

Meeting: Adult Social Care Health and Wellbeing Sub Committee

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Title: Modern Day Slavery

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Service:

Adult Social Care

Wards affected: All

1. Purpose of Report

- 1.1 To provide the Committee with information about Modern Day Slavery and the Authority's response

2. Recommendations

- 2.1 The committee is requested to note the information in the report.

3. Details

3.1 The Modern Slavery Act came into effect in March 2018 and is designed to tackle slavery in the UK.

3.2 It brings with it the appointment of an Anti-Slavery Commissioner, ability to seize the assets of traffickers, it provides a statutory defence for people who have been enslaved against prosecution against offences they may have committed when enslaved and imposes a maximum life sentence for those who are convicted of slavery/trafficking offences.

3.3 Slavery is an illicit trade in which human beings are turned into commodities and are bought sold and exploited for huge profit

3.4 Modern Slavery is an umbrella term covering the offences of trafficking and slavery, servitude and forced or compulsory labour

3.5 In order for a case to be considered trafficking, three components need to be present.

The Act (What is Done)	The Means (How it is done)	The Purpose (Why it is done)
<ul style="list-style-type: none"> • Recruit • Transport • Transfer • Harbour • Receive people 	<ul style="list-style-type: none"> • Threat, use of force or coercion, • Abduction • Fraud/deception • Abuse of power of a position of vulnerability • Give or receive payments or benefits to achieve the consent of a person having control over another person 	<ul style="list-style-type: none"> • Sexual exploitation • Forced labour or services • Slavery or practices similar to slavery • Servitude • Removal of organs

3.6 It was estimated in 2013 that up to 13000 victims of modern slavery were in the UK.

3.7 5000 cases were referred into the system in 2017

4 Types of Slavery

- Domestic Servitude – employees working in private homes are forced or coerced unto serving and/or fraudulently convinced that they have no option to leave
- Sexual Exploitation – Men, women and children forced into the commercial sex industry and held against their will by force fraud or coercion
- Forced labour – the person is forced to work under the threat of violence for little or no pay.
- Bonded labour – Individuals that are forced to work to repay a debt – and unable to leave until the debt is repaid. (Debt can accrue in relation to travel costs)
- Forced marriage – a persons forced to marry someone against their will or without consent.
- County Lines – these are groups that move vulnerable people (often young people) from the area they live to other areas in order to distribute their product (often drugs)

4.1 Forced labour accounted for over 50% of last year's referrals. There are certain businesses that have garnered higher levels of concern such as agriculture, factory work, nail bars and car washes. It is important to recognise, pursue and disrupt this activity using a range of statutory powers from various agencies (eg: HMRC, Trading Standards, police, social care, Fire Brigade, licensing).

4.2 Slavery can affect people of any age, gender or race; however it often affects people and communities that are vulnerable to being taken advantage of.

4.3 Some of the reasons people may be vulnerable to slavery or trafficking may include poverty, limited opportunity for education and employment, unstable social and political conditions, economic imbalances and war.

5 Recognising Slavery

- A person might appear to be in the control of someone else and be reluctant to interact with others. For example; a person may be accompanied to a medical appointment and be unable to be seen alone, or the companion may speak for them.
- A person may have a lack of ID documents.

- They may wear the same clothes every day or be inappropriately dressed for the weather.
- They may not be able to move around freely or be reluctant to talk to strangers or those in authority.
- They may appear frightened, withdrawn or show signs of physical abuse
- They may be dropped off and collected for work

6 Why people might not disclose that they are being exploited

- Lack of awareness that they are a victim.
- Language barriers
- Their movements are controlled
- Fear of repercussions
- Always being accompanied by a trafficker
- Isolation
- Immigration status
- Criminal activity
- Witchcraft
- Lack of trust in authorities
- Self blame
- Stockholm Syndrome

7 Some UK examples

7.1 In Leeds at the Kozee Sleep bed factory, the owner trafficked 42 Hungarian males. The males were forced to work 80 hours a week for £10 and lived in squalid conditions. They were living in constant fear of not complying

7.2 The factory owner was sentenced to 27 months in prison in February 2016 In Newcastle 4 men were jailed for a total of 32 years after forcing victims to live in appalling conditions and tricking them into taking low paid jobs and then taking their wages.

They were convicted of two counts of conspiring to force people into labour and one of conspiring to conceal criminal property.

8 The National Referral Mechanism (NRM)

8.1 The NRM is a framework for identifying victims and ensuring they receive appropriate support. It is also a mechanism for collecting data.

8.2 It is ultimately the NRMs decision as to whether a person identified as a potential victim is indeed a victim of Modern Slavery or trafficking.

8.3 The NRM grants a minimum 45 day period of reflection and recovery for victims.

8.4 As a social services department we are classed as a first responder and are expected to make referrals. Referrals are based on consent of the individual, but if the potential victim does not consent the Authority is still expected to alert the NRM to ensure the correct statistics are maintained. (Consent is not required from children)

8.5 There is a 5 working day period allows for NRM to decide whether there is reasonable grounds to believe the person is a victim of trafficking/modern slavery. Within this period, the Local Authority will need to make arrangements for safe accommodation and support to meet any needs. A co-ordinated response in relation to any health/sexual health/ mental health needs

will be provided. If a decision is made that the individual is a victim of slavery/trafficking they will be allocated a place within Government funded safe accommodation (usually away from the area where they were enslaved) at which point the 45 day period of reflection and recovery begins which allows the individual to decide what they want to do next for example; co-operate with police, return to their country of origin, return to the area they originally lived (not all victims are foreign) or remain in the area where the safe accommodation is located. During this period a conclusive decision is reached about whether the individual is a victim of slavery. Participation in NRM is voluntary and what happens next depends on the person's wishes however tailored support is available through the process (delivered by the Salvation Army).

8.6 There is no Government funded safe accommodation in North Tyneside, however there is such accommodation in Newcastle so there is the possibility that people with social care support needs may exit the NRM and wish to settle in North Tyneside meaning that the Authority would become responsible for their support.

7 The picture in North Tyneside

7.1 We have had 1 case in adult services and no cases in children's services.

7.2 A gentleman was working in a factory in the Washington area. A raid on the factory was conducted locally – we were not involved in this, South Tyneside took the lead. The raid discovered a man working in modern slavery conditions who was resident in Wallsend.

The police returned him to North Tyneside and we accommodated him safely in a bed and breakfast in Whitley Bay. The gentleman assisted police with their enquiries and he entered into the National Referral Mechanism (NRM). He was moved away from the North East as part of the NRM and did not return to the North East as far as we know.

8 Our preparations for managing cases of Modern Slavery.

8.1 We work closely and collaboratively with partners, in particular Northumbria Police and our health colleague to share concerns and intelligence and to promote a joined up response.

8.2 Health Education Care and Safeguarding as a business unit covers children's and adults services thus enabling a joined up family focussed approach.

8.3 Modern slavery is a priority area for the Children's and Adults safeguarding boards and the sexual exploitation subgroup covers both Boards. Modern Slavery is monitored at this subgroup.

8.4 We have published a guidance document.

8.5 We are developing operational flowcharts and staff guidance for a range of eventualities. The working group includes adult and children's services, CCG, Northumbria healthcare, 0-19 service, Northumberland Tyne and Wear Mental Health Trust, Northumbria Police, housing and community safety.

8.6 We have developed e learning and staff have attended conferences with information about modern slavery cascaded

8.7 There is a legal duty requiring all businesses above a certain size to disclose annually what action they are taking to ensure their business and supply chains are free from modern slavery

8.8 We have worked with the CCG to train GPs and the acute hospitals are also training their staff to recognise the signs of slavery

8.9 We have the multi-agency safeguarding hub which enables easy collaboration of partners to identify risks and share information to inform decision making.

9 Appendices

9.1 Modern Day Slavery Guidance North of Tyne October 2016

10 Background Information

10.1 The following documents have been used in the compilation of this report and may be inspected at the offices of the author.

<https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales>

<https://www.antislavery.org/slavery-today/human-trafficking/>