

## Debate: Tenth anniversary of the Modern Slavery Act, 27 March 2025

### Identifying and supporting victims

**The Modern Slavery Act 2015 was a significant step forward in the fight against modern slavery. However, ten years since the Act was passed there remains much to do to prevent modern slavery, protect victims and pursue offenders. The number of victims being identified has multiplied since 2015 and the groups of people being recognised as victims has diversified. However, many more victims are still not identified or do not wish to engage with the authorities and the support system is no longer adequate to meet the needs of victims and prevent re-exploitation.**

#### **1. Many more victims are being identified but support pathways are inadequate**

**1.1. Rise in NRM referrals – but backlog in decision-making:** The number of potential victims referred to the National Referral Mechanism (NRM) for identifying victims of modern slavery has increased almost six-fold since the Modern Slavery Act (MSA) was passed. In 2024, 19,125 potential victims were referred compared to 3,263 in 2015.<sup>1</sup> However, as referrals have increased so has the length of time potential victims are waiting for their final ('conclusive grounds' or 'CG') decision and the backlog of victims awaiting a CG decision. We welcome the recruitment of additional NRM decision-makers.<sup>2</sup> Recent data shows the number of victims awaiting a decision and the average waiting time has reduced which is encouraging. However, even that data shows victims were still waiting on average 553 days (approx. 18 months).<sup>3</sup>

**1.2. Increase in British victims identified:** Since the Act was passed there has been a notable increase in the number and proportion of British victims identified (4,441 in 2024 compared to 161 in 2015) – in particular British children in criminal exploitation. However, our research suggests that many British victims are not referred to the NRM because they are either not identified as modern slavery victims or due to perceptions that the NRM is not designed for British victims.<sup>4,5</sup>

Many adult British victims have complex needs (e.g. substance misuse or mental health) which the modern slavery victim care contract is not set up to respond too. British victims are not generally able to access safe house accommodation and are expected (aside from exceptional cases) to be accommodated by local authorities under statutory duties. But a lack of priority and unsuitable local accommodation put victims at continued risk of re-traumatisation and re-exploitation.<sup>6</sup>

**1.3. Many potential victims declining referral:** Although referral numbers have continued to grow the true number of victims is likely to be even higher. In 2024 there were at least 5,598 adults identified by statutory authorities as possible victims but declined referral to the NRM according to Duty to Notify reports.<sup>7</sup> This is the highest number of Duty to Notify reports ever made since the process was introduced by the MSA. This means that many adult victims are not accessing support and may be at risk of continued exploitation.

Our research and frontline experience show it takes time to build trusted relationships with victims to encourage them to engage with support services and the police.<sup>8</sup> Safe accommodation is needed where victims can be taken to rest and take time to understand their options before they are faced with such an important decision as entering the NRM and cooperating with the police. Commitments have been made to provide such accommodation since 2017 but in December 2023 the Home Office decided not to move forward with plans under the current victim care contract.<sup>9</sup>

Many other victims are not being identified at all. In 2020, using police data we estimated that there could be at least 100,000 victims in the UK, ten times the number referred to the NRM in that same year.<sup>10</sup> More recently Walk Free's Global Slavery Index estimated 122,000 victims.<sup>11</sup>

**1.4. Victims left without support once conclusively identified as a victim:** Perhaps surprisingly, although victims are provided with support during the NRM process there is no guarantee of support for victims in England and Wales once they are confirmed as such by the Home Office. Support after a positive CG decision is limited to an additional 45 day 'move on period', which can be extended through the 'Recovery Needs Assessment process' although our research has found this process to be complex and only offering short extensions to support.<sup>12</sup> A ministerial commitment in 2021<sup>13</sup> to provide 12 months support to confirmed victims 'who need it' was dropped in December 2023.<sup>14</sup> Immigration leave to remain in the UK is only available through a separate process and on even more limited criteria (see below).

Although, we welcome a reduction in waiting times for a CG decision it is likely to mean victims leaving the NRM after shorter periods of support with continuing trauma and an altered immigration status. This creates a risk of re-exploitation and increases the need for longer support.

## **2. Recent immigration legislation has created barriers to accessing support**

The 2023 Home Affairs Select Committee report described a recent *"de-prioritisation of human trafficking in favour of attention on irregular migration"* which had come at a cost, particularly for thousands of British victims of modern slavery who continue to fall through gaps in support.

Measures changing support for victims of modern slavery were included in two recent immigration laws, the Nationality and Borders Act ('NABA') 2022 and the Illegal Migration Act ('IMA') 2023. As the House of Lords special committee on the MSA identified in October 2024 *"Recent immigration legislation has limited the support which the Act originally afforded to victims. This has left victims vulnerable, without adequate protection from their traffickers."*

**2.1 Irregular arrivals:** We support the Government's plans to repeal sections 22-28 of IMA and the Safety of Rwanda Act through the Border Security, Asylum and Immigration Bill which would have put modern slavery victims who arrived in the UK through irregular means at high risk of continued and re-exploitation and made it more difficult to prosecute offenders by denying support and removing victims from the country.

**2.2 Public order disqualification:** Section 63 of NABA allows potential victims to be disqualified from support on a wide definition of public order. It is likely to catch genuine victims who pose no risk to the public including where the convictions were a result of their exploitation. The disqualification leaves potential victims without support and will deter them from seeking help. It hinders prosecutions as victims will be unable to engage with police.<sup>15</sup> Section 29 of IMA extends the disqualification and (if brought into force) will further increase these negative impacts. It is disappointing it has not been repealed.

Our analysis of Home Office NRM data held by the UK Data Service for 2023 and 2024 about the operation of the current section 63 NABA public order disqualification shows:<sup>16</sup>

- Criminal exploitation (alone or with other forms of modern slavery) is the most common type of exploitation reported by potential victims disqualified on public order grounds (63%). Most of these (222 out of 348) reported exploitation in the UK only. This highlights the risk that victims whose UK convictions are a result of exploitation are being excluded from support.
- Most disqualified potential victims report modern slavery that took place in the UK in full or in part (55% in the UK only, an additional 25% in the UK and overseas). There should be the potential for a UK prosecution of their exploiters, but prosecutions will be made virtually impossible because victims are unable to engage due to removal from support and deportation.
- Although most potential victims disqualified have been adults, 11 victims who were aged 15-17 when referred to the Home Office have also been disqualified.

**2.3 Raised reasonable grounds threshold:** Statutory guidance was changed in January 2023 alongside NABA to require objective evidence for a positive reasonable grounds decision. This has resulted in a substantial drop in the proportion of positive reasonable grounds decisions from 89% in 2022 to

53% in 2024 and a significant increase in the number and proportion of negative decisions that were made on the grounds of 'insufficient information to meet the standard of proof required' from 3% in 2022 to 52% in 2024 (and 54% in 2023).<sup>17</sup> This means that only one in two people referred to the NRM get access to support. Our analysis indicates that there may be a disproportionate impact on potential victims who reported exploitation that took place entirely outside the UK and on adult victims (even taking account of high referral rates for both cohorts). These may be related since the majority of cases related to overseas-only exploitation are for adults. It is important that the Government monitors the impact of this change closely to understand whether there are certain groups of victims who are disproportionately failing to meet the threshold and if so why. Any impact on victims' engagement with police investigations also must be monitored.

**2.4 Narrowed provision of support and leave to remain:** NABA added to statute both support and leave to remain for modern slavery victims which was an omission from the original MSA. However, NABA also reduced the minimum recovery period from 45 to 30 days and narrowed the criteria for both support during the recovery period and leave to remain for confirmed victims afterwards.

Both provisions have a focus on recovery needs arising from exploitation (with leave to remain also available where victims are engaged in criminal proceedings or seeking compensation through the courts). Needs arising from exploitation cannot easily be separated from pre-existing or wider vulnerabilities that can be exacerbated by or make someone vulnerable to exploitation. Left unaddressed, these needs can hinder a victim's recovery and increase risks of re-exploitation.

We are particularly concerned that the consideration of any risks of re-exploitation are no longer considered when granting leave to remain as they had been under the previous discretionary leave guidance. The addition of a requirement that victims should need support services not available in the UK in guidance for criteria (a) is also worrying.<sup>18</sup> Particularly since there is no guarantee in law of support for victims after the end of the recovery period.

Data released under an FOI suggested the numbers are very low: *"In 2023, 3,139 adults were confirmed as victims of trafficking but only 113 received a grant of VTS [Victims of Trafficking and Slavery] leave to assist with their recovery and fewer than 10 received a grant to assist the authorities. This is around half of the grants of leave made in 2022."*<sup>19</sup>

### **3. Supporting victims is key to successful prosecutions**

Survivors hold the key to achieving successful prosecutions — in most cases victim testimony remains central to building a case against offenders and even identifying other victims. Our research and frontline work show it is support that enables victims to engage with prosecutions.<sup>20</sup>

Justice and Care's unique Victim Navigator programme is proven to enable more victims to participate in criminal investigations (92% of victims supported engage with investigations, compared to 44% without a Navigator). These independent specialist support workers embedded with law enforcement act as a trusted bridge between investigators and victims of modern slavery and broker support from external services according to individual victims' needs.

Our most recent data shows (February 2024):

- Specialist strategic advice provided into 1,506 investigations.
- 687 survivors supported, with multiple support needs met per survivor.
- 131 victims freed directly due to VN involvement.
- Average 80% survivors show improved overall recovery and wellbeing.
- Supported survivors through 38 court cases that have resulted in judgement, 37 of which led to convictions (97%).
- 64 convictions secured (for modern slavery and other charges) with 304 years in combined sentencing given to the perpetrators. In all of these cases, Navigators were crucial in maintaining the engagement of survivors, whose evidence, testimony or ongoing cooperation contributed to the conviction (additional convictions have also been achieved).

The programme has been endorsed by leaders at the National Police Chiefs Council and the Gangmasters and Labour Abuse Authority<sup>21</sup> and a full national roll out recommended by both the Home Affairs Select Committee and the Lord's MSA Committee.

#### 4. Recommendations

- **We urge the Government to review the impact of the recent immigration legislation and associated policy on victims of modern slavery and their access to support. In particular, the public order disqualification provisions and the raised threshold for reasonable grounds decisions.**
- **We welcome the Government's intention to conduct a consultation on reforming the system for identifying victims.<sup>22</sup> We recommend there should be a wider review of decision making process and support pathways including:**
  - **support and safe accommodation available prior to an NRM;**
  - **developing pathways to support British national victims based on their complex needs;**
  - **introducing at least 12 months' support with leave to remain for ALL confirmed victims;**
  - **national rollout of devolved decision-making to the local safeguarding structures for child modern slavery cases and a scoping exercise to expand the approach to adults, and**
  - **embedding a multi-agency approach to victim identification and support, similar to the Multi-Agency Risk Assessment Conferences (MARACs) for victims of domestic abuse**
- **We welcome the engagement we have had with the Home Office about how to expand the Victim Navigator programme and we recommend each police force has access to a specialist Victim Navigator to support modern slavery victims through the criminal justice process.**

For briefings on other aspects of modern slavery or more information contact:

Louise Gleich, Policy Research and Advocacy Lead: [louise.gleich@justiceandcare.org](mailto:louise.gleich@justiceandcare.org)

---

<sup>1</sup> Home Office, *Modern Slavery: National Referral Mechanism and Duty to Notify Statistics, End of Year Summary 2024 Data Tables*

<sup>2</sup> Home Office *Modern slavery victims to be supported in fresh measures, October 2024*

<sup>3</sup> Home Office, *Additional statistics relating to modern slavery (February 2025)*

<sup>4</sup> Centre for Social Justice and Justice and Care, *A Path to Freedom and Justice, 2022*

<sup>5</sup> St Mary's University, Justice and Care et al, *Identifying Pathways to Support British Victims of Modern Slavery towards Safety and Recovery: A Scoping Study, September 2022*

<sup>6</sup> Centre for Social Justice and Justice and Care, *A path to freedom and justice: a new vision for supporting victims of modern slavery, February 2022*

<sup>7</sup> Home Office, *Modern Slavery: National Referral Mechanism and Duty to Notify Statistics, End of Year Summary 2024*

<sup>8</sup> Centre for Social Justice and Justice and Care, *A path to freedom and justice: a new vision for supporting victims of modern slavery, February 2022*

<sup>9</sup> Home Office NRM Reform Newsletter 1 December 2023 reported by [Politics Home](#)

<sup>10</sup> Centre for Social Justice and Justice and Care, *It Still Happens Here: Fighting UK Slavery in the 2020s, 2020*

<sup>11</sup> Walk Free, *Global Slavery Index Country Study United Kingdom, 2023*

<sup>12</sup> Centre for Social Justice and Justice and Care, *A path to freedom and justice: a new vision for supporting victims of modern slavery, February 2022*

<sup>13</sup> *Official Report* 8 December 2021, Column 427,

<sup>14</sup> Home Office NRM Reform Newsletter 1 December 2023. The Home Office confirmed its conclusion that the current RNA process is adequate in [House of Commons Home Affairs Committee Human Trafficking: Government Response to the Committee's First Report HC566](#) at paragraph 98

<sup>15</sup> House of Lords Modern Slavery Act 2015 Committee, *The Modern Slavery Act 2015: becoming world-leading again, HL Paper 8, October 2024*

<sup>16</sup> Our analysis of Home Office, Modern Slavery Research & Analysis. (2025). National Referral Mechanism and Duty to Notify Statistics, 2014-2024. [data collection]. 15th Edition. UK Data Service. SN: 8910, DOI: <http://doi.org/10.5255/UKDA-SN-8910-15>

<sup>17</sup> Our analysis of Home Office, Modern Slavery Research & Analysis. (2025). National Referral Mechanism and Duty to Notify Statistics, 2014-2024. [data collection]. 15th Edition. UK Data Service. SN: 8910, DOI: <http://doi.org/10.5255/UKDA-SN-8910-15>

<sup>18</sup> [Home Office, Temporary permission to stay for victims of human trafficking and slavery: caseworker guidance, February 2025](#)

<sup>19</sup> [Helen Bamber Foundation, Without secure immigration status, trafficking survivors cannot recover from trauma. It's time to change that, October 2024](#)

<sup>20</sup> Centre for Social Justice and Justice and Care, *Slavery at Home, February 2023*; Centre for Social Justice and Justice and Care, *A path to freedom and justice: a new vision for supporting victims of modern slavery, February 2022*; Justice and Care, *Victim Navigator Pilot Final Evaluation: From victim to witness to survivor, November 2022*

<sup>21</sup> [House of Commons Home Affairs Select Committee, Human Trafficking, HC 124, December 2023](#)

<sup>22</sup> Speech by the Minister for Safeguarding and Violence Against Women and Girls prepared for Human Trafficking Foundation Forum meeting on 26 February 2025 and circulated by email to attendees