



# Supporting modern slavery victims to live free for good

## Why we need the Modern Slavery (Victim Support) Bill

### Executive Summary

When a person escapes from modern slavery they need help. Somewhere safe to stay, medical treatment, mental health support, legal advice, training, education and most importantly someone to walk alongside them as they figure out their next steps in rebuilding their life. Most of all they need security and stability as they look to the future.

In England and Wales, the Government provides these victims with a limited period of care on a non-statutory basis while the authorities decide if the person is a victim, but then the support ends.\* Although some victims are entitled to further help, the vast majority are left to fend for themselves, often at risk of homelessness and vulnerable to being re-trafficked.

The Government recently announced plans to provide confirmed victims with an additional 45 days of support following a positive conclusive grounds decision to help them move on from safe house accommodation. However, this is not sufficient to enable many victims to put in place the necessary building blocks that will allow them to rebuild their lives successfully without risk of destitution or re-trafficking. For example, it is unlikely that an application for discretionary leave to remain will be processed within 45 days.

The Government has said it wants to lead the world in efforts to address modern slavery. Tackling modern slavery must start with supporting victims to live free for good.

*\*Legislation in Scotland and Northern Ireland contains a statutory duty to provide support to victims during the NRM. However, the power to offer victims leave to remain is reserved to Westminster. The Modern Slavery (Victim Support) Bill only applies in England and Wales although it there will be an opportunity for Scotland and Northern Ireland to opt-in to the legislation.*

### 3 Key reasons for the Bill

#### *Protecting victims from homelessness, destitution and re-trafficking*

Research has found that *“the current options for housing and support in the post safe house period are not sufficient for survivors of modern slavery.”*<sup>1</sup>

Charities caring for victims say *“The current situation leaves survivors with little realistic opportunity to rebuild their lives, with some ending up destitute, vulnerable to further harm or even being re- exploited.”*<sup>ii</sup>

The Independent Anti-Slavery Commissioner has said victims from EEA countries in particular are at *“high risk of becoming destitute and homeless”*.<sup>iii</sup>

### *Giving victims a direct pathway to recovery*

Unlike a person who is granted asylum, there is no automatic entitlement to on-going support or residency when a person is confirmed to be a victim of modern slavery.

To access further support and remain in the UK, victims must apply for special discretionary leave to remain, which is only available in a narrow range of circumstances and difficult for victims to secure. In 2015 just 12% of victims were given this special discretionary leave to remain.<sup>iv</sup>

Even victims who are EU or British nationals, and may be eligible for benefits, can struggle to access help as there is no specific access or specialised longer-term support provided on account of their ordeal as a victim of modern slavery.

In April 2017 the Work and Pensions Select Committee concluded that the Modern Slavery Act *“did not secure a pathway for [victims] recovery”* and recommended *“the Government must introduce a system that will help victims to start piecing their lives back together. Not only is there a moral case for doing this but it can help to bring the perpetrators of these horrendous crimes to justice.”*<sup>v</sup>

### *Unsupported victims find it hard to act as witnesses*

If victims do not have a guarantee of sustained support they are unlikely to feel safe and secure enough to give evidence to police investigations. Cases have been reported of victims becoming homeless after leaving the safe house and police being unable to trace them to take their testimony.<sup>vi</sup>

The Independent Anti-Slavery Commissioner has warned that *“one of the best forms of intelligence and information is from the victims, and if we are continually letting them down, how are we ever going to get the prosecutions and the confidence of victims to come forward?”*<sup>vii</sup>

### *Why 12 months of support and permission to stay in the UK?*

Organisations that support victims have said that 12 months of support and permission to be in the UK is the minimum length of time victims need to give them a stable foundation for recovery.<sup>viii</sup>

This Work and Pensions Committee came to the same view recommending that *“all confirmed victims of modern slavery be given at least one year’s leave to remain with recourse to benefits and services...this would allow time for victims to receive advice and support, and give them time to plan their next steps. This would not prevent those who wish to return home from doing so.”*<sup>ix</sup>

It can take significant time for victims to feel safe enough to begin to process their traumatic experiences through counselling or to engage with police investigations. Often this can only

happen once the immediate crisis is over, when they have been formally recognised as a victim and know that they have a significant period of time ahead during which housing, money for essentials and the right to be in the country will be secure.

For victims who have lower mental or physical health needs, they need time to gain skills, experience and confidence that will enable them to live a full and integrated life in society, whether in the UK or in their home country. This might involve language skills, education or training for employment, or rehabilitation through decent work and work experience. A programme run by the Co-op supermarket has demonstrated the value of work experience alongside specialist support in helping victims recover from exploitation.<sup>x</sup>

Without 12 months leave to remain in the UK, many victims do not have this stability and cannot begin that process of recovery.

But all victims are different with some needing more support than others. The Modern Slavery (Victim Support) Bill ensures the help and services provided will be tailored to the needs of each individual victim helping them on a road to independence after 12 months, and if a victim doesn't want to take up the support or opportunity to stay in the UK, then they are of course free not to.

## What does the Government say?

Since the Modern Slavery (Victim Support) Bill had its Second Reading in the House of Lords on 8 September the Government has announced proposals to provide additional support to victims for an extra 45 days and for some victims, access to drop in support services for up to 6 months.

These proposals are a step in the right direction but do not offer victims the full protection they need which is offered by the Modern Slavery (Victim Support) Bill. The reasons we believe these Government proposals are inadequate are:

### 45 days is not long enough

Many victims do not begin to process the trauma that they have experienced until much later than 45 days after the decision about their victim status is made. To feel able to begin this psychological recovery many victims need to have certainty that they will have somewhere to stay and food to eat for a sustained period of time.

Providing support for just 45 days, without giving victims new rights to stay in the UK for a period of recovery afterwards with access to housing and benefits, training and employment, will not give them the certainty and stability to rebuild their lives that they badly need.

Practically speaking an extra 45 days in the safe house will give victims who have the right to stay in the UK more time to find housing and apply for benefits or other services. But these cannot all be arranged within 45 days. Victims who do not have a right to remain after 45 days, meanwhile, will need to apply for special discretionary leave to stay in the UK which is unlikely to be processed within 45 days. This means that when the 45 days come to an end they will again be at risk of homelessness and re-trafficking until they get a final decision.

The Modern Slavery (Victim Support) Bill will give every victim the option of receiving support and assistance for 12 months, tailored to the needs of each individual. Many victims who escape need more than emergency care, they need a long term plan to help them become *free for good*.

### The six month “drop in” service will only be for some victims

The Government has proposed drop in services that victims can access for up to six months after they leave the safe house support. But, if victims do not have the right to stay in the UK for those six months then they will not be able to access this help and are likely to be deported or left destitute and vulnerable to re-trafficking .

A drop in service alone is not really enough support to meet the needs of some victims, but it is not clear if the proposed drop in service will give victims ongoing advocacy support to help them access the services they are entitled to.

The Modern Slavery (Victim Support) Bill will give every victim the right to stay in the UK for 12 months to receive support. It will also give each person access to a support worker for that whole period to help them access services and begin to rebuild their lives so they can live free for good.

### About the campaign

Free for Good is a campaign supported by a number of anti-slavery organisations calling for victims to be given leave to remain and specialist support for 12 months beyond the National Referral Mechanism. The campaign has been set up to mobilise support for the Modern Slavery (Victim Support) Bill, a private members Bill brought forward by Lord McColl of Dulwich which would introduce this provision. The Bill had its Second Reading on 8 September and is awaiting a date for Committee Stage. The Bill will be sponsored in the House of Commons by Rt. Hon Frank Field MP.

The Free for Good campaign is encouraging members of the public to email their MPs urging them to support the Modern Slavery (Victim Support) Bill and asking them to press the Prime Minister to give her support to the Bill giving it time to be debated in the House of Commons. This can be done easily through a form on the [freeforgood.org.uk](http://freeforgood.org.uk) website. Please share about the website and the campaign on social media using the hashtag [#freeforgood](https://twitter.com/freeforgood). Organisations that would like to support the campaign formally should contact [louise.gleich@care.org.uk](mailto:louise.gleich@care.org.uk)

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- <sup>i</sup> Human Trafficking Foundation Life Beyond the Safe House for Survivors of Modern Slavery in London, July 2015
  - <sup>ii</sup> Human Trafficking Foundation et al March 2017 Supporting Adult Survivors of Slavery to Facilitate Recovery and Reintegration and Prevent Re- Exploitation March 2017
  - <sup>iii</sup> Letter from Kevin Hyland Independent Anti-Slavery Commissioner to Sarah Newton, Minister for Vulnerability, Safeguarding and Countering Extremism dated 10 January 2017
  - <sup>iv</sup> Letter from Sarah Newton MP to Chair of the Work and Pension Select Committee dated 17 February 2017
  - <sup>v</sup> House of Commons Work and Pensions Committee, Victims of Modern Slavery (12<sup>th</sup> Report of Session 2016-17) 26 April 2017 p3.
  - <sup>vi</sup> House of Commons Work and Pensions Committee Op.Cit paragraphs 46-52
  - <sup>vii</sup> House of Commons Work and Pensions Committee Op.Cit paragraph 50
  - <sup>viii</sup> Human Trafficking Foundation et al March 2017 Supporting Adult Survivors of Slavery to Facilitate Recovery and Reintegration and Prevent Re- Exploitation March 2017
  - <sup>ix</sup> House of Commons Work and Pensions Committee Op.Cit paragraph 44
  - <sup>x</sup> Balch, A. Craig, G. Roberts, K. & Williams-Woods, A. The Co-op’s Bright Future programme: An independent Interim Review, October 2017, University of Liverpool.