



Practice Brief

Overview of Modern Slavery and Human Trafficking and the National Referral Mechanism (NRM)

14/10/2022 developed by SSP BSU in consultation with Jeannette Chipping, Child Exploitation and Missing Children Manager, Swindon Borough Council

Aim of this resource

This resource provides information for professionals to raise awareness about the National Referral Mechanism (NRM), identify who are first responders and their responsibilities of first responders and how to refer to the NRM.

There is different guidance and processes to follow if the person is under or over 18 years of age.

The following slides will provide a brief overview of modern slavery and human trafficking and an overview of the NRM process, for children and adults. If you wish to find out more some resources are suggested in this document.

What is the National Referral Mechanism (NRM)?

The National Referral Mechanism (NRM) is a framework for identifying victims of human trafficking or modern slavery and ensuring they receive the appropriate support and protection.

It is a particular process to be followed when it is suspected that an adult or a child might be a victim of trafficking. In the case of a child, the child's best interests will be a primary consideration in the decision to make, or not to make, a referral into the NRM.

Modern slavery is a complex crime and may involve multiple forms of exploitation. It encompasses:

- human trafficking
- slavery, servitude, and forced or compulsory labour

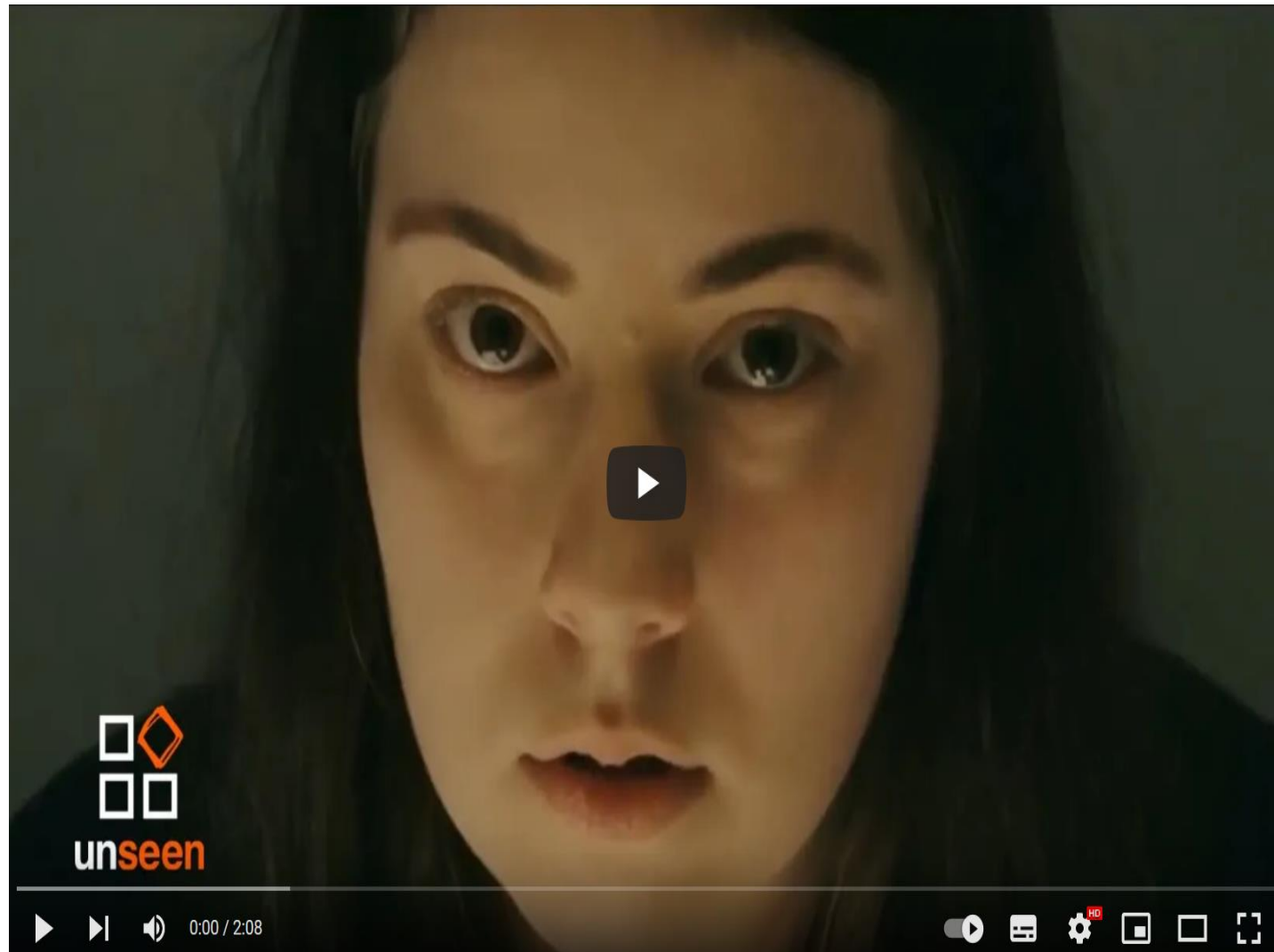
An individual could have been a victim of human trafficking and/or slavery, servitude and forced or compulsory labour.

Victims may not be aware that they are being trafficked or exploited and may appear to have consented to elements of their exploitation, or accepted their situation.

If you think that modern slavery has taken place, the case should be referred to the NRM so that the relevant competent authority can fully consider the case. You do not need to be certain that someone is a victim.

Brief Overview of Modern Slavery and Human Trafficking

Further guidance for professionals is detailed within the [Modern Slavery: statutory guidance for England and Wales \(under s49 of the Modern Slavery Act 2015\)](#) and [non-statutory guidance for Scotland and Northern Ireland \(accessible version\)](#) Updated 20 September 2022



This short clip by the UK charity Unseen (2021) give a brief overview of modern slavery and the impact on victims (duration 2 minute) Link : <https://www.youtube.com/watch?v=3mBT7qiJzQo>

What is Modern Slavery?

Modern slavery is a serious crime that violates human rights. Victims are forced, threatened or deceived into situations of subjugation, degradation and control which undermine their personal identity and sense of self.

Key points:

- Modern slavery encompasses:
 - human trafficking and slavery
 - servitude and forced or compulsory labour
- Human trafficking consists of three basic components: action, means and purpose of exploitation. All three components must be present in an adult trafficking case. For child trafficking the 'means' component is not required.
- In human trafficking cases, exploitation can take many forms, including:
 - sexual exploitation
 - forced labour
 - slavery
 - servitude
 - forced criminality
 - removal of organs
- Some people may not be victims of human trafficking but still victims of modern slavery if they have been subject to slavery, servitude and forced or compulsory labour.
- Human trafficking is not the same as human smuggling. There are common myths about modern slavery, such as misconceptions that UK nationals cannot be victims and that a person cannot be a victim if they reject offers of help.

Source: Further information can be found in chapters 1 and 2:

<https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims/modern-slavery-statutory-guidance-for-england-and-wales-under-s49-of-the-modern-slavery-act-2015-and-non-statutory-guidance-for-scotland-and-northe#what-is-modern-slavery>

What is Human Trafficking

- The essence of human trafficking is that the victim is coerced or deceived into a situation where they are exploited.
- Article 4(a) of the Council of Europe Convention on Action against Trafficking in Human Beings (the Convention) defines ‘human trafficking’ as:

“the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

Source: For further information refer to chapter 2 Modern Slavery Statutory Guidance provides further information.

<https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims/modern-slavery-statutory-guidance-for-england-and-wales-under-s49-of-the-modern-slavery-act-2015-and-non-statutory-guidance-for-scotland-and-northe#what-is-modern-slavery>

What is Human Trafficking continued...

- Human trafficking consists of 3 basic components:
 - action
 - means
 - purpose of exploitation
- An important aspect of this definition is an understanding of trafficking as a process comprising a number of interrelated actions rather than a single act at a given point in time.
- Once initial control is secured, victims are generally moved to a place where there is a market for their services, often where they lack language skills and other basic knowledge that would enable them to seek help.
- While these actions can all take place within one country's borders, they can also take place across borders with the recruitment taking place in one country and the act of receiving the victim and the exploitation taking place in another.
- Whether or not an international border is crossed, the intention to exploit the individual concerned underpins the entire process. ([Office of the United Nations High Commissioner for Refugees \(UNHCR\) guidelines](#) on international protection).

Victims of human trafficking can also be transported short distances within the UK, for example from town to town, street to street or room to room.

Source: For further information refer to chapter 2 [Home Office Modern Slavery Statutory Guidance](#).

See also: [United Nations Convention against Transnational Organized Crime and the Protocols Thereto \(including the Palermo Protocol\) | ECPAT UK](#)

Components of trafficking – what it means

Adult trafficking

- **Action:** recruitment, transportation, transfer, harbouring or receipt, which includes an element of movement whether national or cross-border; which is achieved by a...
- **Means:** threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability
- **Purpose of...** Exploitation - for example, sexual exploitation, forced labour or domestic servitude, slavery, financial exploitation, removal of organs

All 3 components must be present in an adult trafficking case.

Child trafficking (those aged under 18) are considered victims of trafficking, whether or not they have been coerced, deceived or paid to secure their compliance.

They need only have been recruited, transported, received or harboured for the purpose of exploitation.

- in a child trafficking case the **‘means’** component is not required as they are not able to give informed consent to engage in criminal or other exploitative activity, and they cannot give consent to be abused or trafficked
- Child human trafficking will therefore consist of 2 basic components: ‘action’ and ‘purpose of exploitation’

In summary... Modern Slavery and Human Trafficking

- includes activities connected to the exploitation of others for sexual, criminal and financial gain.
- encompasses a wide range of abuses including; slavery, servitude and forced or compulsory labour and trafficking for the purpose of slavery, servitude, sexual, labour or criminal exploitation or domestic servitude.
- these exploitations are typically for financial benefit though this not always the principle motivation.
- is a hidden crime happening in communities, often in plain sight.
- Modern slavery can occur in many places including, but not exhaustively, restaurants and takeaways, hotels, car washes, factories, nail bars and private homes.
- potential Victims are controlled and may be transported either short distances or across continents, to be forced into jobs they do not want to do.
- there are a number of different types of exploitation that victims of modern slavery may be subjected to; often victims experience more than one at the same time.

Victims of Modern Slavery or Human Trafficking

- Victims can be any age, gender, nationality and ethnicity.
- It is a crime that affects British victims as well as those trafficked into the UK.
- They are often vulnerable people who are tricked, coerced or threatened into involvement with a work, or potentially criminal activity.
- They are then not able to leave or report their exploitative situation due to fear, control or physical intimidation.
- It is possible that people may not recognise themselves as victims of modern slavery even though they could be being unlawfully exploited.

Source: <https://www.policingslavery.co.uk/modern-slavery-and-human-trafficking/>

Some potential signs of modern slavery and human trafficking

Please note this is NOT an exhaustive list

Further information can be found on [Spot The Signs - Unseen \(unseenuk.org\)](https://www.unseenuk.org).

There are also additional resources on the next two slides.

- ✓ Change in presentation - appearance/ engagement
- ✓ Not wanting talk about their lives and friends
- ✓ Giving a rehearsed story when asked questions
- ✓ Someone else speaking for them
- ✓ Accompanied or collected by an unknown person or people
- ✓ Change in routine – education/ sport/ religion
- ✓ A change in friendship group
- ✓ Being late without reason
- ✓ Safe adults not knowing where the child is
- ✓ A change in behaviour – angry/ sad/ happy
- ✓ Limited freedom of movement
- ✓ Indications of trauma; self harm; nightmares etc.
- ✓ Unexplained money or items
- ✓ Unable/unwilling to provide details of where they've been or who they're seeing
- ✓ Substance misuse
- ✓ Not sleeping well
- ✓ Injuries that could be work related
- ✓ Pregnancy/STIs
- ✓ Treated differently to siblings
- ✓ Not being registered for education or health services

If you want to find out more about Modern Slavery and Human Trafficking below are some resources

Types of Modern Slavery and How to spot the signs:

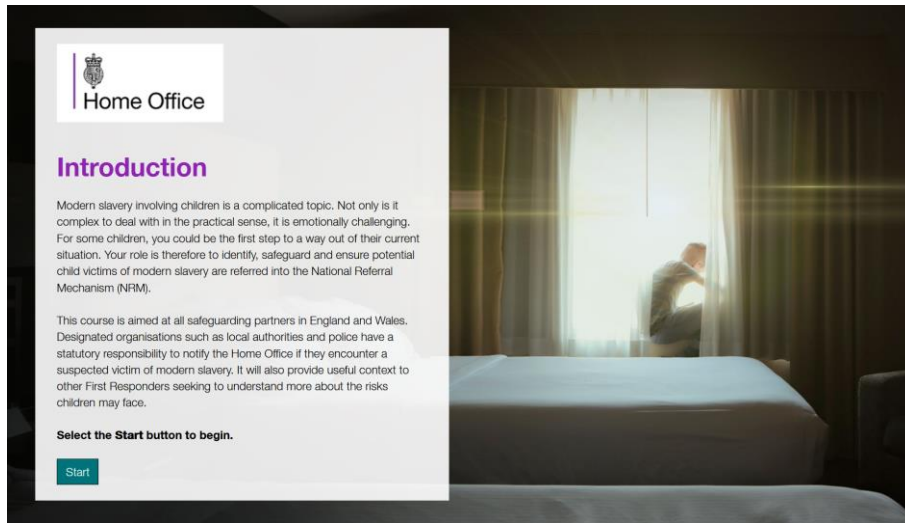
- [Types of Modern Slavery - Unseen \(unseenuk.org\)](https://unseenuk.org/types-of-modern-slavery)
- [Spot The Signs - Unseen \(unseenuk.org\)](https://unseenuk.org/spot-the-signs)
- Medaille Trust : <https://www.medaille-trust.org.uk/modern-slavery/what-is-modern-slavery>
- Every Child Protected Against Trafficking (ecpat) <https://www.ecpat.org.uk>
- <https://learning.nspcc.org.uk/child-abuse-and-neglect/child-trafficking-and-modern-slavery>
- <https://policingslavery.co.uk/resource-materials/>
- [The Issue — Human Trafficking Foundation](https://www.humantraffickingfoundation.org/the-issue)
- [Spot the signs of slavery and what to do - Anti-Slavery International \(antislavery.org\)](https://antislavery.org/spot-the-signs)

[Home Office Modern Slavery Statutory Guidance](#) includes further information on:

- [identifying potential victims \(section 3\)](#)
- [Indicators of child victims and specific types of Modern Slavery \(Annexe \)](#)
- [Support for Child Victims](#)
- [Support for Adult Victims](#)
- [Human Smuggling is not Human Trafficking \(section 2\)](#) – there may be some unclear cases where the distinction of smuggling and trafficking can be blurred, such as illegal adoption, forced marriage or sham marriage
- [Home Office Guidance National Referral Mechanism \(adult victims\)](#)

[Modern slavery is closer than you think - GOV.UK \(www.gov.uk\)](https://www.gov.uk/modern-slavery-is-closer-than-you-think)

Useful Resources



Tackling Child Modern Slavery

[Modern Slavery: Child Focus](https://policingslavery.co.uk)
 [\(policingslavery.co.uk\)](https://policingslavery.co.uk)

Approximately 45 minutes to complete



Modern Slavery: First Responders

[Home Office First Responder Training](https://policingslavery.co.uk)
 [\(policingslavery.co.uk\)](https://policingslavery.co.uk)

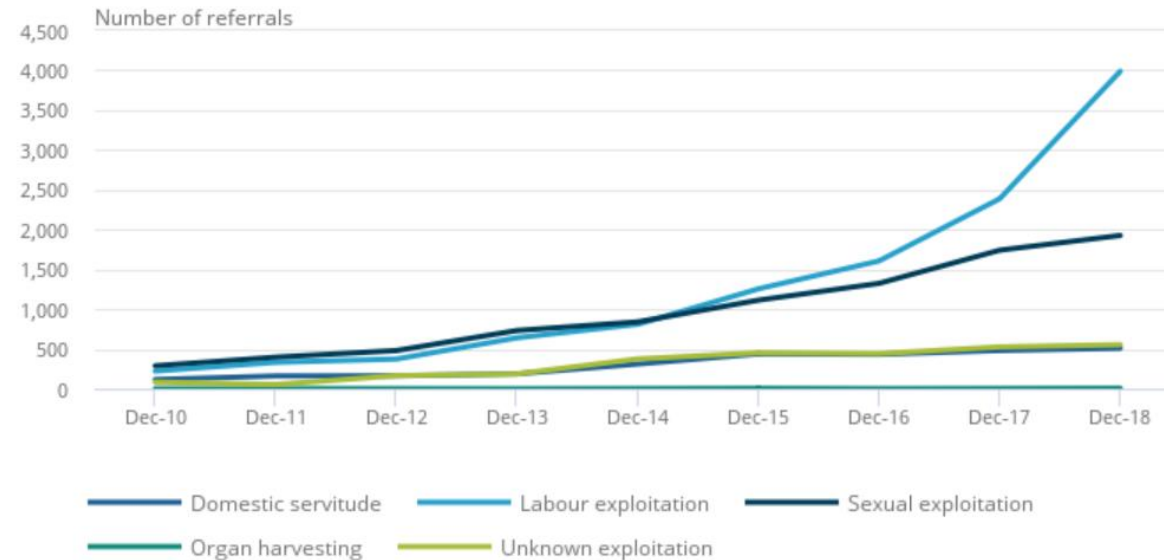
Approximately 45 minutes to complete

National Referral Mechanism

NRM Referrals

Figure 2: Referrals to the National Referral Mechanism have increased for all exploitation types

Number of referrals to the National Referral Mechanism by exploitation type, UK, year ending December 2010 to year ending December 2018

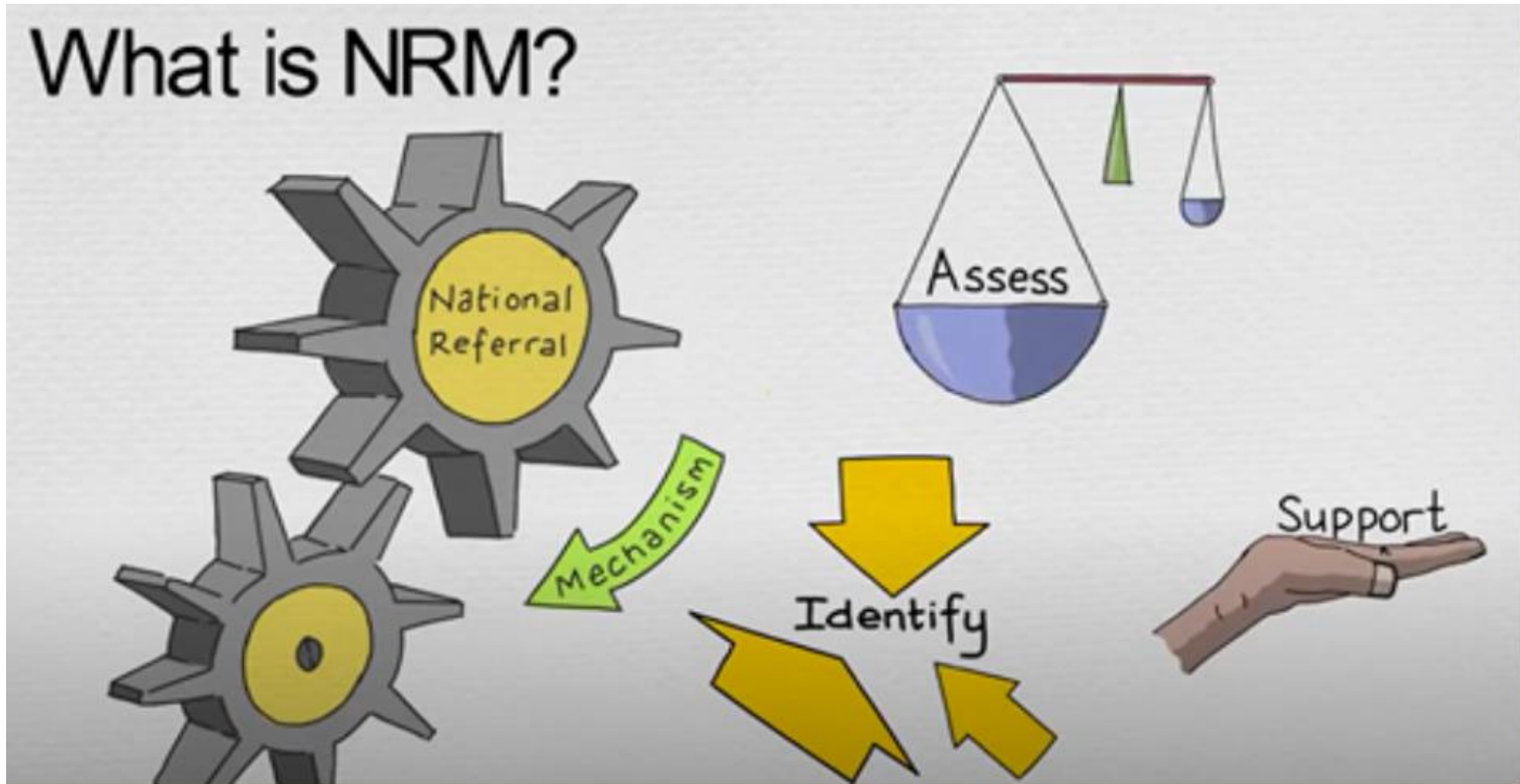


Source: Home Office – National Referral Mechanism

- ✓ Victims are often hidden away, may be unable to leave their situation, or may not come forward because of fear or shame.
- ✓ Because of its hidden nature, producing an accurate measure of prevalence is difficult.
- ✓ Currently, there is no definitive source of data or suitable method available to accurately quantify the number of victims of modern slavery in the UK. Information from a range of available data sources on known victims and cases to provide a better understanding of the extent and nature of this crime.
- ✓ Greater awareness, increases in reporting and improvements in police recording are likely to have contributed to the increases seen in potential victim numbers since the introduction of the modern slavery Acts across the UK in 2015.

Source: ONS data March 2020 [Modern slavery in the UK - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/modern-slavery)

What is NRM?



This video clip explains more information about the NRM and when/how potential victims should be referred. (Clip lasts 6 minutes). Click here to play - [clip NRM NCLCC – YouTube](#) (2020)

To download a flowchart of the process click here - https://www.unseenuk.org/wp-content/uploads/2022/05/National-Referral-Mechanism-GUIDE_-A4-3.pdf

Nation Referral Mechanism – Referral Process

Who can make referrals ? Only staff from [designated first responder organisations](#) such as the local authority or police are authorised to make referrals.

Making a Referral : is via [an online referral system](#) which is used for referrals into the **NRM** and for **Duty to Notify referrals (DtN)**.

The difference between an NRM referral and a DtN referral relates to the consent of the adult involved (*see next slide for more information*).

Child victims

- ✓ If the potential victim is under 18, or may be under 18, **an NRM referral must be made** – children cannot be referred in using a DtN referral.
- ✓ Child victims do not have to consent to be referred into the NRM and must first be safeguarded and then referred into the NRM process.
- ✓ The child's best interests will be a primary consideration in the decision to make, or not to make, a referral into the NRM.

SAFEGUARDING: Please note local safeguarding procedures must also be followed

https://safeguardingpartnership.swindon.gov.uk/info/15/for_professionals/34/referral_guidelines_and_mash_contact_information

Adult Victims

Consent is required for a referral to the NRM. For informed consent, you must explain:

- ✓ what the NRM is
- ✓ what support is available through it
- ✓ what the possible outcomes are for an individual being referred
- ✓ Make it clear that information may be shared or sought by the relevant competent authority from other public authorities, such as the police and local authorities, to gather further evidence on an NRM referral. See section 2.2 for further information

[National referral mechanism guidance: adult \(England and Wales\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/national-referral-mechanism-guidance-adult-england-and-wales)

Only complete the online referral for adults when a member of staff from a designated first responder organisation suspects someone is a victim of modern slavery and where the adult concerned has understood the implications of, and consented to, the referral.

No consent: If an adult does not consent to enter the NRM, a DtN referral should be completed using the same online process.

SAFEGUARDING: Please note: local safeguarding procedures should also be considered.

https://safeguardingpartnership.swindon.gov.uk/info/18/for_professionals/65/report_a_concern

First Responders Organisation – England & Wales

An authority that is authorised to refer a potential victim of modern slavery into the NRM. The current statutory and non-statutory first responder organisations are:

- **police forces**
- certain parts of the Home Office:
 - UK Visas and Immigration
 - Border Force
 - Immigration Enforcement
 - National Crime Agency
- **local authorities**
 - Gangmasters and Labour Abuse Authority (GLAA)
 - Salvation Army
 - Migrant Help
- **Medaille Trust**
 - Kalayaan
 - Barnardo's
 - Unseen
 - NSPCC (CTAC)
 - BAWSO
 - New Pathways
 - Refugee Council

First Responder Responsibilities

These are invested in the organisation and it is for the organisation to decide how it will discharge these responsibilities:

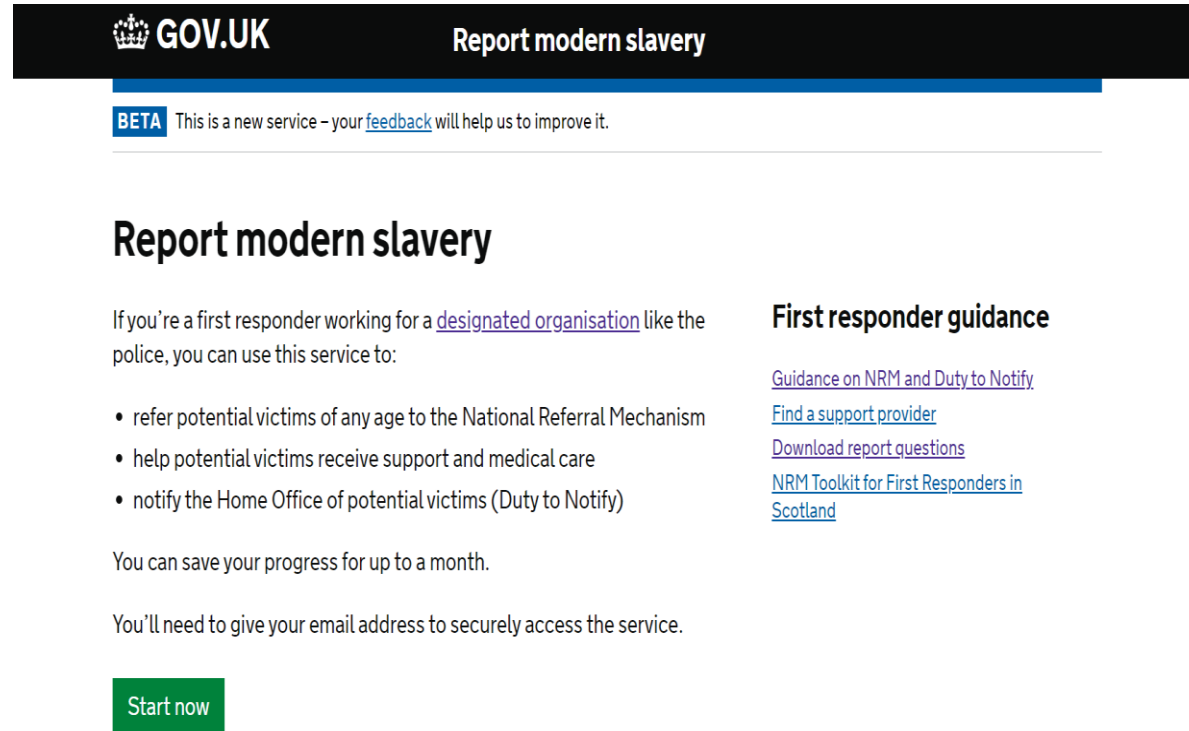
- ✓ identify potential victims of modern slavery and recognise the indicators of modern slavery
- ✓ gather information in order to understand what has happened to them
- ✓ refer victims into the NRM via the online process (in England and Wales this includes notifying the Home Office if an adult victim doesn't consent to being referred - DtN)
- ✓ provide a point of contact for the competent authority to assist with the Reasonable and Conclusive Grounds decisions and to request a reconsideration where a first responder believes it is appropriate to do so

A first responder is an individual working at a first responder organisation that is involved in discharging one of the duties of the organisation listed above.

Referral Process – Online Form

- ✓ The online form identifies whether someone is a first responder by verifying their work email address. First responders will need to complete this verification to progress with the form.
- ✓ After submitting the form which will be sent to the Single Competent Authority (SCA) the first responder will be sent a link to download a copy.
- ✓ When the form is received by the SCA it will be assigned a reference number which will be emailed to the first responder.
- ✓ If any further information later becomes available that would assist in making a decision about whether the person is a victim of modern slavery you can email this, by responding to the referral receipt email without editing the reference number in the subject line.
- ✓ Once an NRM referral is submitted, the SCA will then aim to make a reasonable grounds decision within 5 working days wherever possible.
- ✓ Download a [Prompt sheet for working offline – GOV.UK \(modernslavery.gov.uk\)](https://www.gov.uk/modernslavery.gov.uk) of the questions and type of information a report needs.
- ✓ **You will still need to complete the online form as the potential victim will not be referred until you do.**

Online Reporting Form for First Responders



Above is a screenshot of the webpage for the online reporting form.

Please click on the link below to access the online reporting form

[Report modern slavery – GOV.UK](#)

NRM Decision Making

Reasonable grounds

- Following referral from a First Responder Organisation, the relevant competent authority will make a Reasonable Grounds decision to determine whether it 'suspects but cannot prove*' that an individual is a potential victim of modern slavery.
- This decision should be made within 5 working days of referral, where possible but only when there is sufficient information available to do so.
- Following a positive Reasonable Grounds decision, a potential victim will receive a Recovery Period of at least 45 calendar days and will be able to receive support.
- * 'Suspect but cannot prove' is a relatively low threshold, lower than the criminal standard of proof, or Conclusive Grounds test.

Conclusive grounds

- The relevant competent authority will make a Conclusive Grounds decision at least 45 calendar days after the reasonable grounds decision, to determine whether 'on the balance of probabilities' there are sufficient grounds to decide that the individual is a victim of modern slavery.
- In many cases a decision will take longer, as all relevant information must be shared and made available to the relevant competent authority to inform the decision, which can often take interested parties significant time to provide.
- Following a positive Conclusive Grounds decision, victims will be exited from support only when appropriate to do so. Victims with a positive Conclusive Grounds decision will receive at least 45 calendar days of support during the move-on support period.

In some situations, someone may request a [reconsideration](#) of a Reasonable Grounds or Conclusive Grounds decision where there is additional evidence that may impact the decision or they believe the decision is not in line with published guidance.

For further information refer to chapter 7 for decision making and section 8 and 9 for support for adult and child victims -

<https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims/modern-slavery-statutory-guidance-for-england-and-wales-under-s49-of-the-modern-slavery-act-2015-and-non-statutory-guidance-for-scotland-and-northe#what-is-modern-slavery>

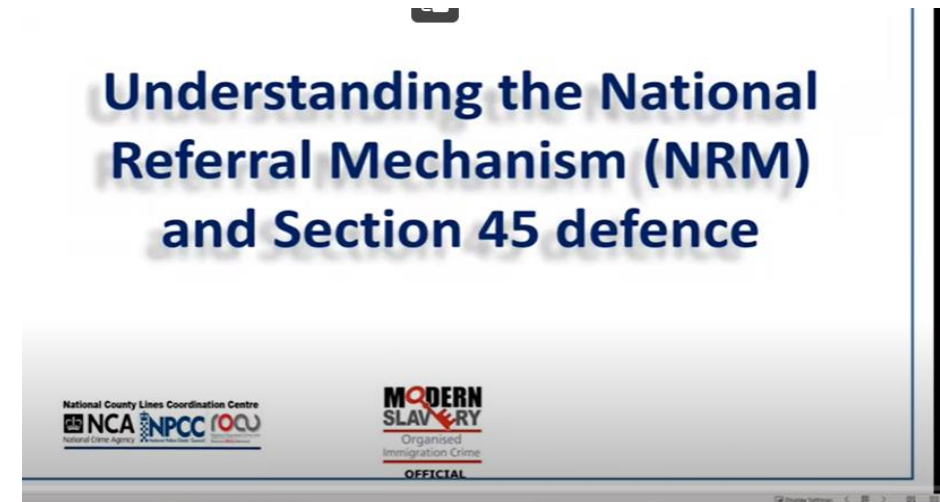
Understanding the NRM and Section 45 Defence

[Section 45 of the Modern Slavery Act](#) offers a defence for those who are faced with criminal liability for a criminal act that they committed as a consequence of their modern slavery or human trafficking experience.



This short clip (duration 6:33 minutes) offers an awareness around the Sec45 defence often linked to County Lines

[NCLCC Section 45 Defence awareness video - YouTube](#)



A deep dive into the National Referral Mechanism and Section 45 defence made in collaboration with the Single Competent Authority, National Crime Agency and Modern Slavery and Organised Immigration Crime Unit.

Duration 1 hour: 6 minutes

[NRM and Section 45 Masterclass Video - YouTube](#)

Useful Resources

UK Government:

- ❖ <https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims/modern-slavery-statutory-guidance-for-england-and-wales-under-s49-of-the-modern-slavery-act-2015-and-non-statutory-guidance-for-scotland-and-northe#what-is-modern-slavery>
- ❖ <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#Section-5>
- ❖ <https://www.gov.uk/government/collections/modern-slavery>
- ❖ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/655504/6.3920_HO_Modern_Slavery_Awareness_Booklet_web.pdf
- ❖ [Home Office First Responder Training \(policingslavery.co.uk\)](https://policingslavery.co.uk)
- ❖ [ONS data March 2020 Modern slavery in the UK - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)
- ❖ [Local Government Modern Slavery – YouTube](#)
- ❖ <https://unitedkingdom.iom.int/national-referral-mechanism-analysis-briefs>
- ❖ [Modern slavery is closer than you think - GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- ❖ <https://www.local.gov.uk/publications/supporting-modern-slavery-victims-guidance-and-good-practice-council-homelessness>

Useful Resources

Swindon Safeguarding Partnership:

- ❖ [Child exploitation - Swindon Safeguarding Partnership](#)
- ❖ [Human trafficking and modern slavery - Swindon Safeguarding Partnership](#)
- ❖ The Children's Society NRM Guide For Parents:
https://safeguardingpartnership.swindon.gov.uk/downloads/download/65/the_national_referral_mechanism_nrm_a_guide_for_parents
- ❖ Available in other languages: https://safeguardingpartnership.swindon.gov.uk/info/15/for_professionals/37/child_exploitation

Unseen (UK Charity):

- ❖ [Modern Slavery Helpline](#)
- ❖ [Frontline Workers - Unseen \(unseenuk.org\)](#)

NSPCC:

- ❖ <https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/child-trafficking/>
- ❖ <https://learning.nspcc.org.uk/child-abuse-and-neglect/child-trafficking-and-modern-slavery/>

Victim Support: <https://www.victimsupport.org.uk/crime-info/types-crime/modern-slavery/>

Salvation Army: <https://www.salvationarmy.org.uk/modern-slavery>

Human Trafficking Foundation: [The Issue — Human Trafficking Foundation](#)

Medaille Trust: <https://www.medaille-trust.org.uk/>

NRM explanatory documents (adults) for use by First Responders different languages: <https://westmidlandsantislavery.org/nrm-explanatory-booklets/>

Ecpat:

- ❖ <https://www.ecpat.org.uk/news/in-2021-more-children-than-ever-before-identified-as-potential-victims-of-modern-slavery>
- ❖ <https://www.ecpat.org.uk/webinars-and-events>

Policing Slavery:

- ❖ [Resource Materials \(policingslavery.co.uk\)](#)
- ❖ [The National Referral Mechanism \(policingslavery.co.uk\)](#)
- ❖ National Crime Agency: <https://www.nationalcrimeagency.gov.uk/what-we-do/crime-threats/modern-slavery-and-human-trafficking>
- ❖ Crown Prosecution Service: [Modern Slavery, Human Trafficking and Smuggling | The Crown Prosecution Service \(cps.gov.uk\)](#)