MODERN SLAVERY AND HUMAN TRAFFICKING IN THE CARE SECTOR

Presenter:

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NORFOLK ANTI-SLAVERY N E T W O R K

What is Modern Slavery & Human Trafficking?

Modern slavery is the severe exploitation of other people for personal or commercial gain

It can take many forms but can include:

- Human Trafficking
- Forced Labour
- Debt bondage/bonded labour
- Domestic servitude
- Criminal exploitation
- Sexual exploitation
- Organ removal; forced begging; forced benefit fraud; forced marriage; predatory marriage; surrogacy and illegal adoption; cuckoo'ing.

UN Definition (2000)

- The Act: recruitment, transport, transfer, receipt and keeping.
- The Means: the threat or actualisation of force, coercion, deception, fraud, abusing vulnerability, giving payments or other benefits, abduction.
 - The Purpose: for exploitation.

Consent is irrelevant

United Nations Office of the High Commissioner for Human Rights. (15th Nov 2000). Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. Available from: <u>https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-prevent-suppress-and-punish-trafficking-persons</u>. (Accessed 14th Oct 2021)

As a crime in the UK

Slavery, Servitude and Forced or Compulsory Labour

Legislation:

Modern Slavery Act 2015 Proceeds of Crime Act (POCA) 2002 Serious Crime Act 2007 (SCA)

- slavery is exercising the right of ownership of another person as one might an animal or an object
- servitude is the imposition, by coercion, of an obligation to provide services
- forced labour is direct compulsion to work for another
- compulsory labour is indirect compulsion to work another

Criminal Prosecution Service. (Dec 2022) Modern Slavery and human trafficking: offences and defences, including the section 45 defence. Available from: https://www.cps.gov.uk/legal-guidance/modern-slavery-and-human-trafficking-offences-and-defences-including-section-45#:~:text=slavery%20is%20exercising%20the%20right,compulsion%20to%20work%20for%20another

TRAFFICKING VS SMUGGLING

SMUGGLING:

- Crime against the state
- Involves immigrants and asylum seekers paying others to help them enter a country illegally
- After the transaction there is no longer a relationship

TRAFFICKING:

- Crime against the person
- Victims are coerced or deceived
- On arrival they are exploited

THE NATIONAL REFERRAL MECHANISM

The National Referral Mechanism (NRM) is a framework for identifying and referring potential victims of modern slavery and ensuring they receive the appropriate support.

FIRST RESPONDER ORGANISATIONS

according to the National Referral Mechanism

POLICE FORCES

·CERTAIN PARTS OF THE HOME OFFICE

·UK VISAS AND IMMIGRATION

 \cdot BORDER FORCE

·IMMIGRATION ENFORCEMENT

·NATIONAL CRIME AGENCY

·LOCAL AUTHORITIES

·GANGMASTERS AND LABOUR ABUSE AUTHORITY (GLAA)

·SALVATION ARMY

·MIGRANT HELP

·MEDAILLE TRUST

·KALAYAAN

·BARNARDO'S

·UNSEEN

·NSPCC (CTAC)

·BAWSO

DAWJO

 \cdot NEW PATHWAYS

·REFUGEE COUNCIL

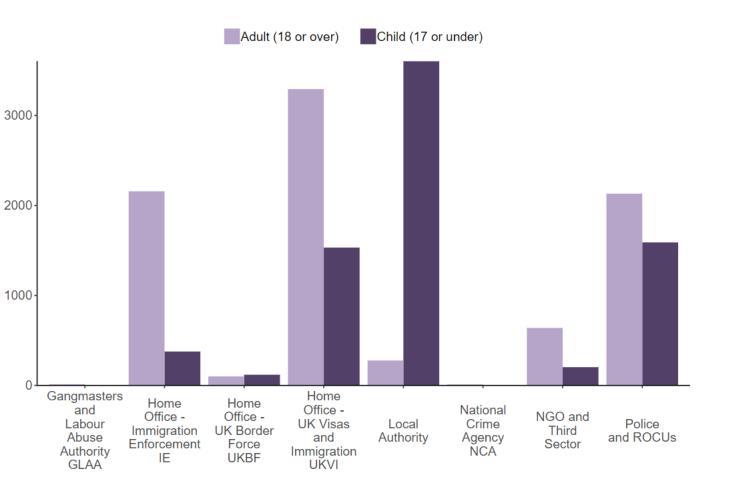
(UK HOME OFFICE NATIONAL REFERRAL MECHANISM GUIDANCE:

ADULT (ENGLAND AND WALES)

19 MAY 2022)



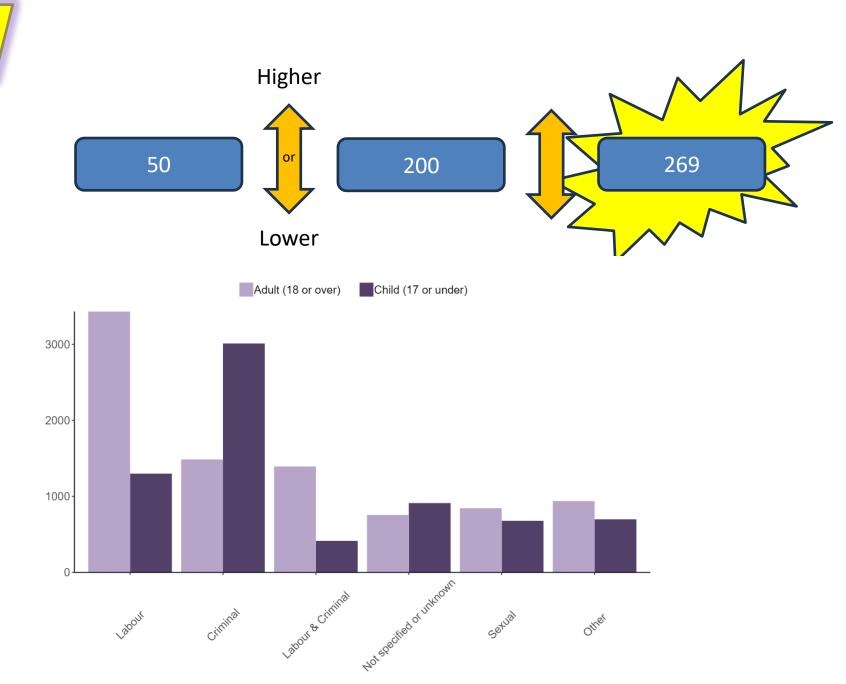
Figure 8: Number of NRM referrals by first responder types



Facts & Figures

For NORFOLK year ending June 2023

https://www.norfolkantislavery.org/



The most common Nationality?

For UK year ending June 2023

UK Gov (2024)

The most common form of Modern Slavery in the UK?



General Indicators

- Passport / ID documents held by someone else
- Controlled over movement
- Bonded to debt
- Excessive working hours
- No or little pay
- Frequently moving to different locations
- Not knowing address of where they work or live
- Expression of fear or anxiety and withdrawn
- Physical / sexual assault / psychological trauma
- Highly distrustful of Police and Authorities
- Poor or sub-standard living accommodation (HMO's?)
- Not registered with GP or school
- The person acts as if instructed by another / scripted
- Accompanied by chaperone / interpreter (why?)
- CASH

Asking the right questions...

...at the right time



Where is it featuring in the Care Sector?

- Corruption in businesses running care homes or supplying workers for home visits or live-ins
- Visa services agent in home country charging excessive fees to apply for work visa
- When foreign workers have 60 days to find another sponsor or leave the UK, becoming vulnerable to new exploitation.
- Links between UK sponsor and the Visa agent abroad

I would imagine those joining this conference are legitimate employers and wouldn't necessarily see the problems in their own business but would be more likely to identify and come across issues with foreign workers applying for a job, especially if they are in that 60 day period to find a new job as they could well be a victim from their last job

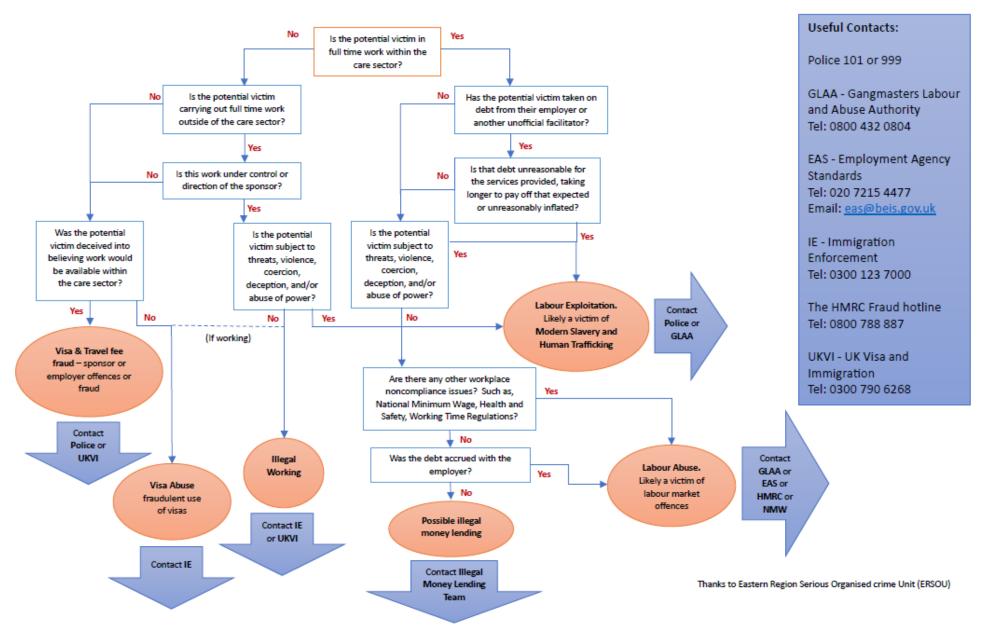
- The top allegations in 2022 we were finding were around National Minimum Wage issues, fees for additional services and working conditions/hours.
- Some people are paying up to £30,000.00 for the visas.

Table 3 Most prevalent nationalities of potential victims indicated in the care sector in 2022

Nationality	Potential victims	% of all potential victims (where nationality is known)
India	147	48%
Zimbabwe	45	15%
Nigeria	25	8%
Ghana	22	7%
Tanzania	14	5%
Pakistan	13	4%
Romania	9	3%
Philippines	5	2%
Uganda	4	1%
Bangladesh	4	1%
Sri Lanka	4	1%

Potential victims were also indicated from Ukraine (3), Nepal (2), Sierra Leone (2), and one each from Botswana, Bulgaria, Cameroon, England, Lithuania, UAE and "other".





So. How can I protect our organisation and my workforce?



Responsible Exit strategies:

ACT_Fact-Sheets_ACT-Responsible-Exit-Policy_FA.pdf (actonlivingwages.com) Fair-Wear-Responsible-Exit-Strategy-Guidelines-V1.0.pdf (fairwear.org)

- Check UKVI Sponsor list for the name of the agency offering you labour resources from overseas. Are they registered?
- Check Companies House, ensure the business in question is registered, the date of incorporation, address and director details.
 - Ask the workers to show you their passport for purposes of identification checks. If they can't do this then it is possible someone is holding it for them.
 - Ask workers about how they access their money.
 - Check how many hours they are working.
 - Ask them if their accommodation is OK and whether it is connected to their terms of employment.
 - All Houses of Multiple Occupancy should be registered, check with the local authority or ask the local police to check on your behalf.
 - ...Look for any signs of being controlled

Who to contact for proactive measures or advise in complex situations in the CARE SECTOR?

Norfolk Police Missing Adults and Sex Trafficking (MAST) team

Tel: 01603 276037

Email: MASH.MAST@norfolk.pnn.police.uk

CQC

Tel: 03000 616161

enquiries@cqc.org.uk

Gangmaster Labour and Abuse Authority

Report a Problem Tel: 0800 432 0804 General Enquires Tel: 0345 602 5020 Email: <u>contact@gla.gov.uk</u>

Norfolk County Council People from Abroad Team

Contact: Lucy Groenewald, Practice Consultant modern slavery and trafficking in the care sector

Tel Direct: 01362 654535 Tel Dept: 01603 222111 Email: lucy.groenewald2@norfolk.gov.uk

NORFOLK **ANTI-SLAVERY NETWORK**

Join the NASN for quarterly meetings and adhoc updates.

- Share live data
- Discuss previous and future operations
- Supply chain and due diligence support and open discussion

Contact:

Sarah-Jane Niles Modern Slavery and Human Trafficking Coordinator Email: Sarah-jane.niles@norfolk.police.uk





- 1. Threat to life; 999
- 2. National Helpline run by UNSEEN :

<u>0800 0121 700</u>

https://www.unseenuk.org/

Nb. This helpline is for anybody; obviously victims, but can be used by professionals to seek advice. All operatives have 6 weeks training before they are allowed to answer the phone & have extensive knowledge of options for victims available. They also have a useful resource centre. Highly recommended.

2. Modern Slavery Website:

https://www.gov.uk/government/collections/modern-slavery

3. Salvation Army confidential helpline; 0300 303 8151



www.crimestoppers-uk.org/



unseen