

Draft Modern Anti-Slavery Bill

Purpose

For discussion and direction.

Summary

The government published a White Paper on tackling modern slavery along with a draft Modern Anti-Slavery Bill in mid-December. The White Paper sets out how modern slavery and trafficking will be tackled in England and Wales. This report provides details of what the White Paper proposes and the contents of the draft Bill.

Recommendation

Members are asked to:

1. Note the publication of the White Paper and draft Bill to tackle modern slavery; and
2. Comment on how councils can help tackle modern slavery and trafficking and what assistance the LGA might give councils in their work in this area.

Action

Officers to progress as directed.

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Background

1. In mid-December the Home Office published a White Paper on tackling slavery and human trafficking along with a draft Modern Slavery Bill. As the White Paper pointed out men, women and children are being held in conditions of servitude and subjected to inhumane treatment within the UK often for years.
2. Modern slavery is complex and takes many different forms. A whole range of means are used by those involved to control their victims including coercion, deception and violence. It can involve organised crime groups forcing people to work long hours for little or no money or food, forcing them into a life of crime or pushing them into the sex industry. Not all the victims are people forced to come to the UK. Some believe they are coming to take up legitimate jobs, entering the country legitimately, while UK residents have also been kept in conditions of slavery.
3. The extent of the problem remains unclear as the only current means of systematically collecting data is through the National Referral Mechanism (NRM - which identifies and supports potential victims). In 2012 it received 1,186 referrals (815 adults, the remainder children), a 25 per cent increase over 2011. These individuals came from over 95 countries, although 68 per cent of referrals came from ten source countries:
 - Nigeria (205)
 - Vietnam (135)
 - Albania (128)
 - Romania (74)
 - China (55)
 - Poland (52)
 - Slovakia (52)
 - Lithuania (46)
 - UK (33)

Those involved in exploiting victims are often exploiting multinational groups. Of the 15 out of 24 people who accepted help when Bedfordshire Police raided a Leighton Buzzard caravan site in 2011 eight were British, three Polish, one Latvian, one Lithuanian and two were of unconfirmed nationality. Six of the family involved with this case were convicted and sentenced by the end of 2012.

4. The scale of slavery in the UK is probably significantly greater than this. In early December there were two arrests in Bristol for slavery related offences, while a vicar in Lincolnshire was reported at the end of November as assisting six people who had escaped from a life of slavery in the last year. The UK Human Trafficking Centre assessed the number of victims as around 2,255 in 2012, and the number of referrals to the NRM have increased by 48 per cent since 2009. The Global Slavery Index 2013 published by the Walk Free Foundation estimated there are between 4,200-4,600 people kept in conditions of slavery in the UK, and the Joseph Rowntree Foundation estimates suggest there may be thousands of people in the UK experiencing forced labour.

The White Paper

5. The White Paper sets out the Government's determination to stop modern slavery in all its forms, and how it will go about doing this. The pursue, prevent, protect and prepare approach used in the Counter Terrorism and Serious and Organised Crime Strategies will be the basis of the Government's work. This will mean that those responsible for modern slavery are brought to justice, criminals are deterred from becoming involved in modern slavery, awareness of the problem is increased and victims are better supported. An action plan will be developed in the spring to take forward this work, with evidence and a report prepared by Frank Field MP on what needs to be done to address the issue of modern slavery helping to inform this work. The action plan is likely to cover:

- training and guidance for the police, border officials, health services, councils and the travel industry on recognising the indicators an individual may be a victim of slavery;
- improving international collaboration to address the issue through the National Crime Agency;
- using the new local profiles of serious and organised crime to build understanding of the extent of modern slavery at a local level or the threat of it, and use them to inform the work of organised crime partnership boards;
- improving the ability to detect victims and traffickers at the border;
- issuing revised guidance to prosecutors about bringing cases;
- using the Proceeds of Crime Act to recover money from those involved in slavery offences (trafficking offences are already covered);
- working with businesses on a voluntary basis to ensure that their workforces and supply chains are not exploited, and using the experience and knowledge of the Gangmasters Licensing Authority to protect workers in other sectors; and
- strengthening the links between this work and the strategy to tackle violence against women and girls, and do more to ensure there is a robust multi-agency approach to protect victims trafficked or enslaved for sexual exploitation.

6. The Government has also looked at the legislation covering slavery offences and as part of the White Paper published a draft Modern Slavery Bill, which will be an important part of the Government's programme of action.

The draft Modern Slavery Bill

7. The Bill is designed to prevent modern slavery and reduce the future number of victims by:

- Consolidating and simplifying existing slavery and trafficking offences into two offences of trafficking and forced labour, slavery and servitude. It will bring together offences in the Sexual Offences Act 2003, the Asylum and Immigration Act 2004 and the Coroners and Justice Act 2009.
- Increasing the maximum sentence for modern slavery offences from 14 years to life imprisonment.
- Introducing Slavery and Trafficking Prevention Orders (STPOs) and Slavery and Trafficking Risk Orders (STROs). The STPOs will be available on conviction for modern slavery offences, while the STROs can be imposed by the courts where

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an individual has not been convicted but present a serious risk to others. Both orders will allow the court to restrict the activities of those they apply to.

- Establishing a new Anti-Slavery Commissioner to galvanise efforts to tackle modern slavery by working with police and crime commissioners, the Crown Prosecution Service and the National Crime Agency; and
- Establishing a legal duty to report potential victims of trafficking to the National Crime Agency. This will apply to public bodies identified as ‘first responders’ and will help victims access support as well as provide greater detail of the number of victims of these offences.

Implications for local authorities

8. Under the Bill local authorities will be listed as ‘first responders’ and will therefore be required to notify the National Crime Agency if they have reasonable grounds for suspecting a victim has been trafficked. The Anti-Slavery Commissioner will also be able to make recommendations to councils among others about the exercise of their functions, and councils like other public authorities will be under a duty to co-operate with the commissioner. As there is already a requirement on councils to notify the NRM of trafficked individuals they come across, the new legal duty will put this requirement on a statutory basis.
9. Local authorities will additionally be provided with information on the threat of modern slavery and trafficking in their areas as part of the new organised crime profiles that the police will be responsible for developing under the Serious and Organised Crime Strategy. Councils’ activity to reduce violence against women and girls also has links to tackling modern slavery and the Home Office will be looking to strengthen the link between the two so will undoubtedly want to see councils and their partners making these links too.
10. As with serious and organised crime councils have a potentially important role to play in addressing modern slavery and trafficking. Front line staff in a range of services may well be the only public services that interact with victims and can spot the signs they are victims of modern slavery. The same staff may also receive intelligence that helps identify victims and may have safeguarding responsibilities towards the victims when they are identified. Local authorities can also assist in disrupting the activities of those holding victims in servitude or trafficking people through for example the licensing or inspection powers they hold.

Next steps

11. Members are asked to:
 - 11.1. Note the publication of the White Paper and draft Bill to tackle modern slavery.
 - 11.2. Comment on how councils can help tackle modern slavery and trafficking and what assistance the LGA might give councils in their work in this area.

Financial Implications

12. There are no financial implications arising from work in this area which will be met from existing resources.