

Work and Pensions Committee

Oral evidence: Victims of modern slavery, HC 803

Monday 30 January 2017

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Members present: Frank Field (Chair); Ms Karen Buck; Neil Coyle; Royston Smith.

Questions 143 - 195

Witnesses

I: Damian Hinds MP, Minister for Employment, Department for Work and Pensions, Helen Walker, Deputy Director, Children, Families and Disadvantage, DW, Sarah Newton MP, Parliamentary Under-Secretary of State for Vulnerability, Safeguarding and Countering Extremism, Home Office, and Daniel Hobbs, Deputy Director and Head of Asylum and Family Policy, Home Office.

Written evidence from witnesses:

- [Department for Work and Pensions and the Home Office](#)

Examination of witnesses

Witnesses: Damian Hinds MP, Helen Walker, Sarah Newton MP and Daniel Hobbs.

Q143 **Chair:** Sarah, for the sake of the record, might you begin and introduce your official, or hand over to him to introduce himself? Then Damian and his official.

Sarah Newton: I am Sarah Newton, Minister in the Home Office responsible for way too many things for you to note down, but for the purposes of this meeting for modern day slavery. I am very pleased to be joined by Daniel Hobbs, who is from the immigration part of the Home Office, because we thought that a lot of your questions would be around the interrelationship between the NRM and the immigration system. As it is fiendishly complicated, we know, Daniel would be well placed to answer your questions.

Damian Hinds: I am Damian Hinds, Minister at the DWP.

Helen Walker: I am Helen Walker. I am the Deputy Director at DWP for Children, Families and Disadvantage.

Q144 **Chair:** Damian, we are very pleased to note that, with some Jobcentres being closed, none of the members of the Committee are affected. We are very grateful for that. Can I begin by picking up from where Lady Butler-Sloss left us? She talked about statutory guidance being drawn up now in the Home Office to take the NRM forward. Is that true? Where is it at? Could we ask you some supplementary questions on it, please, Sarah?

Sarah Newton: Yes, certainly. I am very happy to answer questions about the NRM. As you will know, this mechanism is the one by which any frontline person can refer a suspected victim of slavery or trafficking to be assessed. Once they are assessed, they go through the whole process of support.

There was a review undertaken in the Home Office of the functioning of the NRM in 2014 and, as a result of that, it was agreed that improvements needed to be made. Since then, we have been piloting a revised system that has had a huge amount of engagement from frontline professionals from Border Force, immigration, local authorities, the police and social workers, and we are very pleased with the engagement that we have had from the NGOs, who do invaluable work in this area, and the Independent Anti-Slavery Commissioner, Kevin Hyland. These pilots have been running and are coming to a conclusion in March. We will undertake a period of evaluation to draw all the lessons from the pilots, and then we will proceed to make quite substantial reforms to the national referral mechanism.



One thing to bear in mind about this, though, is that clearly we want to do the very best we can for victims of modern slavery, but we are bound by treaty obligations, not least of which are the European conventions. At the moment, the UK far exceeds what we are obliged to provide under those conventions. For example, we are obliged to give 30 days of support for victims of modern slavery, and the bare minimum we give is 45. Last year, the average was more like 95, and currently it is around 68 days of support.

The conventions also prescribe a two-stage process. As you will know from the evidence that you have gathered, we do have that. We have a reasonable grounds decision-making process, and then we move to the conclusive grounds decision. When we seek to reform the system, while we want it to be completely focused on what is best for the victims, we do have to bear in mind our international obligations and design a system that does both of those things.

Q145 **Chair:** In that respect, we are already doing better than the international obligations to which we have signed up.

Sarah Newton: We most certainly are, but there is no room for complacency at all. From our work with stakeholders, working with the Salvation Army, who are the main contract holder for victim support, and with the Independent Commissioner, Kevin Hyland; from my visits to safe houses; and from the piloting work that we are doing with the DWP, let alone in the NRM itself, we know that there is room for improvement, so we will move swiftly—once we have undertaken the full evaluation—to implement those changes. That I hope very much will be this summer.

Q146 **Chair:** That is really good news. What do you expect to learn from the pilots, and what are you learning? Can you tell us that?

Sarah Newton: The early indications are that the people participating in them feel there is much greater transparency and there is greater joined-up working between the partner organisations that need to support the victims of slavery. Those are two very important things. We also hope—but we will have to wait for the evaluation—that we will make even more accurate decisions. As I am sure members of the Committee will appreciate, the victims of slavery often have very complicated backgrounds, and very complicated lives with lots of different issues. It takes time for us to understand that and to piece together all the information, evidence and documentation we need to make the conclusive grounds, so we want to look at ways in which we can streamline the process as well.

Q147 **Chair:** I have two other questions before I hand over to Karen. The first is: when you have published your proposals, will there be some period of consultation, Sarah?

Sarah Newton: Undoubtedly. Everything that we do, we undertake in consultation with our stakeholders. We already have very detailed stakeholder engagement, and they have been involved in shaping,



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overseeing and participating in the pilot. We very much value the role of the civil society organisations—those people who are directly working with victims at the moment to feed back into our proposals.

Q148 Chair: You will have read in our previous evidence that there was a strong plea that those who are found to be victims of modern slavery be treated equally to those whom we give refugee status to, in respect of their benefits and so on. Is that part of the proposal? Maybe Damian wants to comment on that as well.

Sarah Newton: I recognise the problems that have been identified by people giving evidence, in that not every victim has felt that the decisions around their immigration status and their status as a slave have worked well together, and there are definitely improvements that we need to make. When you look at the evidence of what is actually happening to people, when the system works well, people should be able to have their immigration issues resolved at the same time as the decisions around whether or not we are going to accept them as victims of slavery.

Q149 Chair: If they are found to be victims of slavery, shouldn't that influence their immigration status?

Sarah Newton: It depends where they come from. For the non-EEA people who are found to be victims of slavery or just referred into the mechanism, as soon as they are given reasonable grounds, where we think, "This person probably is a victim of slavery," then they are given automatic discretionary leave to remain here.¹

Q150 Chair: Shouldn't that apply to the others as well?

Sarah Newton: When it comes to the European Union citizens or EEA citizens, of course, because of the treaties and free movement, they may well be entitled to be here anyway. Also, if somebody was accepted, they did have reasonable grounds, we were supporting them through the safe houses and they were an EU citizen, but they could not work because they were traumatised or ill, there can be discretion in the system. We can grant leave to remain while we are going through the whole process. We feel that it is a very victim-focused service, which looks at each person individually, and there is sufficient flexibility that they can be given leave to remain.

Q151 Chair: I was arguing there should not be flexibility; they should be given it.

Sarah Newton: What I would encourage you to think about is that, while looking after victims of slavery, it is important to maintain the integrity of our immigration system. I don't think that we want to start giving one group of people some sort of special status over others.

¹ Minister Newton subsequently wrote to the Committee on 17 February to clarify that "Whilst non-EEA national confirmed victims are automatically considered for discretionary leave to remain (i.e. automatically assessed against the criteria to see if they qualify for a grant of DL) they are not automatically given DL."



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Chair: Well, we do asylum seekers.

Sarah Newton: Taking that point about asylum seekers, over half of all victims of slavery will also be claiming asylum. That is a route that a lot of them go through: the asylum-seeking process. What this highlights is that we must remain completely focused on the circumstances of the victims, look at each case and make the right decision.

Q152 **Chair:** Damian, do you want to come in on what has been said before we go to Karen?

Damian Hinds: I think Sarah covered very well how the immigration system works. The key thing is that discretionary leave to remain is available to be given to either EEA nationals or non-EEA nationals, where appropriate. For example, if an individual is needed to help the police with an investigation, the police can apply on their behalf. It is a very important feature. I think we do need to treat people as individuals. As Sarah was saying—

Q153 **Chair:** Can I interrupt, Damian? Of course we need to treat them as individuals, but maybe they should have a collective right to be treated in a certain way.

Damian Hinds: We have the referral mechanism, the care contract and all the support that goes with that. As you know, Chairman, through the Act, we have the right to have legal aid assistance with immigration status, and the support through the care contract is also there to help people to know about their options upon exit. Not everybody, of course, is going to want to stay in the United Kingdom. Although these victims have been through terribly traumatic experiences, there is always going to be a subset of people to whom other things may have happened in their lives, unrelated to the crime of modern slavery, but for different reasons, the immigration system is not going to want to give a blanket status to all those people.

Q154 **Chair:** Evidence has been presented to us that some people coming out of NRM become homeless because they are not being signed up to benefits; they are not getting the package of help that they need. The chance of being re-trafficked, if you are homeless on the streets, must be ginormous.

Sarah Newton: Chairman, when I read the letter from Kevin Hyland—he wrote me a letter dated 10 January, and I received it last week—he identified something like 35 people whom he says this has happened to. We have contacted his office to seek information about this.

As you know, the Salvation Army holds the contract for victim support. In their accounts of looking after people, they could find one person who was made homeless. Of course, one person being made homeless is one too many, but at the moment they are looking after 1,300 people. We take this incredibly seriously, so I want to look at those, case by case, to see what has gone wrong. As far as I can see, this should not be



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happening, because once we have made that first decision that they probably are victims of slavery—they have reasonable grounds—then they start having the support package. We know it is a minimum of 45 days, but the Salvation Army can call us up at the Home Office and say, “For a whole variety of reasons, we haven’t been able to come to a conclusive decision yet,” and we will continue to provide that support. At the moment, the average amount of support is 68 days.

I have visited safe homes and have met somebody who has been supported for two years while we go through the whole criminal justice system. Once somebody has their conclusive ground, usually they are helped to exit within 14 days, but if we can’t sort out safe accommodation and all their papers, and if they are still supporting the police with prosecutions, and still trying to prosecute their slave masters, then we will extend the support that is available.

It seems to me that if all the system is working properly, nobody should be made homeless. What could happen is that once somebody has gone through the system, has had their period of reflection, has decided to stay and has been passed on to mainstream help, and has gone through the benefit system, they will perhaps be on housing benefit or working; a lot of people want to work. However, six or 12 months along the line, something goes wrong in their lives. Then they might find themselves in that situation, but I would be very surprised indeed if it was as a result of coming out of the system. As I say, I am leaving no stone unturned, and if anybody can give me cases, I will look at them.

Chair: We will try to, Sarah, thanks.

Q155 **Ms Karen Buck:** Last year, I think there were 117 prosecutions for modern slavery out of between 10,000 and 14,000 estimated cases. Why is the number of prosecutions so low?

Sarah Newton: It is an extremely good question, and as you know, we asked an independent barrister, Caroline Haughey, to do a review of the workings of the Act, and she has made a whole series of recommendations that we are currently implementing. I think it was two weeks ago the MoJ wrote to the Crown Prosecution Service setting out the measures and asking them to use the Act. Sometimes it is a question of people getting used to using these powers to prosecute, and then getting the convictions. As every year goes by, we are seeing more referrals to the Crown Prosecution Service and more prosecutions. In time, that will lead to more convictions, but we are looking at this very carefully to see what more we can do.

Q156 **Ms Karen Buck:** Only one in four of the referrals to the national referral mechanism went to the police. What is going wrong at that point?

Sarah Newton: When people are referred to the NRM, we go through the process of seeing whether they have reasonable grounds or not before they get their conclusive grounds. When we look into the circumstances, not everyone who has been referred is found to be a



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victim of modern slavery. Not everybody who is referred in does get that conclusion, but there is still a gap between the—

Q157 Ms Karen Buck: Can I just interrupt? That is a perfectly fair point, but the actual number of referrals, which is just under 4,000, in itself is only one in three, or less, of the total number of people estimated at any time to be in the system, so there are two levels at which we are falling quite a long way short.

Sarah Newton: You are absolutely right, Karen: there is a big gap between what we estimate to be the prevalence of this activity happening in the UK and the number of people who are coming forward. That is why we are looking at every aspect of this: raising public awareness, and working with all the frontline people who could possibly come into contact with victims. We know this is a really hidden crime. People need to understand the types of slavery and what to look for. Through that education programme, we have done a lot of work with the police. There is currently a HMIC inspection of how the police are doing their training, and how they are identifying people, right the way through the criminal justice system.

For example, we have put in place similar opportunities for victims of, say, sexually violent offences; people can be screened away from the perpetrators. In fact, victims can now give evidence and not even appear in court. We have just had a really good prosecution. We have been looking at every aspect, from raising awareness to encourage people to come forward right the way through to the convictions, and we will continue to do that.

Q158 Ms Karen Buck: Baroness Butler-Sloss told the Committee that part of the problem does lie in the way in which potential witnesses are supported and how they can be found; that goes back to your previous point about where people disappear in the system. Is that one of the specific recommendations that you are addressing, and how is that being done across the DWP?

Sarah Newton: From what I understand from what she was saying, she feels that people are not being given enough support to enable them to stay in the UK so that they can give evidence in court. That seems to be what she was saying. From what I described in answer to the previous questions, the police can ask for DL for victims to stay here. They can say they want the continuance of the support, so that victims can be the witnesses in prosecutions, but we can also have statements so they don't have to be here. From what I can see, there should be no reason whatsoever for what she is saying is happening.

Q159 Ms Karen Buck: But she also said, "One of the reasons is that the police cannot keep track of these people because they have no idea where they are, because they all disappear as they have no entitlements".

Sarah Newton: Yes. As I was mentioning before, once somebody has been accepted as having reasonable grounds, they are provided with the



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accommodation and can stay in that accommodation. They are not kicked out after 45 days. Every case is looked at, and if they need to stay there longer until they get their conclusive grounds or help get a conviction, then they can. Obviously some people choose to go home and it is safe for them to go. We can still go ahead with the prosecutions and convictions based on the evidence they gave while they were here.

Q160 **Chair:** But that is not happening, Sarah, is it?

Sarah Newton: Just two weeks ago, we had a conviction of—

Q161 **Chair:** No, but if we keep to the big picture, Sarah—117. How many prosecutions were brought and failed?

Sarah Newton: I am not sure I have the figures on how many were brought and failed, but I could certainly write to the Committee with that information.

Chair: Sure. Fine.

Sarah Newton: I am not at all complacent, Chairman. This is a deeply troubling crime. We are at the beginning stages in using all the powers that we need to really shine a light on this and give the victims the courage and support to come forward and get the prosecutions. This is why the Prime Minister has set up her taskforce to put a whole Government focus on what more we can do.

Chair: We will come on to that, if we may.

Q162 **Neil Coyle:** If you are going to provide those figures, how many of those cases involved potential witnesses who have not been granted DL and we have no idea where they are?

Sarah Newton: As I said to you, the police can directly—

Neil Coyle: But if it was an automatic system, as the Chairman suggested, then there would not be a need for the police to do that. You are making it part of the police job when you could simplify their role, given—for example, in my area we have lost 200 officers—they have enough to do and are stretched as it is.

Sarah Newton: We need to keep the two groups separate. When it comes to the non-EEA citizens, once they have the reasonable grounds decisions, they do automatically have DL. We are talking about the EU or EEA citizens. You make a good point about whether we should, at the point where they have been given that ground, give them an automatic right, or whether there should be a prompt. At the moment there is a prompt. One of our concerns is that if we gave everybody automatic leave to remain, it would create the most enormous pull factor. We know at the moment, from all our analysis and our work with the National Crime Agency, that most of the criminal activity associated with slavery is from serious and organised crime. There is an element that is small-scale—somebody from Romania or Albania. However—



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Chair: We are a long way from whatever we do in this country acting as a pull factor.

Sarah Newton: Can I just go back to answering the question and come back to that?

Chair: Yes.

Sarah Newton: What we are increasingly getting the knowledge about is the extent to which this is organised and serious crime, very much related to immigration crime, on the human trafficking side of slavery, where people are being lured to come here on completely false pretences. If we added into that mix that you could automatically stay here, we are really worried about the additional pull factor to the traffickers who are doing this. This is why we are very keen to keep the decision separate between the immigration—

Q163 **Neil Coyle:** But you have just included Romania in that group in your own statement. How is being a victim of trafficking from Romania going to be resolved under what you are suggesting?

Sarah Newton: What I am saying is that I think it is really important that we maintain the integrity of our immigration system, which reflects all of our international obligations towards asylum, refugees, and victims of slavery, alongside how we look after victims of slavery, and that those two decisions should be run in parallel. They should not at all impede the victim seeking justice or us being able to prosecute. From what I have seen, that is not the case. However, we did have an independent review. There were recommendations made, and we are implementing those recommendations.

Q164 **Neil Coyle:** When will the implementation be complete, and where do you expect the prosecution and conviction rate to increase to? What threshold are you expecting within three years, for example?

Sarah Newton: We want to prevent these crimes from happening in the first place. I know it is not the remit of the Committee, but there is a huge amount of work going on to prevent these crimes from happening in the first place and, of course, we want to make sure that every victim feels able to come forward and every perpetrator gets caught. Each year we are seeing very significant increases. The 2015 figures were 40% up on the year before. We have set ourselves ambitious goals to get many more prosecutions.

Q165 **Neil Coyle:** What are those goals, and when will the recommendations be implemented?

Sarah Newton: As I say, the recommendations about improvements to the criminal justice system are already being implemented, and I gave some examples. If you want me to write to you with everything that was recommended in the report and everything that is being implemented, then I am very happy to do so.



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Chair: Thank you.

Neil Coyle: Can I come back in on a point I missed before, because it is linked to that last one?

Q166 **Chair:** I am anxious that we have DWP here as well, and we have some DWP questions. Royston will perhaps address his questions to DWP first. My last point on this, Sarah, is that when the Select Committee of both Houses was considering this, it tried to devise a Bill that would increase prosecution successes, and the Government did not follow our advice. That is just a case in point. All the evidence showed that, if you link trafficking and slavery together, the chances are that people would get off on the trafficking side of matters. The advice we had, from Lord Judge and the most senior people going, was that we should actually prosecute on slavery, because English juries understand slavery, whereas they can be perplexed or made perplexed by talk about trafficking. If it doesn't look as though you are getting this prosecution rate up, is the Home Office up for a quite radical change of the Act itself?

Sarah Newton: I can absolutely assure you that prosecutions and convictions are going up. I can also absolutely assure you of the utter determination of the Prime Minister, the Home Secretary and myself to make sure we secure many more prosecutions.

Chair: Very good.

Q167 **Ms Karen Buck:** Do you get a sense that the total numbers involved are also going up?

Sarah Newton: In terms of the crime itself?

Ms Karen Buck: At any one time, the estimated pool of people who may potentially be victims of human trafficking is estimated to be 10,000 to 14,000. What is your estimate of where that was, and where it is now?

Sarah Newton: We are doing a huge amount of work on this. One of the key outcomes from the police transformation fund bid, which was recently set up, is to set up a centre where we can properly analyse and collect data between the police force, the National Crime Agency and anyone who has good information. It is fair to say that, from the beginning stages of the work and the desire to create this legislation, the nature of the slavery and the trafficking is changing. This is a big business, often related to class A drugs. This is internationally very big business, and so, of course, they are constantly innovating and coming up with new ways of enslaving people, because there is so much money to be made in it. All the time we need to be looking to see all the different typographies of slavery and using that evidence to really go after the perpetrators.

We must also not forget, when we are looking and supporting victims, that people have originated from about 100 different countries, but the fifth largest group of slaves in our own country is people who are already here. While this Committee is, quite rightly, looking at people coming into



our country, I am as focused on the fact that so many people in our own country are caught up in county lines activities—drug-running activities—which is slavery in my view. We are working very hard to make sure we use this very powerful legislation in those activities, as well as all of the other types of slavery. This centre is up and running, and they are recruiting people now. I have only just recently met with the new lead at the National Crime Agency. There is a huge amount of new resource and focus on understanding the nature of the threat, and the changing nature of it, so that we can tool up everybody on the frontline to detect the perpetrators and to look after the victims.

Q168 Chair: Before Royston comes in, as a prelude to his questioning, can I address you, Damian, on this? In private session, we had some ex-slaves, and they described their treatment in DWP as pretty horrendous—of people pointing to them and saying, “That is what I’ve seen on television”. It is an extreme example, but it is deeply distressing for them and for the organisations helping them. Can you tell us something about what you are doing in DWP to spot ex-slaves coming for help? At some stage, many of them will be seeking benefits in order to survive if they are not going to be picked up and re-trafficked again. Royston wants to ask some questions that I think may follow on from that.

Damian Hinds: First of all, may I apologise? What you have just described is a difficult thing to hear, and I am very sorry for those people who had that experience. I did not hear that particular evidence. I don’t know the background or the circumstances, but that is not, of course, what is intended to happen. We are talking about people who have had some of the most difficult experiences that are possible—perhaps impossible, in fact—for the rest of us to imagine. I deeply regret any time when that has not worked out well.

We realise that in an organisation like ours, with hundreds of outlets and many thousands of staff, one of the biggest challenges is making sure that everybody is aware of what the problem is. We have done quite a lot pursuant to that since the passing of the Act, and there is more to come.

You are quite right, Chairman, that as an organisation, we will come into contact with a very high proportion of these people at some point, through benefit claims but also through the allocation of national insurance numbers, which is a big part of it. There is information disseminated throughout the organisation on how to recognise a victim—either a current victim or a past victim—and on how to alert those in the organisation who can act on it. That goes to a part of DWP called the CCIIS, which is the Central Criminal Intelligence and Investigation Service. They in turn work with the Home Office and National Crime Agency on organised crime. As Sarah mentioned, there is an organised crime element to a lot of this. There is a benefit fraud element to some of it as well, so all these things are interrelated.

Our most recent update of those materials was in July 2016 and we are currently working on refreshed data. The material, sadly, has to be



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updated all the time with the greater amount of information that comes forward. This new guide is going to have more illustrative case studies. We have more posters planned for around the estate and so on, and a presentation going to all staff. In terms of training, we already have modern slavery material in training for specialist functions or those most likely to come into contact with it. For example, in the national insurance number operations, there is a module specifically on that, and part of the interviewing technique material as well, but we are making sure that it is now going into more generic learning and development material.

Q169 Chair: I started my life when there was the Supplementary Benefits Commission, and I was leaked these two mega phone directories, which was all the advice that officers had to get into their heads in treating claimants. My worry is that these packs can be so large, Damian, that it is impossible for anybody to keep the key things in their heads. I am not disputing the need for that, because there will be some really good people in offices who will want to master that. I wonder whether there is a sort of guidance saying, “the five things to watch for because these might well be ex-slaves”—very simple advice for staff.

Damian Hinds: Your worry is my worry. We are here today talking about modern slavery, and there are lots of things I want our work coaches, the people on the phones and people allocating National Insurance numbers to know about that. We were somewhere else a few weeks ago talking about prisoners and ex-offenders. I want them to know about that. I want them to know about care leavers, about people with mental health barriers and people who have been victims of domestic violence—all sorts of things that may not be immediately apparent. People don’t walk around with a sign saying, “This is all you need to know about me”.

You are quite right: our challenge is—in an organisation of many thousands of employees and many hundreds of locations—to be able to disseminate enough knowledge to spot this, and that is what we are attempting to do. DWP frontline staff are not what is called first responders in the NRM system, but they do know that for these kinds of cases, they would go initially to the people they would go to for fraud and error reporting. That in turn goes through the system and can be referred on.

There are systems and processes we have in place anyway to support vulnerable victims, which our staff are used to from a range of different types of circumstances of the clients, to make sure that they are fully populated with the resources that are required to fully understand and support people who have been victims of these crimes. The district provision tool and the flexible support fund are places where a work coach could find support that is available for these sorts of people. That is not a tool that has been invented for modern slavery cases, but it is important that we fully integrate the two.

Q170 Chair: Damian, one of the effects of the statement today is that there would be fewer offices, but they might be larger. That means that the



chance of having specialisms within the office is greater. Is that an opportunity that is going to be seized? While one obviously wants a general awareness among staff, the larger offices give you the possibility of a small core of members being trained in each of those areas where you think people are particularly vulnerable.

Damian Hinds: Yes. We are open-minded on that. We had a similar conversation in a previous session, and there are always arguments to be had both ways. There is an argument for having a specialist cadre of work coaches, and there is an argument for having generalists. Our general approach and model is to have generalists who have mixed case loads, and they can see the same individual through not just their claim but through their working history as well, even if their circumstances change. We think there are big advantages in having a mixed case load for the client as well as for the member of staff. Of course, there is a role for having specialists on staff who know more about particular areas. That is why we have disability advisers, for example. We are thinking at the moment about exactly how we work with self-employment specialisation. You are quite right: the larger the office, the more potential there is to do that because of the scale.

I am the first to admit that not everything works exactly the same way in exactly the same place. We have to look at where things are particularly effective and see what should be replicated. To give one example, in the Leeds area—where we work very closely and very effectively with the Salvation Army’s contracted partner there, called Palm Cove, I believe, from memory—the Leeds Jobcentre does have some specialist work coaches who are covering the whole gamut of social justice matters—not just modern slavery but perhaps domestic violence victims, people who have had a history with honour-based crime and so on. That is something that can be explored.

Sarah and I are in close contact on trying to understand this, but none of that gets you away from the fact that we still need our frontline members of staff to be able to spot what might be a danger sign. If you specifically had a specialist modern slavery work coach, there is no guarantee that when the potential victim walks through the door, they are going to get anywhere near them. Probably the most important thing, in terms of what we can do in identification and referral, is to make sure—exactly as you say—even though it doesn’t have to be a vast amount of knowledge, that everybody has enough knowledge to tick off that there is something not quite right, something to think about, so they can then refer that case onwards.

Q171 **Royston Smith:** Can we go back to bringing the perpetrators of the crime to justice and supporting victims? Damian, what role does the DWP have in the Government’s taskforce, and is there any crossover with the Cabinet Committee?

Damian Hinds: There are two pan-Government groups. There is the Prime Minister’s taskforce, which is relatively new. I think they have met



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twice so far, once on the scale and scope of the scourge of modern slavery and I think the second time on the particular international—and indeed domestic—efforts to disrupt it and bring people to justice. On an occasion where it is DWP-related subject matter, DWP Ministers can and would be involved. There is a second group, which is the inter-departmental ministerial group on which we are represented, and I think the next meeting of that group is scheduled for April.

Q172 **Royston Smith:** Who would sit on that? Who would be members of that, which Ministers?

Damian Hinds: I don't have a full membership list in front of me, and I don't know if anyone else has, but those who need to be involved from the different Departments.

Sarah Newton: The Department for Education, because there is child trafficking. There would be the health service there, ourselves from the Home Office and the MoJ, so we will all be there working on the strategy.

Q173 **Royston Smith:** The two meetings that have happened that required Ministers from DWP, the Home Office and others: who would be—

Damian Hinds: Forgive me, two different groups.

Q174 **Chair:** Is there a third group, the Cabinet Committee? Doesn't the Prime Minister have a Cabinet Committee, or is that one of those groups?

Damian Hinds: The taskforce would be.

Q175 **Chair:** The taskforce is the Cabinet Committee? In emphasising the importance of all this, I thought the Prime Minister established a Cabinet Committee that she chairs on this issue, and that the Home Secretary is vice-chair of the Committee. What you were telling Royston is that the taskforce is separate from the Cabinet Committee. Is that right?

Helen Walker: I think the taskforce has the status of the Cabinet Committee, but it is for a specific and focused piece of work, which is why they call it a taskforce. It is similar to the troubled families taskforce. There is one around child sexual exploitation, but it is chaired by the Prime Minister. There are a number of taskforces that have that status.

Sarah Newton: It is the same thing, to directly answer your question. It has the status of the Cabinet Committee, but to give it that urgency and profile, the Prime Minister calls it a taskforce.

Damian Hinds: There is also the inter-departmental ministerial group. That is a separate thing that predates the other.

Q176 **Royston Smith:** They have each met once?

Damian Hinds: No. The Prime Minister's taskforce has met twice. I couldn't tell you the exact number of times the inter-departmental ministerial group has met.



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Q177 **Neil Coyle:** I think it was the police who were saying that they have cases of multiple referrals to the NRM. We would be interested to hear what statistics the Government keep on victims of slavery who are re-trafficked after they leave the NRM.

Sarah Newton: I don't think we have that information with us, but we can send it to you. We did come with quite a lot of statistics, but obviously not the ones that you want, so I am sorry about that. I am sure the Clerk to the Committee will ask us for any more information that you want, and we will be very happy to share it.

Chair: You might leave the statistics on which you thought we would ask questions, so that we can look at them.

Q178 **Neil Coyle:** Also, what do you think the causes for multiple referrals might be? From what you have said already, Minister, it sounds like you think it might be because they don't meet the thresholds or they are not found to have been the victim, whereas the police are saying they are.

Sarah Newton: I am sorry, I am not sure I really understand the question.

Neil Coyle: It might be the case that the police are suggesting someone is being trafficked, and you are suggesting they are not. There might be a difference in agency perceptions.

Sarah Newton: When you say "you", it is the National Crime Agency.

Neil Coyle: Sorry, the Department.

Sarah Newton: But the police are involved in all of these decisions, so there is not an "us" and a "them". The decisions are made in a multi-agency way, and in the pilots in particular the number of agencies that were involved was even increased. What we are interested in is getting together the best data that we can to make a decision. I remember it is in two stages. People come in, and there is a reasonable grounds decision. That is done very quickly. If somebody is picked up, is traumatised or is in a difficult situation, they are usually in a safe house within six hours.

Equally, there are different situations. It could be that somebody has arrived at the border, and Border Force have picked them, sure they are being trafficked, but they have not been subject to any torture or treated very badly, and when they are liberated by the police, they could have a conversation and the police might say, "Do you want to go home?" If appropriate and we have taken all the evidence for future prosecutions, they can go home. You have to look at the various circumstances where people are found and what the best approach is for them.

Q179 **Chair:** That is why, going on the trafficking, it is so difficult to get prosecution successes—because, as you explained with your example, many people coming into the country at that point are not slaves. Once they are here, they find that they have been tricked and that they are



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slaves. The prosecution really does not need to centre on the trafficking. The other side's lawyers now are quite good at driving a coach and horses through the provisions of the current and the previous Acts, but juries understand if people are in slavery.

Sarah Newton: If we do pick those people up, who are unfortunate enough to have been in that terrible situation, then all of that evidence will be collected.

Q180 **Chair:** Do you have figures on how many you do pick up? How many people do you pick up at the borders whom you are immediately able to designate as being trafficked for slavery?

Daniel Hobbs: Not where we collect them at the border. Broadly, for the non-EEA route, about 83% of those who come into the system are found to have positive reasonable grounds, so for the first stage it is an 83% referral at that point.

Q181 **Chair:** You cannot tell us how many they are, but of this unknown number there is 83%?

Daniel Hobbs: Of the 3,266 that are referred into the national referral mechanism. There will be a breakdown then, because my stats relate to the non-EEA, which is what the immigration system does.

Q182 **Chair:** From the Border Agency or in total, Daniel?

Daniel Hobbs: In total.

Sarah Newton: Yes, so a high percentage of people go into the referral mechanism and, from going into the referral mechanism, they are looked after. They are in the safe houses and they are looked after while we are gathering all the information to make the conclusive grounds.

Q183 **Neil Coyle:** There was a second part, but it might be another issue on which you have to provide statistics afterwards. It comes back to the point Baroness Butler-Sloss made, which is the cost of the NRM is ridiculous because the end product for the victim and the public is a waste of time. Is it possible to provide the Committee with an estimate of the cost of processing victims through the NRM multiple times due to re-trafficking? I suspect your answer will be the same as to the first part of the question.

Sarah Newton: I can tell you what the contract value is with the Salvation Army, but that is really about the victim care. What you are talking about is the Border Force officers, the police officers and the actual people involved in making those decisions. I don't have a figure off the top of my head. It would probably be very difficult to arrive at, because victims of slavery are being picked up in the course of a whole range of agencies' normal work. We will give a best estimate to you, and describe to you the process and an idea of the numbers of people involved, so you can see.



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It would be very helpful for me to see the evidence that you have had about the scale of re-trafficking, because what we are focused on is getting people into the mechanism and looking after them, so that that is not the case at all. Once there has been a decision, they are looked after, either returning to their countries—if that is what they want to do—or passing on and staying in our country, well supported by the normal system. I would like any information about the scale of that. It is only through following the victim's path to see what is going on that, subsequently, we can figure out how we can prevent that from happening in the first place.

Q184 Neil Coyle: It was the Human Trafficking Foundation that was saying that the police are talking to it about people who are referred multiple times. It would be strange if you are requesting information from the Human Trafficking Foundation that is actually available from the police.

Sarah Newton: I meet with my police lead. I have a police lead for each of the areas I am responsible for, and that issue has not been raised with me by my police lead. He has not raised this issue. Remember, it is mostly the police who are making the referrals, so they have the ability to do that. As I say, that has not been raised with me, but when I meet with him—because I have my regular meetings—I will specifically ask him if that is an issue and to give me examples of where it is an issue.

Q185 Neil Coyle: I think that there is processing as well, anywhere. The point that was being made by the Commissioner was that there could be better support available, rather than just multiple referrals, which are costing but are not achieving the outcome.

Sarah Newton: As I say, that is not a problem that has been raised with me. The Human Trafficking Foundation does a lot of excellent work—I read their report, “Day 46”—and I have absolute sympathy with their findings, and we are taking those findings into our work to reform the referral mechanism. I work with Kevin Hyland, who has made some extremely helpful points. We will be considering those in the work that we are doing in evaluating the pilots, looking at how we are going to reform the system so that it can work better for victims and help us to get those much sought-after prosecutions and convictions we all want to see.

Q186 Chair: We will go back to Elizabeth Butler-Sloss on that, if we may, Sarah, and help you with that. Can I ask you a last question, Damian? We have the NRM. Is there a system in place for people who you feel are entitled, where the DWP knits into that period, so that people don't fall through any gap whatsoever, and so that 100% of the people entitled to benefits are picked up and their rights to benefits established?

Damian Hinds: Yes. During the recovery and reflection period, when people are in the care of the Salvation Army or their contractors, they do have people available to them to give them advice on benefits, work and accommodation—all of these things. That is probably the single most important part of the system. At our end, at the Jobcentre end, we are



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also trying to raise awareness of the appropriate way to deal with this on the part of people working in the Jobcentre and in the benefit system.

Q187 Chair: Can I just interrupt, Damian? Supposing you or I went into the NRM, and our right to remain had been established, if only temporarily. As Sarah was explaining earlier, the experience of being a slave is so total on somebody—I mean, I don't understand how anyone ever recovers from it—that I want to remain here, but I could not possibly work at the moment. Would you expect the NRM agency to come with me to Jobcentre Plus to get me registered?

Damian Hinds: In the scenario you are painting, you have been granted DL, discretionary leave, in which case you have the same entitlement to benefits as a UK national. In the circumstance you have just outlined—obviously we are painting a picture, we don't know all the circumstances—it sounds to me quite likely that it is somebody who would qualify for ESA. One way or another, yes, a support worker from the support service could go with the client to the Jobcentre. It is also possible in some circumstances that you could have the Jobcentre go to the safe house, and we have good partnership working in quite a lot of places.

One of the things Sarah and I have been talking about is how we can further formalise that, so that in every Jobcentre or Jobcentre cluster, you have a partnership manager who has a relationship with the safe house. Many do, don't get me wrong. We can formalise that, and ensure that they have a relationship with a safe house, where there is one in their area, and try to make that process absolutely as smooth as possible.

One example of a practical thing that has started to happen is that the Salvation Army now has a template letter that they hand over to explain the circumstances the individual has been through, and why there might be some problems with documentation and so on, and that can then go to staff working in DWP.

Q188 Neil Coyle: The Salvation Army or a council, if it is providing emergency accommodation, may find a barrier within universal credit, because of the limitations on how long they have to have lived at one address, and how long they are legally supposed to support someone in a particular kind of emergency accommodation, which is something the Committee is coming to you about separately. There might be universal credit barriers to getting support quickly enough.

Damian Hinds: We want to make the transition or handover as effective as possible. That could include somebody from the support service coming with the individual. We could arrange for translation services and so on where needed. The letter I was talking about from the Salvation Army can also help in establishing how long the person has been in the country. We want to make the system as good as it can be.



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Q189 **Neil Coyle:** It may need to be exempt from universal credit. I have a question that goes back to the statutory guidance point you were making earlier. Is the new guidance only for two years?

Sarah Newton: What will happen at the end of this is that we will come up with a much better, improved system, and then it is a question of enacting a part of the legislation, which already Northern Ireland and Scotland have done, to put it on a statutory basis. The reason we have not wanted to put it on a statutory basis is that we knew that we needed to improve the mechanism. When we put through the legislation and we started using the national referral mechanism, some issues were identified as areas in which we could improve. Hence the 2014 review, hence all the pilots, and hence all this work that we have been doing, which we are now bringing to a conclusion, and the evaluation, which will then create the new system.

Once we are completely satisfied—and you will want to be satisfied; all of us will want to be satisfied—that we are properly looking after victims and it is working in the best way that it possibly could, then we will put it on a statutory footing, but we have not wanted to do that until we have got it absolutely right.

Q190 **Neil Coyle:** Once it is implemented, how long will it last?

Sarah Newton: To be honest with you, I don't know how long it will last. I would like to think that with everything we do as a Government, especially where victims of crime are concerned, we are always looking to see what more we can do to improve the system.

Q191 **Neil Coyle:** The reason I ask is simply because the Government are making the distinction between non-EEA and EU countries and every other country when, within two years, there may be very different rules. Why would you have two systems of the DL?

Sarah Newton: I see. I am so sorry. I am pleased you raised that. What you are talking about there is the decisions that are made around immigration as they affect people who are victims of slavery. The mechanism is about treating the victims in a particular way. We established at the beginning that decisions on the immigration status are taken separately to the decisions about their status as a victim of slavery. You are absolutely right: for the EU citizens, as we go through the Brexit discussions, our immigration system will be changing to reflect the fact that we will no longer be members of the European Union. All of that will be taken into consideration, but as I say, the decisions about immigration are not unrelated but separate.

Q192 **Neil Coyle:** The new guidance will make clear what will happen?

Sarah Newton: Yes.

Q193 **Chair:** Before I thank you, clearly there may be some areas where you felt you would be able to present your Departments in a really good light,



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hence the amount of statistics that you brought. Might I invite you to pose the questions to yourselves, so that we can get on record things that would be helpful for our report? Damian, might you begin? Is there something that you expected us to ask that, in our diminished circumstances, given all the pull of the Chamber, we have not asked, which you think is rather important for us to know about before we bring this inquiry to a conclusion and write a report, which we hope is going to be one of the things that influences the new statutory guidance?

Damian Hinds: I wouldn't say there were areas absent from the line of questioning, Chairman. As ever, this Committee is forensic in its approach to getting to the key issues.

Chair: Enough of the flattery, Damian; that is what it is.

Damian Hinds: I suppose the point I would make is that we are all seeking the same thing on this. We have a truly, genuinely, internationally ground-breaking approach, which you personally were very involved with in the Modern Slavery Act. We are in the relatively early days of this, and we constantly have to get better. I was not at any point going to sit here and say I thought that everything about our approach was ideal. There are places, areas and aspects that we can absolutely do better on.

The assurance I would want to give the Committee is that I know that Sarah and I—in terms of the interaction between our two Departments—are absolutely as one on that. Things like making sure that the handover from the care contract to DWP is as effective as it could be, making sure that people are always treated as they should be, making sure that we can spot potential victims of slavery to the best of our ability—all these things we can improve upon, and you have our commitment that we will.

Q194 **Chair:** That is right for the individual, isn't it, Damian? Without that, we will never get those prosecutions up, unless people feel secure and that they are safe and are treating them seriously. The idea of going into court against these monsters is impossible, I would have thought. Sarah?

Sarah Newton: I will send you quite a lot of simple numbers about the NRM and the people in the NRM: where they come from, the splits between EEA and non-EEA, and the number of people who are claiming asylum. You will find it interesting to see the interrelationship between the immigration system and the NRM. From looking at the evidence you have received, sometimes there was quite a lot of confusion. I think it will help you with some clarity, and also provide you with reassurance that what we are saying—that people can have discretionary leave to remain, so that they are supported and can give evidence, so that we can get prosecutions—is absolutely happening.

Also, I am going to send you some pen portraits, which we did not have a chance to speak about today. There will be people who have been accepted into the mechanism that we don't say can stay in the country, for some very good reasons—because they are quite serious criminals



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themselves. I want to give you some examples, because while it is true, as you quite rightly say, that this is an absolutely horrendous crime, there are some people who go through the system, and we find out that they are criminals themselves, so you wouldn't want them here, and we wouldn't want them here. It is important to know that and to understand that.

We want to give you some examples, so that you have the full picture of the range of people who are going through the system and why not everybody going into the NRM comes out as a confirmed victim. I think that will help you put some of the evidence that you have seen in context. As well as the numbers and pen portraits, just to reassure you, I will give you examples of where victims don't have to be in the UK—where people have decided, and we have decided, that it is perfectly safe for them to go home, and they want to go home, but their evidence is used to achieve prosecutions here. I think that would help round out some of the other evidence that you have seen.

Q195 **Chair:** That would be brilliant to have. Great. It has been a great—the word “performance” comes to mind; it is not a performance. It is reassuring to see the way you are responding to the complexity of this issue. We hope to add to the simplicity of it when we submit a report to you.

Sarah Newton: We very much welcome your findings to help us. Thank you.

Chair: Thank you, all four, for coming today. That was really helpful.