**Modern Slavery**

**Toolkit and**

**Reference Guide**

**Slavery is closer than you think…**

****

**Contents**

**1. Modern Slavery 3.**

1.1 What is Modern Slavery and Human Trafficking? 3.

1.2 Definitions 3.

1.3 County Lines and Child Criminal Exploitation (CCE) 4.

1.4 Child Sexual Exploitation (CSE) 5.

**2. Risk factors, warning signs and locations of concern 5.**

2.1 Risk factors of modern slavery 5.

2.2 Modern slavery warning signs 5.

2.3 Locations of concern 7.

**3. Barriers to victim co-operation 7.**

**4. Investigation 8.**

**5. Clandestine entry, people smuggling and illegal migrants 10.**

5.1 Unaccompanied Migrant Children 10.

5.2 Treatment of illegal immigrants as victims 10.

**6. The National Referral Mechanism (NRM) 11.**

6.1 The National Referral Mechanism (NRM) & the Duty to Notify (DtN) 11.

6.2 The referral process 12.

6.3 The decision making process 12.

6.4 Children and the NRM 13.

6.5 Pre-NRM accommodation 13.

**7. Crime recording 13.**

**8. Tactical options in dealing with modern slavery 14.**

**9. Legislation, the law and civil orders 15.**

**10. Contact details 17.**

**1. Modern Slavery**

**1.1. What is Modern Slavery and Human Trafficking?**

Modern slavery and Human Trafficking is a crime in which people are treated as commodities and exploited for criminal gain. It is a global issue which transcends age, gender, ethnicities, and borders. Victims of modern slavery may have been brought legally or illegally from overseas, or they may be British citizens living in the United Kingdom. The true extent of modern slavery in the U.K and globally is unknown but it’s estimated that there are tens of thousands of victims living in the U.K and up to 45,000,000 people living in slave like conditions worldwide (Global Slavery Index 2016).

**1.2. Definitions**

The Modern Slavery Act 2015 encapsulates both the **holding** of a person in a position of slavery, servitude forced or compulsory labour AND Human Trafficking which involves **moving** a person for the purpose of exploitation (sexual exploitation, forced labour, forced criminality, organ donation, servitude or slavery).

Section 1 of the Modern Slavery Act 2015 states:

1(1) A person commits an offence if - The person **holds** another person in slavery or servitude and the circumstances are such that the person knows or ought to know that the other person is **held** in slavery or servitude, or The person requires another person to perform forced or compulsory labour and the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour.

Section 2 of the Modern Slavery Act 2015 states:

2(1) A person commits an offence if the person arranges or **facilitates the travel** of another person with a view of [the victim] being exploited. It is irrelevant whether [the victim] has consented to the travel; it is the intent that is relevant

**Slavery:** The status or condition of a person over any or all of the powers attaching to the rights of

ownership are exercised (in essence treating a person as an item of “property” that you can do whatever you want with/to).

**Servitude:** An aggravated form of Forced or Compulsory Labour the fundamental distinguishing feature is in the victim feeling that their condition is permanent and unlikely to change.

**Forced labour**: Victims are forced to work against their will, often working very long hours for little or no pay in dire conditions, under verbal or physical threats of violence to them or their families.

**Sexual exploitation:** Victims are forced to perform non-consensual or abusive sexual acts against their will, such as prostitution and pornography. Whilst women and children make up the majority of victims, men can also be sexually exploited.

**Forced criminality:** Victims are forced or coerced into committing crimes such as cannabis cultivation; pick pocketing, shoplifting and begging.

**Organ donation:** Victims may be recruited through deception, not being fully informed as to the nature of the procedure, the recovery and the impact of the organ removal on his or her health. Their consent may also be obtained through coercion or abuse of a position of vulnerability.

**Debt bondage:** Victims are forced to work to pay off debts that realistically they will never be able to pay off. Low wages and arbitrary deductions mean not only that they cannot ever hope to pay off the loan, but that the debt may actually increase or be passed down to their children.

The internationally accepted definition of Human Trafficking (Palermo Protocol) involves 3 component parts:

|  |
| --- |
| **Human Trafficking** |
| **The Act** | **The Means** | **The Purpose** |
| **Recruitment****Transport****Transfer****Harbour****Receipt** | **Fraud****Deception****Threat of/or the use Force****Abduction****Coercion****Abuse of a position of vulnerability****Abuse of power**  | **Sexual exploitation****Forced labour****Forced criminality****Organ donation****Servitude****Slavery** |

**1.3. County Lines and Child Criminal Exploitation**

*“Child criminal exploitation involves exploitative situations, contexts and relationships where children (under 18) receive or are promised ‘something’ tangible e.g. food, accommodation, drugs, alcohol, cigarettes, gifts or money or ‘something’ intangible e.g. affection, respect, status or protection in return for committing a criminal act for the benefit of another individual or group of individuals or be threatened, coerced or intimidated into committing that criminal act.”*

Whilst County Lines and Child Criminal Exploitation are not expressly mentioned in the definition above, they fall within the ambit of “Forced Criminality”. The definition of “Forded Criminality” is taken from the International Labour Organisation definition of “Forced Labour” which is centred upon the “involuntary” nature of the act coupled with a “threat of penalty”. This can be a little confusing when it comes to County Lines and CCE as it implies that a child needs to be forced, threated, coerced into committing a crime before they can be considered to be a victim. This is NOT the case as a child CANNOT consent to their own exploitation. When it comes to determining whether or not a child has been exploited we need to determine:

1. Have they been recruited, transported, transferred, harboured or received (The ACT); AND
2. Have they been criminally exploited i.e. has the child committed the crime for the benefit of another (The PURPOSE).

**1.4 Child Sexual Exploitation**

*“The sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something'*

*(e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of performing, and/or others performing on them, sexual activities. Child sexual exploitation can occur through use of technology without the child's immediate recognition, for example the persuasion to post sexual images on the internet/mobile phones with no immediate payment or gain.*

It is important to remember the clear link between Child Sexual Exploitation and Modern Slavery. The Modern Slavery Act 2015 provides effective legislation to tackle CSE and potential victims should be referred in to the National Referral Mechanism.

**2. Risk factors, warning signs and locations of concern**

**2.1. Risk factors of modern slavery**

Anyone regardless of age, gender, ethnicity and sexuality, can be at risk of modern slavery. However, traffickers or modern slavery facilitators often target vulnerable individuals as they are easier to manipulate and coerce.

Particularly vulnerable groups include:

* Poor people
* Homeless people
* Missing people
* Alcoholics / Drug addicts
* People who lack education
* Children brought up within social care
* Mentally and/or physically ill people
* Victims of domestic violence
* Illegal immigrants
* Former victims of Modern Slavery

**2.2. Modern slavery warning signs**

Physical and psychological indicators:

* Physical injuries (resulting from assault, mutilation, lack of safety equipment, inadequate training at work etc.)
* Drug or alcohol addictions
* Post-traumatic stress disorder (anxiety, hostility, aggression, lack of concentration, inability to recall etc.)
* Tattoos or other marks denoting ownership
* Sexually transmitted diseases and other gynaecological symptoms (urinary or vaginal infections, pelvic inflammation/pain, irregular bleeding etc.)
* Pregnancy
* Suicidal feelings/self-harm
* Malnourishment
* Unkempt/untidy appearance

Situational or Environmental indicators:

* Financial isolation (victims may have little or no access to money and/or their earnings)
* Social isolation (limited access to family/friends and little or no time to socialise)
* Degrading, unsanitary and/or overcrowded living conditions
* Lack of access to medical care and or education
* Work excessively long hours (typically in low pay, unregulated, labour intensive industries) for little or no pay
* Retention of passports and identity documents
* Distrust of authorities (often as a result of negative experiences & corruption of officials in country of origin)
* Fear/anxiety (not only for themselves but for family members who may be subject to reprisals)
* Lack of English (as much a vulnerability as an indicator)
* Acting as if instructed by another, or having others speaking on their behalf
* Inconsistent, incoherent, contradictory accounts (either as a result of the trauma that the victim has been subjected to or because the account given is one that they’ve been told to tell)
* Controlled or restricted movement
* Lack of clothing and or possessions

Child specific indicators:

* Behaviour atypical of a child of corresponding age e.g. overly sexualised
* Change in behaviour i.e. becomes withdrawn
* Unclear relationship between child and any accompanying adult
* Frequent “missing” incidents
* Possession of money/gifts that cannot be adequately accounted for
* Not registered with a G.P. or enrolled in a school
* Unrelated or new children are found at the same address
* Rarely leaves the house, has no freedom of movement and no time for playing
* Eats apart from “family” members.
* Engaged in work that is not suitable for children, or is seen in inappropriate places such as brothels and factories
* Gives a prepared story which is very similar to stories given by other children

**2.3 Locations of concern**

Modern slavery operates in a variety of **public and private** **locations** however, low paid, poorly regulated, labour intensive industries are particularly vulnerable. These industries may include: construction; food packaging and processing; agriculture and fisheries; restaurants and takeaways; hand car washes; nail bars; and care homes.

Brothels and Adult Service Websites (ASW’s) may also be used to facilitate sexual exploitation **(it must be noted that the internet has allowed many sex workers to work safely and independently and that only a minority of sex workers are victims of Modern Slavery).** Many brothels operate out of short term or holiday lettings and hotel rooms. These are often referred to as “pop up brothels” (a brothel requires 2 or more persons working from the same premise even if they’re not working at the same time). The victims work out of these locations for just a few days generating custom via adverts placed on Adult Services Websites before moving on to a new location.

Whilst particular industries e.g. hand car washes and nail bars are frequently discussed in the context of Modern Slavery, it is important that we understand our own communities and recognise that Modern Slavery may manifest itself in a very localised manner.

**3. Barriers to victim cooperation**

The barriers to victim co-operation and disclosure are significant and should **not** be underestimated. Building trust and developing a rapport with the potential victim is often key but this can take days, weeks, months and even years to achieve! Indeed in many cases, victims of Modern Slavery do not even consider themselves to be victims, particularly if they come from an economically disadvantaged background.

It is also important to remember that psychological and emotional abuse/coercion can be very difficult to evidence and outwardly, victims may appear to be making free and independent choices YET this psychological and emotional abuse/coercion can be just as effective as physical and visible controlling mechanisms.

Barriers to disclosure/co-operation include:

* The fear of being beaten, raped or even killed at the hands of their traffickers if they were to ask for help
* Believing that U.K law enforcement is corrupt, ineffective or disinterested in their circumstances
* Where the victim is an illegal immigrant, believing that U.K law enforcement will pursue their deportation rather than prioritising the investigation in to the abuse and exploitation they’ve been subjected to
* Reprisals against family members
* Discrimination from their community and families (e.g. being viewed as a prostitute rather than a victim of multiple rapes)
* Situational dependency and a lack of awareness of the help and support available
* Victims may feel responsible for their situation/may have consented to elements of their exploitation i.e. knowing that they were coming to the U.K to be a sex worker but NOT knowing the conditions they’d be subject to
* Cultural differences i.e. children may see themselves as “young adults” with a responsibility to help provide for their family
* Fear of juju or witchcraft ceremonies
* Stockholm syndrome.
* Belief that their current situation is only temporary and a stepping stone to a better future

Many Modern Slavery victims have been subject to unimaginable abuse and exploitation. The trauma that they’ve been subjected to may make it difficult for a victim to accurately recall events. There may be inconsistencies and contradictions in the accounts that they give and they may be hostile and aggressive towards the police and those that are trying to help them.

**4. Key Investigative Considerations**

Safety and Support

* Address any immediate health concerns, keeping in mind forensic opportunities and the possibility of any sexual offences being disclosed
* Remove victims from the place of exploitation and away from potential perpetrators
* Separate but do not isolate potential victims from one another
* Provide suitable alternative clothing and toiletries. Do not use forensic suits / prisoner clothing.
* Provide substantial meals and refreshments but seek advice if malnutrition is suspected.
* Dispel any fears or anxieties. Victims may be in fear of Police due to corruption and bad practises in their County of origin.
* Identify a victim liaison officer who will offer continuity and consistency and help develop a rapport with the victim.
* Explain the NRM process thoroughly and seek victims consent for referral
* Take necessary measures to prevent the victim from going missing or being re-trafficked by arranging safe and supervised accommodation if required.

Age Assessments

In some cases it may be unclear whether or not the victim is younger than 18. Aside from the physical, sexual or emotional abuse they may have suffered, many trafficked children and young people have been forced by their traffickers to tell a false story if they are questioned. All of these factors may impact on the victims ability to participate fully and openly in an age assessment.

As such:

* Age assessments should only be carried out where there is significant reason to doubt that the claimant is a child, as the repeated questioning of the child or young persons credibility and identity can leave them feeling angry and bewildered and affect the way they engage with social workers and other professionals.
* Where there is uncertainty about age, a suspected victim must be presumed to be a child and be afforded special protection measures pending assessment of their age
* Particular care must be given to planning accommodation for potential victims who may be at risk of going missing very soon after discovery. For example, bed and breakfast accommodation is not suitable for any child, even on an emergency basis.
* The venue for age assessment interviews needs to be conducive to helping the child or young person feel safe and comfortable. Police Stations are not considered appropriate for conducting age assessments.

Age assessments are the responsibility of Children’s Social Care, they are **NOT** conducted by the police.

Translation and Interviews

* Provide victims with access to an accredited interpreter
* Consider the gender of the interpreter and any cultural issues or sensitivities
* Do not use potential victims as interpreters as they may be “Alpha Victims” or potential perpetrators who will influence the victim

Suspects

* Consider that suspects could also be victims of modern slavery and be subject to threats and coercion themselves
* Remember exploitation includes forced criminality. For example, begging, shop theft and cannabis cultivation. Therefore suspects who indicate that they have been exploited to commit such criminality will have a statutory defence under S45 Modern Slavery Act 2015.
* If a suspect raises a statutory defence under S45 Modern Slavery Act 2015 you should seek a disposal decision from CPS. You should not charge a suspect and simultaneously submit an NRM referral as this could lead to punishment of a victim.
* Assess the risk to the victim (s) and implement suitable control measures if a suspect is released on bail. For example, bail conditions and civil orders.

Crime Scenes

* Treat victims,the locations where the exploitation occurred (including vehicles used to transport) and suspects as crime scenes. S12 MSA provides a Constable with the power to seize/detain any vehicle, boat or plane.
* Commence a scene log
* Consult with a Crime Scene Manager at the earliest opportunity

Evidential Items

* Identity Documents: Passports, Driving Licences, National Insurance Cards may provide evidence of forgery, identity theft and fraud.
* Travel Documents: Flight and train tickets, baggage tags, travel labels, hotel bookings, taxi and petrol receipts may identify routes or points of entry. They may also help evidence the “act” of trafficking including transportation or transfer of individuals.
* Telecommunications: Contact lists, SIM cards, SMS, browsing history, navigation app data, photos, files may all provide intelligence in relation to the wider organised crime networks and the scale of criminality involved.
* Financial Documents: Credit Cards, Bank Statements, pay slips, loan agreements, benefit statements and tax credit receipts may identify opportunities for CCTV as well as identifying the flow of money and hierarchical arrangements of the organised crime group.
* Employment Documents: Duty sheets, pay slips, address books, diaries, contracts, recruitment agency papers may evidence working arrangements, locations, facilities etc.

Spontaneous investigations should be overseen by the Duty Detective Inspector in the first instance.

**5. Clandestine entry, people smuggling and illegal migrants**

There is a clear distinction between people smuggling and human trafficking.

* People smuggling is a voluntary process which occurs when an individual seeks the help of a facilitator to enter the U.K. illegally (or cross any other international border) and the relationship between both parties ends once that objective is met.
* Human trafficking involves the ongoing exploitation of an individual. It can occur across international boundaries or internally within countries. As per the definition above, it requires an element of force, coercion, deception etc.

Despite this clear distinction, smuggled people are vulnerable people and during the course of their journey, it’s not unusual for a smuggled person to enter, or be forced to enter into an exploitative relationship and therefore become trafficked.

**5.1. Unaccompanied Migrant Children**

Many/most unaccompanied migrant children who arrive in the U.K do so voluntarily, either to flee persecution and seek asylum or to pursue a better standard of living/be reunited with family members (people smuggling). Some children however will arrive in the U.K having been forced, threatened or deceived in to doing so, with the intention that they will be exploited by someone, somewhere for something (human trafficking). Some may even have incurred a debt for the cost of their travel in to the U.K which needs to be repaid.

Regardless as to whether an unaccompanied migrant child has been smuggled or trafficked in to the U.K, he/she is at potential risk of significant harm. To identify and manage this risk as far as possible, officers should follow the Operation Innerste welfare assessment process whenever and wherever an unaccompanied migrant child is encountered.

**\*For further information please refer to the Operation Innerste guide on the Modern Slavery & Organised Immigration Crime share point sites\***

**5.2 Treatment of illegal migrants as victims**

Following concerns that on occasions, individuals with no leave to remain in the U.K had reported being the victims of serious criminality BUT were detained for immigration offences instead, The National Police Chiefs Council published the following recommendations (Oct 2018):

1. Fundamentally, an illegal migrant (person without leave to remain) reporting a crime to the police should be **treated first and foremost as a victim of a crime**.
2. A PNC check should NOT be conducted for the **sole** purpose of determining a victims’ immigration status BUT it is accepted that PNC/PND/NICHE and other intelligence enquiries can be conducted to help inform risk assessments and identify investigative opportunities.
3. During an investigation, it is wholly appropriate to share information with Home Office Immigration Enforcement BUT the police will take NO enforcement action in respect of any immigration offences committed whilst their investigation is ongoing.

Once the police investigation has been concluded, it **may** be appropriate to pursue the immigration offences committed. Much will depend on individual circumstances and there may be a fine balancing act to perform. On the one hand, being the victim of a crime is not an automatic “barrier” to deportation/removal but on the other hand, some offenders prey upon the vulnerability of an individual’s illegal status and by ultimately arresting and detaining a victim (even after an investigation has been fully completed) we are potentially playing in to the hands of the perpetrators who exploit their victims fears of being deported to not disclose the abuse that they have suffered.

**6. The National Referral Mechanism**

**6.1 The National Referral Mechanism (NRM) & the Duty to Notify (DtN)**

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

Verbal consent is required for an adult to be referred to the NRM (signature no longer required). For an adult to provide their informed consent, you must explain:

• What the NRM is

• What support is available

• What the possible outcomes are for an individual being referred

You should also make it clear that information may be shared or sought by the Single Competent Authority (SCA) including from other public authorities to help them determine whether or not the individual is a victim of Modern Slavery.

If the potential victim is under 18, or may be under 18, an NRM referral **must** be made. Child victims do **not** have to provide their consent and indeed in many cases, might not even know that a referral has been made.

If an adult does not consent to entering the NRM but you still suspect that they’re a potential victim of Modern Slavery, you must submit a Duty to Notify form instead. A Duty to Notify form should never be submitted in relation to a child.

**The threshold for submitting an NRM referral is LOW. You do not need to believe that an individual is a victim nor do you need any evidence, suspicion alone will suffice.**

**6.2 The referral process**

As of November 2019, both NRM and DtN referrals must be made online at:

[**https://www.modernslavery.gov.uk/start**](https://www.modernslavery.gov.uk/start)

Once completed, the NRM referral will be sent to the Single Competent Authority for assessment AND a link will be sent to the submitting officer to allow him/her to download a copy of the referral form. The officer will also receive an email receipt which can be replied to if further information needs to be provided.

Whilst completing the NRM referral it is important to note that the potential victim does **NOT** have to accept support **NOR** do they have to co-operate with any police investigation.

A signature from the potential victim is no longer required

**6.3 The decision making process**

The NRM is a two stage process:

1. Reasonable Grounds decision

Upon receipt of a NRM referral the SCA have 5 working days to make a “Reasonable Grounds” decision. The threshold for this decision is:

**“I suspect but cannot prove that the person is a victim of Human Trafficking, Slavery, Servitude and Forced or Compulsory Labour”**

The more information that is provided at the point of referral, the easier and quicker this decision making process can be.

A positive “Reasonable Grounds” decision is the gateway to specialist tailored support for a minimum of 45 days (recovery and reflection period). This support may include:

* Legal advice
* Accommodation
* Counselling
* Protection

The Salvation Army are responsible for providing this support and will make contact with the OIC/officer who submitted the NRM referral if a positive decision is so that they can take over the care and support of the potential victim.

2. Conclusive Grounds decision

During the 45 day “recovery and reflection” period the SCA will try and gather as much information as possible to allow them to make a “Conclusive Grounds” decision. The threshold for this decision is:

“**On the balance of probabilities’, there is sufficient information to decide that the individual is a victim of modern slavery.** “

Whilst a positive “Conclusive Grounds” decision recognises the exploitation and abuse that an individual has been subjected to, it does not confer any automatic rights i.e. to remain in the U.K, right to receive compensation etc. It does however allow the individual to apply for discretionary leave to remain in the U.K to allow him/her to:

* Assist the police investigation
* To seek compensation through the courts
* Access medical treatment that wouldn’t ordinarily be available in their country of origin

**6.4 Children and the NRM**

As stated above, children do **NOT** need to consent before being referred in to the NRM and as consent is **NOT** an issue, a DtN form should never be submitted.

It is important to remember that a referral in to the NRM does NOT replace or supersede established child protection processes which should continue in tandem (a child safe guarding referral should accompany any NRM referral). Under the 1989 and 2004 Children’s Acts, Local Authorities have a statutory responsibility to safeguard and protect potential child victims irrespective of their immigration status. In terms of the NRM therefore, a child referral is very much about identifying and assessing whether or not a child is a victim of Modern Slavery rather than offering any subsequent support as this is the responsibility of Local Authorities.

**6.5 Pre-NRM accommodation**

To address the gap in victim support, the City of York Council and the 7 District Council Housing departments have agreed to provide emergency accommodation for potential victims of Modern Slavery who have consented to enter the NRM and are awaiting a reasonable grounds decision (5 working days). In such circumstances officers are required to complete the Pre-NRM emergency accommodation form (found on the Modern Slavery share point site) and during office hours, contact the relevant Local Housing Authority utilising the details on the Pre-NRM emergency accommodation contact form (also on the Modern Slavery share point site). Out of hours, the form should be completed and contact made with EDT who will fulfil this responsibility for all geographic areas. In the event of a positive NRM decision being reached, the Single Competent Authority will automatically notify the Salvation Army who in turn, will then contact the OIC to make suitable arrangements to take over responsibility for accommodating and supporting the potential victim.

Remember that you have a duty of care towards any potential victim of modern slavery regardless as to whether they have identified themselves as such, or whether they have consented to enter the NRM.

**7. Crime Recording**

The Home Office Counting Rules for Recorded Crime (April 2019) stipulate that:

* All NRM and DtN referrals made by the police must be subject of a recorded crime of Modern Slavery unless it is determined that the Modern Slavery occurred outside England and Wales.
* All NRM referrals received by the police from the SCA (those that have been submitted by other first responders) must be subject of a recorded crime of Modern Slavery if a **positive** “Reasonable Grounds” decision has been reached.

In addition, under the N200 “Reported Incident of Modern Slavery Classification and Counting Rule,”

all reported incidents of modern slavery are to be recorded on the force crime system in accordance with the following provisions:

* N200/01 – reported incident – NRM referral pending reasonable grounds decision
* N200/02 – reported incident – NRM referral negative reasonable grounds decision
* N200/03 – reported incident – NRM referral - Duty to notify only
* N200/04 – reported incident – NRM referral – Positive reasonable Grounds/Police Referral – Outside England and Wales
* N200/05 – reported incident – NRM referral – Negative reasonable Grounds – Outside England/Wales
* N200/06 – reported incident – NRM referral – transferred to another force in England and Wales

**8. Tactical options in dealing with modern slavery**

Aside from arresting perpetrators for offences committed under the Modern Slavery Act 2015, there are numerous other options and tactics that can be used to disrupt, deter and prosecute Modern Slavery perpetrators.

A number of these options have been detailed in the excellent NWG/BARNADO’s **“CRIMINAL, CIVIL AND PARTNERSHIP DISRUPTION OPTIONS FOR PERPETRATORS OF CHILD AND ADULT VICTIMS**

**OF EXPLOITATION”**.

These tactics include:

* Slavery and Trafficking and Risk Orders
* Domestic Violence Prevention Notices and Orders
* Forfeiture Orders
* Sexual Harm Prevention and Risk Orders
* Criminal Behaviour Orders
* Community Protection Notices
* Emergency Protection Orders and Police Protection
* Civil Injunctions
* Restraining Orders
* Non-Molestation Orders
* Child Abduction Warning Notices

In addition to the tactics detailed in the NWG/Barnado’s toolkit there are specific pieces of legislation, many of which fall within the skills and experience of our partners that we can consider including:

* The National Minimum Wage Act 1998
* The Housing Act 2004 (governing conditions in relation to Houses of Multiple Occupancy)
* Section 179 Licensing Act 2003 (rights of entry to investigate licensable activity and immigration offences)
* Immigration, Asylum and Nationality Act 2006 (ability to issue Civil Recovery Notices in respect of employing illegal migrants)
* Health and Safety at Work Act 1974 (governing the health and safety of individuals in the work place)
* Fire and Rescue Services Act 2004 (particularly relevant if we suspect persons are sleeping in or above commercial premises)

Within the framework of multi-agency working the following partners all have a role in tackling Modern Slavery and or protecting and safeguarding vulnerable individuals:

* Children’s & Adults social care
* North Yorkshire Fire and Rescue
* City of York and District Council Housing Departments
* Environmental Health officers
* Trading Standards
* Neighbourhood Enforcement Officers
* Her Majesties Revenue & Customs in particular the National Minimum Wage tea
* The Department for Work & Pensions (benefit fraud)
* H.O. Immigration Enforcement and Intelligence
* Gangmaster’s & Labour Abuse Authority
* Health & Safety Executive

**9. Legislation, the law and civil orders**

Under the ECHR, everyone is entitled to the right to life, liberty and security; no one shall be subjected to torture or to inhuman or degrading treatment or punishment. North Yorkshire Police has a duty to protect individuals from the violation of these fundamental rights.

The Modern Slavery Act 2015

The Modern Slavery Act came into force on 31st July 2015 and consolidated existing slavery and

trafficking offences, increased sentences and introduced reparation, risk and prevention orders.

* **Section 1** provides an offence of slavery, servitude and forced or compulsory labour

*1(1) A person commits an offence if - The person holds another person in slavery or servitude and the circumstances are such that the person knows or ought to know that the other person is held in slavery or servitude, or The person requires another person to perform forced or compulsory labour and the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour.*

* **Section 2** provides for a single offence of human trafficking covering sexual and non-sexual exploitation

*2(1) A person commits an offence if the person arranges or facilitates the travel of another person with a view of [the victim] being exploited. It is irrelevant whether [the victim] has consented to the travel; it is the intent that is relevant*

* **Sections 23 to 29** relate to Slavery and Trafficking Orders (STO’s)

Children Act 1989

* **Section 46** empowers an officer to remove a child to suitable safe accommodation if there is reason to believe that the child would otherwise be at risk of significant harm

Sexual Offences Act 2003

* **Section 14** – It is an offence to arrange or facilitate a child sex offence (child under 16)
* **Section 47** – It is an offence to pay for the sexual services of a child
* **Section 48, 50** – It is an offence to cause, incite, arrange or facilitate child prostitution or pornography
* **Section 49** – It is an offence to control a child prostitute or a child involved in pornography
* **Section 57 to 59**: It is an offence to traffic a child into, within or out of the UK for sexual exploitation
* **Section 103A – 103K** – Sexual Harm Prevention Orders (SHPO) can be made in relation to a person who has been convicted of or cautioned for a sexual offence (including offences committed overseas) and who poses a risk of sexual harm to the public. The Order can contain any prohibitions aimed at protecting children and others
* **Section 122A-122k** - Sexual Risk Orders (SRO) may impose any restriction the court deems necessary for the purposes of protecting the public from harm, and requires the individual

concerned to notify the police of their name and address, including where this information changes. For a SRO to be imposed, the individual does not need to have committed an offence. A SRO is available on free-standing application to a magistrates' court by the police or National Crime Agency

Anti-Social Behaviour Act 2003

* **Section 1** allows the police to impose closure notices on premises which they have reasonable grounds to believe have been used in connection with the unlawful use, production or supply of a Class A controlled drug, and that the use of the premises is associated with the occurrence of disorder or serious nuisance to members of the public. This may be useful where it is known that premises are being used to hold 'parties' where children and/or young people are being sexually exploited and it can be shown that drugs are being supplied.

Powers under the Police and Criminal Evidence Act (PACE)

* **Section 17**: Power for a Constable to enter a premise without warrant to save life or limb, or arrest a person where there are reasonable grounds for believing that the person you seek is on the premise.
* **Section 24**: Power for a constable to arrest anyone who has committed an indictable offence, is about to commit an indicatable offence, is committing an indictable offence or has reasonable grounds to suspect either one of the above.

**10. Contact details for Partners**

North Yorkshire Police Chair a quarterly Modern Slavery and Exploitative and Illegal working group. Many of the partners listed below are members of this group.

Single Competent Authority

NRM Single Competent Authority (SCA)

Tackling Slavery and Exploitation Directorate

Serious and Organised Crime Group

Tel. No. 020 7035 5689

Email: nationalreferralmechanism@homeoffice.gov.uk

Gangmasters & Labour Abuse Authority (GLAA)

Report problems: 0800 4320804

Email: licensing@gla.gov.uk

H.O. Immigration Enforcement

Home Office Immigration Enforcement, Yorkshire and the Humber

2nd Floor, Waterside Court,

471 Kirkstall Road,

Leeds

LS4 2QB

Tel. No. 0113 386 5810

H.O. Command and Control UNIT (CCU)

Tel. No. 0300 0134999 (for live time status and intelligence checks)

Hope for Justice

Hope for Justice

P.O. BOX 5527,

Manchester, M61 0QU

Tel. No. 0300 008 8000

Email: info.uk@hopeforjustice.org

Independent Child Trafficking Advocates (Barnado’s)

Tel. No. 0800 043 4303 (24/7 referral and support help line)

Email: countertrafficking@barnardos.org.uk (general enquiries)

North Yorkshire Fire and Rescue

**Headquarters Switchboard available 24/7: 01609 780150**

cao.serviceinformation@northyorksfire.gov.uk

City of York Council Housing

Standards and Adaptations

West Offices

Station Rise

York

YO1 6GA

Tel. No. 01904 552300

City of York Protective Services (Trading Standards, Licensing & Environmental Health)

City of York Council

Public Protection

Economy and Place Directorate

Eco Depot, Hazel Court,

James Street

York

YO10 3DS

Tel. No. 01904 551507

Her Majesties Revenue & Customs

Individual & Small Business Compliance, Campaigns & Projects

3 Wellington Place

Leeds

LS1 4NJ

Tel. No. 3000 570 821

National Minimum Wage

Serious Non Compliance Team

Office Tel. No. 03000 538706

Department for Works and Pension

Serious & Organised Crime Team

Dept. for Work and Pensions

Berkeley House

35 Victoria Avenue

Harrogate

HG1 5PZ

Tel. No. 01423 832820

North Yorkshire County Council

General enquiries: 01609 780780

Social care services (and social care out of hours): 01609 780780

The Salvation Army

Tel: +44 (0)30 0303 8151

Email info@salvationarmy.org.uk

Web:http://www.salvationarmy.org.uk/ human-trafficking

The Children's Society

Tel: 030 0303 7000

Email:supportercare@childrenssociety. org.uk

Web: http://www.childrenssociety.org.uk/