

Public Accounts Committee

Oral evidence: Reducing Modern Slavery & Emergency Services Network: progress review, HC 886

Wednesday 21 February 2018

Ordered by the House of Commons to be published on 21 February 2018.

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Members present: Meg Hillier (Chair); Martyn Day; Caroline Flint; Gillian Keegan; Shabana Mahmood; Layla Moran; Stephen Morgan; Anne Marie Morris; Lee Rowley; Gareth Snell.

Sir Amyas Morse, Comptroller and Auditor General, Adrian Jenner, Director of Parliamentary Relations, National Audit Office, Tom McDonald, NAO, and Marius Gallaher, Treasury Officer of Accounts, HM Treasury, were in attendance.

Questions 1-176

Witnesses

I: Beth Sizeland, Director for Tackling Modern Slavery and Exploitation, Home Office, Kevin Hyland, Independent Anti-Slavery Commissioner, and Lynne Owens, Director General, National Crime Agency.

II: Joanna Davinson, Chief Digital, Data and Technology Officer, Home Office, and Stephen Webb, Senior Responsible Owner, Emergency Services Mobile Communications Programme, Home Office.

Written evidence from witnesses:

– [Add names of witnesses and hyperlink to submissions]



Examination of witnesses

Witnesses: Beth Sizeland, Kevin Hyland and Lynne Owens.

Q1 Chair: Welcome to the Public Accounts Committee on Wednesday 21 February 2018. Rather pertinently, given the news in a very good investigation by BuzzFeed, we are here today looking at reducing modern slavery and the challenges of implementing the policy that the Government put forward and implemented in the Modern Slavery Act 2015. The Government introduced the modern slavery strategy in 2014 and then the Act came in in 2015, so we are now two to three years into that. We want to examine today what is working and what is not.

Before we kick off the questioning, I want to introduce our witnesses. From my left to right we have Kevin Hyland, the independent anti-slavery commissioner, Lynne Owens, the director general of the National Crime Agency, and Beth Sizeland, who is head of safeguarding at the Home Office. Welcome, Ms Sizeland. I think this is the first time you have appeared before the Committee. We want to check what "head of safeguarding" covers in the Home Office, as you are new to us.

Beth Sizeland: My job title is slightly different from that, actually: I am the director for tackling modern slavery and exploitation. That covers the modern slavery unit, but it also covers child sexual exploitation, offline and online.

Q2 Chair: Okay. It is quite a big job, then. Can I just check that you are a director at the Home Office?

Beth Sizeland: I am a director, as of four months ago.

Q3 Chair: Were you in the Home Office before then?

Beth Sizeland: I was at the Department for Transport, where I was a security adviser to the Secretary of State and ran the crisis response teams.

Chair: Thank you very much. You are a late-notice substitute, because the permanent secretary is not well, so thank you for stepping up. We are a friendly bunch.

Beth Sizeland: I am looking forward to it.

Q4 Caroline Flint: Of course we are a friendly bunch. Before I start asking questions, I just want quickly to put this in context. All of us on the Committee know that, when it comes to this area of public policy, the United Kingdom is ahead of a number of other countries. I just wanted to get that on the record, because I don't want it to be taken out of context, as though we do not recognise that. However, it appears from the NAO Report that there are some glaring gaps in our understanding of this crime and how it manifests itself. There are also problems about clear lines of accountability, how much money is spent across Government and how effective the governance and performance frameworks are. Ms Sizeland, why is there such a poor understanding of this crime? Although



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I take the Chair's point that the legislation has been on the books for only a relatively short time, this issue has been under discussion since 2009.

Beth Sizeland: We have a better understanding of the crime than we did in 2009. We have a better understanding of the nature of these crimes than we did in 2014, when the strategy was put together.

The first thing I want to say is how difficult it is to get a really good understanding of modern slavery. "Modern slavery" is an umbrella term for a whole set of different crime types. We have broken those down into 17 different crime types, and there are four different subsets. There is a whole range of different perpetrators, different victims and different crime types, and that poses some real challenges in terms of understanding the nature of the crime and the scale of it. I would say that it is really difficult. We are the first country to have done really scientific, robust estimates of the scale, for example.

Q5 **Caroline Flint:** Have you? Can you describe how you have got those robust estimates, because that does not really match up with what the NAO Report says? I think that our last estimate of any real significance was in 2013, when it was said that there were 10,000 to 13,000 potential victims and that the cost of sexual exploitation was over £890 million. But there has not really been very much since to pin down the extent of the problem, has there?

Beth Sizeland: That estimate in 2014 by Bernard Silverman was based on a whole set of methodology and data that is no longer available. When there is no direct way of measuring a population and a hidden population, it is really difficult to give a prevalence estimate with any great confidence.

Q6 **Caroline Flint:** So there is no robust estimate?

Beth Sizeland: As of now, the only estimate that we have is the 2014 estimate, but that is not all we are doing in this space. We are doing a lot of work. If you look at where we are now, even since six months ago, and at the amount of work we are doing in the Home Office on both the nature of the problem and its scale, you will see that there is a really significant range of activity going on here.

Q7 **Caroline Flint:** Okay. Well, maybe I will pursue that a little bit further with some more direct questioning about different aspects of how you attain that.

Perhaps I can ask Lynne Owens a question. One thing that has been introduced that wasn't there before is the joint slavery and trafficking analysis centre. Could you tell me, Ms Owens, how you are currently using that intelligence, and what added value it has given in understanding the problem?

Lynne Owens: That analysis centre was funded through the police transformation fund, which was money allocated via the Home Office, from the Home Secretary, in November 2016. The unit has been fully operational and running fully staffed since April 2017. They look at



tactical, operational and strategic intelligence. What does that mean in the real world? It means they take intelligence product from police forces and from the national referral mechanism, they engage with NGOs and they produce strategic products that inform the Home Office policy, but they also, very importantly, inform the work of all the law enforcement operational agencies, whether that is the Gangmasters and Labour Abuse Authority, Immigration Enforcement or any of the 43 police forces in England and Wales.

Q8 **Caroline Flint:** Can you give me one or two examples of it telling you something you did not know before?

Lynne Owens: Yes. They have produced a number of products. The first thing they have done is some really detailed work on victim background, and that has led us to the view that the countries of prevalence are actually different from those we had thought previously. That has really good operational effect for the National Crime Agency. One of the specialist capabilities we have is about 170 officers deployed overseas, and that information is now informing our deployment of those officers, so that we can make sure they are in the right countries at the right scale, to ensure that the response in support of the UK's modern slavery—

Q9 **Chair:** Can you tell us which countries changed? I am trying to find the place in the Report that lists the main countries.

Lynne Owens: The product that has recently been released has changed the nature of the project. We know that there are now more UK victims than we thought previously, and countries such as China and Albania have moved into the top 10.

Q10 **Caroline Flint:** The Report says that "Albania, Vietnam, China, Nigeria and Romania" make up "almost 50% of all adult referrals since 2009." That is in paragraph 2.7. It also says that UK and "Other EEA nationals were also more likely to be recognised as confirmed victims of modern slavery". Is this new information different from what is in the NAO Report?

Lynne Owens: Yes, there is a new product since the NAO Report, which is a product from the analysis centre.

Caroline Flint: Okay. Maybe we will follow that up with some more questions.

Q11 **Chair:** How fast does that information flow through from reality? That is a bit of a change. Is there a time lag in getting that data?

Lynne Owens: The data incoming to that product is data that was taken out of the NRM. Therefore, it is reliant on the research that goes into the NRM. It is also quality assured through the NGO framework.

Q12 **Chair:** So it is not real-time.

Lynne Owens: It is absolutely not.

Chair: What is the rough time lag then—a year, six months?



Lynne Owens: They looked backwards in time. I could not tell you the exact period of time they covered. I can get back to the Committee with that information. It is not a weekly or bi-weekly product, because that is not the way that victims report into the national referral mechanism.

Q13 **Caroline Flint:** I will come on to the NRM. Again, concerns have been raised about the way in which organisations on the frontline put the information in—whether they are doing it correctly or whether there is double counting and all that. May I come back to Ms Sizeland? The aim of the strategy is to significantly reduce prevalence of modern slavery in the UK. That is the top aim. How do you know that you are achieving that?

Beth Sizeland: Over the last six months, we have developed an enhanced performance framework that is used in the implementation taskforce that is chaired by the Prime Minister. That is a standing item at the start of every single one of those meetings. That covers a whole set of information from law enforcement to prosecutions. As part of the work we have done over the last six months, following discussions with the NAO, we have really embraced some of the recommendations coming out of that. We know we need to do more on the performance framework and to measure our success against the strategy. We have enhanced that and we are looking at new datasets that we can capture to provide a more robust assessment of our success. We are also looking at better exploiting some of the existing datasets that we have. Digitisation of the NRM will also provide a whole set of new information that will enable us to track victims in statistical terms through the system and give us some really qualitative outputs in terms of the human experience of going through the system.

Q14 **Caroline Flint:** Thank you for that. In paragraph 1.4, page 18, of the NAO Report, under “Measuring progress”, it states that different performance frameworks are being considered by the Home Office. What do you want the performance framework to do that is not being achieved now?

Beth Sizeland: We want it to be a more holistic framework. We want it to take a more balanced view. At the moment, we have a lot of data on law enforcement—a lot of pursue data—which is great and enables us to understand how much impact the NCA has had in its step-up in activity over the last year or so. We have less information about the victim and how they progress through the system.

Q15 **Caroline Flint:** Why is that, given that this has been a Government priority for a number of years, spanning three different Governments—2009, 2010 to 15, 2015 to 2017 and now?

Beth Sizeland: That is mainly because the national referral mechanism system can be kindly described as clunky. It is not a system that enables us to use data in a sophisticated way. That is why, in the national referral mechanism reforms that Ministers announced last year, digitisation of that system was such a priority. That will enable us to understand much better the trends and the statistics.

Q16 **Caroline Flint:** Ms Owens, I understand that the National Crime Agency



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has mapped responsibilities across the organisations involved in law enforcement. Is that correct?

Lynne Owens: Yes, that is absolutely correct. In November 2016, I made modern slavery and human trafficking one of the top priorities for the whole of law enforcement. That led to some very important shared work between ourselves and the lead for modern slavery and human trafficking, who is the chief constable of Devon and Cornwall, Shaun Sawyer. We established a strategic governance group under one of my directors, Will Kerr, which meets quarterly and feeds into a threat governance group chaired by Shaun. Then there is a six-weekly delivery group chaired by the assistant chief constable from Dorset. Through that, whether it be the GLAA, IE, ourselves or Border Force, we are really clear on who has what responsibility in what circumstances, and we can prove that we are tasking up and down the system, to the point where there are about 600 active operations live now, which is double the number at this time last year. I say "about" because the numbers vary, but at any moment in time I could give you the exact number.

Q17 **Caroline Flint:** I think it is welcome that the NCA has mapped out responsibilities across the areas it covers, because apparently the Home Office has not; I will come on to that in a minute, Ms Sizeland. However, Ms Owens, the Report seems to indicate that despite that mapping out, which I think is a good thing, police forces and others continue to report a lack of clarity about the NCA's precise role in all this. Why do you think that is?

Lynne Owens: That lack of clarity was reported in Her Majesty's inspectorate of constabulary's report on modern slavery and human trafficking. In the introduction to that report, they clearly state that it is about a moment in time. The fieldwork was done in March 2017 and, as I said in an earlier answer, the investment in the regional structures to support this did not take place until April 2017. They will find a different picture on re-inspection.

Q18 **Caroline Flint:** Do you think that will deal with what is quite a dramatic regional disparity in how police forces are tackling this crime?

Lynne Owens: We would expect some disparity because of the nature and type of the crime. We operate within a localised policing model in the UK. Although the structure I have described to you can be confident in the operational response, what it does not deal with is the funding response. Funding decisions are down to local police and crime commissioners. While we have had some very good support from the PCC for West Yorkshire, Mark Burns-Williamson, who is the lead in this area, there is a disparity in funding through the local funding formula. That is a risk because we know that the police transformation fund moneys are effectively only for two years, so there is a question about what happens when they end.

Q19 **Caroline Flint:** I will come back to funding in a little while, Chair. Ms Sizeland, the NCA has done a mapping and scoping exercise against all the law enforcement agencies and organisations involved in this. From my information and from the NAO Report, that is not something that the



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Home Office has done. Why is that?

Beth Sizeland: There are two aspects to this. First, we recognise from the NAO Report the need for better coherence in the whole programme of modern slavery work across Government, and that includes mapping the roles and responsibilities. As part of that, the national security adviser, Mark Sedwill, has appointed a senior responsible officer in the Cabinet Office, who is one of the two deputy national security advisers.

Q20 **Caroline Flint:** Who is that?

Beth Sizeland: Christian Turner. His role will be to co-ordinate and ensure coherence across the modern slavery programme, to look at targets and deliverables and to assess risk. As part of that collaboration with the Cabinet Office, we will be mapping all the roles and responsibilities across Government. That has come out of the discussions following the NAO Report.

The second aspect of it is the NRM reforms. From a Home Office perspective, as part of those reforms we will absolutely be mapping out all the roles and responsibilities in relation to victim identification and victim support. We will be publishing that through statutory guidance when parliamentary time is available.

Q21 **Caroline Flint:** When do you think that might be?

Beth Sizeland: It is difficult to say. We are actively mapping those roles out now, but the actual publication will be dependent on parliamentary time.

Q22 **Chair:** When will you be ready? We understand that you cannot control parliamentary time—if only anyone could!—but when will the Home Office be ready?

Beth Sizeland: That piece of work is starting now with the programme of work over NRM reform and will happen over the next—

Q23 **Caroline Flint:** What sort of timetable have you given to complete that work to present to Ministers?

Beth Sizeland: I will need to get back to you on the exact timetable for that.

Q24 **Caroline Flint:** Thank you. Just to clarify, did you say the SRO was called Christine Turner?

Beth Sizeland: Christian.

Q25 **Caroline Flint:** Oh. I thought we had a woman in charge. There we go.

Beth Sizeland: Sadly not.

Q26 **Caroline Flint:** Well, we do have Lynne Owens as head of the NCA. So is Christian Turner the single responsible person for this strategy overall?

Beth Sizeland: The Home Office retains the policy lead. To embrace the recommendation that we need a better way of providing coherence and a



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positive, collaborative leadership across Government on this agenda, we needed a single point of contact where all the Government elements could connect in. The Prime Minister's implementation taskforce is a brilliant and effective forum, but what it does not do is allow Government and Government alone to work through the issues, programmes and risks. This is our shared fix for that problem that was identified in the NAO Report.

- Q27 **Caroline Flint:** We will watch that with interest. It is good to have a named person at a high level involved in this. May I check on a couple of other things that arise from your answers? In the mapping of responsibilities that you outlined, will you take the opportunity to look at whether there are overlaps or unco-ordinated working? Paragraph 1.9 highlights the fact that the Home Office has previous, to put it that way, when it comes to creating committees and boards that tend to be rather bureaucratic and to overlap in function. Will this exercise take a hard look at what is necessary and, importantly, at the governance of the organisations that do this work?

Beth Sizeland: Having taken this job to get things done in this space, I am not going to be in the business of creating bits of governance for the sake of it. We absolutely want to understand where the overlaps are and where the lack of co-ordination is. We will be doing that through Christian's group, but also internally in the Home Office with our connected bodies and organisations.

- Q28 **Caroline Flint:** Will that include monitoring and oversight of the risk to delivering the strategy across those bodies that are involved?

Beth Sizeland: Yes.

- Q29 **Chair:** What difference will people on the ground see? We have heard some interesting evidence from people providing support on the ground.

Beth Sizeland: In terms of the Home Office?

Chair: You were saying that you do not want to create a governance procedure that is complicated and unnecessarily bureaucratic—I am paraphrasing what you said. But what will that mean for people on the ground? In your view, what would success look like for them if you were getting the co-ordination better at the centre?

Beth Sizeland: Success will look like a better process by which victims are identified, enter the system and are managed all the way through. The victim experience should be better as a result of de-confliction of responsibilities and people being clear about their roles.

Chair: That is a good pledge. I am sure they are all listening behind you and scribbling down that you have promised that.

- Q30 **Caroline Flint:** Could I go back to the NRM? My colleague Stephen Morgan is going to come in with questions on the people passing through it, but I want to concentrate on the system itself. When will the digitisation of the NRM be complete?



Beth Sizeland: I hope we have a good story to tell you on digitisation, which has been a long time in the making. With the digital NRM, we have just been through the procurement process, we have identified a supplier and we expect to sign the contract imminently. The build will start in March, and the system will be built by the end of the summer. There will then be a period of testing and training. The migration of the data from the old system will happen in the autumn, and that system will be ready and fully functional by the new year. The single casework team that we are looking to establish through the national referral mechanism reform will be able to go straight on to that system, and after the new year, there will be a period of time where it runs and is tested in order to have a smooth landing.

- Q31 **Caroline Flint:** A single casework system—does that mean that all organisations involved in referring individuals will be working to the same system of identification and that the inputting will be as rigorous and clear as possible, with no double-counting and no slightly shaky or flaky interpretations? Is that what we are looking for?

Beth Sizeland: Yes. We have worked with a whole set of first responders in designing the system, which is one of the reasons why it has taken a little bit of time. We have been able to draw up the specifications in a way that means users at the front end of the system will be able to directly input information, and it will go immediately to the caseworking team. Under the current paper-based system, if elements of the form are not filled in, caseworkers have to come back round and get the form resubmitted. The electronic form will guide users to fill in the necessary information to refer potential victims into the system as quickly as possible.

- Q32 **Caroline Flint:** In terms of your baselines, where will the existing data be held after you move to the new system, given that there are questions about the validity and quality of some of that data? Will they just be transferred over, or will there be an interrogation against the new verification to see whether it should go on?

Beth Sizeland: My understanding is that all the data will migrate over. I would need to go away and check the exact process for validating that information through that process of migration.

- Q33 **Caroline Flint:** But you don't want it muddled by data that isn't great.

Beth Sizeland: Yes, that's true.

- Q34 **Caroline Flint:** So that will be looked at, will it?

Beth Sizeland: I will look at that, yes.

- Q35 **Caroline Flint:** But you don't know yet whether there will be just a migration—well, there will be a migration over, did you say?

Beth Sizeland: Yes. In the autumn, after a period of trialling and testing, all the data will be moved over; and I will get back to you on that particular issue.



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Q36 **Caroline Flint:** It will be useful to know. That brings me to the issue about baselines again, and how you are going to establish a stable baseline to identify targets. Can you tell me how that is going to work?

Beth Sizeland: In relation to NRM casework?

Q37 **Caroline Flint:** Well, for example, paragraph 1.5 of the Report says that the Home Office cannot identify targets, as it first needs to establish “a stable baseline”. I am trying to understand how you are going to arrive at that stable baseline—there may be more than one baseline—but also how that is going to inform your targets; and what sort of targets do you think will come out of that?

Beth Sizeland: This brings me back to the point about understanding the scale and nature of modern slavery in a much more sophisticated fashion. Any targets we set now would not be as informed as they could be in six or 12 months’ time. I have talked about how challenging this is already, but there is a huge amount that we are doing to establish that baseline. Lynne has already mentioned JSTAC, which has produced some really valuable strategic-level intelligence products that help us to understand the subject, but also some really specific ones—for example, around adult sex websites. There has been a really good recent report on the specific subject.

That is happening to build our base evidence. We have also produced a report called “A Typology of Modern Slavery”, which is a really good description of what modern slavery is and the various types and subsets. It is a really powerful analytical tool, we think, because it enables us to break a very diffuse and diverse set of issues down into more manageable chunks. It enables us to understand, for example, the nature and scale of exploitation in the agricultural sector versus the trafficking and sexual exploitation of women, which are very different challenges in terms of policy and law enforcement. The typology report is a really powerful starting point for us to dig into all those subjects more deeply.

We have also funded the UN University to set up a global platform for data and evidence. That will come online in the summer of this year. It will give us a portal into a whole set of other, international information that we have not had before.

Q38 **Caroline Flint:** I think this is very positive—the fact that you are addressing the information and how you gather it. You have told us that you are going to be mapping organisations; there is going to be more oversight of risk in relation to all the organisations that the Home Office has a responsibility for, in one way or another. It sounds to me as though if this all pulls together, you will have a set of measures to do performance assessments, but also to tell us what success might look like, which is obviously missing at the moment.

Beth Sizeland: That is absolutely the goal, yes.

Q39 **Caroline Flint:** What is the time span for all this? When will you be back in front of us, saying, “Here are our measures of success for the



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strategy's objectives"?

Beth Sizeland: When you next invite Philip—

Q40 **Caroline Flint:** That could be next week, on something else!

Beth Sizeland: I hope to be able to come with a much more enhanced performance framework pack, which will be the thing that we use to put in front of the Prime Minister to monitor this. I also hope we will be in a position to have some clearer targets, and, particularly once the national referral mechanism reform comes online, we will have some specific operational targets around that.

Q41 **Caroline Flint:** I want to come on to how much Government is spending in this area. How much do you estimate the Government is spending on tackling modern slavery? How much has it spent in, say, the last year?

Beth Sizeland: It is very difficult to disaggregate all public spending on modern slavery from the individual lines of accountability. I can speak to what the Home Office spends on modern slavery, but for the wider programme, it is almost impossible to give a—

Q42 **Caroline Flint:** Why is that so difficult across Government Departments in Whitehall?

Beth Sizeland: It is not just Government Departments; it is also law enforcement. These are capabilities that are used across a whole spectrum of threats, so it is hard to unpick which elements of those are used for modern slavery and which are used for other types of threat.

Q43 **Caroline Flint:** But you can understand that it sounds quite worrying—not only to members of the Committee, but maybe to people outside—that we haven't really got a grip on this across Government. Obviously there is an issue about the contract with the Salvation Army, which has gone from £40 million to £42 million, with estimated overspending meaning it will go up to £90 million. Lots of other organisations—local government and others—have a role in this. It is not just about the amount, but how effectively that money is being spent. Are you worried about that?

Beth Sizeland: From a Home Office perspective, I am very confident that we are getting value for money.

Q44 **Caroline Flint:** Correct me if I'm wrong, but the Home Office actually has overall responsibility for this area. Am I correct?

Beth Sizeland: We have the overall policy lead for this area. We have not taken on financial accountability for other Government Departments' spend.

Q45 **Caroline Flint:** So who has?

Beth Sizeland: In each Government Department and agency, their accounting officer has responsibility for their spend in this area.

Q46 **Caroline Flint:** Why is it impossible, given that there are various



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committees that bring together different parts of Government, to pull together an overall figure for what is being spent and on what, so we can see, first, if it is working, but also if there are overlaps or smarter uses for the money?

Beth Sizeland: You could probably fairly challenge us to pull together more of a picture of the programmes that are specifically related to modern slavery across Government. Perhaps we could pick that up in some of the cross-Government co-ordination with the Cabinet Office. As for getting a picture of total spend on modern slavery issues through agencies and Government Departments, I think it would be really hard to give you a very accurate assessment of that.

Q47 **Caroline Flint:** But it is very hard to understand how you can identify whether a strategy is effective—both the policy and the implementation of policies or programmes—if we haven't got an overarching view of how much is being spent and where, and where some efficiencies could be made, or where some of that money should be taken from one place and put into another and be better spent. I do not quite see how you can arrive at a performance framework and understand what success looks like without understanding what resources are going into it. Do you agree that that is impossible?

Beth Sizeland: Individual Departments understand which resources are being allocated against their responsibilities. That all comes together in the overarching performance framework.

Q48 **Caroline Flint:** You cannot have a strategy on policy without an overarching view of what money is being spent to deliver the strategy. That seems like common sense to me.

Beth Sizeland: We could pull together a better picture of the actual programmes of work that are modern slavery-specific, but I think it would be really hard to unpick spend.

Q49 **Chair:** Can we take the example that Ms Owens raised earlier about some police and crime commissioners very much committing to this, and the two-year funding package for some of that? Some commit more than others. We see the map showing the hotspots, but maybe they are hotspots because those police and crime commissioners are doing the work to find the people who are trafficked. Surely if you know what is working well, you can begin to extrapolate what money the police, for example, need to deal with this issue? It currently sounds a bit finger in the wind.

Beth Sizeland: We don't have a finance system that enables us to easily move money around the modern slavery system. The money lives within the organisation that the activity is taking place in.

Q50 **Chair:** Let us say that a joint enforcement exercise is required, perhaps involving farming, police—for enforcement—social services and so on. How would that be pulled together if one of that group didn't have the money committed in their budget?



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Lynne Owens: On the specific question that the Chair is asking, if there was an intelligence package that went to a local police force that required a subset of local partners, there would be a tasking request to make that happen. That money is devolved at a very local level. On the question about how budgets are aggregated, I wonder if it might be helpful for me to give you the National Crime Agency as an example of why this is complicated for the Home Office.

As an accounting officer, my core budget is about £377 million; I have some grants on top of that, but my core budget is £377 million. Some of that budget is allocated to modern slavery and human trafficking. Through the work and the investment and business plan, I can prove we are investing year on year, because we see it growing as an area of work.

Other areas of our business—our intelligence collection and our investigatory teams—do not cover just one threat area. They respond to all of the seven threats. For example, we know—we can evidence this through the work that JSTAC has done—there is overlap between modern slavery, human trafficking and organised immigration crime, and there is overlap between modern slavery, human trafficking and child sexual abuse, so it is right that I build intelligence teams that are threat-agnostic, so that they can respond. I would argue that the totality of my budget is available for spending against modern slavery and human trafficking, and I can specifically tell you that 39 of my international liaison officers are based in countries that have a primary focus on modern slavery and human trafficking, but it is complex, because it is not a threat that you can look at in isolation.

- Q51 **Caroline Flint:** I totally accept that, Ms Owens. Nobody is trying to suggest this is a simple area, but it does not operate in silos of Government. You could be looking at housing and homelessness, for example. The recent report that the Chair referred to said that the people living on our streets are often vulnerable to being coerced into modern slavery, or there could be another aspect in terms of the immigration service and what it might identify there. Again, Ms Sizeland, there is no attempt to evaluate what is being spent on this strategy across Government and across the agencies. There seems to be a gap, so is there a gap that should be filled?

Beth Sizeland: I think we are making really positive headway into our performance framework. Under Christian's cross-Government coherence plan, we will look at cross-Government finance. I don't know whether that meets your standard of being able to map the entire Government spend on modern slavery. I am not sure we will be able to achieve that, but we will certainly look at performance in relation to the spend across Government and those agencies and Departments that own the levers and activities that they are responsible for in that modern slavery landscape.

Chair: We need to bring in the Comptroller and Auditor General.

Sir Amyas Morse: There are a lot of comparable activities where you make efforts across agencies and Departments. That applies in law



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enforcement and in other comparable areas. In all those areas, you have the same problem that you need to find a solution to. It does not have to be exactly precise, but you need something. The better you get at measuring in other areas, the more this will really stand out as a gap in relation to how much resource and effort is going in. I am not trying to criticise you, but you need to think about this. I would take the point forward if I were you.

Beth Sizeland: Perhaps there are some positive models that the Committee could share with us that we could learn from. The one thing about the modern slavery portfolio is that we are a team at a relatively early stage with all of this, so there are not many models that we have identified in this type of work, with this level of complexity across Government, that we can take major lessons from. If there are models, particularly around funding and accountability—

- Q52 **Caroline Flint:** Domestic violence is an example that cuts across the Home Office as well as the NCA, I am sure—and other agencies across Government. There has been an attempt there to try and pull together how much spend there is inside and outside Whitehall.

Beth Sizeland: We will take that on and look at it.

- Q53 **Anne Marie Morris:** Very briefly, Mr Hyland, there is clearly a considerable lack of clarity as to what modern slavery is. In your role, that must be key. We have heard from Ms Sizeland that you have divided it down into 17 specific crimes. For me, the bigger issue is the overlap between what I would describe as poor employment—breach of gangmaster licences—as against something where somebody is actually enslaved, where they are the victims of physical or mental harm; and there is the asylum piece at the end. My question to you is: when you look at this, what do you include in modern slavery, what do you exclude, and to what extent is the test for forced employment subjective? I refer you to the case in Cornwall a couple of weeks ago, which raised this point.

Chair: The Cornwall case was the daffodil farmer, where there was a difference of opinion.

Kevin Hyland: I think, as has been explained, the complexity around modern slavery is something that law enforcement and others with a responsibility to respond—local government, the health service and so forth—need to start to understand, but as was mentioned, domestic violence can also be very complicated. What has been happening is we have not been looking at it through the lens of it being serious and organised crime and a crime of vulnerability. The response is through organised crime on the one hand, and vulnerability on the other, and those areas sit in totally different parts of policing. It is about bringing those together.

On cases like the one in Cornwall, yes, we see other cases. For example, there was the Sports Direct case last year—there was a big warehouse in



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Derbyshire where most people were being paid properly, but there were people within that who were being exploited.

What the policing needs to do is look at it in a far more organised way, as they would for other organised crime. What has happened is that everything around the Modern Slavery Act has almost become a fanfare response. It has almost become, "We have got to do it in this really big way," as opposed to it being business as usual, because we have added bits on all the time. As you have seen, I have been critical about the NRM, because it was something designed that could not work with any other system.

That is what we need to get back to: what do the systems do? What should they do? What are they supposed to achieve? The thing we have not done is: what is success? We need to get to that point. I report in my annual report on arrests, prosecutions, and victims identified, and we are including risk orders and prevention orders. Just recently, I have looked at 10 forces with a person that I employed to see how many of those 10 forces know how to do a risk order. How many have got the forms to do a risk order? How many have got the processes even to do the job? That is really patchy.

So we can create policies, processes and procedures that report upwards, but what is happening so that police officers across the country know how to respond appropriately to the issues in Cornwall? It does not mean that there has not been exploitation, but the feedback—this is what is said—is that it is not on the scale that was expected.

- Q54 **Anne Marie Morris:** Should there not be some separation between a breach of employment law, something actually causing physical and mental harm, and somebody facing potential violence if they go overseas in the asylum system? In a sense, how can you look at whether the Government is wisely spending its money if you have not defined what modern slavery is, and whether the money includes spending on a breach of a gangmaster licence or asylum cases? Clearly, there can be slavery in all of those, but how do you unpick it to ensure that we get value for money spent?

Kevin Hyland: There is a spectrum there, because one day somebody is doing something that is labour offences and next week—or in the same premises—there are people doing modern slavery. So there is a nexus between them. We know that a person is still the victim of domestic violence whether it is minor or very serious violence. When you read the Modern Slavery Act and other legislation, part of it is about prevention and not allowing it to escalate. I think the legislation clearly defines what modern slavery is, and there needs to be an understanding by law enforcement, the other people who have a response, and the Crown Prosecution Service, of what that looks like. When people understand the legislation and can respond to it, the demarcation is there quite clearly.

- Q55 **Anne Marie Morris:** Could you explain what forced labour is? What is the test of "forced"?



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Kevin Hyland: Sure. In our legislation, it is a decision for the courts or the prosecution service as to what it is, but if you were asking me what it is, in the case of modern slavery, when it falls under being kept in forced labour under section 1 of the Act, it is somebody who is being made to do something they do not want to do. They have not got their freedom and they are not being paid properly. It is not just that they are not being paid properly; it is far more than that. It is a test that prosecutors use before they prosecute. If it does not reach that threshold, there are alternatives, perhaps under the powers of the Gangmasters and Labour Abuse Authority or the Director of Labour Market Enforcement.

Q56 **Gareth Snell:** While we are talking about the legislation, may I ask about section 54, which is the requirement for large organisations with a turnover of more than £36 million to publish a modern slavery statement? Ms Sizeland, how many organisations in the country does the Home Office estimate ought to be publishing a modern slavery statement?

Beth Sizeland: Will be or have?

Q57 **Gareth Snell:** Should be.

Beth Sizeland: All our activity in this space is designed to drive up compliance with the Act.

Q58 **Gareth Snell:** So how many should be?

Beth Sizeland: Well, all should be complying.

Q59 **Gareth Snell:** Do you know how many that is?

Beth Sizeland: In terms of a list of eligible organisations that should be complying?

Gareth Snell: Yes.

Beth Sizeland: We do not have a list of all the eligible organisations, although we have written out to 10,000 that we think may be eligible, from the information that we have.

Q60 **Gareth Snell:** Okay, and how many of those 10,000 do you know to have already published a modern slavery statement?

Beth Sizeland: We do not monitor compliance with publication of those statements directly.

Q61 **Chair:** Can I just say that when the Minister answered a question in the House from a colleague of ours, she referred us all—I suppose our colleague particularly—to the modern slavery registry, but that is not set up by the Government.

Beth Sizeland: No, it is not.

Q62 **Gareth Snell:** What criteria or definitions did the Home Office apply, other than the turnover filter, to generate that list of 10,000 businesses that it believes ought to be publishing a statement?



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Beth Sizeland: Sorry, I would need to get back to you on the exact criteria.

Q63 **Gareth Snell:** Okay. The estimate is that around 3,000 of those 10,000 companies have actually published their modern slavery statement. What confidence do you have that the other 7,000 are going to be publishing a modern slavery statement so that they are compliant with section 54 of the Act?

Beth Sizeland: I just want to say that we should be really proud of this element of the legislation. This is absolutely world leading.

Caroline Flint: It's a tick-box exercise.

Q64 **Gareth Snell:** It is only world leading if people comply with it, isn't it, Ms Sizeland? Having a series of regulations with which two thirds of the organisations that should be compliant are not compliant is not world leading.

Beth Sizeland: Well, no other country in the world has a section 54. Australia is in the process of copying our section 54.

Q65 **Gareth Snell:** We have one, but it is not administered by the Home Office, it is not enforced by the Home Office and a number of companies are simply not regarding it. As I understand it from answers from the Department, the Home Office is unable to have a definitive list of people who should be covered by section 54 of the Modern Slavery Act.

Beth Sizeland: We are at a really early stage in this. The first year that businesses of that scale had to publish their statements was 2017. We are the start of this process.

Q66 **Gareth Snell:** How much notice were they given that they would have to publish in 2017?

Beth Sizeland: From the Act itself.

Q67 **Gareth Snell:** So they had two years' notice that they would have to publish a modern slavery statement. Would you have expected that to be sufficient notice for 10,000 organisations to publish a modern slavery statement?

Beth Sizeland: We have done a huge amount of awareness raising, and we are trying to do more of that. We are learning from other types of publication—gender pay gap publications, for example—to try to work out how to improve compliance. That is certainly where all our activity is designed to lead to in this space. We are trying to get that information, and encourage people to use the information that is in the public domain—that registry is one of those pieces of information—to put pressure on businesses to publish these statements. We know that that is happening. We know NGOs are putting that pressure on. We know the public is putting that pressure on.

Q68 **Gareth Snell:** Why should it be up to NGOs to put pressure on businesses to comply with an Act of Parliament? Surely it falls to the Department to



do that.

Beth Sizeland: Our approach has so far been to work in partnership with business, to share best practice, to raise awareness and to encourage transparency. The reason we have not gone down a more punitive route to date is that we have wanted to avoid pushing businesses away from transparency. This is the first year. The other thing I would say is that we are really open to this conversation. This is not a static position from the Home Office. This is us explaining our approach and being open on the Government's role—

Chair: Okay. Mr Snell.

Gareth Snell: This is all very lovely, but the situation is that there is a requirement under section 54 of the Act to make a public statement. By the estimates of a private list that was generated by the private sector—this is not a Government list; it is a private sector list that we are dependent on—two thirds of those that should have complied didn't. According to answers given by the Minister, the Department is unable to provide a list of those that they think are not going to comply.

Given that we are dependent on two separate competing repositories, and given that CORE undertook an analysis of the top 50 entries on those particular websites and found that two thirds of them didn't actually make declarations that were compliant with section 54 of the Modern Slavery Act, what direct action is the Home Office going to take to make sure that companies that are required to make those declarations do so in a way that is genuinely clear and transparent, so that it can be confident that the Modern Slavery Act is being looked at and dealt with properly, rather than, as my colleague said, as a tick-box exercise?

Beth Sizeland: That is an absolutely fair challenge. As I say, we are not in a static position here. I think it is great that we have those repositories for information, because three years ago, we didn't, so the very fact that we have information in the public domain—

Q69 **Gareth Snell:** But they are only great, Ms Sizeland, if the information going into them is accurate and relevant. The analysis is that companies are not putting the information into them, and the information that is going in does not meet the standard of the requirement of section 54, so while it is great that they exist, their existence alone is not what the intention of the Act was.

Chair: It is an output, rather than an outcome.

Beth Sizeland: We have been working with those two repositories. We want to try to understand how we can work better with them to improve that information picture—

Chair: I am just aware that we are expecting a vote, so we need to be quite quick in exchanges.

Q70 **Caroline Flint:** Let me offer you a potential solution. The companies that have been asked to provide this statement also have to deposit their



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annual reports. Why can't it just be an addition that they have to put into the annual report? They have lots of people who work on that for them. It should be to a certain form and a certain size, because according to paragraph 1.14 of the NAO Report, by July 2017, 20% of FTSE 100 companies "had not produced a statement or had a statement that did not comply with Home Office guidance." *[Interruption.]* We are voting, so maybe you could have a think on that and give me an answer when we get back.

Sitting suspended for a Division in the House.

On resuming—

Chair: You were saved by the bell once, but now we will finish, unless you are very long winded: we are not expecting our next vote until 6.30 pm or thereabouts. Ms Flint, do you want to repeat the last bit of your question?

Q71 **Caroline Flint:** What do you think, Ms Sizeland, about them adding this statement on to their annual reports, and then depositing it in a public place where everyone can see it?

Beth Sizeland: It is an interesting idea. Let me take it away and talk to the team about it. It does sound like an interesting idea.

Q72 **Caroline Flint:** Fantastic. Moving away from the larger businesses, from the evidence we have seen, and I am sure you have seen, there are a lot of businesses, legitimate and otherwise, that do not have to provide statements. How are you interrogating which businesses and sectors you most need to deploy resources and investigate and collect intelligence from?

Beth Sizeland: Quite a lot of work has happened internationally on particular types of businesses that have supply chain issues. Kevin can perhaps comment on this, but we have worked in Vietnam, for example, with NGOs there and with the US, who are putting a lot of effort and time into—

Q73 **Caroline Flint:** I was thinking a bit more about here in the UK. So off the top of my head—nail bars. Off the top of my head—hand car washes, which seem to spring up on loads of vacant lots in every constituency across the country. It may be the farming sector. More specifically, of those people who have already been referred through the framework that we have, have you identified what sort of businesses they have been working in, how many of those are illegal, how many are legal, and what that tells us about the different sectors—within the data that we already have—where we might need to focus our attention?

Beth Sizeland: We have not interrogated the data to that level of detail, but, again, the mechanism that it is stored in does not enable us to do that in a meaningful way.

Lynne Owens: One of the things we have been doing over the last 12 months is that every month we have had an intensification period on a specific topic. As an example, our initial analysis said that there were



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some significant modern slavery issues in the fishing industry so we intensified our operation in the fishing industry country-wide.

We have rolled out across the country a campaign, which is called #invisiblepeople if you want to look it up. It comes to London in a couple of weeks—13 March, I think it is. We have specifically designed an exhibition that goes to key sites, to try to raise public awareness. In every locality that we take it to, we engage with local partners and we are producing an intelligence requirement specifically for neighbourhood teams and local forces looking at nail bars, sexual exploitation—things like pop-up brothels—and car washes, which are the three biggest areas.

Q74 Caroline Flint: I thank you for that, Ms Owens, but it is really worrying that, when referrals are being made, the collection of data about where people were working and the sector and circumstances they were working in is not embedded in that system. Can I be assured that with the updating and digitisation of the NRM that information will be there, because you should be able—electronically—to pull out of that system whether or not the same sectors are appearing and the density of the problem in different parts of the country, which would help you to deploy your resources and personnel accordingly? Will that happen, Ms Sizeland?

Beth Sizeland: Yes. The data may well be captured now, but we are not able to interrogate it using the current system. The redesign of the NRM is entirely designed to enable us to pick out exactly this sort of threat and methodology trend—so, yes.

Q75 Caroline Flint: You know, electronic information is not new to Government, is it? I have a casework system—perhaps you would like to come and see it—whereby I can literally put in, for example, “antisocial behaviour” and it will pull out for me all the cases that are linked to that. I have a whole host of things over 20 years, and that system enables us not only to deal individually with problems but to see whether there is a pattern emerging.

The fact is, Ms Sizeland, that a review of the NRM—the findings were published in November 2014—concluded that it “needed to be redesigned”. A number of recommendations were made—this is all in paragraph 2.14 of the NAO Report, on page 33. It goes on to say that “pilots were set up in August 2015 in two areas”. And even though you said some positive things earlier in the Committee’s hearing, there still seems to be a lack of understanding and foresight, to identify what seems to me—quite frankly—the blindingly obvious, in terms of what should be part and parcel of this system. Isn’t that the case—that four years have been lost?

Beth Sizeland: No, I do not agree with that characterisation. I think it has taken us a long time to get to where we are, and I think that is a fair criticism.

Q76 Caroline Flint: You are asking businesses of over £36 million turnover to provide statements probably saying, “I’m doing a good job”, and meanwhile we have identified three particular sectors where modern day



slavery is most prevalent and that is not understood by the NRM process because we cannot extract the data to identify where that is happening.

Beth Sizeland: I would not say that that is not understood; we do understand that. For example, the GLAA, an organisation that deals with the spectrum of labour abuse up to and including modern slavery, sees this on a day-to-day basis. So we do understand that trend from the activity of law enforcement agencies. That specific point was our ability to manipulate the NRM data, but we do understand the trend in relation to nail bars and car washes.

Chair: Perhaps I can bring in Ms Owens and Mr Hyland on this.

Lynne Owens: The data that is currently on the existing NRM is now interrogated by the JSTAC, to try to draw those conclusions—so that is top down from the referrals. From the bottom up, we are now gathering vast quantities of intelligence and information from police forces and analysing it within the JSTAC. To give you a practical example of that, there was recently a case within the West Midlands police in which a girl went missing. They ran a missing persons inquiry and found that she had been forced into the sex trade as a result of an alleged drugs debt. As a result of the intelligence product we reached from that, we realised that there is an issue with this adult sex work site, which is why we produced a new product and are now undergoing operations to look at adult sex work sites as a place for hiding this sort of criminality.

In terms of the NRM historically, it is as good as the data that is in it. The data that is currently in it is not good, which is why we fully support and are an active partner in the work that the Home Office is doing. We now have a process to extract intelligence, both tactical and strategic, from the NRM, and to analyse it ourselves and pass it to police forces.

Q77 **Chair:** In the issues you listed, do you also look at county lines in the trafficking? Is that something that has come up?

Lynne Owens: Absolutely. We know that one of the reasons why there has been a big increase in referrals to the NRM is our added focus on county lines. At our last strategic tasking meeting, we have made that a priority and we are running a country-wide operation under one of my deputy directors.

Kevin Hyland: I want to mention the supply chain transparency. It was identified that 25 of the FTSE 100 companies did not comply with section 54. I wrote to all the CEOs of those companies. So far I have had 11 replies. I have also looked at the FTSE 250 with a member of my team, and 23 have not submitted any statement whatever. If we look at the compliance of those big companies, there is a case that we need to start looking at injunctions in certain circumstances. I have been impressed that under the gender pay gap reporting requirement the Government have set up a website for a mandatory register. They could copy that for this issue.

Q78 **Caroline Flint:** I am not against this, but what worries me is the evidence. Is the evidence that in some of these bigger companies modern



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slavery is a problem? I do not mind asking them to do a statement, but what worries me—does it not worry you, Mr Hyland?—is that while there is a focus on that, which could be seen as a badge of success if we get the uptake improved, we are missing out on all those businesses of one form or another, illegal or legal, that clearly are at the heart of this problem.

Kevin Hyland: I think you are absolutely right. I have worked with the Local Government Association and brought out guidance recently that deals with those issues and gives it the other powers that it can use to remove the prevalence of those on the high street. We have been working with particular boroughs and authorities on how they can use those powers more effectively. For example, with planning, car washes and nail bars will not have had planning to do that. There are a lot of ways to disrupt this, and that is what we need to start moving to. We want to know about it, but we are not doing something at the end of it. The other thing is that there is a lot of intelligence back in source countries. For example, when I looked at Vietnam, there were 300 people who had returned to Vietnam, who had all been in those premises. They could give a really rich intelligence picture of their experience in those premises—nail bars and cannabis farms.

Q79 **Caroline Flint:** Just to clarify, UKVI deals with everybody who is not British and non-EEA. So in everything you have just said, Lynne Owens, about what is happening through the NCA—you are dealing with a certain amount of referrals. Could you say that UKVI is doing exactly what you are doing to understand the nature of the problem?

Lynne Owens: I cannot speak on its behalf, but it certainly reports back into all those Government processes that I have described, which we have in place. It is an active participant in that.

Q80 **Caroline Flint:** UKVI deals with everybody who is non-UK and non-EEA, so has made at least 50% of all adult referrals since 2009. It is dealing with the vast bulk of referrals into this system—maybe we should have had UKVI here today—but we do not know if it is following some of the things that you are doing at the NCA in terms of understanding the nature of the problem and making the linkages with the businesses and everything else. We do not have an answer to that.

Beth Sizeland: One thing I would say, is that the single competent authority that will come in as part of the NRM reform will set up a single caseworking unit that will be able to interact with JSTAC in the way that Lynne describes.

Q81 **Caroline Flint:** My last point—I apologise for having taking so much time—is that I understand that after people exit the NRM no data is kept, so how do we assure ourselves that they have not been trafficked into modern slavery again?

Beth Sizeland: Again, the digitisation of the system will make us much better able to capture the data around re-trafficking. That is one of the things that will come into the performance framework, and we have clearly



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identified it as a new data set that we want to capture as part of this reform. I agree with you; it is a gap—

Q82 **Chair:** How will you know? Will you fingerprint people? Is that how you will identify them?

Beth Sizeland: The richness of the data going into the system; at the moment, inputters do not have to fill in all of the fields, so the data—

Q83 **Chair:** But, I'm sorry, if I was a trafficked victim feeling vulnerable, I might not want to tell you that I had been trafficked before, for all sorts of reasons. How would you know I was in the system again—fingerprinting, biometrics?

Beth Sizeland: It is entirely dependent on victims declaring that as part of the process, and it would not necessarily happen at the start of the referral; but where it is possible for us to capture that, we want to be able to capture it, because it is a really important metric in terms of our success in victim management.

Lynne Owens: Chair, you have hit on a very key point, here. There has recently been a very good prosecution in Northern Ireland—a joint piece of work between ourselves and the Police Service of Northern Ireland. It identified four Romanian victims trafficked for sexual purposes and ended up with a victimless prosecution and conviction because the victims did not see themselves as victims and did not want to be referred into the process; so I think that is a challenge for this piece of work.

Q84 **Gareth Snell:** Mr Hyland and Ms Sizeland, could you tell me, of the 10,000 companies that we think ought to be making declarations, what you consider to be an appropriate number that would be registered—would have made a declaration—by the end of the coming year; and, given that public authorities are not covered by the section 54 regulations, and nor are businesses below £34 million of turnover, with what confidence can you tell me that public money is not going to companies or small businesses that are in fact involved in modern-day slavery?

Beth Sizeland: Ideally, all the companies eligible to publish a report should be doing so, and all the activity taking place in my modern slavery unit is designed to drive up that compliance. We can talk about the approach, and I think the evidence that this Committee has taken is really interesting, on this point. We are open to the conversation about the Government's role in this space; so let us continue that conversation.

In terms of public money, we have done a lot in this space to—

Q85 **Chair:** What is the consequence for a company that does not comply? There is no consequence, is there?

Beth Sizeland: There are sanctions available to us. We can take out injunctions.

Q86 **Gareth Snell:** How many sanctions have there been so far?



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Beth Sizeland: None. We can take out injunctions and fines can be levied. We have not taken that approach to date because everything we have been doing in partnership with businesses has aimed to encourage transparency. The judgment we have taken so far is that an extreme and punitive approach at the start of this process would discourage transparency.

Q87 **Gareth Snell:** So next year—4,000, 5,000, 6,000? What would you expect? I am trying to get a number out of you. What would you expect to be an appropriate level of registrations in the next year?

Beth Sizeland: I do not think I can give you an appropriate number. Everything we are trying to do is aimed at driving that number up.

Q88 **Chair:** You said you were very proud of this section. You highlighted it as a groundbreaking, mouldbreaking initiative, but then we are not doing very well on it, as Mr Snell has highlighted.

Caroline Flint: What is the point?

Chair: Ms Flint hits the nail on the head, as ever: what is the point of section 54 if people just do not comply?

Beth Sizeland: I do not think any other country in the world has 3,000 companies that have published modern slavery reports. We have to start somewhere, and I think we are learning, and open to that learning. We are open to reviewing our position and reviewing our stance.

Q89 **Gareth Snell:** But, Ms Sizeland, you cannot champion something as a success when two thirds of the declarations that have been looked at and sampled are not compliant with section 54, you cannot give a timeline for when you will have 100% compliance, you cannot give me a number for how many you would expect to be compliant next year, and, by your own admission, the sanctions that have been applied to those that have failed to comply so far are nil. That to me does not sound like we are any better than any other country that does not have this process. All we have is a process that we are not using.

Beth Sizeland: I would disagree that we are no better than any other country. The legislation itself is an achievement. The fact that information is available to the public to put pressure on companies and that that is happening is a very good thing. You are right, there is more to do. There is absolutely more to do. We are really ambitious in this space. The Home Secretary has been chairing a Business Against Modern Slavery Forum, and we chair one at official level. There is a huge amount of activity going on in the space. There is not a lack of ambition from our perspective. We are working through a range of approaches. We are open to the conversation about what the Government's role should be here.

Q90 **Chair:** As Mr Snell says, the Report highlights that yes, the policy is great, ground-breaking, world-leading, as Ms Flint acknowledged at the beginning, but the implementation still leaves quite a bit of a way to go. Do you agree with that?



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Beth Sizeland: This is the first year that companies have been required to publish these reports, and culture change and process change take some time.

- Q91 **Caroline Flint:** But it is nine years since the policy was first discussed. You are not telling me that in those nine years there has not been a discussion about how people get trafficked into slavery and illegal employment in this country? It has not just happened since you said, "Oh well, we'll have a bit of legislation." I used to be a Home Office Minister. Home Office Bills are full of things that have been added in, like a candy box. I can honestly say that, and at some point in my retirement I would love to do a review of all the things that we put into legislation that never got executed. Maybe this was another one to just add to a package.

Beth Sizeland: I think this is a really positive area of work. I am very open to the challenges you have given me today, but I think there is a huge amount of positive scope for working in partnership with business on this issue.

Chair: I am going to bring in Mr Stephen Morgan, because I am aware that because of the votes, particularly, we need to crack on. I urge quick questions from Members and quick answers from the panel. We will come on to you in Mr Morgan's questioning, Mr Hyland.

- Q92 **Stephen Morgan:** I want to turn to the other important part of the NAO Report about identifying and supporting victims. I have been reading up on the excellent work that Oxford City Council has been doing, which identifies that this crime obviously has a major impact on victims. I want to press you a bit more around the NRM. Can you help me understand why it has taken so long on the decisions for vulnerable people?

Beth Sizeland: We know the decision-making process is too long at the moment, particularly in relation to non-EEA nationals. These are extremely complex cases. Very often the offences people are referring to happen overseas. There is a process of gathering that evidence, which can take a very long time. As you know, we did not place targets on conclusive grounds decisions when this mechanism was set up, and we will seek to do so through the new national referral mechanism—the single competent authority.

But these cases are taking too long. We have done a lot to clear the backlog we already have. We invest very heavily from the Home Office in UKVI to clear that backlog. We have injected 19 people into the team, who are there working to clear the backlog now, with a further 12 to follow, so that is happening. We have a continuous improvement team in there, trying to support the team so that the backlog does not built up again, so that when we bring those caseworking functions together we will not have the same problem.

- Q93 **Stephen Morgan:** Why was a target not set in the first place?

Beth Sizeland: We did not set targets for conclusive grounds decisions in the first place because the focus was on making sure that the decisions



had integrity, that they were robust and that decision makers were given the length of time they needed, however long that took, to gather the evidence and make a correct judgment. What we have learned from listening to stakeholders and victims is that the uncertainty around the lack of targets is deeply unhelpful and damaging. As part of our national referral mechanism reform we have sought to address that. The digitisation process will give us a means of handling the casework in a much more sophisticated way. It will be able to flag when cases go over their time limit and send them back to the caseworker. There will be a much better system to enable those cases to be processed quickly.

Q94 Stephen Morgan: Ms Owens, what is your view?

Lynne Owens: I concur with everything Beth has just said. The challenge we have at the moment is that the system is antiquated and in need of modernisation, and we fully support that, but similarly, we are putting more resources and focus in this area, so the number of referrals into the mechanism is going up. There was a 35% increase in 2016-17. I have doubled my resources in this area, comparing last year with this year, but we are struggling to keep up because the number of people being referred into the mechanism and the complexity of the cases is changing. We are closely monitoring the performance of the team. I am pleased to say that we used to deal with about 52 cases a week, and we now deal with 18, but we need to make sure that they are done properly. There is something about monitoring the time limit, but clearly the answer is in the reformed process. Until that happens, we are absolutely focused on improving the performance in this area, because there are victims involved in it.

Q95 Stephen Morgan: In terms of setting a target, what do you think that might look like?

Beth Sizeland: I don't know yet, to be honest. We are still working through that. The most important thing is that we are able to give the potential victims who are coming through this process some clarity about when they can expect a conclusive grounds decision in their case.

Q96 Stephen Morgan: What would success look like in that instance?

Beth Sizeland: Success would look like meeting those targets.

Q97 Stephen Morgan: Let's move on to the contract. We talked about costs earlier with the Salvation Army. Why are you forecasting spending double the amount originally planned for victim care in that contract?

Beth Sizeland: Let me take you back to the issue we have just been discussing. The forecast of the number of people going into victim support was actually pretty accurate. What happened is that the cases have taken much longer to process than we anticipated, so the cost of support increased. The UK goes above and beyond our legal duty to provide 30 days of support. We provide victim support up until a case is decided. That can take a long time in a system where there are complex cases. As we just described, the casework mechanism is not robust enough. That is what has driven up those costs. As I say, the permanent secretary and I have made it an absolute priority to drive those casework loads down and



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make sure there is continuous improvement in the system to ensure these costs are controlled for the next two years of the contract.

Q98 **Stephen Morgan:** In terms of your review and planning, what would you estimate the cost to be over the next five years?

Beth Sizeland: I can't give you an estimate for the next five years. Our estimate for the next two is that the total contract over five years will be £90 million. We are in the process of retendering that contract and reforecasting, based on the increasing numbers that are coming in through the national referral mechanism. I will be able to give you a better estimate in due course, but not right now.

Q99 **Stephen Morgan:** Would you write to us with those figures when they are available?

Beth Sizeland: I could give you a better sense of our reforecasted figures. I would need to check how far out they go, in terms of forecasts of people going into the system, but I can write to you about that.

Q100 **Stephen Morgan:** What are your current assumptions about the average time victims will spend receiving support?

Beth Sizeland: I would need to check that.

Stephen Morgan: Could you write to us about that point as well?

Beth Sizeland: Yes.

Q101 **Chair:** Are you assuming that as you speed up the decision making, they will need support?

Beth Sizeland: Absolutely. The main cause of the contract cost going up is the fact that people are staying in victim support for longer, so the subsistence, the accommodation and the specialist, bespoke support that goes to those potential victims is going on much longer than we want it to.

Q102 **Stephen Morgan:** Specifically, I am concerned about the care contract. Looking at paragraph 3.11 of the Report, I would like to understand a bit more about the Home Office announcements about care standards. Could you tell me a bit more about the standard of care, the potential for victims in the NRM, the minimal standards and the inspection of services?

Beth Sizeland: There are absolutely standards in place as part of the current contract.

Q103 **Stephen Morgan:** What is the date that those standards will be used effectively? When are they implemented?

Beth Sizeland: The current contract has had care standards embedded into it. The Salvation Army has inspectors and a really robust safeguarding regime. Those care standards are there. In advance of retendering the next victim care contract, the Human Trafficking Foundation created a set of survivor care standards in 2014, and as part of the NRM reform we have committed to including those standards in the next victim care contract. We are working through with stakeholders what those standards



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should be and how they should be implemented, and we have been talking with the commissioner about compliance regimes. There is something in place and this will be a much improved system.

Q104 **Stephen Morgan:** How do you get that assurance in terms of the governance arrangements that you have around care standards?

Beth Sizeland: The Salvation Army, as part of its contract, has inspection regimes and it would escalate any serious issues to us.

Q105 **Stephen Morgan:** Mr Hyland, what do you think on care standards?

Kevin Hyland: I think there has been a void in that area about the practical delivery. The independent quality inspectorate for the Salvation Army has not really been utilised in this area as it would be about other services. That has come from the Salvation Army. I have met its care quality commission, but this does not fall completely under its remit. We are discussing with it how we can set those standards. As Ms Sizeland says, sections 49 and 50 of the Modern Slavery Act gives us the opportunity to address those, with the standards that could actually be there.

Q106 **Chair:** Is it your job, Mr Hyland, to make sure that the quality is maintained? Surely that is the Home Office's responsibility. There is an anomaly, and we now know that the CQC was asked to inspect, but it is not in its remit to inspect these sorts of premises.

Beth Sizeland: The CQC does not have a remit—

Q107 **Chair:** Exactly, but one bit of the Home Office suggested that it was the body to inspect.

Beth Sizeland: That is precisely why we are going through the Human Trafficking Foundation care standards, to make sure that those are embedded. We have been talking to Mr Hyland in relation to compliance regimes and how we might work together on that.

Kevin Hyland: There is a body to do those inspections. If we have standards without an inspection regime, nothing will change.

Q108 **Chair:** As I understand it, Ms Sizeland, the reason that the CQC is not doing it is because it is not within its remit, and therefore it is not funded for it. Has the Home Office had any sensible discussions with the CQC about expanding its remit? It is not a very large sector, is it, compared with the other work that it has?

Beth Sizeland: The message that we have had from it to date is that because it does not fall under the intense personal care provision that you might find in a care home of some kind, it does not fit in its remit. There are things happening: TSA has a care quality management framework; it does safeguarding inspections; and there are minimum standards of accommodation and all sorts of other elements of that contract in place. I do not want you to have the impression that there is nothing happening in this space; there is a lot happening. The intention is to make this a much more robust process, as we retender the contract in the next two years.



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Q109 **Stephen Morgan:** Do you manage any contracts on a trust basis?

Beth Sizeland: No.

Q110 **Stephen Morgan:** Good. Let's move on. I am keen to understand about victims once they have left support. I understand that the NRM does not necessarily capture some of that information. Could you explain that in a bit more detail?

Beth Sizeland: The NRM is intended to be a very short-term period of intensive bespoke response for victims and potential victims as their cases are assessed. As part of the reforms, there is an extended period of support that will be offered to victims, which is going up from 14 to 45 days. That will continue to offer those victims the intensive support. We want to keep a richer picture of what happens to victims once they leave the system because, as we talked about earlier, that is the only way we will be able to manage our performance in relation to the victim experience all the way through and what the eventual outcomes are for them. That is absolutely part of what we are trying to achieve through the reforms, and that is what we are looking at.

Q111 **Stephen Morgan:** How will you measure that?

Beth Sizeland: That is exactly what we are trying to work out now. This is what I would categorise as some of the new information and data that we need to capture. We need to design what we need to capture and how we will capture it. That is part the formal NRM reform.

Q112 **Stephen Morgan:** What do you see being the impact of Brexit on the systems that you have in place?

Beth Sizeland: In terms of our legal duty to care for victims, there will be no impact at all.

Q113 **Stephen Morgan:** And the way the system works?

Beth Sizeland: Clearly there will be issues around people's status, in relation to how they progress through the system. I can write to you on the specific Brexit impacts, if that would be helpful.

Q114 **Chair:** It would be very helpful. We particularly want to know what you will have to do because of Brexit, and what you may have to slow down because of other things the Department is doing.

Beth Sizeland: Probably the one biggest impact will be our ability to do anything through legislation, for example publishing the standards that I talked about earlier, because getting parliamentary time will be one of our biggest challenges through Brexit.

Q115 **Chair:** There was obviously publicity today when MPs from across the channel met, from France and the UK, to discuss what will happen at the ports, particularly the Kent and Calais ports. There was some concern about migrants hopping into lorries more often. If you are going to spirit someone through into human slavery, it sounds like it could be a chancer's charter there. Is that something you have considered in the



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Home Office: how to make sure, if there are issues around our customs and customs checks, that you are stepping up and that the human trafficking angle of that is really embedded from the beginning?

Lynne Owens: At the National Crime Agency, on behalf of law enforcement, we are running an operational group that is considering the consequences of Brexit. That has a number of features, one of which is the impact on migrancy and human trafficking, and how any customs union arrangement would need to mitigate any risks that may arise there.

There is also a risk about intelligence sharing and how quickly we could share intelligence within or without Europol. Also, we currently have very good access to joint investigation team arrangements—some of the cases I could talk to you about relied on those—and we would be hoping for an equivalent post Brexit. So we have operational information feeding into a team working in the Home Office.

Q116 **Stephen Morgan:** I am keen to ask a bit more about law enforcement. How effective do you think it currently is? That is a question for all of the panel.

Lynne Owens: I am confident that the co-ordination in the last year is better than it has ever been across the system, and that is leveraging operational results—as I said earlier, a doubling of the number of cases currently under active investigation. That has read-across into the crime figures. One of the criticisms or concerns that the Committee has previously had has been whether there is a correlation between the NRM reports and crime recording. We believe that performance in that area is improving.

We have been monitoring prosecutions closely, because of course it takes a while for the cases to get through the system. In the year to June 2017 there were 340 prosecutions; 231 of those were under the Modern Slavery Act, which is a 45% year-on-year increase. But we are monitoring that very closely. So very good evidence of increased effort and results, but we would say that there is still more to do and that we are worried about the cliff edge of the ending of the police transformation funding, which is in 2019.

Q117 **Chair:** And then you have the cliff edge of Brexit as well. Are you concerned about the resources that you will need to deliver on the working group plans you were discussing earlier on dealing with more migrants potentially being trafficked?

Lynne Owens: If you look at the context of law enforcement, law enforcement has had budgetary cuts over a number of years. Individual chief constables, police and crime commissioners, and indeed we in the National Crime Agency, are having to make prioritisation decisions. That is what you would expect in every operational agency, but modern slavery and human trafficking is an area we have not focused on to this degree before. There are resourcing questions that might be made by police and crime commissioners in a diminishing funding envelope. And of course we



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do believe that there will be a cost from Brexit, all depending on the negotiations.

Q118 **Chair:** In the work you are doing, are you looking at the extra burdens that might fall on the constabularies, for instance Kent?

Lynne Owens: Absolutely.

Chair: Have you done any analysis that you can share with us about the extra costs for certain police forces, for instance where there is a port, such as Plymouth or Portsmouth? But I need to let the Portsmouth South MP talk about ports—

Q119 **Stephen Morgan:** Looking at figure 11 of the Report, I was quite struck by the variety in forces and referral levels. Are you confident that all forces are taking this matter seriously? What more can be done?

Chair: Will you pick up on the potential differential costs because of Brexit as well?

Lynne Owens: I am confident that, with the investment in the police transformation fund, forces are putting more focus on this area and that we have better monitoring of what is occurring. That will allow me over time to make that judgment. At the last strategic tasking process—which I chair—I verbalised my concern at the difference. The last time we had a real and unexpected difference in performance from police forces was around the issue of child abuse. At that point, my predecessor used tasking powers he had at his disposal to task activity within policing. I have headlined the fact that, if by the next strategic tasking I am not confident that we have a coherent response across every force, I may be minded to use my operational tasking powers again, in conjunction with police chiefs. However, that does not deal with the funding position.

Q120 **Chair:** Do you advocate on behalf of some of those different police forces to the Home Office if there is a particular burden falling on certain police forces as a result of customs and border changes because of Brexit?

Lynne Owens: May I take that question in two halves? On the first half, I think we have an operational responsibility, as the National Crime Agency, to talk about the threat from modern slavery and human trafficking, and to engage with Home Office colleagues on the nature of the resourcing of that threat. We are having a current conversation about the strategic policing requirement, which is a “have regard to” responsibility on police and crime commissioners, to make sure that that fully captures the threats from serious and organised crime, so that when police and crime commissioners make resourcing decisions, they are properly focused in the areas that matter.

The second bit of your question was whether that is specifically focused on ports and borders. Every year with this topic, we work with the Home Office on a borders threat assessment. That will clearly change in the context of Brexit. However, we are not the lead agency for borders, and any change in border structure would happen from within the Home Office.



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Q121 **Chair:** But there might be knock-on effects for those local constabularies. Would you advocate for them? For instance, if Kent police have extra costs because of problems at the border, would you argue their case with the Home Office?

Lynne Owens: If it was a specific border case, for Kent, Hampshire or even the eastern region, where we see a changing pattern, that would be for their PCCs and chief constables to talk to the Home Office about. We would support them with intelligence and evidence if they needed it.

Q122 **Stephen Morgan:** We have not spoken about local authorities much this afternoon. I am keen to hear your thoughts on that and on how the police could work more closely with local authorities. Thames Valley seems to be doing very well and has a high referral rate. What is your perspective on local government involvement?

Lynne Owens: We absolutely cannot pursue our way out of this issue. We need local authorities, social services and licensing authorities to be completely alongside us in this activity. That is one of the pieces of work that has to happen at a very local level. It is where police and crime commissioners can add real value with their commissioning responsibility. Again, we see a bit of a patchwork across the country, which is why we are taking this roadshow approach to this modern slavery campaign, to try to encourage people locally to get into the prevent space.

Kevin Hyland: First, to cover the question about policing, we have seen a 100% increase in crime recording. As the director general says, we weren't following processes in the way we do for other crimes, so it was therefore never going to get to an investigative team or officer, because it wasn't "crimed"; it would just go dead at the NRM position.

Thirty-nine of the police and crime commissioners mention this in their police and crime plan, which is a good step forward. They have an association, which I am a member of, which looks at this and meets every couple of months to discuss this issue. We are seeing the police and crime commissioners put more effort into it.

I think we really need to look at the data that comes out now. Are police forces recording all the crimes that come across their desk? I think we are getting there. I think we are almost at the point where it is accurate data, but we need to see the increase in prosecutions, which will happen naturally.

Talking about local government, I have seen some really good examples in Newcastle and Derby, where local authorities are doing this and stepping out and doing their own work with police. We have drawn up guidance, together with the Local Government Association, which covers the whole of England—we are developing it for Wales, Scotland and Northern Ireland—so that local government knows what it can do and what powers it has to deal with the many issues that cannot actually be solved just by policing and can be done on day-to-day business.

Q123 **Caroline Flint:** Could you each give me one practical example of how you



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can increase the number of crimes that are recorded that actually result in a summonsing or charging?

Kevin Hyland: Yes. There are lots of cases whereby the NRM is referred into a police force and then gets an investigation. I can tell you about cases that have happened in—

Q124 **Caroline Flint:** No, no. I want to know what one thing you would advise to increase the number of crimes recorded by police that result in a person being charged. Could each of you give me one example of what you think could be done to increase that?

Kevin Hyland: The process at the moment is a bit ad hoc. If we look at other crime—you have mentioned domestic violence, or we can talk about sexual assault—there is a process within an automated system in policing that generates supervision and management, so that the crime is dealt with in a particular way. So if the management, supervision and accountability are there for that crime, like other crimes of vulnerability, that will capture—

Q125 **Caroline Flint:** What you are saying is improved management.

Kevin Hyland: Improved management at first.

Lynne Owens: Better use of intelligence. We have lots of examples. I could give you many, but to give you one, in August 2017, a female was a suspected ringleader of a criminal network involved in trafficking women from Nigeria. This is where our people overseas meet the people who work in the UK. I shall not go into detail here, but she is appearing at Crown Court for trial in April 2018.

Caroline Flint: Better intelligence.

Lynne Owens: The way we are systemising the use of intelligence, looking upstream and into neighbourhood teams at very local communities.

Beth Sizeland: The Home Office has invested £8.5 million through the police transformation fund into a What Works scheme across law enforcement. What that tells us is that police officers understanding the systems, the legislation, the paperwork and the powers that are available to them is probably the most powerful thing that can be done locally.

Q126 **Chair:** So it took £8.5 million to discover that if you teach police officers—

Beth Sizeland: The £8.5 million was to run the What Works scheme and to roll it out across the country, which is why we have seen a 35% increase in victims being identified.

Q127 **Chair:** Just to be clear, running the What Works scheme means getting the right forms to the right office. Sorry, can you just lay out what the What Works scheme did?

Beth Sizeland: The What Works scheme was funded by the police transformation fund to work with local police enforcement in looking at



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what processes were in place, the paperwork, and how well officers understood the legislation, and to train them to do it. It is a relatively new construct for law enforcement, and it will be able to provide a bit more consistency across policing, which is one of the things drawn out in recent reporting, in approaches to—

Q128 **Chair:** Sorry, was it training for police officers?

Lynne Owens: Perhaps I can clarify: it is a small proportion of the £8.5 million. The £8.5 million set up a What Works centre, and that was a tiny part of it. It provided intelligence resource at a regional level. It improved training and tactical advice, and it part-funded the setting up of the analysis centre, so the What Works centre is a proportion of the—

Q129 **Caroline Flint:** Okay. So we have three ideas: better management; better identification and use of intelligence; and, basically, better training for those on the frontline to understand how they go about identifying this problem and building a case.

I understand that the transformation fund is paying for some of this. The Home Office has not set out the progress it expects from the programme each year. Given that each of you have given some fairly helpful answers as to how things could improve, how will you measure the progress and performance of the police transformation fund? Ms Sizeland?

Beth Sizeland: Shaun Sawyer is the national police lead on modern slavery. He is directly accountable to the Prime Minister through the implementation taskforce, and he is accountable for that spend and the progress against it in that forum.

Q130 **Caroline Flint:** But throughout the whole of this discussion and the NAO Report, the Home Office is the lead organisation for the policy. I may be old-fashioned about this, but I think policy is only as good as the implementation and whether it works on the ground. I am sure this other gentlemen will do a fine job reporting to the Prime Minister twice a year, but why does the Home Office, with the NCA, or maybe even with Mr Hyland as well, not track the outcomes, given that each of you have given some practical suggestions about what would improve the level at which people are identified and charged for prosecution?

Lynne Owens: We have a performance framework that accompanies that fund.

Q131 **Caroline Flint:** That's the NCA, is it?

Lynne Owens: It's the NCA, but we actively share it with the Home Office, and it reports to the police reform and transformation board that the DG from the Home Office sits on.

Q132 **Caroline Flint:** Okay. Finally, a question to clarify. I understand that a number of the people who are identified may also be here illegally. Am I correct about that?

Beth Sizeland: Some in the system will be here illegally.



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Q133 **Caroline Flint:** Yes, they will be here illegally. I understand that there is quite a large number of them going through. I understand also that when it comes to processing them through the NRM, the situation regarding their legal status here cannot be progressed or determined while that is going on. Is that correct?

Beth Sizeland: The national referral mechanism—the consideration of whether somebody is a victim of modern slavery—is completely separate from any decision about whether a person is entitled to stay.

Caroline Flint: I accept that.

Beth Sizeland: At the end of that, if they are non-EEA nationals, they are automatically considered for discretionary leave.

Q134 **Caroline Flint:** Okay, but while someone is in the NRM process, can their status, in terms of their right to be here, be run in parallel, even if immigration does not finally publish its outcomes, in terms of whether they should be here or not? Can that be run in parallel while they are in the other system that is looking at how they may or may not have been involved in modern slavery?

Beth Sizeland: They do run in parallel, but I think the decision comes at the end point, after a decision has been made.

Q135 **Caroline Flint:** So at the point when someone comes out of the system for assessing modern slavery, the investigations into their status do not just start all over again. It runs in parallel, so if it is found that they are not meant to be here, action can be taken.

Beth Sizeland: The national referral mechanism is intended as a support mechanism for people whose cases are running through the NRM.

Q136 **Caroline Flint:** I understand that, but—

Beth Sizeland: Once they come out of that, it is intended to provide a transition, whereby victims have a number of options, whether that is an asylum claim or a discretionary leave claim.

Q137 **Caroline Flint:** No, I understand that, but I understand from the law that even if they are going through that system and even if they are found to be a victim, that does not in itself lead to them being allowed to stay in this country. I am correct on that.

Beth Sizeland: No, it doesn't.

Q138 **Caroline Flint:** So what I am trying to ask is whether, in terms of the timing—many of us deal with people claiming asylum who are caught in the system for months, if not years—if they enter this process, that means that that side of what might be looked at, in terms of their status in this country, has to be put on hold while the other outcomes are determined.

Beth Sizeland: I don't think so, but can I come back to you on that?

Caroline Flint: I understand that the Council of Europe convention on



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modern slavery has a line that actually says that: it is not possible to enforce any expulsion, but you can continue your investigation inquiries into the status of that person and whether they should be here or not while other things are being looked into.

Q139 **Chair:** To clarify, can the Home Office actually make a decision about someone's status and, to comply with the Council of Europe's rules, not actually implement it, but get to the point of a decision? That would then speed things up at the other end

Beth Sizeland: I don't know.

Chair: If you could write to us on that specific point as well as the other points you agreed to, that would be helpful. Our last point is from Anne-Marie Morris.

Q140 **Anne Marie Morris:** Mr Hyland, we have not talked about children. As I understand it, enslaved children are dealt with by local government, rather than by going through the NRM. If that is the case, and if we are to get the total picture of modern-day slavery, how is that fed into the NRM data collection to ensure that we have a proper picture?

Kevin Hyland: The NRM feeds in children as well. The data on the 5,149 this year includes the children that have entered the system. However, the responsibility for safeguarding remains with the local authorities.

Chair: Thank you very much, and apologies for the fact that we were interrupted by the bell; that's democracy. The transcript will be up on the website in the next couple of days—uncorrected, so please have a look—and our report may be out before the Easter recess, although I can't guarantee that for sure. We very much look forward to the Government's responses—Ms Sizeland, you may be drafting them—in due course.

We have a brief session next—I apologise to our next panellists for the time it has taken to get here—on the emergency services network, so we will pause while we switch panels.



Report by the Comptroller and Auditor General

Upgrading emergency service communications: the Emergency Services Network (HC 627)

Examination of witnesses

Witnesses: Joanna Davinson and Stephen Webb.

Q141 **Chair:** Welcome back to the Public Accounts Committee on Wednesday 21 February 2018. This is just a very quick update, we hope—so quick questions and quick answers, please—on the future of the emergency services network. To recap, this is the programme that is going to replace Airwave for our emergency services. That is something that this Committee has followed with interest. We were particularly interested to look at it today, because we were expecting the outcome of a Home Office review of this, but we are clearly not at that point yet, so that is one of the issues we want to talk about. The permanent secretary has written to us as a Committee, outlining where things are at.

I am pleased to welcome today Joanna Davinson, who is the chief digital, data and technology officer at the Home Office, and who is here because the permanent secretary is unwell, although I'm sure you are here in your own right, too, Ms Davinson. Can we just explain where you fit into the Home Office hierarchy? It's a big title. Are you a director or a director general, and does your title cover everything you cover?

Joanna Davinson: I report directly to Philip Rutnam.

Chair: The permanent secretary.

Joanna Davinson: The permanent secretary. I joined the Department three months ago, and at that point, Sir Philip, the permanent secretary, took the decision that the ESMCP would report into my organisation. It had previously been led from within the crime, police and fire group. So I am—

Q142 **Chair:** Are you a director general? Forgive me for not—

Joanna Davinson: No, I'm a director.

Q143 **Chair:** Okay, but you report directly to the permanent secretary. How long have you been at the Home Office?

Joanna Davinson: Three months.

Q144 **Chair:** Where were you before?

Joanna Davinson: I was at IBM.

Chair: So you have come from the technology sector. Stephen Webb probably needs no introduction. He is the senior responsible owner of the emergency services network and a frequent flyer with this Committee. I'm going to hand straight over to Shabana Mahmood to quickly get us a recap



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on where we're at on this issue.

Q145 **Shabana Mahmood:** Welcome, Ms Davinson; welcome back, Mr Webb. This is our fourth session on this in the Public Accounts Committee following the National Audit Office Report in September 2016. We have had an update letter from the permanent secretary, Sir Philip, dated 13 February. It brings us up to speed in some respects, but is deeply unsatisfactory in other ways. I am sorry that he is not here to answer questions on it. Let's deal first with the slightly good news bit, which is that there is an agreement now between Vodafone and Motorola on the contingency to take us through to the period when finally everybody gets their act together and the ESN is online and operational. We don't really have a lot of detail about that deal. Could you, Mr Webb, sketch out some more of the details about what has happened and when?

Stephen Webb: Yes. It was just signed a few weeks ago. There has been some fairly careful testing of the product, so about six months of testing. The contract has now been signed, and we understand that the new solution will be ready in time for that March 2020 date, at which point Vodafone were looking to be withdrawing the old TDM service. Vodafone will be providing essentially a replacement service over standard IP kind of technology.

Q146 **Shabana Mahmood:** You will know that this Committee was very concerned about the issue of cost, in particular, in relation to this solution being found between Vodafone and Motorola. What has happened on cost? How much is this going to cost?

Stephen Webb: This is a subcontractor for Motorola/Airwave. It falls to them. There is no additional cost for us.

Q147 **Shabana Mahmood:** None at all, and we won't be picking any up as the solution is being built?

Stephen Webb: No.

Shabana Mahmood: That is a fairly concrete answer. I am glad that we have finally got to that point. You say this is going to be ready by March 2020. I don't want to be cruel, but the timescaling of the emergency services network does not fill me with a huge amount of confidence about timescales for something that will be very urgent by March 2020, because we have no other contingency, so what confidence can you give me and the Committee that this really is a proper deadline and is not going to slip, and things are not going to be missed in the way they have been with the emergency services network?

Stephen Webb: This is a contractual relationship between Motorola and Vodafone as a subcontractor. Essentially, Vodafone are building this new solution in order to enable them to retire their old solution, so we would expect them to meet that timescale or, if not, to keep the old solution going for longer.

Q148 **Chair:** Is it possible to keep the old solution going for longer?



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Shabana Mahmood: That is not the tenor of the evidence that has been given previously about the old solution and its ability to continue beyond March 2020.

Stephen Webb: As a technology, TDM is being used; some countries have rolled it out quite recently, with a plan to use it for 10 years. It has clearly been a strategic decision for Vodafone to withdraw it, but we will not expect them to withdraw it until they have built the replacement for it, which is part of the deal they have had with Motorola.

Q149 **Shabana Mahmood:** Forgive me—perhaps I am misinterpreting your demeanour—but you seem a bit hands-off about the Vodafone-Motorola relationship, as if it is their problem and their issue and they are going to sort out the costs. Forgive me, but that is not really acceptable, given the mess we are in with the replacement and where the emergency services network is going to be. We will come on to the issues with that. That cannot be what you are trying to express here today. Would you like to be a bit clearer, please?

Stephen Webb: We absolutely hold Motorola to account to deliver this service. We are buying a service. As part of that, they have a number of relationships with sub-contractors that they need. They can't do it all themselves; they need additional support, functionality and technology. This is one of those. It is not a direct relationship for us. We have taken a keen interest in this and we have looked at it very closely, and we are very glad to see that the development has happened, but it has always been the case that contractually they were required to keep the service going. This was clearly going to be a problem for them for keeping the service going, had they not managed to resolve it. They have done.

We have seen the product. It is well understood and has been well tested, so we are very confident it will work. We are not being complacent about it, and we are going to want to look at the roll-out. If there are any signs of a slipping, we would want to understand what the plans are to keep the existing one going for a little longer, but March 2020 was a contractual deadline between Motorola and Vodafone for the previous service. It is not going to fail to work at that period; it was a point at which they were planning to withdraw the service. We would expect if necessary to be able to keep it going for a bit longer until they are ready.

Q150 **Shabana Mahmood:** How will you make sure? The relationship is between Vodafone and Motorola. You obviously have no standing in that relationship. If there is a risk of the two falling out, what would you do then?

Stephen Webb: It is going to be part of our ongoing relationship with Motorola as the key supplier for the Airwave solution. We want to keep a very close eye on this and get regular reports on the progress of the new build.

Joanna Davinson: We have a set of assurance processes around the existing Airwave contract, as well as around the relationship we have with Motorola for ESMCP, so it will fall within those assurance processes that we



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already have. Yes, it is a relationship between Vodafone and MSI, but we have access to questioning them about their progress in delivering.

Q151 **Chair:** What about the equipment that the forces out there need? You have Airwave equipment that is becoming obsolete and possibly just breaking down, with not enough new handsets to supply people. What assurances have you got that out there our emergency services will have the kit they need while this patch process continues?

Stephen Webb: We have been having some discussions with senior police users recently about that. A load of work has been done to map—what they call a fleet map—the collection of the devices that there are at the moment, what state they are in and to what extent there may be extra ones around. There was a lot of over-purchasing of devices in the early days of the Airwave contract, so there may well be quite a lot that have not been used very much and could be potentially recycled. We are working closely with them.

Q152 **Chair:** It's quite a labour-intensive exercise. You are basically getting chief constables to get someone to root around in their store cupboards to see what they have got and then report back to you. Then what? You reallocate it if someone is short?

Stephen Webb: No. They belong to them. It is an exercise that the police are going to be doing collectively, but we will be supporting them. We don't yet know what the scale of the issue is. There are a lot of devices out there. They will obviously start failing, but you could potentially buy more.

Q153 **Chair:** If you have to buy more, who is going to pay for that? Is it the forces or will it be the Home Office?

Stephen Webb: The way the financial model works is that that would fall to local forces. There are core costs that we hold centrally and local costs that are held locally. They would continue to buy Airwave devices, or at some point they will be buying ESN devices, which have now arrived. The ESN device is starting through testing now and should be ready in a few weeks' time. Clearly, because of the delay, the point at which they need to start buying those has slipped a little. You wouldn't want them to buy a device that would last for six, seven or eight years, unless it is absolutely necessary, which is why we think this exercise of mapping what is out there to see if there could be sharing and things could be transferred would be much better.

Q154 **Shabana Mahmood:** With respect, Mr Webb, it hasn't slipped a little. It has slipped a lot and then it has slipped a lot again, so let's not downplay the level of slippage here. That is one of the frustrations that this Committee has had from the start on this project. My advice is, don't do that—it is not a good look. You have left forces in an impossible position for planning. It is down to local forces to find the money and work out whether they should buy some kit now, which might be out of date very soon, so they will have to pay out for a new bit of kit instead. I have police stations closing in my constituency. The idea that they can't plan for what little is left of their budgets to work out what equipment they



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need— You have left them in a very difficult position, haven't you, Mr Webb?

Stephen Webb: I accept that planning is difficult for them. I completely understand that.

Q155 **Shabana Mahmood:** You accept it, but what, as the Home Office, will you do about it?

Stephen Webb: We are working with them to see what we can do to minimise the risk that they will have to go and buy more stuff. If there are actual devices out there that could move from forces that have plenty to ones that have less, that would clearly be the best way to do it.

Q156 **Shabana Mahmood:** As you don't know for certain when everything will be ruled out, it is rather a conversation for the sake of saying there is a conversation, but with no actual, measurable outcome at the end of it.

Joanna Davinson: We are conducting a comprehensive re-planning exercise. The aim of that is to create more certainty. We are not there yet, but we absolutely need to do that; we recognise that we have to get that certainty around planning.

Shabana Mahmood: We will come on to the re-planning exercise. Let us have a look at the letter from Sir Philip.

Chair: The permanent secretary.

Q157 **Shabana Mahmood:** The permanent secretary. We have the announcement of this contingency issue being sorted, and then we have seven examples of progress that have been made since the permanent secretary was last in front of the Committee. It is very difficult to measure what those examples of progress mean, other than to tell us good things are happening.

If you have the letter in front of you, can you maybe tell us how far off the timescales some of these actually are? Which of these are successes based on the original timetable? What is just progress that we are really glad has finally happened? Could you disseminate some of that information more clearly for us?

Stephen Webb: Yes, absolutely. I think it is fair to say that all these things are very much what we were hoping for when we were before you last. These are all things that are on track since last November. In the case of the devices, that has probably been slightly quicker than we were hoping.

Q158 **Shabana Mahmood:** I'm less interested in what has happened since the November hearing. How far are they off the original plan for the delivery of this project?

Stephen Webb: There was an original plan that was then moved nine months to the right with the CL110.

Q159 **Shabana Mahmood:** With that slippage baked in.



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Stephen Webb: With that slippage baked in. There is an element of further delay in this, although some of these have been stable for a long time. For example, the software is due to arrive next Wednesday, which is a date that has been stable for six months to a year.

Q160 **Shabana Mahmood:** So this is the performance upgrade on functionality, correct?

Stephen Webb: Yes. Taken in order, the EE coverage is broadly compatible with the revised timescale—the original nine-month-delayed timescale.

Q161 **Shabana Mahmood:** Forgive me, but weren't we supposed to have 97% coverage by now?

Stephen Webb: 97% coverage would be the full EE coverage plus the extended area service. On the EE side, there are problems in some of the specialist areas—they are slipping a little bit—but the masts in their general remote areas have proceeded reasonably well, hence that 292 figure.

Q162 **Chair:** For specialist areas, are you talking about underground and air to ground?

Stephen Webb: They have a series of what they call annexe E sites. It is particularly things like the various metros outside London. Some of those have proven quite complicated, and more work is being done. The actual sites out in the countryside that EE are building have progressed reasonably well.

The extended area services, which are the ones we are building, will be slightly behind what would have been necessary to deliver the original CL110 timescale, if you like. That was to be done by mid-June, but we are now talking more like the end of 2018 to finish those sites.

Q163 **Shabana Mahmood:** Are those the sites for which you got state aid approval?

Stephen Webb: Yes. Those are what I would call the super remote areas, which will never be covered by EE. We are creating a block of sites that we are building ourselves.

Q164 **Shabana Mahmood:** On that state aid point, we have had evidence to the Committee from Vodafone, who are not massively happy about the way that access to those sites is being funded by the taxpayer, for which state aid approval has been obtained. They feel they are not getting a fair deal. What do you say in response to that?

Stephen Webb: I literally received a letter from Vodafone yesterday.

Q165 **Shabana Mahmood:** The content can't have come as too much of a shock to you, surely?

Stephen Webb: We have been having ongoing discussions and we will need to take our own legal advice on that. They obviously have their own



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interpretation of state aid. We believe that EE are very well aware of their state aid obligations, as are we. These sites have been made known to all the other mobile operators, and so far there has been very little interest in it, but I recognise that different mobile operators have their own views on this.

Q166 **Shabana Mahmood:** Are you not concerned about Vodafone being a bit unhappy about their access to the sites paid for by taxpayers' money? On the other hand, you need them to sort out the contingency issue to make sure that we do not have a gap in our service coverage. Are you confident that all these relationships are kept in the appropriate place?

Stephen Webb: Yes. There will be many parts of the company pursuing different interests. They have a contract with Motorola to provide the replacement to TDM. This is an issue. There will be—

Q167 **Shabana Mahmood:** It's not like there is a Chinese wall, though, is there? This is basically the same people around the same table, having the same conversation, basically with you.

Stephen Webb: Yes. This is largely an issue between them and EE about the terms on which they can access the site and the cost of it. Again, I think we understand that fair access on fair terms is how state aid works, but clearly different operators will have different interpretations of what that means. I do not want to go much further, because partly it is a legal issue in which EE are involved, and I will also need to review what we have been sent.

Q168 **Shabana Mahmood:** Okay, fair enough. To return to the areas of progress, I was interested to note that there were not any admissions of where there has been further slippage on the specifics of what should have been ready and some of the other technical details. Have you discovered any things that have been a failure, or something that was unhappy news, rather than the seven positive pieces of information we were given?

Stephen Webb: Over the last few months there has been quite good progress. Since we saw you last, it has been pretty positive. There are things that remain difficult—I suppose I would particularly say some of the details of how the in-vehicle solutions will work, and obviously we are looking to launch a procurement on the air-to-ground solution. So those are the things that have yet to be finalised.

Q169 **Chair:** Can I be clear? Sir Philip Rutnam—Philip Rutnam as he was then—the permanent secretary, said he was doing a review, so I guess, Ms Davinson, that is effectively you doing the review of the system.

Joanna Davinson: Yes.

Q170 **Chair:** We expected that in January, and then it was not going to be in January, and it still has not happened. When will the review be finally published? And, as Ms Mahmood said, what bad things—things that need still to be sorted—have you uncovered so far?



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Joanna Davinson: As you know, the programme is a series of projects. What we are doing in that review is working through each of those projects and really getting underneath the dependencies and the critical path of each of those projects, so that we can build our level of confidence in the integrated project plan. If we look at where we have had problems in the past, it has generally been where we have not had enough detail to sufficiently understand the relationships between the different parts of the programme. We are going through that work now.

In addition, we are looking at alternative approaches to delivery, and specifically at how we can get some capability out in the hands of the users early, so that we can do two things. One is to help build confidence in the users that we are developing real stuff. That gives us an opportunity to get feedback as well, as we are in the process of development. There are some categories of users who could capture some real benefit early: the users who, for example, just want the data component. We are going through some very detailed work on both of those aspects. Of course, we then need to reflect that in a commercial discussion with the suppliers, and in particular around the Airwave extension.

We expect to be able to complete all that work by the summer. I appreciate that that is longer than we had said previously, but one of the things that I brought in with my experience of having run large programmes before is that, in doing these resets, it is really important to bottom out the detail and really understand where those dependencies lie, so that you do not—

Q171 **Chair:** So at that point you will be able to tell us if there are going to be any further delays, and you will be coming to the Committee to talk to us about that.

Joanna Davinson: Yes.

Q172 **Chair:** It seems to me that, with all the changes that have taken place and the promises and reviews that have not yet delivered—that is not necessarily a criticism; I hear what you are saying about the process, which makes some sense—maybe we should ask the National Audit Office to have an overview of the whole programme again, Sir Amyas, if that would be a good idea.

Sir Amyas Morse: I think that would make sense.

Chair: It sounds like the summer is the date for that.

Sir Amyas Morse: Well, if you are going to finish your review by the summer, we will start our work in the autumn. Might I pick up something you just said that was very interesting? Did I hear you say that you thought some people might just want the data? Are you starting to segregate the ideas of voice and data in your thinking?

Joanna Davinson: There are some users who do not currently use the voice system. The example that we pick up on is ambulance: there are some categories of ambulance user that just want access to the data



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solution. In terms of conversations about which categories of users are going to use which parts of the system so that we can understand whether we have the opportunity to create incremental releases, we are going through those conversations with users at the moment. That is one of the things that is taking time to understand.

Sir Amyas Morse: Forgive me for one second; I want to make sure I have understood you right. Are you envisaging that people might use the Airwave system and also carry this new system for data? Is that what you have in mind?

Joanna Davinson: In the particular example I gave you, no. They would be using the data service—the new ESMCP solution.

Stephen Webb: But there would be a period—there was always going to be a period—when they were using both.

Sir Amyas Morse: So there might be people walking around with two sets of kit. That is possible, is it, in your thinking?

Stephen Webb: In the ambulance case, you would be particularly looking at putting data in the vehicles, which enables them to bring the data from the vehicles—the ambulances—and backhaul. It has all sorts of advantages, such as being faster and more resilient and enabling aggregation. All the users want to go on to voice, but some of them have such a pressing need for data that they would be quite keen to take that early.

Q173 **Chair:** Do you expect that to be a test bed, Ms Davinson, for testing flaws and problems?

Joanna Davinson: Yes. Any time we can get users to actually touch and feel the solution gives us the opportunity to get feedback. One of the challenges with our current plan is that we do all the design, development and testing for everything before we can go into user trials and transition. We carry through that process quite a lot of risk that by the time we get into trials, there will be some things that are not quite what the users were expecting. The earlier we can get users to actually use the components of the solution, the better.

Chair: That makes very good sense.

Q174 **Shabana Mahmood:** Returning to the review, re-plan, reset, budget—as you will—you can understand the Committee's frustration that while a review was announced in November at our previous recall session, just under three months on from that we are told, essentially, that the conclusion of that review is that you need a more major review of this project. May I press you on the deadlines and timescales for this now much more wide-ranging review? I have to say that Sir Philip's assurance—"I anticipate concluding this work no later than the summer parliamentary recess period"—does not fill me with a huge amount of confidence.



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Chair: Ms Davinson, you are fairly new to the civil service. We are a bit cynical in this Committee. In civil service terms, “summer” very often means autumn or nearly Christmas. Do you mean the summer?

Joanna Davinson: Yes. We do have a plan for the review, as you would expect.

Q175 **Shabana Mahmood:** What is the date for your summer, then?

Joanna Davinson: It is mid-summer.

Q176 **Shabana Mahmood:** June? July? August?

Joanna Davinson: The end of July is what we are aiming for.

Chair: It is a good job the National Audit Office has agreed to look at this, because we will be in recess.

Shabana Mahmood: Yes, at the end of July the House will have risen, so we will be relying on the National Audit Office to pick this up.

Chair: Thank you very much indeed for what was really just a brief recap. We look forward to that review. Clearly, there are emergency services out there that need this, and there is a lot of anxiety about who is going to pay for it. We only scratched the surface today, but this was not meant to be a major hearing. We really wanted to demonstrate to you that we are still interested and watching this very closely. I do not think I need to tell you that failure would be catastrophic, but there is also a cost to the taxpayer of the patching through of the system. We did not get into that today, but we will be looking to the National Audit Office to look into that as part of its inquiry. It is not within my powers to tell the Comptroller and Auditor General what to do, but he has heard our suggestion very firmly and has sat through this session.

Thank you very much for your time. As usual, the transcript will be up on the website in the next couple of days. We are not intending to produce a report on this, but we may well write to the permanent secretary as a result.