

Report to the Commissioner's Governance Board

Date: 1 March 2017

Title: **Emerging Risks & Cross Border Crime –
Modern Slavery: The Haughey Review**

From: Chief Constable



EXECUTIVE SUMMARY

1. The Modern Slavery Act was enacted in March 2015 and this was an important milestone in the fight against slavery and for social justice. It unified and simplified previous legislation and gave law enforcement new powers. It increased sentencing powers and strengthened protections for survivors. It established the first Independent Anti-Slavery Commissioner.
2. The Home Secretary asked Caroline Haughey to carry out a light touch review of the operation of the criminal justice aspects of the Modern Slavery Act, and as part of her review she interviewed over 100 police officers. The review was published at the start of the summer and made a number of recommendations to policing, to Crown Prosecution Service (CPS) and the judiciary, as well as about legislation and powers.
3. The recommendations to policing focus on: training for investigators, debriefing and sharing lessons learnt across the judicial system and reinvigorating the force and regional single point of contact (SPOC) network. These are more specific recommendations based on common themes within over 80 recommendations / commitments now facing policing. The Haughey Review recommendations have not yet been accepted by the Home office.

PERFORMANCE

4. The below seeks to provide a national update around Modern Slavery:

Prime Minister's Task Force (PMTF)

5. The date for the first Prime Minister's Task Force has yet to be set, but is likely to fall within October 2017. The agenda and areas of focus are also yet to be set; we anticipate the end to end National Referral Mechanism (NRM) process and our Pursue capability to be among the headline subjects.
6. The initial task force papers are drawn heavily from existing material that most forces shared with Chief Constable Sawyer in May/June.
7. It looks likely that the PMTF will require quarterly updates based on the action plan and operations information. The need to standardise disruption information across forces and across agencies becomes increasingly important and the Threat Groups are looking at ways to make this feasible.

NRM Triage options

8. There are many conversations about the future of the NRM process at the moment, with a particular area of focus for policing being how the information held within the NRM gets broken out and shared; the type of 'packages' provided to forces within a referral, and length and type of support available to victims throughout the police process.
9. The UK Human Trafficking Centre (UKHTC) are aware of 'historic' NRMs held by UK Visas and Immigration (UKVI) which have never been shared with policing before, and which need to be triaged before being allocated in order to protect forces from being swamped. There are also problems both in the submission of and the sharing of Duty to Notify packages, and of challenges registrars are experiencing in using the new HOCR (Home Office Counting Rules) in cases where the entirety of the crime was overseas. The NRM pilots have been extended until March 2017, but look likely to result in a solution that is neither the status quo nor the piloted response.

10. The Metropolitan Police Service is already massively affected by the challenge of responding to historic and overseas NRMs and has identified a solution through a similar model to Action Fraud for a central triage unit.

Operation Perceptual

11. The National Crime Agency (NCA) continues to coordinate Op Perceptual activity for October 2016. With the level of ministerial interest, the days of action this October are generating a lot of queries to the portfolio about who is doing what and when.
12. Throughout 2017, on a monthly basis, the NCA are coordinating a week of specific multi-agency operational intensification activity under Project AIDANT with the first period taking place between 13th–19th February focusing on Romanian crime groups.
13. The NCA are planning Op Invicta for May 2017 to focus on organised immigration crime.

Actions taken to address areas of under-performance and deliver improvements

14. One response to the Haughey Review and to the recommendations facing policing includes the NPCC submission of an £8 million bid to the Police Transformation Fund (PTF) for three years funding to resource the response to modern slavery in line with the existing gaps.
15. This included a central multi-agency analytical team, a policing analytical team with national and regional presence, a team of specialists to develop and test policy, identify good practice and support investigators to overcome challenges, a regional coordination team to support forces to implement this, and a national safeguarding partnerships coordinator to support forces interactions with existing safeguarding structures, a victims advocacy policy role, the development of training packages, conferencing fund and a NRM triage center. In total 60 positions most of which could be staffed across the UK. If approved Kent would benefit from support provided by the ROCU.
16. The submission has already prompted much national debate about the appropriate way to provide the much needed uplift in capability. The proposals outlined were strongly supported by the Independent Anti-Slavery Commissioner (IASC).

Launch of the new Modern Slavery Helpline

17. The charitable organization 'Unseen' launch the new national helpline for modern slavery on 18th October 2016. The National Police Chiefs Council Portfolio are now working with Unseen to ensure the handover of callers and that data from the helpline to police forces goes smoothly so that victims are well protected once they contact the helpline.
18. The transfer of intelligence and police information to the helpline to support its aims to become an analytical hub / data bank are more problematic to resolve centrally. Ownership of the risk surrounding sharing force intelligence remains at local force level and subject to local agreements.

Kent & Essex Modern Slavery Coordinator

19. Kent's Anti-Slavery Partnership Co-ordinator has made great progress in delivering some of the recommendations in line with the review and others contained within the 4P (Pursue, Prepare, Protect , Prevent) plan; early results have included a refresh of the Anti-trafficking partnership, local threat groups, A21 partnership for housing accommodation and working with overseas embassies to support local victims.

Risks

20. The Modern Slavery Act has set an international benchmark to which other jurisdictions aspire. All legislation must evolve with time but the Act itself is fit for purpose and our priority should be to maximise the impact of the provisions that came into force a year ago.

21. One year on, operational agencies are beginning to use the powers within the Act. While slavery remains under-reported, the Act and associated work has raised slavery in the consciousness of the general public and practitioners. The operational response to slavery is improving:

- Nationally more victims are being identified: in 2015 3,266 potential victims were identified and referred for support, a 40% increase on the previous year.
- Better protections are in place.
- Increased numbers of proactive and reactive police investigations take place.
- Increased numbers of prosecutions and convictions (most still under the old offences) occur.
- Prosecutors are enhancing their understanding of the law and needs of victims through use of the vulnerable witness tools.
- At a judicial level awareness is increasing and training is being put in place.

22. Our priorities to ensure the Act is translated into positive outcomes focusses upon:

- Training for police officers, investigators and prosecutors.
- Improving the quality and quantity of intelligence to fully understand the nature and scale of modern slavery at national, regional and international level.
- Developing a structured approach with other agencies to identify, investigate, prosecute and prevent slavery, including learning from what works and what does not.
- Ensuring victims are afforded the vulnerable witness status and protection at court.

Resources

23. UK LEA is looking at the national response to Modern Slavery, whilst Kent has a dedicated coordinator at this time. Kent is developing a good response to Modern Slavery with plans to enhance this as the threat develops. This is also likely to be subject of a HMIC Inspection for 2017 as requested by the Prime Minister (although Kent will not be subject to full inspection).