern-slavery

²⁴ *The Modern Slavery Act review*, Home Office, 2016. Available from: www.gov.uk/government/uploads/system/uploads/attachment_data/file/542047/2016_07_31_Haughey_Review_of_Modern_Slavery_Act_-_final_1.0.pdf

- patchy and sometimes non-existent training for police officers, investigators and prosecutors;
- an insufficient quality and quantity of intelligence about the nature and scale of modern slavery at national, regional and international levels, which hinders the operational response;
- the failure of operational agencies to take a structured approach towards identifying, investigating, prosecuting and preventing slavery, including learning from what works and what does not; and
- the failure to provide some complainants the vulnerable witness protections that should be made available to them during and after the court process.

Police Transformation Programme

In November 2016, the Police Transformation Fund Board approved a substantial investment of £8.5 million, as requested by the NPCC lead, to transform the police service's response to modern slavery across England and Wales. This investment is funding a Police Transformation Programme until March 2019.

The transformation programme is designed to help address the issues raised by the Haughey review of the Modern Slavery Act 2015, and areas for improvement identified by the work of the National Policing Portfolio (the NPCC lead's team). Approximately 60 dedicated roles have been assigned at national and regional levels to increase capability and expertise in principal areas, and strengthen support for local policing.

The programme is providing funding for:

- extra NCA staff based in Europol to improve the flow of intelligence across borders;
- a multi-agency partnership, the Joint Slavery and Trafficking Analysis Centre, to deepen understanding of the national threat assessment, staffed by the NCA, the National Policing Portfolio, the Gangmasters and Labour Abuse Authority, Border Force, HMRC and Immigration Enforcement;
- a policing insight team, tasked with developing stronger national measures of performance and with enhancing intelligence collection activity at national, regional and local levels;
- regional modern slavery transformation teams in the ROCUs, each with a strategic analyst and a co-ordinator of detective inspector rank, to help improve regional and force-level responses via peer support;

- a national training co-ordination function, to develop and provide training courses accredited by the College of Policing, including specialist investigators' courses and awareness-raising modules; and
- a team to help debrief investigators and support the development and dissemination of good practice and lessons learned.

National priority threat

The National Crime Agency has responded to the heightened political interest in modern slavery and human trafficking by increasing its own activity in this area. In November 2016, the NCA's national strategic tasking and co-ordination group elevated modern slavery and human trafficking to a national priority for intelligence collection, in order to improve the intelligence picture of the threat.

Since March 2017, modern slavery and human trafficking has been included in the group of national priority serious organised crime threats (alongside firearms, organised immigration crime, child sexual exploitation and abuse, cyber-crime and high-end money laundering).²⁵ This should help facilitate increased focus on modern slavery and human trafficking.

Work and Pensions Committee report on victims of modern slavery

On 30 April 2017, the Work and Pensions Committee published the results of its inquiry into modern slavery,²⁶ launched at the request of the Independent Anti-Slavery Commissioner after he wrote to the Committee expressing his concerns that the support for victims of modern slavery was “inadequate”.

The aim of the report is stated as being “... to begin, with Government, the development of stage two of our country’s counter-slavery policy that builds on the 2015 legislative framework. This report is concerned with the creation of a world-

²⁵ The national strategic tasking and co-ordination group (NSTCG) agrees the national strategic assessment (NSA) and the national control strategy. The national control strategy is a document that sets out the operational priorities for policing, and sets the long-term priorities for crime prevention, intelligence and enforcement; the NSA gives the most comprehensive picture of the threat to the UK from serious and organised crime. The NSTCG agrees the six national priorities for response. For more information, see *NCA annual plan 2017/18*, NCA, 2017. Available from: www.nationalcrimeagency.gov.uk/publications/790-nca-annual-plan-2017-18/file

²⁶ *Victims of modern slavery*, House of Commons Work and Pensions Select Committee, April 2017. Available from: www.parliament.uk/business/committees/committees-a-z/commons-select/work-and-pensions-committee/inquiries/parliament-2015/victims-of-modern-slavery-16-17/

leading structure of services that cares for and protects, as effectively as we can, the victims who have escaped from slavery.”²⁷

The inquiry’s findings included the following:

- the collection and recording of data on victims of modern slavery was generally substandard and the Government’s failure to monitor the re-trafficking of victims was “unacceptable”;
- the lack of proper support for victims can result in the “inexcusable scenario” that abusers go free because their victims are not supported to give evidence against them;
- frontline Department for Work and Pensions (DWP) staff were often not aware of modern slavery, and did not always know how to deal sensitively with identified victims, despite the fact the DWP will come into contact with a high proportion of victims at some point (either through benefit claims, or the allocation of National Insurance numbers); and
- while acknowledging an upward trend in the number of successful prosecutions against individuals guilty of modern slavery offences, the numbers were still disappointing. The inquiry therefore referred the low conviction rate to the Home Affairs Select Committee.

Summary

The national environment in which policing and law enforcement operates is changing rapidly, with new measures and structures being put in place to strengthen the response to modern slavery and human trafficking at national, regional and local levels. Police organisations need to adapt to and make the best possible use of the opportunities provided by this evolving landscape in order to secure effective outcomes for victims, deliver justice and prevent further abuse and exploitation.

²⁷ *Ibid.*

3. Findings: Leadership

We assessed how well leadership at national, regional and force levels has contributed to the police's response to the Modern Slavery Act 2015. This included examining:

- how well leaders have communicated the importance of tackling modern slavery and human trafficking to their workforce;
- the extent to which the response to modern slavery and human trafficking is a routine part of systems and practice; and
- how leaders assure themselves that the response to modern slavery and human trafficking is effective.

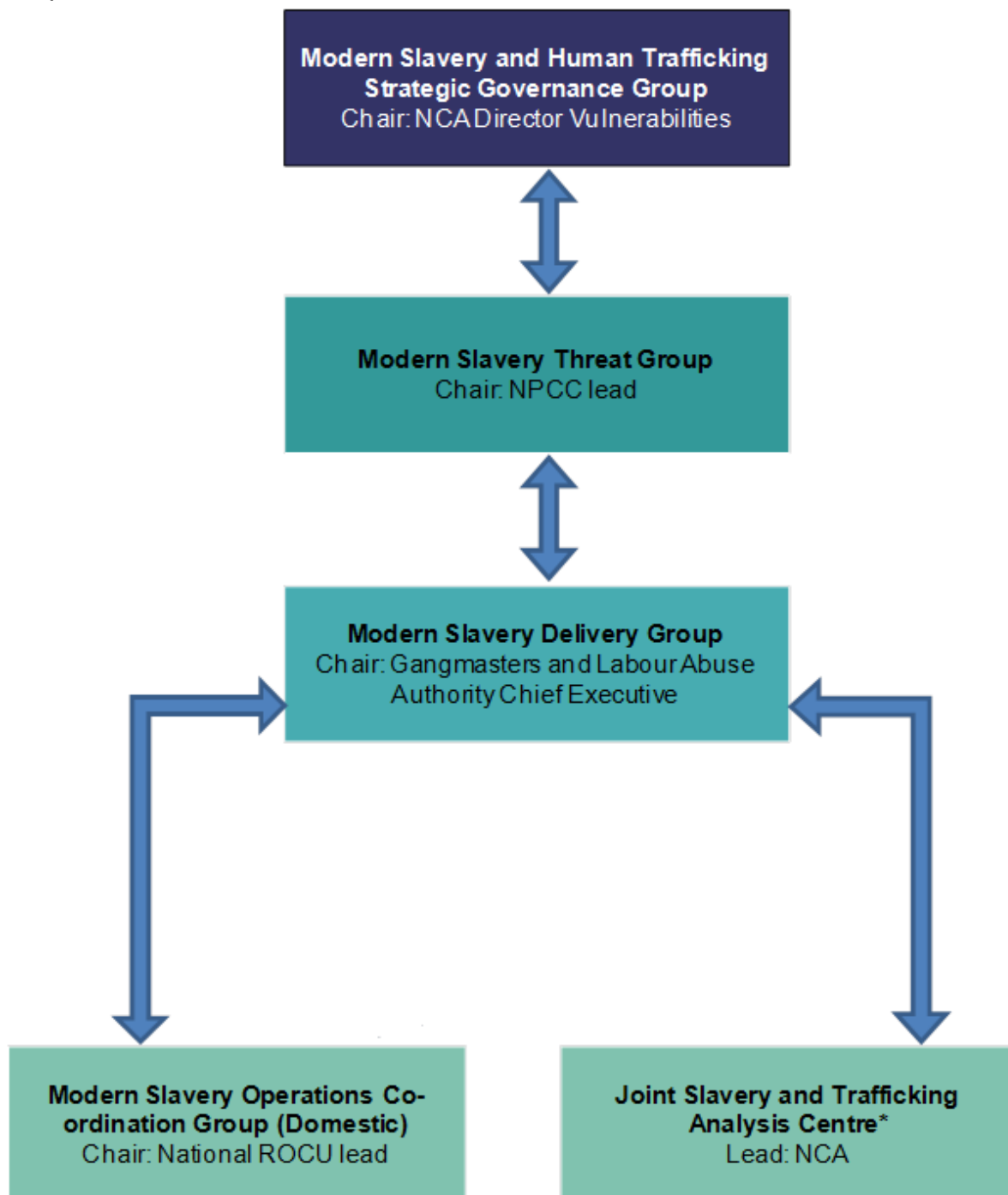
National police leadership

The National Police Chiefs' Council (NPCC) lead for modern slavery and human trafficking, and his office (the National Policing Portfolio), are involved in a range of activities designed to improve the police's response to the Modern Slavery Act 2015. As figure 1 on the next page shows, this includes the NPCC lead chairing the national modern slavery threat group (on behalf of the NCA). This group is responsible for establishing the national strategic action plan, and monitoring the progress made against it by all law enforcement agencies.

The National Policing Portfolio also supports a national network of single points of contact (SPOCs), including strategic, tactical and analytical points of contact, which help to promote good practice. The role of SPOCs is discussed further on p.32.

In January 2016, the National Policing Portfolio launched a national policing modern slavery action plan, with a self-assessment template for forces to use to audit their progress against this plan. A report summarising the findings from the initial self-assessment exercise was produced in summer 2016 (and is referred to in this report as the '2016 summer audit report'). This showed clear inconsistencies and areas for improvement across the police service, concluding that "few forces have made significant progress across the breadth of the plan." The main issues identified included: lack of understanding of the local intelligence picture; progress largely being driven by a small group of committed individuals, who often held other full-time and concurrent roles; the negative impact of high levels of staff turnover in important roles for modern slavery and human trafficking; a strategic disconnect between forces and ROCUs; scarce intelligence flows between forces beyond regions; and low confidence that viable international intelligence checks were being undertaken by forces.

Figure 1: Modern slavery and human trafficking national governance structures (as of April 2017)



*Established in April 2017, this centre is commissioned by the Modern Slavery Police Transformation Fund Programme.

NCA leadership

The NCA is responsible for leading, supporting and co-ordinating the national response to serious and organised crime, which includes modern slavery and human trafficking.

This includes producing and maintaining the national threat picture for modern slavery and human trafficking affecting the UK, through the collection, assessment and reporting of intelligence, and the identification of emerging trends and threats.²⁸ The NCA also provides a range of specialist capabilities on behalf of UK law enforcement and other partner agencies. These include its tactical advisers, who support UK police force modern slavery and human trafficking operations; and its network of international liaison officers, who are based around the world and at Europol.

Before November 2016, when this threat was made a national priority for intelligence collection, tackling modern slavery and human trafficking offences was largely seen as the preserve of the specialist Modern Slavery and Human Trafficking Unit (MSHTU). However, elevation of the threat has resulted in NCA senior leaders placing stronger emphasis on modern slavery and human trafficking, including through the allocation of specialist resources and the use of the NCA's overseas network.

We found that since November 2016 the NCA has demonstrated obvious commitment to tackling modern slavery and human trafficking crime and has more visibly gripped this issue. A new impetus, which includes revised accountability and governance structures and higher prioritisation of this kind of offending, is evident across the NCA. For example:

- a new modern slavery and human trafficking Strategic Governance Group is in place, led by the NCA's new Vulnerability Director;
- there is more visible involvement in national co-ordination (see Operation Aidant, p.34), which should help to improve both perceptions of the NCA's activity and national co-ordination with partners; and
- in 2017, the NCA produced a modern slavery and human trafficking strategic plan with a threefold aim: to drive momentum; to engage the main stakeholders; and to produce tangible results. A modern slavery and human trafficking control strategy supports this plan.

We regard these as positive changes. However, at the time of our inspection fieldwork (January to March 2017), forces and senior representatives of other interested parties continued to report a lack of clarity about the NCA's precise role in relation to modern slavery and human trafficking and a belief that the NCA could do more to define it. Some also questioned the level of NCA engagement and were critical (sometimes severely) of both the national leadership provided and the level of intelligence and information shared. We also found evidence that delays in sharing

²⁸ Since April 2017, this function has been enhanced by the Police Transformation Programme's multi-agency Joint Slavery and Trafficking Centre (see p.24 above).

intelligence and information with forces had led to backlogs of investigations, with victims potentially left unprotected and offenders free to continue their exploitation. Lack of proactivity in gathering and disseminating actionable intelligence contained in the NRM system (including information used in deciding cases) remained a concern at the time of our inspection (these issues are described further on p.39 below).

Given that modern slavery and human trafficking offences cross force, national, and international boundaries, it is of critical importance that the relationship between the NCA and the rest of the policing landscape is positive and effective. It is evident that at the time of inspection more work needed to be done to ensure that the recent changes the NCA has made to practices have been fully implemented and communicated to forces and other interested parties. We were told that the strategic governance group had recently approved a document setting out national roles and responsibilities for the response to modern slavery and human trafficking (called the roles and responsibilities grid), which represents a move towards promoting this better understanding.

Regional leadership

The ROCUs provide a range of specialist capabilities to forces. ROCUs investigate and disrupt organised crime groups operating across police force boundaries and act as the points of contact between police forces and the NCA. ROCUs also have responsibility for holding regional strategic and tactical tasking meetings and developing regional intelligence.

We found that regional leaders had a good understanding of modern slavery and human trafficking and demonstrated their willingness to develop investigations. The ROCUs we visited either had, or were developing, well-supported threat groups. Chaired by senior officers, these oversee operational activity in line with regional control strategies.

The Police Transformation Programme investment is providing increased strategic and advisory support for ROCU investigations into modern slavery and human trafficking and for intelligence development through regional modern slavery transformation teams. These teams comprise a co-ordinator and a strategic analyst. Most of the new regional posts had been filled at the time of writing this report.

The officers and staff we spoke to within the inspected ROCUs were generally well informed about modern slavery and human trafficking. They also considered that it was treated as a priority. We found that each ROCU had included modern slavery and human trafficking in its regional priorities. However, in common with the unpublished 2016 summer audit report produced by the National Policing Portfolio (see p.27), we observed problems with the way that ROCUs and forces work together. These are discussed later in this report.

Force leadership

The 2016 Haughey Review of the Modern Slavery Act highlighted the lack of engagement on the part of force leaders as a significant problem. This was echoed in our findings.

Our review of strategic documentation and data returns provided by all 43 forces in England and Wales found an emerging rather than established policing response in many cases. We found that:

- most forces had some form of strategy to deal with modern slavery and human trafficking offending, either within wider strategies or specific to this area of crime, but in many cases this was relatively basic and lacked detail;
- delivery and action plans in many forces similarly lacked detail and did not reflect a comprehensive approach;
- few forces used evidence from communications plans to support effective engagement with their workforces and communities about modern slavery and human trafficking;
- very few forces demonstrated robust approaches to considering investigated cases of modern slavery and human trafficking with a view to learning lessons, meaning that opportunities to improve practice will have been lost; and
- minutes of meetings where modern slavery and human trafficking was discussed generally showed that discussions lacked focus on achieving outcomes. Only a few forces provided evidence of effective meetings, minutes and accountability structures.

In the ten forces we inspected, we found varying levels of commitment from senior leaders to tackling modern slavery and human trafficking. While collective leadership commitment was established in a few forces, in others the impetus for recent change had come from newly-appointed individual senior leaders. In several forces, the response can best be described as nascent. Some senior leaders acknowledged that they had been slow in focusing on the issue and were aware of gaps in their response. At the time of the inspection, several forces were still in the process of developing their plans, or had yet to approve them and governance arrangements to monitor progress against plans were not in place in all forces.

In several forces, chief officers have given increased prominence to modern slavery and human trafficking in their communications to their workforces in recent months using a range of communication channels. These have included blogs, tweets, online briefings, posters and publicising successful cases. Officers and staff in several forces said they had recently seen more messages about modern slavery and

human trafficking offending. However, in some forces the level of prioritisation had not been communicated clearly, and staff and officers we spoke to remained unaware of whether modern slavery and human trafficking was a force priority.

Very few forces could provide us with defined and actively-used data and information relating to modern slavery and human trafficking. Effective performance management and oversight is not possible without access to and use of such data. Forces generally acknowledged this to be an important gap in governance and oversight. This lack of data means, many forces cannot show that their responses to modern slavery and human trafficking are effective, or make informed decisions about where resources should be best allocated and deployed.

Single point of contact

In 2015, the National Policing Portfolio established a network of modern slavery single points of contact (SPOCs) in each force. The Haughey review recommended a "more standardised and professionalised" approach to these roles, and made two recommendations aimed at supporting this.²⁹ In response, in 2016 the National Policing Portfolio expanded the network to include strategic, tactical and analytical points of contact.

In most forces, we found committed and passionate individuals acting in SPOC roles, helping to strengthen force effectiveness and engagement with partner organisations in relation to modern slavery and human trafficking. Some SPOCs spoke of receiving strong support from their chief officer team. Others appeared to be doing their best with only limited support, and some had not received any specialist training. We also found there to be a continuing churn in SPOC roles.

In some forces, modern slavery champions were also in place to help promote greater awareness and understanding of modern slavery and human trafficking crimes. These were generally drawn from investigative roles, although in a few forces a wider variety of roles were involved, such as analysts or neighbourhood officers. However, the support for and impact of these roles varied with a lack of clarity about the role of champions in some cases. In one force, several appointed champions lacked expertise and were unsure of the expectations of the role, or the support available to them. In other forces, SPOC champions were better supported, for example through regular contact with dedicated units or inclusion in continuous professional development programmes.

²⁹ "Recommendation 1: Each police force should appoint or identify single points of contact (SPOCs) on modern slavery and exploitation – one at strategic command level and one at tactical investigative level. Recommendation 2: The National Policing Lead and Chief Constables should ensure that Police SPOCs become a dynamic and thriving community of practice that regularly shares good practice and lessons learned." *The Modern Slavery Act review*, C. Haughey, July 2016, p.4. Available from: www.gov.uk/government/publications/modern-slavery-act-2015-review-one-year-on

Police and crime commissioners

In January 2016, Mark Burns-Williamson, Police and Crime Commissioner for West Yorkshire and Association of Police and Crime Commissioners (APCC) lead for modern slavery, established the National Anti-Slavery and Modern Slavery Network. This is intended to provide a forum for police and crime commissioners in England and Wales to focus on modern slavery and human trafficking issues. It aims to encourage police and crime commissioners to include modern slavery and human trafficking in their plans, raise awareness of the nature and scale of offending, and help share and promote good practice.

The importance of this work is highlighted by the findings of the 2016 summer audit report. This stated that fewer than half of all forces were confident of receiving support from their police and crime commissioner for activity to tackle modern slavery and human trafficking at the time. As part of the Police Transformation Programme (which the APCC lead supported), a post has been established to support the development and growth of the PCC network, and to help PCCs develop a clear understanding of areas for improvement across the police service.

In some forces, we found that the level of interest shown by police and crime commissioners, including direct investment, has acted as an important stimulus to help improve the response to these crimes. Some police and crime commissioners have funded training conducted by charities; for example, approximately £200,000 was invested in face-to-face training in one force. In other forces, police and crime commissioners have also funded modern slavery co-ordinators to develop force or partnership approaches.

Strategic partnerships

Several forces either lead or participate in established local or regional strategic partnerships which co-ordinate and direct activity with local authorities, statutory partners and third-sector agencies. In others, such activities were at best embryonic. A few forces we inspected had no formal local partnership structures in place and acknowledged that this was a significant gap. Representatives of partner agencies in one force area told us that they would greatly welcome leadership and engagement by the police in establishing a meeting structure to co-ordinate activity.

4. Findings: Intelligence

The Modern Slavery Act 2015 provided new powers and levers to tackle modern slavery and human trafficking, but these extended powers require good intelligence if they are to be successfully used. We considered how forces, ROCUs and the NCA are working together to understand the threat of modern slavery and human trafficking and share intelligence in order to build up understanding across local, regional and national levels.

National intelligence picture

As set out above (p.29), the NCA is responsible for maintaining the national threat picture for modern slavery and human trafficking affecting the UK. Historically, the national intelligence picture has been heavily reliant on NRM statistics and information from NRM forms submitted by policing and other agencies.

During the inspection, serious concerns were raised by senior stakeholders regarding the NCA's approach to developing and sharing intelligence in respect of modern slavery and human trafficking. We were told that the NCA had neither prioritised nor effectively managed data and intelligence to support wider law enforcement activity, and had largely failed to support the development of a robust national intelligence picture. Understanding of the overall threat and the involvement of organised crime was assessed by the NCA in December 2016 as limited, with the NCA acknowledging this as a vulnerability for both itself and the wider law enforcement community

We found evidence of the NCA becoming more involved in co-ordinating local activity to improve the intelligence picture since modern slavery and human trafficking was adopted as a national high priority for intelligence collection in November 2016. A national strategic intelligence requirement was issued to police forces (and an international strategic intelligence requirement was issued to the international liaison network) to develop further the national intelligence picture. This has helped to extend the evidence base for the national threat picture, although about a fifth of police forces did not contribute to this process.

Operation Aidant

Operation Aidant is a joint initiative of the NCA and the NPCC lead. It involves police forces and other law enforcement agencies (such as Border Force, Immigration Enforcement and HM Revenue & Customs) conducting proactive operational activity for one week each month, focused on a nationally identified theme. This theme might be sexual or labour exploitation, or prioritising communities from countries linked to higher numbers of victims or offenders, such as Vietnam, Nigeria or certain countries in Eastern Europe.

At the time of writing this report, four such weeks of operational activity had taken place with variable police involvement across the operations. A total of 77 arrests were made during this period. The numbers of potential victims safeguarded is less clear with some inconsistency in figures reported. While this activity is a positive development, only five subsequent referrals were made to the NRM, and 14 Duty to Notify submissions made to the Home Office in total across the four operations.³⁰ These low levels underscore the need for improvements in the level of police understanding about the statutory notification process and their compliance with it. Officers also need to ensure victim support available through the NRM is appropriately explained. These issues are explored later in the report.

Use of intelligence from the NRM

Some of those we interviewed for this inspection raised particular concerns about the NCA's established approach to the management of NRM forms and intelligence extracted from them. We found that data from NRM are stored on a static Excel spreadsheet making it difficult to review entries effectively; information gathered in deciding cases has also not been systematically analysed for intelligence. Much potentially useful information about offending routes and patterns and locations of interest has not been systematically extracted, analysed and shared with forces from these data sources. This needs to be addressed urgently.

Moreover, while the NCA's MSHTU staff may review, to an extent, NRM forms concerning UK and European Economic Area (EEA) nationals for intelligence, this has not been the case for the majority of NRM forms³¹ (which the NCA sends directly to UK Visas and Immigration without detailed analysis), nor for Duty to Notify forms submitted to the Home Office. Overall, therefore, we assessed the intelligence developed by the MSHTU from these avenues as limited in both scope and potential

We consider that the NCA should show stronger ownership of the intelligence picture for modern slavery and human trafficking by exploiting all the data from the NRM (including case files) and Duty to Notify forms. Also, we note that if NRM forms were more consistently subject to a police crime report the intelligence picture would be improved, as these crime reports could easily be searched, and might often be accompanied by a separate intelligence report or risk assessment, given the identified vulnerability of those involved.

³⁰ We were advised by the NCA that the overall number of potential victims of modern slavery and human trafficking identified by Operation Aidant cannot be confirmed due to inconsistencies in the identification of victims across the participating agencies.

³¹ i.e. those forms relating to EEA nationals who are subject to immigration control, and to all non-EEA nationals.

We are also extremely concerned to find that the NCA has not in the past effectively shared with relevant police forces in a timely way NRM referrals received from non-policing agencies (especially as the Independent Anti-Slavery Commissioner has been writing to the NCA about its need to improve in this regard since 2015). As a result, police forces have been unaware of allegations of modern slavery and human trafficking in their areas; cases have therefore not been investigated. We are aware this has resulted in unacceptable delays, of many months and potentially even of years, in investigating cases, with victims left at risk and subject to continuing exploitation. We also found several examples of this in our case file review.

The NCA has now implemented a process to help ensure that information about allegations of modern slavery and human trafficking is shared promptly and systematically with local forces. This was being implemented at the time of the inspection and it was therefore too early for us to assess its effectiveness. We note that the National Policing Portfolio is also examining this process.

Regional intelligence picture

In the ROCUs we visited, we found that modern slavery and human trafficking were generally well understood, and that procedures were in place or were being developed to collect intelligence and assess the regional threat. Each region we inspected had in place, or was developing, a modern slavery and human trafficking threat group, which was actively seeking to improve the existing intelligence picture. While we did not assess the effectiveness of these procedures, we found evidence that some proactive work was being done and note that ROCU analysts in the ROCU transformation teams, funded by the Police Transformation Programme investment are already working with forces to improve understanding of regional offending.

Local intelligence picture

Evidence gathered as part of HMICFRS' PEEL Effectiveness 2016 inspection³² showed that many forces are increasing levels of resourcing to combat other emerging crime areas (such as child sexual exploitation and cyber-crime), without a comparable emphasis on resourcing and addressing modern slavery and human trafficking.

Our inspection supported these findings. We found that while the shift in emphasis towards vulnerability in tackling serious organised crime has, in general, resulted in an increased focus on dealing with child sexual exploitation, much less was being done to tackle modern slavery and human trafficking. Self-assessments and

³² This annual inspection programme assesses and grades the effectiveness of the 43 police forces in England and Wales. More information is available from www.justiceinspectors.gov.uk/hmicfrs

documentation provided by forces made it clear that few forces had a strong understanding of the nature and scale of offending in their areas and many did not have either a comprehensive intelligence requirement³³ or a detailed plan for how best to collect it. This is disappointing, as this is the minimum we would expect in relation to any designated priority.

We found that most of the forces we inspected took a primarily reactive approach, and we were concerned by the lack of intelligence-gathering taking place at the force level to understand local threats and high-risk locations. Even though there may be a lack of clarity about the national picture, police forces should actively gather their own intelligence to understand better their own high-risk industries and locations and, in turn, this can inform the national picture.

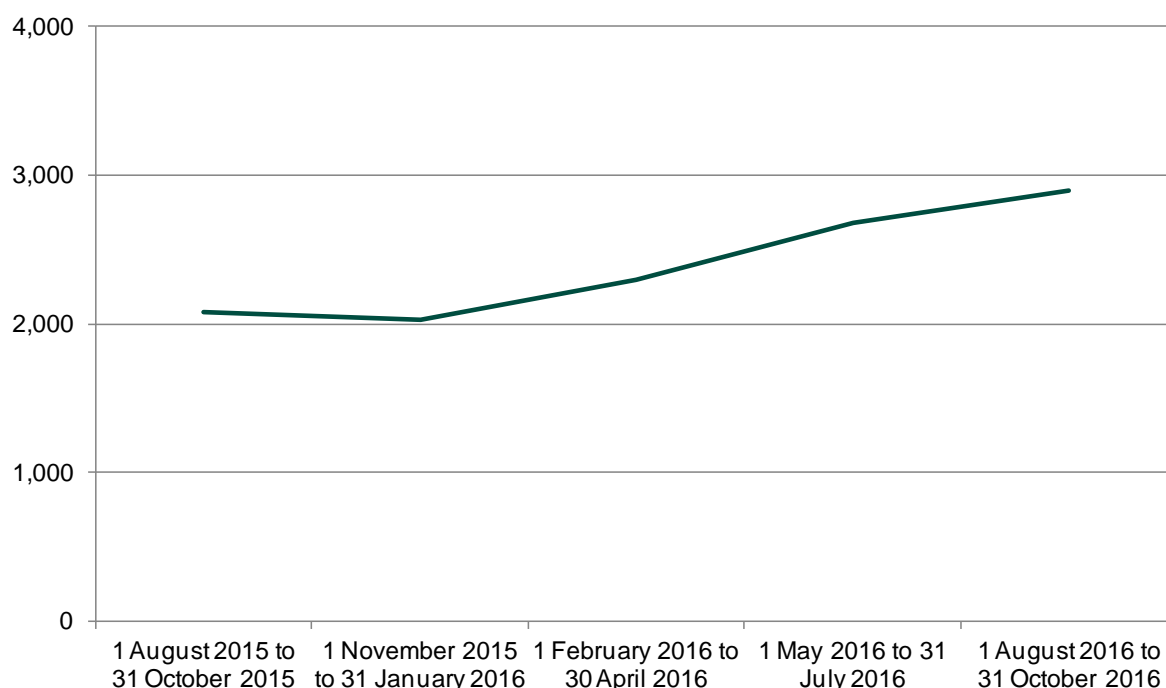
While certain types of locations and venues, such as car washes, nail bars and brothels, are widely associated with modern slavery and human trafficking, police forces should also be aware of the nature and type of modern slavery and human trafficking in their own areas, which may be different. They should tailor their intelligence gathering activities accordingly, for instance responding to differences in the environment between rural and urban areas. Intelligence gathering is an important part of police work and forces should not need a national directive to prompt their activity in this respect.

We asked forces about the volume of intelligence submissions that were being recorded. The data returned to us indicated an increase in the volume at an aggregated level from 1 August 2015 to 31 October 2016, although there was apparent variation between forces (see figure 2, on the next page).³⁴

³³ An intelligence requirement is a document outlining the information required or questions that need answers in order to fill gaps in police knowledge on a particular issue.

³⁴ Increased levels of intelligence do not necessarily reflect more effective detection of modern slavery and human trafficking. Larger-scale operations involving many victims can cause occasional, temporary spikes in intelligence.

Figure 2: Number of modern slavery and human trafficking intelligence submissions recorded by police forces in England and Wales³⁵ from 1 August 2015 to 31 October 2016



Source: HMICFRS data collection

We found a general absence of analytical support to help forces understand modern slavery and human trafficking. Several of the inspected forces did not have up-to-date local risk profiles setting out information about the local threat, although some forces had specific problem profiles for modern slavery and human trafficking, for example in relation to brothels and car washes.

Debriefing victims for intelligence

Forces need to improve the way they debrief victims for the purpose of gathering intelligence. The case files we reviewed showed that the police did not speak with some victims during investigations, particularly when individuals did not wish to support a prosecution. This means that potentially valuable intelligence has been lost. In some cases, intelligence was not used or developed from victims entering the NRM process to establish whether sufficient evidence existed for a prosecution.

Some officers appeared to have made a deliberate decision not to engage with potential victims if they were in immigration detention; this approach appeared to reflect a view that the individuals were being safeguarded in secure units and so no longer of police concern. A focus on the immigration status of both victims and offenders has been a recurring theme throughout this inspection.

³⁵ Thirty-nine forces out of 43 were able to supply this information.

Cases closed prematurely without debriefing victims

Fourteen Romanian workers attended a police station, complaining of exploitation on a building site. However, the group said they did not wish to support a prosecution and were repatriated back to Romania within days.

Formal statements containing the victims' accounts were not taken to enable the police to understand whether modern slavery and human trafficking offences had taken place and to support potential law enforcement activity. This means alleged offenders were not prosecuted, and other current and potential victims were not safeguarded or protected.

Co-ordination between the NCA, ROCUs and forces

The level of co-ordination between the NCA, ROCUs and forces in addressing modern slavery and human trafficking is variable. In some forces, the level of joint working with the NCA and ROCUs in this area was under-developed. In others, we found evidence of a close relationship, including forces passing investigations to the ROCU for further action.

We found some confusion and negative perceptions concerning the role and effectiveness of the NCA in disseminating intelligence to forces to deal with modern slavery and human trafficking. Officers in several forces told us that the information exchange with the NCA was not working well, viewing it as largely 'one-sided' rather than a reciprocal arrangement. They felt they had received little help to increase local understanding of modern slavery and human trafficking, including information about the movements and activities of organised crime groups.

We welcome and acknowledge the activity the NCA has undertaken to improve coordination and flows of information to forces, which took place immediately before, during and since our fieldwork. However, it is clear that more work must be done to ensure that information and intelligence is co-ordinated, and that relationships work effectively, particularly because the nature of modern slavery and human trafficking means that offences often extend beyond force boundaries. We note that increased support for national and regional co-ordination through the Police Transformation Programme is intended to bring about improvements in this area.

Partnership working

We found some good examples of local co-operation between police and partner agencies. For example:

- Derbyshire Constabulary carries out visits to car washes jointly with the Health and Safety Executive and the Department for Work and Pensions.

Agreements are in place to exchange information and build a picture of the local threat; and

- West Yorkshire Police works closely with businesses to raise awareness of indicators that modern slavery and human trafficking may be taking place. It has developed particularly strong links with the banking sector to help identify bank accounts which show suspicious activity of a type that might indicate exploitation linked to modern slavery and human trafficking. This work has led to positive outcomes in identifying locations of interest.

Greater Manchester Police: intelligence gathering and use

Greater Manchester Police routinely receives intelligence and referrals from partners, which it analyses promptly to identify opportunities to disrupt criminality and put safeguarding measures in place. A high level of information and intelligence exchange results from co-location with partner agencies.

A specialist team undertakes a daily scan of intelligence, and data are analysed regularly to identify repeat locations or offenders. Intelligence received from victims is also fed into the force's intelligence systems and scanned daily to identify patterns and links to other investigations.

However, overall we found partnership work to be inconsistent. Also, we encountered little evidence that forces were assessing the effectiveness of their partnership activity, or acting on this to improve the sharing of information and intelligence.

5. Findings: Victim identification and initial response

The harm done to victims of modern slavery and human trafficking can remain hidden and unrecognised, sometimes for lengthy periods. The ability of frontline officers to sense when things may be wrong and use their professional curiosity to dig deeper relies on their having a thorough understanding of the potential signs and indicators of these diverse crimes.

We assessed the understanding and awareness of officers and staff in different roles and areas across the ten inspected forces. This included assessing whether officers could identify signs and indicators of modern slavery and human trafficking, were aware of the Duty to Notify and the NRM processes or understood the responsibilities of designated first responders to the NRM.

Contact officers

Across the forces we inspected, the level of awareness and understanding of modern slavery and human trafficking displayed by call handlers and desk enquiry officers was generally patchy and inconsistent. While they demonstrated greater confidence in assessing vulnerability through systems such as THRIVE,³⁶ and broadly understood the importance of safeguarding vulnerable victims, some of the control room staff said they were not confident about recognising signs of modern slavery and human trafficking. In some cases, call handlers told us that they would be unlikely to identify cases without the caller making an explicit reference to slavery or trafficking.

Different factors contributed towards this lack of confidence and understanding:

- lack of effective training – some control room staff could not recall receiving any training;
- variable levels of knowledge among call handlers about where to find guidance; and
- inconsistent availability and use of flags and markers on IT systems to highlight vulnerability or the presence of modern slavery and human trafficking.

Inspectors were on site in one force when the front desk turned away a clearly identifiable victim of modern slavery and human trafficking despite his having stated

³⁶ A model of decision-making used to assess the appropriate initial police response to an emergency call, based on threat, harm, risk, investigation, vulnerability and engagement.

that he was a victim. The individual was referred to the local authority which then referred him back to the police. When we discussed frontline understanding, officers told us of similar examples.

Failure in victim identification

A Romanian individual reported the theft of his national ID card by his employers at the enquiry desk of a police station. He was working in a car wash and stated his employers had confiscated the identity documentation and expected him to work without pay. The report was not initially recognised as modern slavery by the front desk officer and recorded as theft. This was reclassified as modern slavery on supervisory review.

Response and neighbourhood officers

Knowledge and awareness of modern slavery and human trafficking were very inconsistent among frontline officers, varying both between and within forces.

Cumbria Constabulary: raising awareness

Cumbria Constabulary has undertaken a concerted communications and awareness campaign, which included an internet briefing by the chief constable and a 'seven-minute briefing' template used by team leaders to discuss modern slavery and human trafficking in their teams. This included a focus on 'myth-busting' and legislative developments.

Frontline officers we spoke to were generally confident that they could spot the signs of modern slavery and human trafficking. One officer said this was supported by the force's efforts to share details of local cases of modern slavery and human trafficking. This reinforced messages about what signs to look out for, making these messages more relevant to officers and to the area where they worked.

The force also takes a proactive approach to testing the awareness of frontline officers, undertaking audits and assessments of their understanding.

Overall, we found limited awareness of this type of offending. For example, in one force, most officers and staff we spoke to were unable to recognise the indicators of modern slavery and human trafficking. Even some effective and proactive neighbourhood teams demonstrated a lack of specific knowledge about, and understanding of, modern slavery and human trafficking issues.

In some forces, officers felt confident that they would recognise vulnerability more broadly and take action to safeguard the victim, even if they did not identify immediately that he or she had been the victim of modern slavery and human trafficking. However, while a broad understanding of what constitutes vulnerability may help to ensure that those more easily identifiable victims of modern slavery and human trafficking receive support and assistance, the true circumstances of many victims are likely to remain unrecognised without a deeper understanding of the potential manifestations and hidden nature of these crimes.

Greater Manchester Police: effective safeguarding

Police received a report of a man running through a garden. On attendance the police found the victim hiding in a garden with minor injuries. He advised he was running away from someone. Further enquiries revealed that he had been kept by a traveller family for many years, living in a garage on the traveller property and being paid around £10 per day. The victim was vulnerable with learning difficulties, received beatings and was exploited through forced labour. The modern slavery and human trafficking implications and victim's vulnerability were identified by officers at the scene, although the initial report was not linked to modern slavery and human trafficking. Immediate safeguarding action was taken and an NRM referral made.

The subsequent investigation used a range of techniques. The offenders were identified and warrants executed at their premises to gather evidence and intelligence. Analysis of digital media and financial analysis was also undertaken.

We were concerned about the number of frontline officers, in both urban and rural areas, who did not view modern slavery and trafficking as a matter for their force. A perception lingered among some officers that modern slavery and human trafficking is rare and only affecting certain communities. Evidently, further efforts are needed to counter such perceptions. A mindset that remains essentially closed to the possibility of modern slavery and human trafficking happening locally makes officers less likely to be alert to this type of offending, and thus less likely to be able to identify it when encountered.

Lack of awareness of the statutory section 45 defence means that officers attending incidents or crime scenes may not consider or gather sufficient evidence to help determine whether individuals are offenders or potentially victims forced to commit offences. Some victims, therefore, may be viewed solely as suspected offenders, when a higher level of awareness among officers might make such victims more likely to receive the safeguards to which they would be entitled under the Modern Slavery Act 2015.

During the inspection, some officers who were aware of the section 45 defence commented on what they believed to be its cynical and routine use by offenders. In particular, officers referred to employers of people working in cannabis factories training them to use the section 45 defence on contact with the police. Officers must consider each case with an open mind, explore fully the circumstances and question people sensitively. In this way, they can identify victims accurately and work to protect them.

During our examination of case files, we found some positive examples of safeguarding by response teams. However, we have serious concerns about the effectiveness of immediate safeguarding in several of the forces we inspected. We found many cases where circumstances clearly indicated a modern slavery and human trafficking offence had occurred, but the police had not recognised it. As a result, victims remained exploited and at risk of further harm. We referred several case files back to forces because of concerns that individuals might remain at risk of exploitation. This led to forces re-opening some cases.

The review of case files also found a lack of attention to the safeguarding of other potential victims of modern slavery and human trafficking, drawn from the accounts victims had given the police. In one force, in the nine case files we examined, 13 additional potential victims or witnesses were apparent from the documentation, but police officers had spoken to only three of them. In another force, eight potential further victims were evident from the case files but no enquiries had been made to identify or locate them.

Delay in safeguarding and poor investigation

An Eastern European man attended a police station to report an assault to his face and head. The victim used LanguageLine (a provider of interpretation and translation services) to explain the circumstances of the assault. He was taken to hospital and an appointment made for him to attend the police station the following day, when an interpreter would be present. However, the victim failed to attend until two days later. During the subsequent interview, it became clear that he was being beaten and had been raped at his home address by men he worked for in a takeaway restaurant below the flat he rented. He worked excessive hours and, while he received cash payments for this work, paid most of this back to the shop owner in rent.

More effective questioning at the front desk during the initial contact with the police would have helped identify the seriousness of the offences and the immediate and continued risk facing the victim at his home address. Instead, no positive intervention was made and the victim went home after receiving treatment for his injuries. His failure to return to the police station for his appointment also drew no response from the police.

The man was eventually safeguarded and referred to the National Referral Mechanism (NRM).

We also found troubling examples in some forces of officers who appeared reluctant to identify and uncover cases of modern slavery and human trafficking due to the volume of complex work that such cases may generate, or because of uncertainty about how to proceed. We return to this later in the report.

Beyond our concern about the inability of some forces properly to identify or respond to victims of modern slavery and human trafficking, HMICFRS is seriously concerned to find that in some of the case files we reviewed, potential victims of modern slavery and human trafficking were identified and treated from the outset primarily as immigration offenders. This focus on immigration status means that many victims are not being informed of the support to which they may be entitled during the 45 days' reflection and recovery period (if they receive a positive reasonable grounds decision through referral to the NRM). It also means that opportunities for gathering intelligence and developing investigations and prosecutions are being lost.

The following case, which one of the fieldwork forces discussed with us, illustrates this issue.

Focus on immigration

In January 2017, officers attended an address in response to intelligence suggesting that Chinese nationals were using it as a brothel. When officers forced entry they found a 48-year-old female. She was arrested on suspicion of immigration offences and taken to a police station.

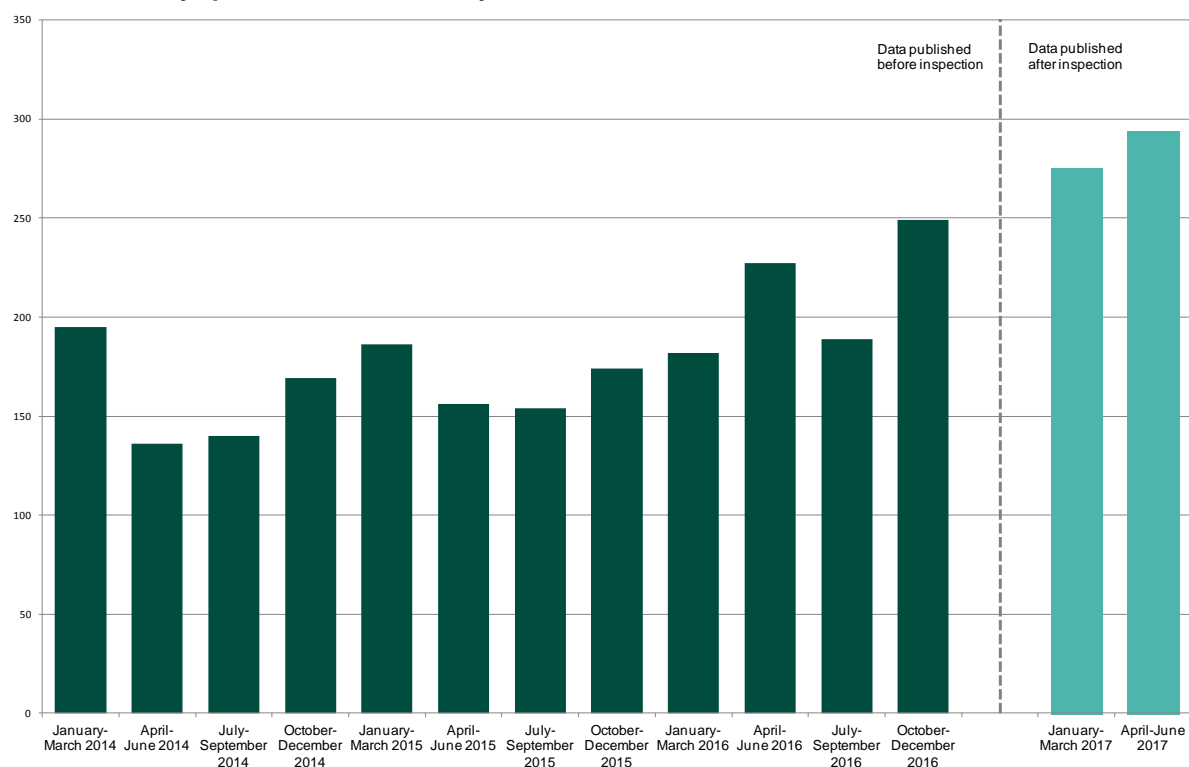
Subsequent enquiries revealed that she was in the UK legally. The woman had no idea where she was in the UK, however, and did not even have a key to the premises. When officers returned her to the address, she disclosed her fear of the man who ran the business. In spite of that, she was left outside the premises. On returning to the station other officers expressed concern that she might be a victim of modern slavery and human trafficking. The address was then revisited, but by then had been vacated. The woman is now a missing person and at risk of continued exploitation and re-trafficking.

NRM referrals

If the police service had responded strongly to the Modern Slavery Act 2015 and improved its identification of victims, we would expect to see higher numbers of referrals made to the NRM and a higher level of submissions made under the Duty to Notify process.

As figure 3 shows, the overall number of referrals the police in England and Wales made to the NRM has increased slightly since the introduction of the Modern Slavery Act 2015 on 31 July 2015.

Figure 3: Number of National Referral Mechanism (NRM) referrals by police forces in England and Wales³⁷ by quarter from 1 January 2014 to 31 June 2017³⁸



Source: NCA NRM Quarterly Statistics publications

Six forces made over half of the police referrals in 2016 (53 percent). These were Greater Manchester Police, the Metropolitan Police Service, Northumbria Police, South Yorkshire Police, West Midlands Police and West Yorkshire Police.

Higher volumes of NRM referrals perhaps could be expected from the larger metropolitan forces (simply because of their size), although this does not necessarily mean smaller forces cannot encounter a relatively high prevalence of modern slavery and human trafficking. In 2016, most forces recorded an increase in the number of referrals to the NRM (in comparison to 2015), but for many this was small and unlikely to reflect a genuinely increased level of activity, or improved ability to detect modern slavery and human trafficking.

Approximately a third of forces in England and Wales made fewer referrals to the NRM in 2016 than they did in 2015. Figure 4 shows the number of referrals that forces in England and Wales³⁹ made in the last three years. This shows no discernible increase in the number of NRM referrals for the majority of forces over

³⁷ This excludes the British Transport Police.

³⁸ Since the inspection fieldwork, the NCA has published data covering January to March 2017 and April to June 2017. These data are highlighted in a lighter shade of green.

³⁹ This excludes the British Transport Police.

the three years covered. About half of all English and Welsh forces (20) made fewer than ten referrals to the NRM during 2016; the majority of these made five or fewer.

There are some caveats to these data. For instance, larger-scale operations involving many victims can cause occasional, temporary spikes in NRM referral numbers. This does not necessarily reflect more effective detection of modern slavery and human trafficking, or better support for victims. It is also important to note that entering the NRM process is optional for adults. This means the rate of referrals is not a direct measure of police identification of victims. It is possible the police are identifying more potential victims, but those individuals are choosing not to enter the process (although they should in such cases be the subjects of Duty to Notify submissions). It should be noted that data published so far for 2017 may be indicative of a change in the trend of NRM referrals being made by forces (see figure 3).

The disparities in the number of referrals between forces, the patchy knowledge of the NRM process evident in many of our fieldwork forces and the generally limited awareness of indicators of modern slavery and human trafficking strongly suggest there are many potential victims who are not being given the opportunity to be referred to the NRM.

Also, these figures are extracted from a live administrative database of Duty to Notify referrals. As with any administrative system, these figures are subject to possible errors in data entry and processing. These figures do not constitute official statistics. This is a relatively new data collection and the levels of reporting are likely to reflect the corresponding awareness of Duty to Notify among frontline staff. As much of the information is anonymised, it is also not possible to assess the extent to which reports from different agencies are 'double counting' the same individuals.

Figure 4: Number of NRM referrals made by calendar year, and number of Duty to Notify submissions made in 2016, by forces in England and Wales

	NRM referrals			Duty to Notify submissions
	2014	2015	2016	2016
Avon and Somerset	21	9	14	33
Bedfordshire	7	8	5	18
Cambridgeshire	44	29	13	0
Cheshire	5	1	8	9
Cleveland	9	11	4	0
City of London	1	0	2	0
Cumbria	0	0	7	2
Derbyshire	12	14	13	10
Devon and Cornwall	8	11	22	11
Dorset	9	0	2	0
Durham	2	6	0	1
Dyfed-Powys	1	3	2	0
Essex	7	16	20	19
Gloucestershire	0	0	5	3
Greater Manchester	30	89	84	39
Gwent	9	3	3	1
Hampshire	21	8	7	13
Hertfordshire	12	5	11	0
Humberside	3	6	3	0
Kent	27	19	23	42
Lancashire	4	8	4	18
Leicestershire	6	4	6	8
Lincolnshire	15	6	1	1
Merseyside	3	25	22	9
Metropolitan Police	103	89	93	18
Norfolk	7	10	16	3
North Wales	1	0	11	5
North Yorkshire	14	3	7	7
Northamptonshire	5	5	20	0
Northumbria	11	25	52	8
Nottinghamshire	6	12	9	8
South Wales	5	9	10	1
South Yorkshire	11	8	44	11
Staffordshire	0	4	16	1
Suffolk	6	6	8	1
Surrey	2	7	28	19
Sussex	8	6	11	3
Thames Valley	23	24	32	8
Warwickshire	0	1	9	0
West Mercia	3	2	20	2
West Midlands	37	84	99	16
West Yorkshire	122	80	76	12
Wiltshire	20	14	5	0
England and Wales	640	670	847	360

Table source: NCA NRM Quarterly Statistics publications and Home Office data

Duty to Notify submissions

The Home Office has recorded the number of Duty to Notify submissions since 1 November 2015. Submissions from the police and other public bodies specified in the Modern Slavery Act should include all adult potential victims of modern slavery and human trafficking who have not consented to be in the NRM. There were 1,042 Duty to Notify referrals in the year to March 2017.⁴⁰

Figure 4 (on the previous page) shows that nearly three quarters (30) of the forces in England and Wales submitted ten or fewer Duty to Notify forms to the Home Office throughout 2016. Ten of these forces did not submit any forms.

The low number of submissions made by forces could reflect failures to identify victims of modern slavery and human trafficking, failures to follow the statutory notification process, or a combination of both. The low numbers of submissions are consistent with the very low level of awareness of the Duty to Notify process that we encountered among staff and officers in many forces we inspected. Information that should help ascertain the true nature and scale of modern slavery and human trafficking is not being comprehensively recorded in line with the introduction of this measure in the Act. Forces need urgently to improve compliance with this process, and their identification of potential victims.

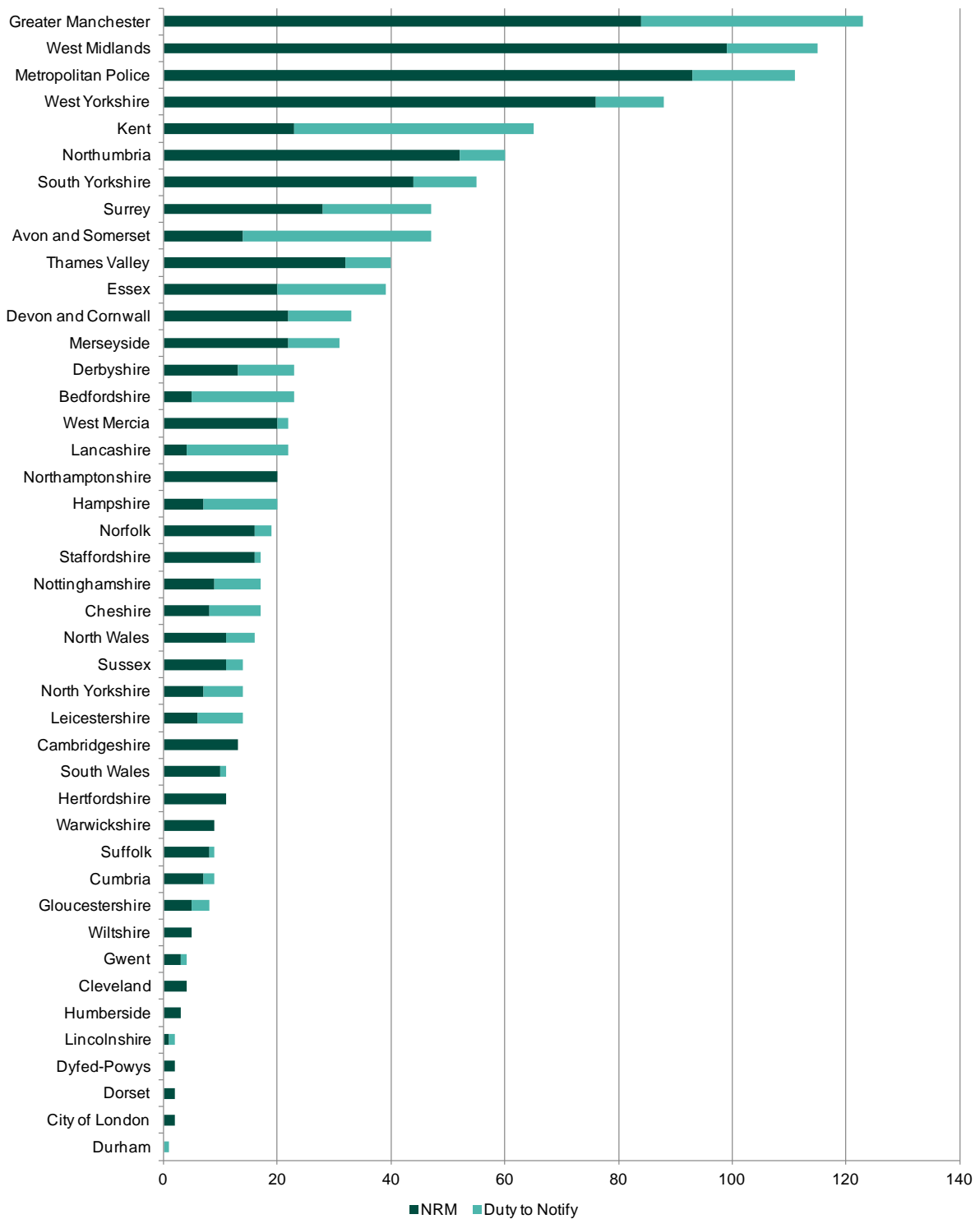
Figure 5 on the next page shows the combined number of Duty to Notify submissions and referrals made to the NRM during 2016. This should include all potential victims of modern slavery and human trafficking that police forces encountered during the year.

The combined number of referrals and submissions in 2016 ranges from only 1 in Durham to 123 in Greater Manchester. Over half of all forces reported identifying 20 or fewer potential victims of modern slavery and human trafficking throughout 2016; only seven forces reported encountering more than 50 potential victims. It is of note that higher numbers have not been reported in larger metropolitan forces, or in forces with large ports or sizeable agricultural economies.⁴¹

⁴⁰ Almost all of these were from the police (42 percent), Home Office (33 percent) or Border Force (20 percent). Data provided to HMICFRS by the NPCC lead for modern slavery and human trafficking.

⁴¹ When comparing force data it should be noted that most investigations involve more than one force area, and many partners, and that NRM referrals may cluster around venues (such as immigration centres, ports, charity offices or safe houses) which are not evenly distributed among forces.

Figure 5: Number of Duty to Notify submissions and referrals made to the NRM by police forces in England and Wales in 2016



Sources: NCA NRM Quarterly Statistics publications and Home Office data

Some forces made more NRM referrals than Duty to Notify submissions in the same period, whereas the opposite was true in other forces. This may indicate varying levels of understanding of the two mechanisms or, possibly, that better engagement with victims in some forces leads to a higher proportion of victims consenting to receive national support. We acknowledge the caveats that apply to the use of NRM data (set out on page 47). However, police forces need to monitor the relative proportions to help detect whether problems exist with their engagement with potential victims.

Both the NRM and the Duty to Notify are paper forms, which officers complete, scan and email to either the NCA or the Home Office. The Home Office is looking at digitising both of them. This welcome step should help to improve efforts to collect and analyse the data. However, the lack of a digital process can neither explain nor excuse the current low numbers of notifications made to the Home Office.

6. Findings: Crime recording

Crime recording is subject to stringent rules to ensure consistent and accurate recording across forces. The level of recorded crime gives an understanding of the prevalence of offending and whether this is changing over time. Crime recording is also imperative as the start point for investigations to begin. We assessed whether police forces are consistently and accurately recording modern slavery and human trafficking crime in line with guidance, including specificities which apply to this area of offending.

The Home Office Counting Rules (HOCR) set out whether and when the police service in England and Wales must record reports of crime and how these reports are classified. The HOCR are supported by the National Crime Recording Standard (NCRS), which provides a framework for interpreting and classifying crime. They standardise how, and if, crimes are recorded.

Home Office guidance issued in July 2016 requires that a separate crime record is created for every NRM referral or victim subject to a modern slavery or human trafficking offence. Updated guidance in December 2016 clarified that a crime should be recorded in all cases where the police are notified of a positive reasonable grounds decision by a competent authority recognising an individual as a potential victim of modern slavery and trafficking, and for every case referred to the NRM by the police.

The Independent Anti-Slavery Commissioner has highlighted prominently failings in the police recording of modern slavery and human trafficking crime, with many fewer crimes being recorded than NRM referrals made. He told the House of Commons Work and Pensions Select Committee earlier this year:

"of the 3,200 referrals into the NRM (last year), that only translated into 884 crime reports by policing. There is a one in four chance of an investigation. [...] and when I say 'investigated', I mean even being recorded as a potential investigation. I know the numbers are not equal, but if there were 4,000 rapes in the UK and only one in four was ever recorded by the police, again, it would be an outcry."⁴²

⁴² *Victims of modern slavery*, House of Commons Work and Pensions Select Committee, April 2017, p.19. Available from: www.parliament.uk/business/committees/committees-a-z/commons-select/work-and-pensions-committee/inquiries/parliament-2015/victims-of-modern-slavery-16-17/

Findings from the crime data integrity inspection

HMICFRS' crime data integrity (CDI) inspection programme⁴³ has also confirmed under-recording of modern slavery and human trafficking crime to be a serious issue.

The CDI inspections have found that not all the reported modern slavery offences reviewed in our audits have been recorded in the majority of forces so far inspected. Additionally, the inspections found many forces have also failed to record serious crimes associated with reports of modern slavery, including rape and other serious sexual offences. Crime-recording standards require that the most significant other associated offence is also recorded with regard to modern slavery offences for the same offender and victim relationship.

Failure to record modern slavery offences

- A police force received information from the local environmental health department reporting that it had recently inspected an Italian restaurant and found eight workers there being “treated as slaves”, receiving insufficient food and no pay. The state of their accommodation was described as being poor. No modern slavery crimes were recorded by the force.
- A county council made a referral to the police via the National Referral Mechanism (NRM). The teenage victim had been found in the back of a lorry illegally entering the country. He was placed in foster care but absconded. He was subsequently found living in a nail bar sleeping on boxes. During police interview, he explained that he had been working in the nail bar six days a week for little pay but received food and accommodation. The police took the view the child was not forced to undertake this work and there was therefore no exploitation. However, the circumstances described involving a vulnerable child victim should have been recorded as a modern slavery offence.

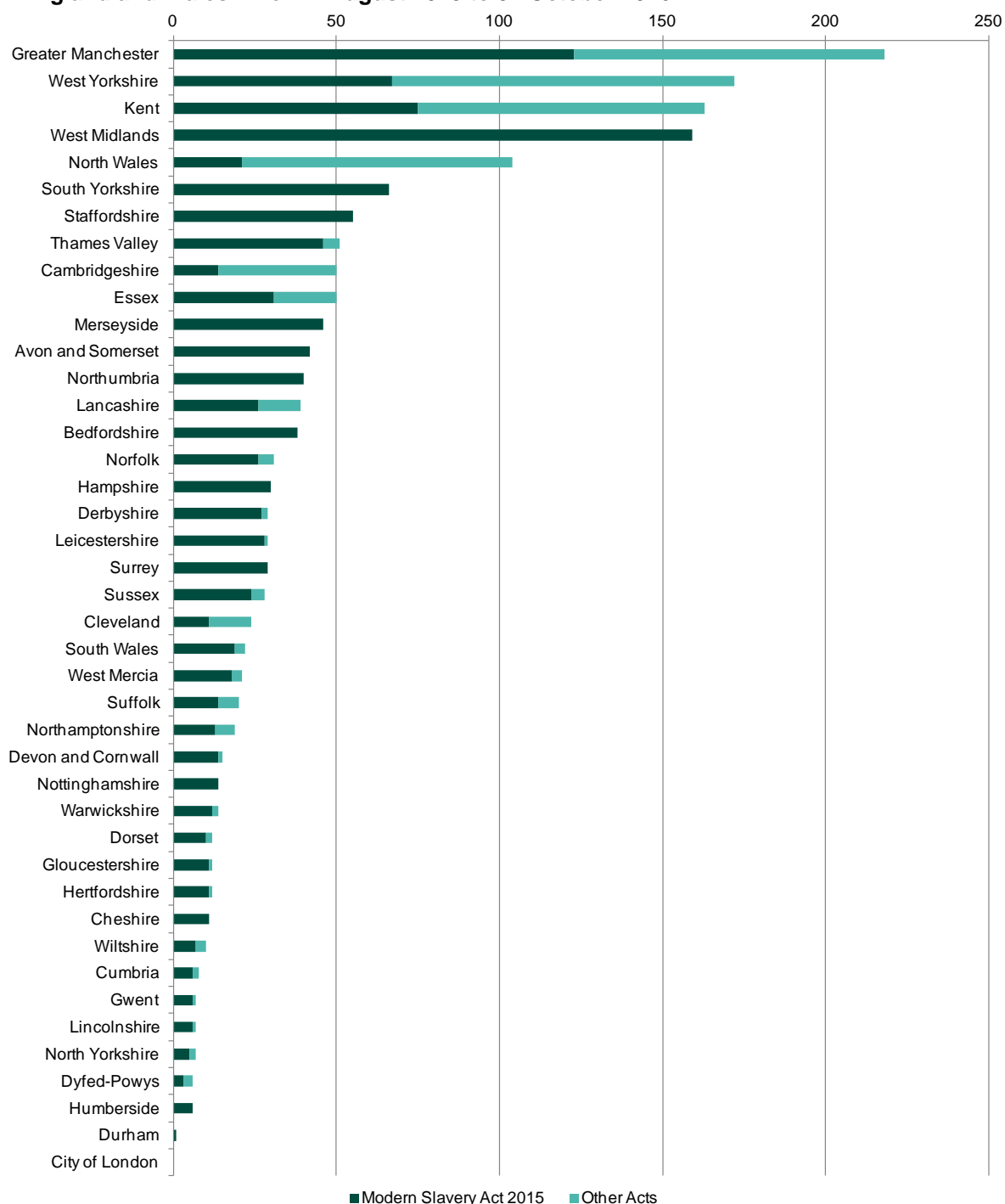
⁴³ This rolling programme of inspections tests whether crimes are being recorded by the police when they should be, and categorised correctly. For more information on the programme, see www.justiceinspectorates.gov.uk/hmicfrs/our-work/crime-data-integrity/

Failure to record modern slavery offences

A woman was trafficked to the UK where she was forced to work as a prostitute. She was unable to say where this was. She eventually managed to report this to a police force and a crime of Holding a Person in Slavery and Servitude was recorded. She also said, "I was basically forced to do it, because my family was threatened back home..." It was clear that what she was describing was rape and she was unsure how many men she had been forced to have sex with. No crimes of rape were recorded.

Findings from this inspection

Figure 6: Volume of modern slavery and human trafficking offences recorded by police forces in England and Wales⁴⁴ from 1 August 2015 to 31 October 2016



Source: HMICFRS data collection

⁴⁴ The Metropolitan Police Service's data have been excluded from this chart for ease of presentation. It recorded 30 offences under the Modern Slavery Act 2015, and 1,944 modern slavery offences under other Acts (1,974 in total).

UNDER EMBARGO UNTIL 00.01 ON TUESDAY 24 OCTOBER 2017

Data provided by forces in response to our data request show considerable variation between forces in the number of offences being recorded, and large differences in how this is done. Of the 43 of forces, 32 recorded fewer than 50 modern slavery and trafficking offences (under either the Modern Slavery Act 2015 or other legislation) during the 15-month data collection period.

Some forces are continuing to record higher proportions of offences under other legislation (including the Asylum and Immigration Act 2014, the Fraud Act 2006, the Gangmasters (Licensing) Act 2004 and others) rather than offences under the Modern Slavery Act. This means that many modern slavery and human trafficking offences are not being recorded as such.

These deficiencies in the current crime-recording practices for modern slavery lead us to conclude that the prevalence of modern slavery in England and Wales cannot be safely established from published recorded crime data.

We found that force crime registrars generally had good levels of awareness of the crime-recording requirements for modern slavery, and of recently circulated guidance to support good crime-recording decisions. However, they acknowledged that, historically, crime-recording compliance for modern slavery crimes has not been good and that audits are continuing to identify cases where these crimes have not been appropriately recorded.

Also, we found:

- inconsistency in the crime-recording arrangements, and in the oversight of these arrangements within forces;
- some investigators with limited awareness of the crime-recording rules for modern slavery and human trafficking; and
- in our case file review, that some forces were not compliant with the recording rules. This was reflected in delays to the recording of reported crime and failures to create separate crime records for each potential victim identified and referred to the NRM.

To address the issues of under-recording crime, some forces had checking processes in place to identify where reported crimes had not been recorded, or where they had been incorrectly recorded. However, given the limited understanding among officers and staff of the crime-recording requirements for modern slavery crime, and the under-recording of this type of crime, we would expect such arrangements to be in place in all forces and for regular checks to be taking place. This would help to ensure that a clearer picture of the extent of modern slavery and human trafficking is established in each force, which in turn should lead to improvements in the police response to these crimes and in the service provided to victims.

Our inspection also found that some investigators were not aware of the crime-recording rules. Some of them, for instance, did not understand the need to have a separate crime record for every NRM referral made to the NCA by the police, and for each separate victim. There were examples in the case files examined where this had not occurred. We also found examples where ineffective crime recording substantially delayed investigations because modern slavery crimes were not identified until supervisory or specialist review sometimes months later, as well as some worrying decisions to cancel crimes.

Delay to investigation due to ineffective recording

A council housing advisor visited the victim's address and realised she was being forced to run drugs for a local organised crime group. There was also a concern that she was being sexually exploited. The information was forwarded to the police and effective safeguarding action taken with an NRM referral. However, modern slavery offences were not recorded until the case was reviewed by the force single point of contact (SPOC) some four months later. No investigation had been undertaken during the intervening period.

Incorrect cancellation of a crime

Five unaccompanied Vietnamese children (three girls, and two boys) arrived in the UK in the back of a lorry and were arrested for immigration offences. The children were placed into foster care. The police considered that the females may have been trafficked into the UK but did not seem to view the boys as also being potential trafficking victims. The girls were subsequently reported missing. Police enquiries as part of the missing person investigation found the children had used a mobile phone in a café, and received a text suggesting they should travel to London.

Enquiries into the phone number from which the text was sent found it was connected to a Facebook group for Vietnamese nationals looking for work in nail bars. The police also identified a connection with an address in London known to be frequented by immigration offenders. However, the girls were not found and remain at risk of exploitation.

No investigation was undertaken into modern slavery and human trafficking offences. The crime was cancelled by the force crime registrar, with the rationale that:

"The report does not amount to an allegation of Modern Slavery within the UK. The subject's Asylum Claim/Status is being considered by the Home Office UKVI Department. For the above reasons I am satisfied this matter should be cancelled on the basis that the Crime was recorded in error".

7. Findings: Investigations

After the initial investigative response, the next stage in bringing an offender to justice is an effective police investigation. Irrespective of the type of offence, this requires clear plans and actions and good victim care, carried out by appropriately skilled and experienced investigators who are able to draw on specialist skills where necessary.

Modern slavery and human trafficking investigations may also require additional skills and considerations. These include:

- a greater need to consider ‘victimless’ prosecutions, as victims may not identify themselves as victims, may feel loyalty to offenders, or may be too traumatised or vulnerable in other ways to support a prosecution;
- the ability to understand and contextualise victims’ accounts, even when arising from a different culture;
- and wider scope for international collaboration and the need to understand the work of international law enforcement agencies.

We assessed the effectiveness of investigation through interviews with lead individuals and focus groups with investigators and senior investigating officers (SIOs), including those in specialist modern slavery and human trafficking teams. We carried out a review of the case files of 92 modern slavery and human trafficking investigations from across the ten forces inspected. We also conducted fieldwork in four ROCUs, and NCA locations.

NCA investigations

NCA investigation teams are based at locations around the UK and are responsible for responding to investigations, through the national tasking process, where there is sufficient requirement for their involvement. The NCA also develops and provides a range of specialist capabilities on behalf of UK law enforcement and other partners. These includes its tactical advisers, who support UK police forces on modern slavery and human trafficking operations and its network of international liaison officers, based in targeted countries around the world and at Europol.

At the time our fieldwork was conducted, the NCA was conducting about 800 live operations, of which only 11 were linked to modern slavery and human trafficking. The majority of these 11 cases began after modern slavery and human trafficking was adopted as a national priority for intelligence collection in November 2016.

In general, the NCA focuses on areas of greatest harm or risk, and is involved in investigations that have a significant international element. However, in the case of modern slavery and human trafficking, the NCA was also getting involved in lower level investigations to help build capability and experience in this area. NCA staff we spoke to outside the MSHTU acknowledged they had little experience of undertaking modern slavery and human trafficking investigations, but were interested in building such experience by getting involved in lower-level investigations, where the NCA typically would not be engaged.

The NCA also supports other investigations led by the police and partners. The MSHTU is based within the NCA and provides tactical expert support to NCA and partner investigations, providing round-the-clock assistance where necessary. This includes assistance with checks via the National Intelligence Hub. However, we were told that questions had arisen about their resilience, and about their ability to provide as much operational support as they would like.

ROCUs

At the time of the inspection, several ROCUs were dealing with modern slavery and human trafficking investigations (adopted through the regional tasking process where the investigations crossed force boundaries or were sufficiently complex).

Investigations in the ROCUs that we visited were generally well resourced, and were using an array of investigative techniques.

Force investigations

Resourcing

As of July 2017, there were 314 live operations being led by UK police forces. This is a notable increase from 188 identified operations in December 2016.

Some of the forces inspected had invested in dedicated teams or assigned specialist resources to modern slavery and human trafficking, to build up their expertise and help guarantee strong investigations (although in one such force the team was not investigating this type of crime exclusively but had a wider remit on exploitation, including child sexual exploitation cases). Another force had also created a dedicated investigative team to support a substantial investigation – the largest in the country. Those involved in specialist teams and investigative advisory roles often demonstrated a high degree of expertise and a commitment to tackling modern slavery and human trafficking crime. Evidence from the case files we reviewed confirmed the positive effect that these teams have had; generally, the responses and outcomes were better than in cases that were investigated by non-specialists.

We also found evidence of the positive effects of having tactical advisory support.

Greater Manchester Police: use of tactical advisers

Greater Manchester Police has invested in training 52 tactical advisers, enabling round-the-clock advisory support for investigations. The advisers work closely with, and are supported by, the dedicated modern slavery team.

Live cases are allocated to a tactical adviser who guides investigators through the investigation process so that specific lines of enquiry pertinent to modern slavery and human trafficking are not missed and the complexities of such cases are addressed. The tactical advisers have volunteered to undertake the roles in addition to their existing responsibilities. This model of advisory support has involved relatively limited investment of time and resources (the training course takes five days) and helps ensure effective investigations.

However, several forces reported having had problems with finding the resources for modern slavery and human trafficking investigations. The staffing implications of running more complex operations were identified as leaving teams feeling stretched. Some investigators we spoke to also felt there was a lack of interest and commitment at a strategic level in their force with respect to modern slavery and human trafficking investigations.

Timeliness

In several of the forces we inspected, we were disappointed to find failures to start some investigations soon enough. We found delays, of several months in some cases, before any investigative or safeguarding action had been taken. In two examples, it took at least seven months before the cases were properly allocated to an officer and an investigation began. The victims were therefore left unprotected, while the offenders remained free to continue their abuse and exploitation. Such delays are unacceptable.

Delays in safeguarding

A Polish translator contacted the police on behalf of a victim, stating that the victim's employer had beaten him with a stick, forced him to work without pay for seven years and had withheld his passport. The caller explicitly referred to this as modern slavery and human trafficking. However, the police took no action following the call. It was only after the victim was subsequently assaulted, some seven months later, that the modern slavery and human trafficking implications were taken seriously. A considerable delay occurred in safeguarding the victim who was supported ultimately through the National Referral Mechanism (NRM) and in arresting the offenders.

We also found examples of extensive delays occurring in cases where partner agencies had submitted NRM forms to the NCA – but where these were not forwarded to the relevant police forces in a timely way. Forces were therefore unaware of potential modern slavery and human trafficking victims in their area, meaning that cases remained dormant, with no investigative activity, often for months.⁴⁵ In some of these cases, delays caused by the lack of effective information transfer from the NCA were subsequently compounded by the lack of timely allocation within forces, once aware of the allegations.

Towards the end of 2016, the NCA took action to deal with this problem by sending NRM referrals, including non-policing referrals, in batches to individual forces. This meant that some forces had to contend with a sudden influx of cases at the end of 2016 and beginning of 2017. Some were not NCRS-compliant as a result of this, because they were not able to record the crimes quickly enough.

As stated earlier in this report, at the time of our inspection the NCA was developing a way of sharing information more systematically with forces, in a timely manner, to avoid such issues in future. Although it was too early for us to assess the effectiveness of this new approach as part of this inspection, we note that the National Policing Portfolio is currently looking at how the process is working in practice. The effectiveness of information-sharing and co-ordination regarding NRM referrals between the NCA and local policing is also likely to be an area of focus for the Independent Anti-Slavery Commissioner in future data requests.

Quality

We found that larger-scale operations, managed through serious and organised crime arrangements or subject to the formal oversight that accompanies major investigations, were generally well managed, reflecting good joint work with partners and the involvement of specialists.

⁴⁵ In some cases, ineffective allocation of such cases, when they did reach forces, led to further delay.

Cumbria Constabulary: Effective safeguarding and investigation

A man attended the front counter of a police station to report that he had been the victim of modern slavery and human trafficking offences while working at a carwash. His account led to the mobilisation of a large-scale operation within two hours. As a result, three victims were identified and arrangements were put in place to safeguard them. Prompt investigative enquiries also revealed other offences, such as possession of firearms, counterfeit and smuggled goods, and money-laundering activities. The investigation was transferred to the serious and organised crime unit and a complex enquiry was undertaken, which involved close work with partner agencies, including HMRC and the local Trading Standards team. The investigation led to several charges.

Documents in the case files show that an assigned officer maintained regular contact with the victims, all three of whom returned to their home country. The force has sought charging advice to bring a 'victimless prosecution' for offences under the Modern Slavery Act 2015.

We also found some evidence that those forces which respond to modern slavery and human trafficking through their serious organised crime structures and partnership arrangements often dealt better with this type of offence. They used a wide range of investigative tools and techniques (such as covert surveillance) to dismantle the criminal networks which were facilitating modern slavery and human trafficking, as well as ensuring victims are safeguarded. When forces responded through their protecting vulnerable people structures, care for victims could be excellent, but there was not always the same focus on disrupting human supply chains and preventing the creation of future victims by dismantling the networks.

A mixture of both serious organised crime and protecting vulnerable people approaches is needed if offenders are to be brought to justice, and victims protected (or indeed prevented from becoming victims in the first place). This is because of the complexity of many modern slavery and human trafficking cases and the high level of support often needed to enable victims, including those who are highly traumatised, to assist with investigations.

Overall, however, the quality of many investigations – particularly smaller scale ones conducted by non-specialists – was poor in most forces. In one force, we reviewed seven cases and found all but one to be ineffective. Four cases had been finalised prematurely when lines of enquiry remained outstanding. In another force, we found that in seven out of ten cases reviewed the standard of investigation was so poor that we referred them back to the force for further consideration. As a result, this force launched an immediate review of the quality of its modern slavery and human trafficking cases.

Failures in investigation

An eastern European woman was found by a member of the public heavily pregnant and in distress near a motorway service station. She was taken to hospital where police took an account the next day. The victim explained she was forced into prostitution in her home country, before being trafficked to the UK seven months earlier and again forced into prostitution. An individual had helped her escape in a vehicle, and left her in a public place. The victim did not know where she had been held in the UK but gave the first names of her guards, the first name of the man who helped her escape, and the full name of the individual responsible for forcing her into prostitution in the home country. She also mentioned that at least one other woman was being held in similar circumstances.

The initial police response involved taking safeguarding steps and making an NRM referral. However, there was no investigation of the allegations until the crime was allocated to a detective, some four months later.

Nearly a month after the crime was allocated, the victim was spoken to by investigators. At this meeting the victim declined to support a prosecution but gave further details of the circumstances in which she was forced into prostitution, including allegations that she had been raped, and forced at gunpoint to call her parents and tell them she was leaving the area.

At this point, an entry on the crime record noted that investigative opportunities to trace the vehicle in which the victim escaped had not been followed at the time of the report, frustrating any subsequent investigation. The investigation concluded with a statement that certain information would be shared with Interpol, but heavily redacted to avoid identifying the victim.

While a modern slavery crime was recorded, the rapes that the victim had suffered were not. The quality of this investigation was poor at every stage. The case was left unallocated for several months, despite knowledge of an additional victim, the severity of the crimes and a named suspect. Given the nature of the offending, the case should have been allocated to an experienced investigator immediately and the lines of enquiry followed without undue delay. The police were aware the named main suspect was alleged to be involved in offences of kidnap, rape, firearms and trafficking. Further details of the offender were also provided which could have assisted in identifying him.

Delays in taking urgent steps to work with NCA, Europol and police in the victim's home country potentially mean that the named individual is continuing to kidnap women and facilitate their trafficking into the UK (and elsewhere) for the purposes of prostitution.

In several cases examined, we were extremely concerned to find that the police did not speak to the victims (when they had been referred by third parties) at all. We further found cases where allegations were not investigated, cases that had been closed without any enquiries being made and victims who were not debriefed to gain intelligence about offending behaviour which might have informed further investigations, and potentially helped to safeguard other victims.

Some officers expressed a wish to close modern slavery and human trafficking investigations as quickly as possible. They told us this was partly because they did not feel equipped to handle such cases, but also because of demanding caseloads. The serious problems we encountered as part of our review of case files supports the view that officers in some forces seek to close these cases quickly rather than investigate them properly. Indeed, we found cases closed with major lines of enquiry outstanding, including when there were named suspects, but no attempts were made to locate and pursue the offenders. The tendency to prematurely close cases was particularly prominent in cases where victims did not wish to support the prosecution, with little effort made to build cases and pursue offenders using wider sources of evidence.

Failures to pursue lines of enquiry

Information provided through Crimestoppers led police to a suspected brothel where two Chinese women were found and interviewed through LanguageLine. The women denied being trafficked into the UK; one was immediately arrested for immigration offences and the other taken to the police station as a place of safety. This individual did not co-operate on questioning and was then also arrested for immigration offences.

Although there was evidence to suggest, and the police clearly believed, that the women had been trafficked, both were ultimately treated as immigration offenders. Both victims should have been interviewed properly and statements taken from them to understand why they were at the address, to determine their risk of harm, and to identify lines of enquiry.

Neither woman was given advice about the support available through the NRM. There was also a clear lack of focus on safeguarding and support not only of the two women but also other potential victims of trafficking.

This investigation was subsequently reopened as part of a wider, regional investigation of human trafficking for sexual exploitation.

Many investigators told us they did not feel confident or equipped to deal with the complexity of cases involving modern slavery and human trafficking. The lack of specialist training for investigators was cited as a common problem, and we found limited knowledge of the powers and provisions in the Modern Slavery Act 2015.

Equally, some officers said they did not feel supervisors were able to offer much guidance and support because their own experience with such cases was limited (and we found insufficient evidence of effective supervision in many of the case files we reviewed). Failings also included inconsistent approaches to gathering evidence from victims, and victim statements which were not recorded properly. Details were also missing as to why investigative decisions had been taken, including in regard to finalising cases with no further action.

We note that many of these failings reflect failures of basic investigative practice rather than the specific complexities of modern slavery and human trafficking cases.

Prematurely finalising cases

UK Visas and Immigration emailed a force advising that it had made a positive reasonable grounds decision about a victim of domestic servitude trafficked into the country by private jet. The victim had been forced to work in various places before escaping. Despite the positive reasonable grounds decision made by the competent authority, confusion was evident in the force over whether a crime had taken place. The victim also disclosed that one of the suspects had assaulted her. No investigation was started to identify the named suspects or locations of interest, such as the airport of arrival, or the locations where the victim had worked or from which she escaped.

The National Referral Mechanism (NRM) referral mentions two additional potential modern slavery and human trafficking victims (another domestic servitude worker and the family driver). No effort was made to identify these individuals or safeguard them. Nor were any documented attempts made to research the named suspects, or to link them to the report. The case records almost entirely concern who in the force should deal with the crime and whether it was, in fact, a crime. There was no recorded investigation plan or strategy and no documented assessment of the victim needs or safety. The crime was finalised despite several clear lines of enquiry remaining open.

As the prosecuting agency, it is important that there is good liaison between the Crown Prosecution Service and the police. However, investigators in some forces reported difficulties in engaging with the CPS in this area of crime. The main issues they cited were that CPS lawyers were not familiar with modern slavery and human trafficking cases and legislation and that, as a result, some CPS lawyers preferred to charge offences under other legislation that they considered offered an easier route

to conviction. This was particularly perceived to be the case when the victim did not support a prosecution.

In the case files we reviewed, there were variable levels of involvement of CPS complex case units, which should provide charging advice in serious cases of modern slavery and human trafficking. Together with HM Crown Prosecution Service Inspectorate, we will consider in future inspection activity the effectiveness of the relationship between the CPS and the police in handling cases of modern slavery and human trafficking.

Working across boundaries

Force boundaries

Effective co-ordination across force boundaries is particularly important in tackling modern slavery and human trafficking, as exploitation can often involve the rapid movement of victims. Therefore, the police need to have effective systems in place to support cross-border investigations, so that victims do not get lost when cases are transferred, including as a result of being relocated through the NRM.

The case files we reviewed contained some instances of a lack of cooperation and coordination across forces, resulting in delays and difficulties in investigations. An example of this is given in the next chapter. However, we also found more positive evidence of joined-up work across boundaries in some bigger operations.

National boundaries

In some forces, particularly those with specialist modern slavery and human trafficking teams, we found evidence of proactive international collaboration. Several forces had established, or were in the process of developing, joint investigation teams (JITs).⁴⁶ At the time of writing this report, 19 JITs were in place, 17 of which were led by five police forces (one of these involved a ROCU), and two by the NCA. However, many investigators we spoke to were not aware of how to conduct intelligence checks through the NCA.

Investigations involving Romanian nationals (offenders or victims) form a high proportion of current UK cases. Some forces have established particularly close joint working arrangements with the authorities in Romania, including the use of seconded Romanian police officers to support investigations involving Romanian

⁴⁶ A joint investigation team (JIT) consists of judges, prosecutors and law enforcement authorities. The team is created for a fixed period with a specific purpose, based on an agreement between two or more EU member states and/or competent authorities. Non-EU member states may participate in a JIT with the agreement of all other parties. For the legal basis of JITs (in the UK and other EU member states), see *Joint Investigations Team Manual*, Council of the European Union, Brussels, November 2011. Available from: <http://library.college.police.uk/docs/joint-investigations-team-manual-2011.pdf>

nationals and to build intelligence from local Romanian communities. Such close working relationships can speed up investigations significantly.

Approaches to conducting checks to establish whether an individual has committed offences overseas varied between the forces we inspected and in particular we found that some forces were not making best use of the available checks. In one force, such checks on the records of suspected offenders were not routinely requested at the initial stages of investigations or when victims did not support prosecutions. Other forces took a more rigorous and comprehensive approach to such international checks, which can support the administrative removal of foreign national offenders.

Investigators, including those in ROCUs, identified a clear need for more training on the international aspects of investigating modern slavery and human trafficking. This included covering the options available for exchanging information and intelligence with international agencies, such as Europol and Eurojust (the European Union's Judicial Cooperation Unit), and in establishing JITs.

8. Findings: Victim care

The quality of victim care and support is critical in the rehabilitation and recovery of victims and can also have a significant bearing on whether victims engage with law enforcement and support prosecutions. We assessed how forces are supporting modern slavery and human trafficking victims, including through partnership working with victim support agencies to help build and maintain trust with victims.

NCA and ROCUs

The NCA investigation units do not normally have sufficient ‘stand-alone’ resources to provide enhanced victim care over the longer term or to deal with many victims. Some staff expressed concern regarding the lack of support for victims choosing not to enter the NRM. In our interviews, it was highlighted that the whole process of victim contact and support, including for those who do not wish to enter the NRM – or those waiting to enter the process – needs to be better defined nationally.

Inspectors found that staff in the ROCUs visited as part of this inspection were generally aware of their victim safeguarding responsibilities linked to modern slavery and human trafficking investigations. We also found evidence that victim support is a focus for staff. For instance, the South West ROCU cited a recent enquiry demonstrating how a range of resources and tactics were used to support victims.

However, some staff felt ongoing victim support would be better dealt with by local forces; and none of the ROCUs visited was resourced or trained to provide the high level of victim care generally required in cases of modern slavery and human trafficking. While some had some useful skills, such as in interviewing in line with the achieving best evidence guidance,⁴⁷ they were otherwise reliant on their colleagues within local safeguarding units or multi-agency safeguarding hubs.⁴⁸

The importance of stable, sustained support in enabling victims to assist prosecutions is emphasised in the recent Work and Pensions Select Committee report, which also highlights specific measures the police can take to provide greater

⁴⁷ This guidance describes good practice in interviewing witnesses, including vulnerable victims, to enable them to give their best evidence in criminal proceedings. *Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures*. Ministry of Justice, CPS, Department for Education, Department of Health and the Welsh Assembly Government, 2011. Available at: www.cps.gov.uk/publications/docs/best_evidence_in_criminal_proceedings.pdf

⁴⁸ These are hubs in which public sector organisations with responsibilities for the safety of vulnerable people work. Staff from organisations such as the police and local authority work alongside each other, sharing information and co-ordinating activities to help protect the most vulnerable children and adults from harm, neglect and abuse.

support for victims during investigations.⁴⁹ It is therefore important that the NCA and ROCUs develop relationships within local policing areas to ensure that the operations and investigations they lead on are sufficiently underpinned by effective victim care and safeguarding procedures.

Victim care plans

The victim care plan should form a major part of any investigation that involves a vulnerable victim. In some forces we found evidence of robust and effective victim care plans.

Greater Manchester Police: effective victim care

In Greater Manchester Police, every victim is afforded a high level of continuing support with a single point of contact via an assigned victim liaison officer (VLO). Over 120 officer and staff volunteers have been trained as VLOs involving a two-day course, with the primary aim of ensuring victims are fully informed of the options available to them and can feel in control of their lives, starting from their initial contacts with law enforcement.

Victim care plans are used throughout investigations to safeguard, support and prevent re-trafficking and include ongoing liaison with international law enforcement authorities if the victim returns to the country of origin. Victims wishing to support prosecution are interviewed by specialist-trained interviewers in line with *Achieving Best Evidence in Criminal Proceedings* guidance. A safe house is available for victims waiting to enter the NRM process.

South Wales Police: strong partnership working

South Wales Police uses a MARAC (multi-agency risk assessment conference) approach, in which meetings are held to pool knowledge about individuals across agencies, to determine the best investigative approach and victim support arrangements. Information-sharing agreements are in place for this purpose between all agencies involved.

The use of victim care plans was, however, inconsistent in the files we reviewed, with no plans found in one force's case files. We also found patchy evidence that victims were being kept apprised of the progress of investigations, particularly if they were moved out of the force area through the NRM process.

⁴⁹ *Victims of modern slavery*. House of Commons Work and Pensions Select Committee, April 2017. Available from: www.publications.parliament.uk/pa/cm201617/cmselect/cmworpen/803/803.pdf

In some case files examined we found a poor attitude to victims and a lack of professional curiosity to understand the circumstances behind their situation. Delays in debriefing victims meant they had sometimes lost commitment to the process by the time they were seen, potentially compounding previously held negative perceptions of police interest or support. Also, inspectors were concerned to see that some victims were, on occasions, contacted by telephone rather than face-to-face to discuss difficult experiences; this approach would not be deemed suitable for victims of other serious offences, such as rape, and undermined opportunities to establish trusting relationships.

In particular, we found cases where potential victims who were referred by third parties, including potential victims held in immigration detention, were never spoken to by the police; in some such cases detention was seen as sufficient for safeguarding purposes. Allowing deportation without attempting to identify or understand the nature of offending to which victims may have been subjected means that offenders remain free to commit further offences, potentially creating further victims. Failing to speak to potential victims can result in significant loss of opportunities to gather useful intelligence.

Accommodation for victims

The inspection found that some forces with poor links with victim support agencies were using hotels to address victim safeguarding needs, paying for accommodation, hygiene essentials and meals. In addition to implications for force resources, this carries the risk of the police being seen to be offering inducements to victims in supporting prosecutions.

As a positive alternative, several forces were working with third sector agencies to provide places of safety until reasonable grounds decisions were taken as part of the NRM process (see above, p.19). This gives the police a number of days to liaise with victims at the beginning of investigations in order to obtain statements and intelligence regarding offender methods before relocation occurs through the NRM.

Work with victim support charities

Many victims of modern slavery and human trafficking are severely traumatised by their experiences and may need considerable support in order to give evidence and support prosecutions. The involvement of victim support agencies can help build the trust of victims to engage with the police and ensure victim accounts and intelligence are more fully identified and recorded. Victim support agencies play a substantial role in helping many victims of modern slavery and human trafficking start the slow process of recovery from their abuse and exploitation.

In some forces, we saw evidence of robust partnership arrangements with charities to help ensure effective support for victims. These strong relationships can have other benefits: for instance, in one force support charities working closely with the force accounted for 20 percent of modern slavery and human trafficking intelligence reports.

Conversely, in a few forces there was a virtual absence of established joint working approaches with support agencies, with only patchy and inconsistent liaison in others. Officers spoken to in several forces demonstrated poor understanding of the NRM process and their responsibilities in explaining available victim support, in addition to limited knowledge of the support offered by local charities. This means many victims of modern slavery and human trafficking may not be offered the support to which they are entitled.

Maintaining contact when victims relocate

Most inspected forces and ROCUs referred to difficulties in maintaining contact with victims relocated during the NRM process, post-NRM support or after returning to the home country. This can seriously undermine investigations, limiting opportunities to engage with victims to gather evidence and build trust.

As we set out in the previous chapter, a lack of effective co-ordination and liaison across police force boundaries was also an issue in case files examined. We saw cases where there was no clear information or updates recorded of the progress of enquiries being passed to other forces where offences may have occurred or in maintaining victim contact. The status of investigations was therefore unclear, leading to delays in investigations and a poor service to victims.

Problems caused by victims moving between forces

A third-party caller from a victim support agency contacted a force regarding a victim making an allegation of trafficking by her husband. The victim was already being safeguarded in a refuge outside the force area as a result of a domestic assault. The support agency advised that the victim would need an interpreter, gave details of the support worker expecting to be contacted about the case and made it clear the victim was willing to support the prosecution. The call-handler did not seem to know what an NRM form was and did not know which police force should investigate the issue.

The force undertaking the investigation contacted the force where the refuge was based several times, requesting that the latter contact the victim on their behalf. No response was received from the requested force regarding any contact made with the victim. Neither force appears to have contacted either the victim or the support worker; there had been no follow-up to check on any enquiries for over four months (although action was taken when we referred this back to the force).

As an added concern, the detective inspector's review recorded that the police did not explore human trafficking in the original incident "primarily through not identifying any of the warning signs as this is something that is not common in this part of the Force, at least not to my knowledge". Given the significant problems with victim identification we found in this inspection, the attitude that 'it doesn't happen here' should be challenged – and certainly not used as a reason for failing to fully investigate modern slavery and human trafficking offending.

Some forces recognised they could do more to debrief victims before relocation through the NRM. Several forces also recognised the need for a stronger focus on locations and businesses of a type where modern slavery and human trafficking crimes are more likely to occur, in order to identify and safeguard victims and to disrupt offending at earlier stages.

9. Findings: Prevention and disruption

We assessed the extent to which the police actively try to prevent and disrupt modern slavery and human trafficking. This included consideration of activity that forces take to raise awareness of this kind of offending in their communities and their work to identify and disrupt offenders, including through the use of the preventative powers introduced by the Modern Slavery Act 2015.

NCA and ROCUs

As described above (p.27), the national Modern Slavery Threat Group manages (on behalf of the NCA) a strategic action plan for modern slavery and human trafficking, which sets out the priority themes for 2017. These include intelligence collection, increased enforcement activity, early engagement with non-governmental organisations (NGOs) and improvements to training and communication.

The NCA's Project Goldwork has two strategic objectives: disrupting modern slavery and human trafficking criminality in the UK; and enabling activity, including prevention activity, through effective relationships with domestic and overseas partners. However, the NCA and ROCUs acknowledge that they have concentrated on enforcement activity rather than on prevention in their effort to develop the intelligence picture.

Forces

Raising awareness of modern slavery and human trafficking in communities can help to generate intelligence and increase understanding of offending among groups at high risk.

In a few of the forces we inspected, we found a strong focus on communicating with the public about issues relating to modern slavery and human trafficking. More generally, we found forces were publicising successful prosecutions, with some additional publicity linked to co-ordinated days or weeks of action aimed at identifying, arresting and disrupting offenders. However, several forces had yet to take any concerted action to raise public awareness. Generally, force leaders recognised this gap and several of the forces that we inspected indicated that they planned to undertake more extensive communications and engagement campaigns. One force had recently created a dedicated modern slavery and human trafficking engagement team to improve internal and external engagement, including raising awareness in local communities.

We were concerned to find that officers in several forces, particularly neighbourhood officers, thought that the public were not sympathetic to victims or interested in modern slavery and human trafficking unless it directly affected their lives. Changing

these public attitudes was seen as a challenge, given the other priorities that local policing teams face. If this perception limits the level of engagement officers initiate with their communities, this potentially also considerably limits the amount of intelligence gathered about this kind of offending.

Views expressed to inspectors on the issue of public engagement included:

- "the public were not interested in this issue, did not want to understand it and were to a degree in denial about it."
- "[The public] don't want to know about it and only see it as an issue if it affects them."
- "Neighbourhood teams would be reluctant to even broach the subject, because it was felt that this would not be well received."
- "The public view is, they are not our girls."

Given the hidden nature of modern slavery and human trafficking, and reluctance of many victims to come forward, wider public understanding, sensing when things are wrong, is all the more important. Further, our inspection demonstrated that when forces had made specific efforts to raise awareness about modern slavery and human trafficking, the public response was positive and concerned.

We found a few good examples of forces using PCSOs or community volunteers with language skills as part of their engagement with the community. However, these approaches were somewhat limited. In the main, they reflected emerging rather than established practice. Some forces also supported broader efforts to raise awareness through participation in community and public events, including providing modern slavery and human trafficking awareness training for community organisations. A few forces also held conferences involving business and community partners to increase awareness.

Greater Manchester Police: good engagement with the public

Greater Manchester Police has a well-developed communications strategy for modern slavery and human trafficking, including wide-ranging internal and external campaigns. It places significant focus on working in partnership with both statutory and non-statutory partner agencies to heighten awareness and encourage people to report concerns. The Modern Slavery Co-ordination Unit co-ordinates public awareness events with a focus on schools, colleges, universities and diverse and vulnerable community groups. Support is also provided to community groups to conduct activities that raise awareness themselves.

The force has conducted a long-running public awareness campaign called 'Would You'. Launched in October 2015, it encourages members of the public to consider whether they would recognise the signs of modern slavery. Three widely-publicised weeks of action have been undertaken. The media was invited to interview officers and to accompany officers undertaking operations, bringing the work to life. Press releases highlighted the number of arrests and potential victims identified at the conclusion of these operations.

In addition to this:

- Social media is used extensively. A social media pack has been shared with partner organisations and an anonymised video featuring a victim distributed through social media channels. Manchester United and Manchester City football clubs have both communicated messages to their millions of followers. The force has also tweeted from a live patrol.
- Modern slavery summits/conferences have been held, involving statutory and non-statutory partners. A public conference has taken place with further conferences planned. The force also hosts quarterly NGO forums attended by more than 30 charities, where the participants share intelligence, discuss the main trends and co-ordinate activities.
- The force has funded a series of 'Prevent Days of Action' across divisions in partnership with local authorities and NGOs. This has included funding drama groups to stage plays on modern slavery and human trafficking in schools and in communities, and campaigns in town centres to raise awareness.
- Convictions are widely publicised. For example, the sentencing of three individuals for sex trafficking offences resulted in coverage in the regional and national media. The force also hired a digital advertising van to drive around the red light district so that sex workers were aware of the conviction. The multi-lingual message included contact details of support organisations.

Use of preventative powers

In line with the national findings, we found limited use of Slavery and Trafficking Prevention and Risk Orders in the forces we visited. We also found some investigators were unaware of such orders and confused about their use.

Across England and Wales, eight forces reported to HMICFRS that they had applied for Slavery and Trafficking Prevention Orders between the implementation of the Modern Slavery Act 2015 and mid-December 2016; in all 30 of the cases in which Prevention Orders were sought by these forces, orders were made. Only four forces reported having applied for Slavery and Trafficking Risk Orders, applying for 16 Risk Orders (which were made in all but one case). In one inspected force, there was a clear misunderstanding about the breadth of preventative provisions contained in the Modern Slavery Act 2015, and a belief that orders could be obtained only following a conviction. Failure to understand the wider application of Slavery and Trafficking Risk Orders meant due consideration had not been given to protecting victims through use of all the powers available.

10. Training

We assessed whether guidance was in place for officers and staff about how to respond to modern slavery and human trafficking; what training had been provided (and if so, what assessment had been made of its effectiveness); if any officers or staff had received specialist or further training; and if investigators had a level of training commensurate with their roles.

National training and guidance

In 2015, the College of Policing published authorised professional practice (APP) on modern slavery.⁵⁰ This was developed with the participation of the NPCC Lead, the Office of the Independent Anti-Slavery Commissioner, the Modern Slavery Human Trafficking Unit, the Home Office, and the Crown Prosecution Service (among others).

Aligned to this APP, the College of Policing produced a National Centre for Applied Learning Technologies (NCALT) e-learning course. This standalone 40-minute module is designed to equip officers and staff with the knowledge and skills to pick up investigations into the offences, specifically within the first six to eight hours of them being reported

Topics covered in the NCALT training include:

- the definition of a modern slavery offence;
- identifying and dealing with potential victims, including recognising why they may be frightened to come forward;
- caring for victims and identifying ways to communicate with them;
- the statutory defence victims may have against any criminal offences they may have committed under duress, and the exceptions to this defence; and
- taking initial accounts of offences and identifying evidential opportunities.

⁵⁰ Authorised Professional Practice: Modern Slavery, College of Policing, 2015. Available from: www.app.college.police.uk/app-content/major-investigation-and-public-protection/modern-slavery/

NCA and ROCUs

Most officers we spoke to were aware of the e-learning training package. There was however some concern about the lack of national role-specific training, including guidance for investigators on how to run a joint investigation team (see above, p.67).

Generally, people we interviewed were unaware of the Authorised Professional Practice issued by the College of Policing, and were critical of the effectiveness of the e-learning package.

Forces

Given the poor levels of knowledge among operational staff, it is unsurprising that we found training to be an area that requires improvement.

Self-assessments provided to HMICFRS by all English and Welsh forces showed that in many forces a full training and awareness programme was still in its infancy. Few forces had evaluated the impact of their training or had made assessments of their training requirements. Although we found a focus on modern slavery and human trafficking in some induction programmes, there was often no corresponding effort to refresh the knowledge of more established officers and staff.

The self-assessments also showed clear evidence of a heavy reliance on the NCALT e-learning package. Even this was only mandatory in about half of the forces, however, and completion rates were disappointing in many cases. The lack of any mandatory training on modern slavery and human trafficking sends a message to officers and staff that the force does not see this type of crime as a priority.

Furthermore, almost all of the officers and staff we spoke to who had undertaken the e-learning training package said it was of limited value (and were also generally unaware of the Authorised Professional Practice). Face-to-face training, including training delivered by partner agencies or involving victims, was often considered more effective. In support of this view, we generally found that officers who had received face-to-face training from partners demonstrated a better understanding of modern slavery and human trafficking.

We were told that the induction programmes for new recruits and new detectives now include classroom-based modules on modern slavery and human trafficking. However, we see the lack of more comprehensive national training as a barrier to progress and effective practice. It has also led some (but not all) forces to develop their own approaches. Inevitably, this has resulted in duplication of effort and variable quality in respect of the training adopted.

Many officers and staff suggested that targeted training for different roles and teams within forces would be beneficial. The lack of training for specialist roles was described as a significant problem, while overall many investigators told us they did

not feel equipped to deal with cases of modern slavery and human trafficking, and sometimes felt their supervisors were unable to help because of their own lack of knowledge.

The Police Transformation Programme investment is funding the development of national training products that forces can adapt to local use. The transformation programme team are working with the College of Policing to achieve accreditation for new courses. If these products are tailored to different policing roles and subjected to proper evaluation, they may help start to address some of the failings that we have identified.

Sharing learning

In the majority of the forces we inspected, the lack of formal structured approaches to sharing operational learning, including learning gained from bigger operations, was a significant deficit. The forces themselves acknowledged this. There was also little focus on sharing learning across policing, including about what had and had not worked well in recent modern slavery and human trafficking investigations.

Officers and staff frequently described informal approaches to learning, such as seeking advice from investigators with experience of modern slavery and human trafficking cases. Opportunities to do this on a wider and more systematic basis were being missed, however, despite the evident need to build up capabilities and understanding in this area within and across forces. Very few forces had a central repository to support the dissemination of learning drawn from cases and wider practice.

The National Policing Portfolio is developing a repository of learning materials from investigations and establishing arrangements to help ensure wider dissemination of learning across policing as part of the Police Transformation Programme.

Thames Valley Police: debriefing and sharing learning

Thames Valley Police carries out a full debrief, with analytical support, after significant modern slavery and human trafficking operations. Debrief documents are accessible on the intranet and have been made available to the ROCU and NCA.

The debriefing process for two recent operations involved 15 officers and staff from partner agencies and was aimed at identifying the main lessons to take forward in future work. Learning from the operations has been incorporated into a toolkit available to staff on the force intranet. Staff are also encouraged to contribute ideas to the toolkit. Senior investigating officers have given presentations about the operations at seminars involving partner agencies.

11. Conclusion

The Modern Slavery Act 2015 has not yet led to significant improvements in the police's response to modern slavery and human trafficking.

During our inspection, we found:

- limited use of the new powers;
- limited understanding of the section 45 defence;
- very low levels of awareness of the Duty to Notify process and low numbers of submissions made to the Home Office;
- the number of National Referral Mechanism (NRM) referrals has increased in some forces, but many continue to refer very low numbers of victims to national support; and
- low levels of offences being recorded by some forces.

The failure to identify victims remains a significant problem, with frontline officers having only a patchy, inconsistent understanding of signs and indicators of this type of offending. In some cases attitudes remain that modern slavery and human trafficking is rare and not an issue in their areas.

Many officers we spoke to did not understand the duties of designated first responders as part of the NRM process, and we cannot be confident that all potential victims whom the police encounter are being informed about the support and entitlements available to them. This is a matter of particular concern in respect of potential victims of modern slavery and human trafficking who are not in the UK lawfully. Some officers primarily treat potential victims of modern slavery and human trafficking as immigration offenders. Forces also need to improve the initial safeguarding that they should provide to all victims of modern slavery and human trafficking.

In some cases, we found evidence of a clear focus on safeguarding victims. However, too often this is where the investigation ends, and we encountered a prevalent desire to close cases early. This may protect a single victim, but leaves the perpetrator free to continue victimising more people. This reflects a general lack of understanding about the perpetrators of these crimes, and what will stop their offending. Forces must adopt a flexible approach, combining support for victims with appropriate investigative skills and tactics, in the way they handle such cases.

The funding that the Police Transformation Programme provides will help address some of the problems we found. However, forces must take action to counter a basic lack of professional curiosity, pursue all lines of enquiry, and address failings in

essential victim care. Neither improved training nor the various Police Transformation Programme areas of work will provide a panacea for addressing these problems.

While some forces said they had positive working relationships with ROCUs and the NCA, this was by no means universal. Similarly, not all forces had effective local partnerships in place at strategic and operational levels. The co-ordination of policing activity to tackle modern slavery and human trafficking needs to improve, particularly in relation to investigations. There remains further work for the NCA in ensuring that intelligence and information from key data sources is more systematically extracted and shared with wider law enforcement. Many forces take only a reactive approach to modern slavery and trafficking and much more work is needed to understand the nature and scale of local threats.

Forces also need to take more action to disrupt criminal activity and prevent harm. Moreover, we found disturbing attitudes towards victims and towards this type of offending more widely, particularly among neighbourhood teams. This is limiting the opportunities to gather intelligence in local communities. We believe a concerted effort to understand and explain what forms offending takes in the local area, what works well to deal with these crimes and who to talk to, would be met with a positive reception by the public.

More positively, we found:

- some evidence of recent progress and a growing recognition of the need to respond to modern slavery and human trafficking at senior levels;
- committed individuals and teams making a real difference on the ground;
- established partnership work and innovative joint work in some forces;
- some catalysts for progress and positive change, including committed individuals, PCC interest, political imperative, Operation Aidant and notably the Police Transformation Fund Programme; and
- an effective example in Greater Manchester Police, which has placed a considerable focus on modern slavery and human trafficking, with systems in place designed to achieve thorough investigations, high standards of continuing victim care and extensive community engagement. The force has been successful in broadening the involvement of staff and officers actively engaged in tackling modern slavery and human trafficking.

While these findings are encouraging, it is striking that few of the areas where we make recommendations are new. They are similar to those contained in the Haughey review, the first annual report of the Independent Anti-Slavery

Commissioner and the National Policing Portfolio 2016 summer audit. The findings also did not surprise the experts we consulted when completing this report.

We have identified some examples of good work, but policing practice and levels of activity are highly inconsistent. In some forces, the standard of investigations and the level of care provided to victims are unacceptable. Our recommendations for improvement cover important areas for immediate attention. This inspection serves to establish a benchmark to enable policing at a national, regional and local level to address the spectrum of issues identified in the report.

We hope that recent developments, including stronger national and regional support, will provide the encouragement and impetus needed to give victims of modern slavery and human trafficking the police service that they are entitled to, and often most desperately need.

Recommendations

Leadership

1. Within six months, the National Crime Agency (NCA) and regional organised crime units (ROCU) should assure themselves that their roles and responsibilities in tackling the organised crime groups linked to modern slavery and human trafficking at a national and international level are clear and understood by all law enforcement agencies.
2. Within twelve months, forces should review their leadership and governance arrangements for modern slavery and human trafficking, to ensure that:
 - senior leaders prioritise the response to modern slavery and human trafficking;
 - every incident of modern slavery identified to police is allocated appropriate resources with the skills, experience and capacity to investigate it effectively;
 - forces develop effective partnership arrangements to co-ordinate activity in order to share information and safeguard victims; and
 - performance and quality assurance measures are in place to allow senior leaders to assess the nature and quality of the service provided to victims.

Intelligence

3. Within six months, the NCA should have a process in place to maximise the use of all the data from the National Referral Mechanism (NRM) and Duty to Notify forms (where they contain actionable intelligence), and include within this steps to ensure that:
 - all NRM forms submitted by partner agencies are developed and appropriately forwarded to relevant forces as soon as possible to ensure that identified victims are flagged up and investigations can commence, with a clear audit process to show how and when they have been assessed and shared; and
 - all NRM forms are compiled in a format that is accurate, searchable, and enables the assessment of information for intelligence purposes.
4. Within six months, forces should have in place active information-sharing agreements with other agencies to facilitate speedy exchange of intelligence

and in order to safeguard victims better and to identify suspects as early as possible.

Victim identification and initial response

5. Immediately, forces should ensure that all victims carrying out criminal acts under compulsion attributable to slavery or exploitation are afforded the protection of early and continuing consideration of the applicability of the section 45 defence.
6. Immediately, forces should take steps to ensure they are fully compliant with the NRM process as it evolves and are implementing the requirement placed upon them under the Modern Slavery Act 2015 to notify the Home Office of any individual suspected to be an adult victim of modern slavery or human trafficking.

Crime recording

7. Immediately, forces should take steps to ensure they fully comply with national crime recording standard (NCRS) requirements for offences identified as modern slavery and human trafficking and that sufficient audit capacity is available to the force crime registrar to provide reassurance that each force is identifying and managing any gaps in its crime-recording accuracy for these types of offences.

Investigation

8. Immediately, forces should ensure that allegations or indications of modern slavery and human trafficking are thoroughly investigated and effectively supervised by teams and individuals with the skills and experience to undertake them (this should include the use where appropriate of joint intelligence teams and other means to obtain intelligence and evidence from agencies overseas).

Prevention

9. Immediately, forces should review their use of preventative powers under the Modern Slavery Act 2015 to ensure that opportunities to restrict the activities of those deemed to pose a clear threat to others in respect of modern slavery and human trafficking offences are exploited.

Learning

10. Within twelve months, the College of Policing should ensure that forces are provided with high-quality, legally-validated learning products on modern slavery and human trafficking, in order to raise awareness and capability among all frontline staff.
11. Within twelve months, the College of Policing should work to improve knowledge and expertise in investigators up to senior investigating officer level, drawing on the experiences of all police forces. This should include improved understanding of the use of joint intelligence teams (JITs) and other means to obtain intelligence and evidence from agencies overseas, and the use of preventative orders.

Definitions and interpretation

In this report, the following words, phrases and expressions in the left-hand column have the meanings assigned to them in the right-hand column. Sometimes, the definition is followed by a fuller explanation of the matter in question, with references to sources and other material that may be of assistance to the reader.

audit	means of checking and monitoring the accuracy of recorded data to oversee the effectiveness of the recording system and accuracy of the records it contains
Authorised Professional Practice	official source of professional practice on policing, developed and approved by the College of Policing, to which police officers and staff are expected to have regard in the discharge of their duties
call-handler	worker (usually a member of staff, not an officer) who answers telephone calls from the public, determines the circumstances of the call and decides the initial response
capability	ability to carry out a particular function
capacity	resources available to carry out a particular function
chief officer	police officer with one of the following ranks: assistant chief constable, deputy chief constable and chief constable in police forces outside London; commander, deputy assistant commissioner, assistant commissioner, deputy commissioner and commissioner in the Metropolitan Police Service; commander, assistant commissioner and commissioner in City of London Police
child sexual exploitation	sexual exploitation of children and young people under 18; involves exploitative situations, contexts and relationships where the young person (or third person/s) receives 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or others performing on them,

sexual activities; can occur through the use of technology without the child's immediate recognition, for example being persuaded to post images on the internet/mobile phones without immediate payment or gain; this is the established NPCC definition

Code of Practice for Victims of Crime

statutory code of practice issued by the Secretary of State for Justice under section 32 of the Domestic Violence, Crime and Victims Act 2004; the code establishes minimum standards on the rights, support and protection of victims of crime; its stated objective is to ensure the criminal justice system puts victims first, making the system more responsive to them and easier for them to navigate; it also aims to ensure that victims of crime are treated well and receive appropriate support to help them cope and recover, and to protect them from becoming victims again; the code specifies the services which must be provided to victims of crime in England and Wales, and sets a minimum for the standard of those services; higher entitlements are set for victims of the most serious crime, persistently targeted victims and vulnerable or intimidated victims; the public sector bodies which are obliged to provide services to victims of crime are specified in the code, and include police forces and police and crime commissioners; the Victims' Commissioner has a statutory duty to keep the code under regular review; the code is at:

www.cps.gov.uk/legal/assets/uploads/files/OD_000049.pdf

College of Policing

professional body for policing in England and Wales, established to set standards of professional practice, accredits training providers, promotes good practice based on evidence, provides support to police forces and others in connection with the protection of the public and the prevention of crime, and promote ethics, values and standards of integrity in policing; its powers to set standards were conferred by the Police Act 1996 as amended by the Anti-social Behaviour, Crime and Policing

	Act 2014; under section 40C, Police Act 1996, the Home Secretary has power to direct the College, requiring it to exercise any statutory function vested in the College, and to carry out such other duties for the purpose of furthering the efficiency, effectiveness or integrity of the police as the Home Secretary specifies
competent authority	authority responsible for deciding whether individuals are recognised by the Government as victims of modern slavery or human trafficking; designated as such in accordance with the EU Directive on preventing and combating trafficking in human beings and protecting its victims; is UK Visas and Immigration in all cases except those involving EEA nationals, in which cases the NCA makes the decisions; individuals receive a preliminary assessment in five days (called a reasonable grounds decision); those receiving a positive initial decision are eligible for further consideration; the final decision (called a conclusive grounds decision) determines whether an individual is recognised as a victim of modern slavery and human trafficking
control room	facility in a police force where call-handlers answer telephone calls from the public, determine the circumstances of the incident, decide what the police need to do and initiate or implement that response
Council of Europe Convention on Action against Trafficking in Human Beings	treaty addressing all forms of trafficking, focusing on the protection of victims and on safeguarding their rights, as well as the prevention of trafficking and the prosecution of those responsible for it; adopted by the Council of Europe on 16 May 2005 and entered into force on 1 February 2008; the UK became a signatory in 2008
CPS	Crown Prosecution Service
crime record	record that must be made under the Home Office Counting Rules following a report of a crime

Crimestoppers	charity offering an anonymous service for the public to give information about crime; works in partnership with, but is independent of, the police and the wider law enforcement community
Crown Prosecution Service	principal prosecuting authority in England and Wales, responsible for: prosecuting criminal cases; advising the police on cases for possible prosecution; reviewing cases submitted by the police; determining any charges in more serious or complex cases; preparing cases for court; presenting cases at court
domestic servitude	labour exploitation where individuals are forced to work in private households, performing tasks such as childcare and housekeeping for little or no pay
Duty to Notify	requirement under section 52 of the Modern Slavery Act 2015 that specified authorities, including chief constables, notify the Home Office of all adult potential victims of modern slavery and human trafficking encountered who are not referred for national support through the National Referral Mechanism (children will always be referred through the National Referral Mechanism as their consent to referral is not required); intended to help build a better picture of the nature and scale of modern slavery and human trafficking; came into force on 1 November 2015
EU Directive on preventing and combating trafficking in human beings and protecting its victims	Directive 2011/36/EU of the European Parliament and of the Council; takes a victim-centred approach; covers actions in areas such as prevention, criminal law, prosecution of offenders, support for victims and victims' rights in criminal proceedings
Eurojust	European Union's Judicial Cooperation Unit
European Union's Judicial Cooperation Unit	EU unit that funds and facilitates joint investigation teams involving law enforcement agencies in at least two EU member states, undertaking a joint criminal investigation; also supports criminal investigations in European member states requiring enquiries or evidence from other jurisdictions; supports law enforcement by

	<p>assisting with: European Arrest Warrants and extradition; enabling live video links for witnesses to give evidence; advice on legal systems in other jurisdictions; access to prosecutors</p>
Europol	<p>EU law enforcement agency assisting member states in their fight against serious international crime and terrorism</p>
expert reference group	<p>group of specialists convened for the purpose of providing expertise and advice in relation to specific tasks such as an inspection on a specialist theme</p>
exploitation	<p>forced use of an individual to serve the aims and purposes of others; exploitation under section 3 of the Modern Slavery Act 2015 encompasses slavery, servitude, forced and compulsory labour, sexual exploitation, removal of organs, securing services by force, threats or deception and securing services from children and vulnerable persons</p>
flag	<p>marker on an IT system, highlighting a particular characteristic or need; enables police officers to assess risks effectively</p>
force crime registrar	<p>person in a police force responsible for ensuring compliance with crime-recording rules; responsibilities include training staff in the crime-recording process and carrying out audits to check whether the force is complying with all applicable rules</p>
force intelligence bureau	<p>unit containing analysts who collect and analyse information concerning the number and patterns of crimes, to inform future activity</p>
Gangmasters and Labour Abuse Authority	<p>non-departmental body responsible for regulating the supply of workers to the agricultural, horticultural, shellfish-gathering and food processing and packaging industries in the UK; operates the licensing scheme for labour providers operating in these industries; initially established as the Gangmasters Licensing Authority by the Gangmasters (Licensing) Act 2004; reformed and</p>

	renamed as the Gangmasters and Labour Abuse Authority in May 2017 under the provisions of the Immigration Act 2016, with additional powers under the Police and Criminal Evidence Act 1984 to investigate cases of forced labour and human trafficking
high risk	grade of risk; used, following a risk assessment, if there are identifiable indicators of risk of serious harm; the potential event could happen at any time
Home Office Counting Rules (HOCR)	rules in accordance with which crime data – required to be submitted to the Home Secretary under section 44 of the Police Act 1996 – must be collected; set out how the police service in England and Wales must record crime, how crimes must be classified according to crime type and categories, whether and when to record crime, how many crimes to record in respect of a single incident, and the regime for the re-classification of crimes as no-crimes
human trafficking	arranging or facilitating the travel of another person with a view to that person being exploited; offence under section 2 of the Modern Slavery Act 2015
incident reports	reports received by the police of events requiring their attention
independent anti-slavery commissioner	role established in Part 4 of the Modern Slavery Act 2015 with a UK-wide remit to encourage good practice in the prevention, detection, investigation and prosecution of modern slavery offences and the identification of victims
intelligence	information that is evaluated and assessed to assist the police in their decision-making
intelligence picture	evidence-based assessment of the nature and scale of a particular problem
JIT	joint investigation team
joint investigation team	team consisting of judicial and police authorities from at least two European Union member states working jointly on a cross-border criminal investigation for a limited period; enables speedier

	cross-border coordination and direct access to the same evidence; facilitated and funded by the European Union's Judicial Cooperation Unit
LanguageLine	language services provider; provides interpretation for police forces in England and Wales
MARAC	multi-agency risk assessment conference
modern slavery	the institutions of slavery that continue to exist in the present day
modern slavery strategy 2014	<p>strategy that the Government published in 2014, setting out the ambition to reduce significantly the prevalence of modern slavery in the UK and strengthen the international response; contains a wide-ranging programme of actions across four strands:</p> <ul style="list-style-type: none"> - 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; and - prepare: reducing the harm caused by modern slavery through improved victim identification and national support
Modern Slavery Act 2015	Act of Parliament consolidating previous slavery and trafficking offences; increased the maximum sentence for some offences to life imprisonment; introduced a range of new powers and provisions to strengthen law enforcement and afford better protection to victims
multi-agency risk assessment conference (MARAC)	locally-held meeting where statutory and voluntary agency representatives come together and share information about high-risk victims of domestic abuse; any agency can refer an adult or child whom they believe to be at high risk of harm; the

	aim of the meeting is to produce a co-ordinated action plan to increase an adult or child's safety, health and well-being; agencies that attend vary, but are likely to include the police, probation, children's, health and housing services; over 250 currently in operation across England and Wales
National Centre for Applied Learning Technologies	organisation that provides local and national e-learning training packages to police forces in England and Wales
National Crime Agency	non-ministerial department established under the Crime and Courts Act 2013 as an operational crime-fighting agency working at a national level to tackle organised crime
national crime recording standard	standard of crime-recording introduced in 2002 and published as part of the Home Office Counting Rules; its twin objectives are to ensure that the police focus more on victims of crime and create consistency in crime-recording in all police forces
National Police Chiefs' Council	organisation that brings together 43 operationally independent and locally accountable chief constables and their chief officer teams to co-ordinate national operational policing; works closely with the College of Policing, which is responsible for developing professional standards, to develop national approaches on matters such as finance, technology and human resources; replaced the Association of Chief Police Officers on 1 April 2015
National Referral Mechanism	system designed to identify and support victims of modern slavery and human trafficking; established in 2009; when someone is referred into the system, a competent authority makes a decision about whether there are 'reasonable grounds' to believe they are a victim of slavery or human trafficking within five days; potential victims are then entitled to tailored support for a reflection and recovery period of at least 45 days before a final decision on their case is taken; this support can include accommodation, therapeutic help or legal advice and the potential victim will be granted temporary

	admission or temporary release for this period if they do not have a valid form of leave to enter or remain, save in deportation cases
NCALT	National Centre for Applied Learning Technologies
NCALT packages	online training modules produced by NCALT; approved for use in all forces; cover a range of topics
NCRS	national crime recording standard
non-governmental organisation (NGO)	non-profit organisation which operates independently of government; typically addresses social or political problems; many support victims or advocate on their behalf
NRM form	form used to refer potential victims of modern slavery and human trafficking to the National Referral Mechanism; administered by the National Crime Agency; adults must give their consent before being referred
OCG	organised crime group
office of the police and crime commissioner	premises and staff in place to support the work of the police and crime commissioner
organised crime group	group of individuals committing organised crime
organised immigration crime	organised crime involving the facilitation of illegal entry into, and presence in, the country
partner/partner agency	in relation to a police force, a public, private or voluntary sector entity, such as one concerned with health, education, housing, social care or the management of offenders, which from time to time works with the force to attain their common or complementary objectives
PCSO	police community support officer; a uniformed non-warranted officer employed by a police force in England and Wales; established by the Police Reform Act 2002
PEEL effectiveness	HMICFRS' all-force inspection, examining policing effectiveness; part of the PEEL programme

PEEL programme	HMICFRS' police effectiveness, efficiency and legitimacy (PEEL) assessment; an annual programme of all-force inspections that reports on how well each force in England and Wales cuts crime (effectiveness), provides value for money (efficiency), and provides a service that is legitimate in the eyes of the public (legitimacy)
perpetrator	someone who has, or is believed to have, committed a crime
police and crime commissioner	elected individual for a police area, established under section 1 of the Police Reform and Social Responsibility Act 2011, who is responsible for: securing the maintenance of the police force for that area and ensuring that the police force is efficient and effective; holding the relevant chief constable to account for the policing of the area; establishing the budget and police and crime plan for the police force; appointing and, after due process, removing the chief constable from office
Police National Database	IT system that allows UK police forces and some law enforcement agencies to share access to and search local force information on a national basis; designed to provide forces with immediate access to up-to-date information drawn from local crime, custody, intelligence, child abuse and domestic abuse systems
Police Transformation Fund	Home Office fund that provides money to police forces for investment in digital services, diverse and flexible workforces and new capabilities to respond to changing crimes and threats
preventative policing	technique or practice in policing that is designed to prevent crime rather than react to a crime after it has been committed
preventative powers	policing powers that can be used to prevent an individual from committing a crime; in relation to modern slavery, examples include slavery and trafficking risk and prevention orders made under Part 2 of the Modern Slavery Act 2015

proactive policing	undertaking activity to understand and address an area of crime; for example, through gathering and analysing information to help identify patterns of offending and high-risk locations; may also involve activity to raise awareness among vulnerable groups
problem profile	review of a problem, based on information gathered on the potential scale of that problem in the relevant area; informs decisions about how the police should address the problem
public protection unit	section of a police force dedicated to ensuring the safety of those in danger of becoming victims of crimes such as child sexual exploitation, modern slavery and human trafficking and domestic abuse
reactive policing	policing practice whereby the police respond to calls for help
reasonable grounds decision	initial decision on whether there are reasonable grounds to believe an individual is a potential victim of modern slavery or human trafficking; taken by the NCA or UK Visas and Immigration; leads to a supported reflection and recovery period of at least 45 days, during which time the case is considered and a conclusive decision made as to whether he or she is recognised by the Government as a victim of modern slavery or human trafficking; a stage in the National Referral Mechanism
regional organised crime unit (ROCU)	unit providing specialist policing capabilities at the regional level, helping police forces to tackle serious and organised crime effectively across police force boundaries; there is a unit in each of the nine National Police Chiefs' Council regions in England and Wales; in eight of the regions, there is one region-wide unit; in the north east region, the unit is split into two sub-regional units
reflection and recovery period	period of time during which victims are supported following a decision that there are reasonable grounds to believe they are victims of slavery or human trafficking; in England and Wales, victims are supported for at least 45 days to begin their

	recovery and make decisions about their future, away from the influence of controllers; no expulsion order can be enforced during this time
resourcing	arrangements to ensure the correct level of funding, officers, staff and any other requirements to provide a particular service
response officer	uniformed police patrol officer whose primary role is to attend incidents when they are first reported to the police, who is in daily contact with the public and who directly intervenes to keep people safe and enforce the law
safeguarding	process of protecting vulnerable people from abuse, neglect or exploitation and promoting their welfare
section 45 defence	statutory defence created by section 45 of the Modern Slavery Act 2015 to protect people who have been compelled to commit most offences during their period of exploitation
senior investigating officer (SIO)	police officer responsible for overseeing the progress of an investigation
serious and organised crime (SOC)	crime planned, co-ordinated and conducted by people working together on a continuing basis; the motivation is often, but not always, financial gain; includes drug trafficking, human trafficking, and organised illegal immigration, high-value fraud and other financial crimes, counterfeiting, organised acquisitive crime and cyber-crime; organised crime is characterised by violence or by the threat of violence and by the use of bribery and corruption
single point of contact (SPOC)	person who is designated as the contact for a specific area of activity
slavery	umbrella term for conditions in which individuals are owned by others; can be experienced (<i>inter alia</i>) as servitude, forced and compulsory labour, and human trafficking; an offence under section 1 of the Modern Slavery Act 2015

slavery and trafficking prevention order	order established under Part 2 of the Modern Slavery Act 2015 which can be imposed as necessary to prohibit the activities of those who have committed modern slavery and human trafficking offences in order to prevent further such offences; prohibitions can apply domestically or internationally
slavery and trafficking risk order	civil order established under Part 2 of the Modern Slavery Act 2015, which can be imposed as necessary to prohibit the activities of those who pose a risk of committing a modern slavery and human trafficking offence; prohibitions can apply domestically or internationally
SOC	serious and organised crime
special measures	measures to enable vulnerable or intimidated witnesses in a criminal trial to give their best evidence; can include screening in court or giving evidence via video link; established under the Youth Justice and Criminal Evidence Act 1999
SPOC	single point of contact
threat, harm and risk assessment	assessment which police officers are expected to make of the threat of risk and harm to the public during spontaneous incidents or planned operations
UK Visas and Immigration	unit of the Home Office responsible for determining whether non-UK nationals have rights to visit or stay in the UK and for making decisions on applications for citizenship; also responsible for making some decisions about whether a potential victim of modern slavery and human trafficking is recognised to be a victim by the Government
victims' code	Code of Practice for Victims of Crime
victim support agency	charity or non-governmental agency providing support to victims of crime
voluntary interview	interview conducted with a person who is not under arrest

vulnerable person

person who is in need of special care, support or protection because of age, disability, risk of abuse or neglect or because of exploitation

Annex A – HMICFRS modern slavery and human trafficking expert reference group

HMICFRS set up a reference group for this inspection. The objectives of the reference group were to:

- represent the principal interested parties in the area under scrutiny;
- provide advice to the inspection team on strategic, technical and/or operational issues associated with the service under inspection;
- help to provide direct links to the organisations or groups that the members represent for consultative purposes; and
- comment on emerging findings.

The following organisations and individual experts were represented on the HMICFRS modern slavery and human trafficking expert reference group, chaired by Her Majesty's Inspector of Constabulary, Wendy Williams.

Membership

Anti-Slavery International

Barnado's

Border Force (Home Office)

College of Policing

Crown Prosecution Service

Caroline Haughey

Gangmasters and Labour Abuse Authority

Helen Bamber Foundation

Home Office Modern Slavery Unit

Human Trafficking Foundation

Immigration Enforcement

Independent Anti-Slavery Commissioner Kevin Hyland OBE and members of his office

Local Government Association

National Crime Agency

National Policing Portfolio, Office of the NPCC lead

Office of the Police and Crime Commissioner, West Yorkshire Police

Salvation Army

Welsh Anti-Slavery Commissioner (Welsh Government)

Dr Ruth Van Dyke

HMICFRS is extremely grateful for the time and expertise that all individuals and organisations gave to support the development of the inspection programme.

Annex B – Fieldwork methodology

All forces

All 43 forces in England and Wales submitted:

- documents, such as strategic and operational plans;
- a short self-assessment, outlining their view of the force's response to the Modern Slavery Act; and
- a data collection template, covering: modern slavery offences; crime outcomes; intelligence submissions; information concerning the use of new powers in the Act.

Fieldwork forces

Fieldwork investigations were undertaken in ten police forces. On-site inspection lasted three days, enabling a range of interviews and focus groups to take place with relevant staff. This included:

- interview with chief officer modern slavery and human trafficking lead;
- interviews with strategic and tactical SPOCs;
- interviews with head of intelligence, head of public protection and head of crime, or with those covering similar fields;
- interview with crime registrar;
- interviews with leads of dedicated/specialist modern slavery and human trafficking units, where relevant;
- focus groups with investigators;
- focus group with intelligence staff; and
- focus group with staff in dedicated/specialist teams, where relevant.

Reality testing was undertaken to test understanding of modern slavery and human trafficking, including awareness of signs and indicators, across a range of officers and staff with frontline responsibilities. They included neighbourhood, response, CID, call handlers and desk enquiry officers.

ROCUs and NCA fieldwork

Onsite investigations were undertaken in four regional organised crime units (ROCUs) and at locations in the National Crime Agency (NCA), including the Modern Slavery and Human Trafficking Unit. Fieldwork investigations were undertaken in the East Midlands, North West, South West and Yorkshire and the Humber. This involved a day on site, interviewing relevant leads and holding focus groups with staff. Visits were also made to two NCA branch offices, in North West and Wales.

Officials in the Modern Slavery and Human Trafficking Unit were interviewed in addition to national NCA leads with overarching responsibilities for the response to modern slavery and human trafficking. They included the Deputy Director and Director of the Vulnerabilities Command and the Director General of the NCA.