

Modern slavery workshops

WORKSHOP THREE

Victim care pathways

Dear Colleague,

You are receiving this pack in your role as Coordinator of a Modern Slavery Partnership.

Cases of modern slavery have been identified in every part of the UK. Whilst the general awareness of modern slavery has risen in recent years, for frontline practitioners it's not always obvious how to respond to particular situations of entrapment and exploitation. These can be very different from each other, for example, a British teenager forced to smuggle drugs will need different support to a migrant worker exploited in a factory.

It is important that people working in local organisations, from health professionals to social workers, police officers, businesses, charity and community organisation workers, know not only how to respond to potential cases, but also know who else to involve to make sure people affected get the comprehensive support they need.

This resource pack has been developed for regional Modern Slavery Partnerships to host five workshops, each aimed at a different target audience. You may choose to run all the workshops, or just a selection, depending on the current need in your region. Please feel free to run each workshop as many times as you wish.

In each workshop, the attendees work in partnership through a realistic scenario of modern slavery, allowing them to learn about current gaps and best practice in your region and to ensure a joined-up approach across the locality of your Modern Slavery Partnership. Whilst we have tried to use realistic scenarios and provide corresponding advice, the examples are illustrative and should not be seen as prescriptive. Each workshop is accompanied by a package of handouts which simplifies the most relevant policies and legislation to help improve victim support.

Whilst the workshops will be of benefit to a large range of organisations, their success rests on being undertaken alongside other local partners in order to develop the most effective, wrap-around response to modern slavery. This is why we strongly recommend using these workshops only through the regional Modern Slavery Partnerships, which can guide and coordinate local partners to a cohesive practical response.

For any questions, please contact Dr Alicia Kidd: Alicia.kidd@hull.ac.uk.

Proposed agenda:

Modern slavery workshop – victim care pathways

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|----------------|---|
| 8.30am | Refreshments and registration |
| 9am | Welcome and summary of the day |
| 9.10am | Opening speaker |
| | |
| 9.20am | Breakout and introductions |
| 9.30am | Scenario one |
| 10am | Feedback part one |
| 10.20am | Scenario two |
| 10.50am | Feedback part two |
| 11.10am | Coffee |
| | |
| 11.25am | Scenario three |
| 11.55am | Feedback part three |
| 12.15pm | Summary, questions and evaluation forms |
| 12.30pm | Close |

Guidance document

This workshop is aimed at key front line practitioners who work alongside your Modern Slavery Partnership and who are looking to develop their responses to modern slavery. **It is anticipated that attendees will already have a working knowledge of modern slavery.** We suggest that invitations are extended to both strategic and operational representatives of:

- Police
- Multi Agency Safeguarding Hubs
- Children’s Safeguarding Boards
- Adults’ Safeguarding Boards
- Children’s Social Care
- Adults’ Social Care
- Local Authority Housing Options
- Emergency Care Teams
- Mental Health Teams
- Primary Care Teams

The number of attendees you invite depends on your venue, but for the most effective conversations we recommend having 2-4 break out groups (ideally in separate rooms) with around 6-10 people in each group, plus a facilitator for each group. Once attendees are confirmed, the groups should be allocated. In the accompanying PDF, there is a sign-in sheet which will need printing ahead of the workshop. There is a column in this sheet to make a note of which group each attendee is allocated to. This should be clarified with attendees on arrival, and they should remain in the same group for the duration of the event. To enhance knowledge sharing, we recommend that each group has a mixture of organisations represented.

The workshop should begin with a welcome from the host with a brief explanation and outline of the day. This would also be a suitable time to share any updates about modern slavery in the local area, or to provide an input on local statistics to offer context to the day. We suggest inviting an opening speaker from an organisation involved in your partnership that has a robust victim care pathway.

The workshop is divided into three main parts. There are some areas highlighted within the scenario documents which require you to input a location relevant to your partnership area. After the welcome, attendees should break out into their groups where the facilitators will read out the first scenario and share hard copies. The groups should discuss the scenario and note down how each of their agencies would deal with it then draft a simple flow chart of how their organisation would respond to this situation.

After scenario one has been discussed, all attendees should come back together for a feedback session where initial thoughts, responses, gaps and concerns can be discussed. The feedback sessions should be facilitated by the Coordinator of your Modern Slavery Partnership who should ask for key points from a small number of people and then open it up for discussion. Any points from Feedback Session One that have not already been discussed by this juncture should be read out here for consideration.

The groups will then break out again to work through a second scenario and to identify whether their initial flow charts work for this situation or whether any amendments are required. All attendees should then come back together for another feedback session.

This process will be repeated a third time to test their flow charts against a different scenario, before everyone comes together for a final feedback session and a summary of the day. At the end of the event there should be time for questions and for attendee evaluation forms to be completed. These evaluation forms are for you to keep to help in the development of your partnership and in identifying the needs of partners. There is also an evaluation form about the success of the workshop for you to complete and return to us.

At the end of the workshop, all attendees should be leaving with a drafted victim care pathway to return to their agencies with. It is anticipated that they will continue to work on these with input from their own teams until they are confident that they have a solid victim care pathway for situations of modern slavery.

Equipment

- You may want to provide name badges if people haven't worked together before.
- You will need flipchart paper and pens to take notes from each group.
- You may need PowerPoint facilities if any opening speakers require them.
- You may wish to print and photocopy the scenarios so there are a few hardcopies available for each group. A photocopy symbol  has been included at the top of relevant pages in this document.
- You will also need to print and photocopy the package of handouts at the end of this workshop along with the Evaluation Form for Attendees, so that all attendees have access to them on the day. The photocopy symbol  marks the relevant pages. Please keep these evaluation forms; they are to help you to identify any potential needs or actions to be addressed by your Modern Slavery Partnership.



Scenario one

Allow time for introductions.

You receive a call concerning 14-year-old Jamie who has had a consistent history of behavioural problems within school. These problems have resulted in exclusions and eventually a transfer to the Pupil Referral Unit (PRU) where his behavioural problems continued. Jamie has aggressive and physically violent behaviour and there are rumours among students that he is a drug dealer, though some students have been dismissive of this because he is so scruffy and sometimes smelly.

On one occasion he was arrested with another person for robbery. There have been numerous incidents of Jamie going missing from both school and home. On some of these occasions he went to his grandmother's home. The frequency of these events increased through 2018 and 2019. According to his mother, the duration of missing incidents in which she has no idea where he has been have also increased. The longest period was during November 2019, lasting 19 days.

Jamie now spends most of his time in [insert local area]. He has recently returned home with approximately £100 in cash and a knife which his mother disposed of. There are indications that Jamie is connected to at least two adult males that may be involved in gang related criminality and drug dealing. These males are identified as coming from [insert local area] and one of them has a history of drug dealing, violence and firearms offences.

When Jamie has left his home, he has been staying in [insert local area] and associating with people in that area that are connected to a well-established gang. When he comes home, his mother says that he is emotionally withdrawn. His skin is usually in very poor condition, he smells very badly and his clothes are filthy.

Jamie has been arrested and charged with Possession with Intent to Supply class A drugs. At the time of his arrest, he was in a car travelling to [insert non-local area], driven by Pavel Agoston, a 20-year-old Hungarian National. Jamie had a quantity of Class A Drugs, a knife and a large amount of money in a small bag strapped to his waist inside his coat. He was unforthcoming when asked about his relationship with Mr Agoston or how he came to be travelling with him. He repeated that Mr Agoston was "just a driver".

Task

Draw up a rough flow chart of how you would deal with this information within your organisation.

Things to consider:

- Are there any other organisations that should be informed?
- What legal duty do you have to the child or his family?
- What concerns should you have for your own staff members involved in this case?
- Are there any potential barriers to engaging with this child?
- What do you do if the child refuses to engage with you?
- Why is he carrying drugs, cash and a knife?
- Does a referral need to be made to the national referral mechanism (NRM)? If so, would your organisation complete it or would you pass the case onto another organisation - and which one (see handout on NRM).
- What advice, guidance or advocacy do the child, his parents, and his school need, and who should provide it?

Feedback part one

The information provided in the scenario indicates that the child could be a victim of criminal exploitation whereby he has been groomed into criminal activity to run and sell drugs for a larger organised crime group.

He has been found in a vehicle driven by an adult who is not a family member and some distance from his own home and local connections. Movement for the purposes of exploitation constitutes trafficking, which means that a National Referral Mechanism (NRM) referral must be completed (consent is not required for referrals of anyone under 18 years old), however ongoing support would be provided via children's social care from the local authority rather than via the NRM (which would be the case if the potential victim was an adult).

Advised action:

- Because the case is indicative of criminal exploitation, then a referral to the NRM must be made (see handout). Referrals can only be made by a set list of 'first responders' which include police and local authorities. If your agency is not a first responder, then you should have a plan in place as to who you would ask to make the referral.
- As well as an NRM referral, a child safeguarding strategy meeting (under S47 of the Children Act 1989 – see handout) needs to be undertaken. Children's Social Care should be involved at the outset of any professionals meeting.
- Does the child have any health needs that need to be considered? There may be underlying medical conditions or mental health concerns, or he may have sustained injuries as a result of his criminal activity.
- The child is clearly involved in illegal activity, so legal representation should be considered. If the police are contacted, would they consider arrest?
- If Jamie has committed the crimes of Possession With Intent to Supply (PWITS) class A drugs or Possession of a Bladed Article as part of his experience of exploitation, he may have the benefit of the statutory defence under S45 of the Modern Slavery Act (see handout) but this would only be available if a criminal justice route was followed. You must consider if this would be in the best interests of the child.
- Best practice is to have one key worker assigned to the case so the child and his parents have consistency and know who to go to with questions or information.
- The child has been found carrying drugs; the possibility that he is also taking drugs should be considered. Consider referral to substance misuse services if drug taking is suspected.
- Consider the security of the family dwelling, it is likely that the organised crime group will know where the family lives and may target the family or dwelling if the exploited child tries to separate himself from the group.
- Social care should keep the school informed, as the child would have a dedicated social worker in the locality of the school.



Scenario two

Mai Pham (dob 9.12.2019) is currently in a mother and baby foster placement with her mother Hue Tran. She was discharged to this placement, with mother's agreement, from your local hospital. Mai had suffered a skull fracture. Ms Tran has been unable to provide any explanation for the skull fracture and swelling.

When she presented at the hospital with Mai, ward staff were concerned by the presence and behaviour of a friend named as Mrs Ly who was evasive when asked about her relationships to Ms Tran.

With the assistance of an interpreter, the following story emerges.

Ms Tran grew up in Vietnam. She responded to an advertisement from an agency that offered work abroad and promised to arrange transport and accommodation in addition to finding work. She paid £31,000 in exchange for travel, accommodation and employment. The agent required her passport, birth certificate and Identity Card. The money was raised by her parents through loans. She explained that the agency had told her and her family that whilst it was a lot of money, she would earn sufficient to not only pay it back but to make a profit after two years.

She travelled by aeroplane from Hanoi with an agent; she did not know which country she arrived in. She was driven by taxi to a warehouse building and told that she would have to work as a prostitute and that if she did not comply she would be beaten. There were other women in the warehouse and one of them explained they were in England. After some months, Ms Tran realised that she was pregnant and, upon telling the agent, was abandoned on the streets where she gave birth to Mai.

Whilst on the streets, another Vietnamese woman, Mrs Ly, approached Ms Tran and showed interest in Mai. She invited Ms Tran to come to live in her house with her, her husband and two children. Ms Tran slept in the kitchen on a bed roll, while Mrs Ly had Mai sleep in her room. In exchange for accommodation, Ms Tran was required to do all the cooking and cleaning and care for Mrs Ly's children as well as Mai. She had to get up at 5.30am every day and would not get to bed until 11pm, having to wait until everyone else had gone to bed first. She was not permitted to leave the house and Mrs Ly warned her that she would be arrested if she did, because she was in the UK illegally.

Ms Tran's status in the UK remains unregularized but Mrs Ly has completed an application for a passport for Mai.

Task

Run this scenario through the flow chart you prepared in the previous session. Does the flow chart account for all the issues raised here? If not, please make any additions or amendments.

Things to consider:

- There has been an injury to the child. How do you ensure that mother and child are safe?
- Which other organisations need to be informed, and at what point?
- Where should your input end?
- Immigration status
- Control of Mrs Ly, and the agent that brought her from Vietnam
- The debt that Ms Tran's family got into
- Are there any cultural implications that need to be considered?

Feedback part two

In this scenario, there are multiple indicators to suggest that Ms Tran has been trafficked from Vietnam into the UK for sexual exploitation. It appears she has been subsequently re-victimised by Mrs Ly. NRM referrals are obligatory in the case of anyone under 18 (or anyone who claims to be under 18 unless they are proven to be otherwise), however, adults must consent to a referral. Mai has not been trafficked but may have been used as leverage to control Ms Tran. An application has been made to gain a passport for Mai which is very suspicious.

Advised action:

- A multi-agency response that includes the UK Border Agency, Police and Social Services is vital.
- Mai may have suffered a non-accidental injury; this must be investigated as a child suffering or likely to suffer significant harm (Children Act 1989, S47).
- A first responder would need to make an NRM referral (see handout).
- If Ms Tran does not consent to be referred into the NRM then her immigration status would trump her status as a potential victim of modern slavery.
- If they are accepted into the NRM then the agency caring for them would take on the responsibility for applying for leave to remain.
- Ms Tran is entitled to immigration advice. Who would you refer her to?
- There is a language barrier, so you need to have an interpreter available for all interactions. The lead agency should organise and pay for this.
- The UK Border Force would deal with anything relating to immigration status and getting new ID documents.
- Regardless of immigration status, the local authority still has a duty to support Mai. The safeguarding of any minor should always precede any immigration enforcement.

Scenario three

A resident has made a noise complaint about a neighbouring property that has people coming and going at all hours of the day. You visit the property and discover that it is a three-bedroom House of Multi Occupancy (HMO), yet it is not registered as one. An adult male answers the door and you discover that the house is occupied by four Romanian adults. With the assistance of an interpreter, you establish that there are two men and two women living at the property. The two men left Romania together to live and work in the UK. For the first week they stayed with a friend who said he could find them work. The friend found them work in a recycling plant where they now both work 8 hours per day, six days per week, earning £100 per week each. Accommodation is provided for them at this house and they are happy with the arrangement.

Only one of the women is home. She tells you that back in Romania she met a man and fell in love with him, but he worked in the UK so she agreed to move here to be with him. When she got to the UK he took her passport and forced her to work in a brothel. He beat her and starved her when she refused, so she eventually gave in. She shares a bedroom with the other woman who lives in this house. The other woman is also forced to work in the brothel which is where she is now. They are so frightened of the man controlling them that they haven't told anyone about the situation.

Task

Run this scenario through the flow chart you prepared in the previous sessions. Does the flow chart account for all the issues raised here? If not, please make any additions or amendments.

Things to consider:

- Are there any other organisations that need to be informed?
- What action needs to be taken about the unregistered HMO?
- The men are not being paid the minimum wage but are happy with their arrangement. What do you do about this?
- Consider the possibility that the men know about the women's situation; how should this be dealt with?
- How will you engage with the other woman? And what would you do if she refuses to engage?
- There may be immediate health needs and the women should be referred to a sexual health service.
- Consider whether there might be any immediate risks to the safety of any of the occupants.
- Does an NRM referral need to be made? If so, who makes it?

Feedback part three

In this scenario, there are clear indicators of labour exploitation for the Romanian males who are earning around £2 per hour. It is also apparent that the women are being held for the purposes of sexual exploitation and that the woman you have spoken to has been trafficked. All are adults and therefore, if NRM referrals are to be made, they must consent to them.

Advised action:

- You should obtain sufficient information to ensure that there are no immediate threats to life. There is evidence of extreme violence so if you are not an emergency responder you should consider whether you need to ring 999.
- There may be other women being exploited at the brothel.
- Consider the potential for pregnancy.
- Consider that there may be other workers being underpaid at the recycling plant and what action (if any) your organisation needs to make in regards to that.
- Explain the NRM and, if they consent to being referred, contact a first responder (or complete an NRM referral if you are a first responder).
- You may need to provide housing until the point where The Salvation Army is able to provide safehousing for those accepting the NRM referral.
- If the Romanian nationals have been in the UK for at least three months and choose not to enter the NRM, or receive a negative decision, they could claim job seekers allowance, providing they can prove they have the right to reside.
- The local authority has a duty to provide advice on housing.
- If an adult meets the criteria for a referral into the NRM, but does not consent to it, then an MS1 form must be completed (see handout).
- The interviewing and determining of information for the wider investigation would be conducted by the investigating agency (likely police or Gangmasters and Labour Abuse Authority [GLAA]) but a multi-agency professional meeting should be arranged as a matter of urgency.
- Consider which organisations may have intelligence about this situation (e.g. sexual health, GLAA).
- The house is an unregistered HMO so you should report the address to the local authority's housing standards department.

Summary

1. Open to the audience:

- Are there any questions about the scenarios?
- Is there anything from today that will lead you to make a change in your organisation?
- Is there anything you need more advice on?
- Have you identified any gaps in provision that need to be tackled?

2. Actions:

- Have any actions been identified today that need to be addressed?
- We recommend that any actions arising from the workshop should be discussed at your next Modern Slavery Partnership meeting.

3. Closing points:

- Ask everyone to fill out the attached evaluation form.
- Closing comments.

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WORKSHOP THREE

Handouts

The Digital National Referral Mechanism (NRM) and Duty to Notify (DTN)

The National Referral Mechanism (NRM) is a framework for identifying victims of modern slavery and human trafficking and ensuring they receive the appropriate protection and support. There are two pathways: one for children and one for adults (18+).

The new digital process for NRM/DTN referrals was made available nationally from the 29th August 2019. This new process is now fully in place and operational for all first responders. The new process allows NRM referrals or DTN submissions to be made using a single online form.

This same process is to be used for NRMs and DTNs and whether the victim is an adult or child, as the form options presented will change depending on information submitted. The new form and associated documents can be accessed through the following link:

www.modernslavery.gov.uk/start

If the potential victim has capacity and gives their informed consent (consent is only necessary for an adult) to a referral into the NRM, first responders should complete the online NRM Referral Form with the potential victim or use the offline prompt sheet if working offline.

There are two stages of the NRM: Reasonable Grounds and Conclusive Grounds:

- For a positive Reasonable Grounds decision, the threshold is 'I suspect, but cannot prove' [that this person is a victim of modern slavery]
- For a positive Conclusive Grounds decision, the threshold is 'on the balance of probabilities' [there is enough information to conclude that this person is a victim of modern slavery]

Duty to Notify

It is worth noting that not all victims consent to an NRM referral and take up safe accommodation, however local authorities still have a duty to notify. In those cases, an **MS1** form must be completed using the online portal.

The **MS1** form should be completely anonymous if the potential victim does not consent to their details being shared. A duty to notify referral should not be relied upon to safeguard victims. Existing safeguarding processes should still be followed to provide any owed duties to that person.

Children

Children do not need to consent to a referral into the NRM, but when they turn 18, they can withdraw the referral if they wish. Modern slavery and human trafficking against children are child abuse. When an agency encounters a child who may have been exploited or trafficked, local authority children's services should be notified immediately.

A referral into the NRM does not replace or supersede established child protection processes, but should complement the statutory package of support. Child victims should always be supported using existing child safeguarding measures and local protocols. Unaccompanied children under 18 will not be placed in Salvation Army accommodation. They should always be accommodated by the responsible local authority or social care team.

The Digital National Referral Mechanism (NRM) and Duty to Notify (DTN) continued

Accommodation

In cases where The Salvation Army Modern Slavery Team support/safe accommodation are required, The Salvation Army Modern Slavery Team will need access to the potential victim to carry out a needs assessment. This can be completed by telephone but may need to be face-to-face on occasion. The Salvation Army may allocate safe accommodation through their network of providers if the individual is high risk/needs and/or homeless and destitute, subject to initial assessment of eligibility and risk and if they are satisfied it is safe to take over duty of care.

Depending on the circumstances of the discovery of the potential victim, there may be instances whereby the local authority may need to provide an initial few nights' safe accommodation until such time The Salvation Army takes over the duty of care. This may also be required pending ongoing police investigations, time of day/night, the location in which the potential victim is discovered, or the Modern Slavery Team response time.

If there is low risk to the victim and they have recourse to public funds, it may be that they are accommodated by the responsible local authority with The Salvation Army providing outreach NRM support.

NRM Support

Following referral from a first responder organisation, the single competent authority (SCA) will make a Reasonable Grounds decision to determine whether it 'suspects but cannot prove' that an individual is a potential victim of modern slavery.

This decision should be made within five working days of referral, where possible. Following a positive Reasonable Grounds decision, a potential victim will receive a Recovery Period of at least 45 calendar days and will be able to receive support via the Victim Care Contract.

The SCA will make a Conclusive Grounds decision no sooner than 45 calendar days after the Reasonable Grounds decision, to determine whether 'on the balance of probabilities' there are sufficient grounds to decide that the individual is a victim of modern slavery. This decision is based on the evidence made available to the SCA.

Following a positive Conclusive Grounds decision, victims will be exited from support only when appropriate to do so. Victims with a positive Conclusive Grounds decision will receive at least 45 calendar days of support during the move-on support period. A recovery needs assessment will be conducted to determine the needs of the victim upon exiting NRM support.

Note: It is extremely important to understand that a referral into the NRM does not always automatically provide the victim with safehouse accommodation out of area. This responsibility sits with the local authority as part of their normal homelessness and housing owed duties.

Children Act 1989: Section 47 – Local Authority’s Duty to Investigate

“Where a local authority:

- a. are informed that a child who lives, or is found, in their area
 - i. is the subject of an emergency protection order; or
 - ii. is in police protection;
- b. have reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm,

The authority shall make, or cause to be made, such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child’s welfare”

Strategy Discussion/Meeting

When concerns are raised about a risk of significant harm to a child, the local authority’s children’s social care team must convene a meeting or phone call with partner agencies to discuss the details of the case. Together with the police investigation team they need to decide if the threshold for a child protection enquiry has been met (see below), and if so, who should carry out the investigation – the children’s social care team and the police (joint agency) or the police or children’s social care team alone (single agency).

Section 47 Enquiry

Once agreed, a section 47 enquiry sets out the duty to undertake an investigation of the child’s needs and the ability of those caring for the child to meet them, with the aim to decide if any action needs to be taken to safeguard the child. It must be undertaken within 45 days and by a qualified social worker, and will include interviewing the child’s parents/carers, as well as the child (unless they are too young). It will also include information from the child’s school, doctor, and other professionals. The enquiry should determine whether they need to take further action to safeguard or promote the child’s welfare, such as applying to the courts for an emergency protection order, a child assessment order, a care order, or a supervision order.

If it is determined that court proceedings are not necessary, but there are still concerns regarding the safeguarding of the child, then an Initial Child Protection Conference will be arranged. This will be chaired by an Independent Reviewing Officer (IRO) and parents and professionals involved with the child will be invited to attend. During the meeting the issues raised from the Section 47 enquiry will be discussed and a decision made as to whether or not the child will be made subject to a Child Protection Plan.

www.legislation.gov.uk/ukpga/1989/41/section/47

The Defence in Section 45 of the MSA 2015

Section 45 of the Modern Slavery Act 2015 (MSA) holds that a defendant, when faced with criminal liability, can raise a defence that they were a victim of trafficking (the Defence). This does not apply to every criminal offence; there is a list of offences in Schedule 4 of the MSA in which the Defence cannot be raised. This includes murder, manslaughter, firearms offences and offences causing grievous bodily harm.

The Defence works slightly differently for adults and children, as children do not have to show the same degree of compulsion when raising it. For an adult (an individual over 18) to be able to rely on the Defence, Section 45(1) of the MSA requires them to show that:

- a. They committed the offence because they were compelled to do so
- b. They were compelled as a result of slavery or relevant exploitation; and
- c. A reasonable person with relevant characteristics in the same position as the person would have no realistic alternative to committing the offence.

For children, the Defence will succeed under Section 45(4) of the MSA if the child is able to show that:

- a. They committed an offence as a direct consequence of their being a victim of slavery or relevant exploitation; and
- b. A reasonable person in the same situation and having the person's relevant characteristics (including their age) would have committed the offence.

The Defence is tailored to the particular scenarios that can commonly be present in cases of human trafficking.

The Defence has been drafted in a way to accommodate the different methods of compulsion which may be present in human trafficking cases. A person's relevant characteristics may mean that they feel that they have no realistic alternative to committing an offence that they are compelled to commit.

Crucially, it should be noted that the operation of Section 45 of the MSA does not provide a blanket defence for victims of trafficking. There must be a sufficient nexus between the fact of having been trafficked and the alleged offence in order for an individual to avail themselves of the Defence. If an individual happens to be a victim of human trafficking but has committed an offence completely separately and independently of this, the Defence would not be successful.

www.legislation.gov.uk/ukpga/2015/30/section/45

Conceptualising Child Criminal Exploitation (CCE)

Differentiating between a child that is simply engaged willingly in criminal activity and a child that is forced to commit crimes is difficult. A child that is engaging in criminal activity voluntarily, who gains from the proceeds of their activity is not being subjected to exploitation.

Alternatively, crime may be a characteristic of a family and its functioning and therefore participation in criminal activities may be a normal experience for a child, i.e. the family may adhere to anti-social narratives and criminality is expected by the adults, carers and family peers such as siblings and cousins. A child that is engaged in criminal activity but hands over the proceeds to their parents may or may not be subjected to criminal exploitation. The criminal activity may be indicative of family poverty and survival needs, low resilience and marginalisation. In these circumstances, both the child and the family are vulnerable to exploitation by predatory others.

Those that control children for criminal exploitation are the primary beneficiaries of the criminal activity but there may be a system of second-order beneficiaries who act as facilitators, suppliers of the children or licit and illicit goods and services who all profit from the criminal activities. Indeed, criminal exploitation may be the lucrative tip of a criminal iceberg.

Age, gender and developmental level of the child may be significant with regard to the nature of the criminal activities, motivations and organisation of exploiters, processes of recruitment, social and cultural attitudes towards age and gender as well as social norms and the type and context of criminal activity.

CCE is diverse and varied. It may happen in the context of families, peer relationships, gangs or organised crime. CCE is not only related to drug dealing. Other examples include forced begging, petty street crime and distraction theft, burglary, shoplifting, money laundering and fraud, violent crimes, and production and selling of counterfeit goods (e.g. CDs, DVDs, clothing, accessories etc.)



Definitions

Criminal activities through which children may be exploited are many and varied. There is no statutory (i.e. legal) definition of CCE but the following definitions offer potentially helpful descriptions.

Child and Young Person: In line with the Children Act 1989 as the primary childcare legislation for England and Wales, The UN Convention on the Rights of the Child and the Palermo Protocol, the term child or young person refers to anyone that has not attained their 18th birthday.

Criminal Exploitation: Currently the most commonly used definition of CCE has been drawn from that used in the government's Serious Violence Strategy (2018), reproduced in Working Together 2018:

“ where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. Child criminal exploitation does not always involve physical contact; it can also occur through the use of technology. ”

The county lines model of drug distribution is formally defined and described in the Serious Violence Strategy and Working Together 2018. County lines is:

“ a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of 'deal line'. They are likely to exploit children and vulnerable adults to move and store the drugs and money, and they will often use coercion, intimidation, violence (including sexual violence) and weapons. ”

It is a hierarchical structure of organised crime that intersects with young people, street gangs and so-called “gang affected communities”. The children and young people that are recruited and controlled to hold weapons, drugs and money for criminals are at the bottom of this hierarchy. The most serious criminals are a relatively small number of established criminals whose interests may extend beyond the drug trade. Between them and the customers are several protective tiers of criminals and gang members who may even be from rival gangs.



Evaluation form for attendees

| | Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
|---|----------------|-------|----------------------------|----------|-------------------|
| Today was relevant to me | | | | | |
| The scenario was useful | | | | | |
| Today was good for networking | | | | | |
| My knowledge on how to respond to modern slavery has improved today | | | | | |
| My knowledge of partners working on modern slavery has improved today | | | | | |
| From today, there are changes that need to be made in my organisation to make sure we deal with modern slavery more effectively | | | | | |
| I know who to talk to if I need support or guidance on modern slavery | | | | | |
| I am confident in referring into the NRM (first responders only) | | | | | |

If the workshop identified changes you need to make within your organisation, please give details:

Does your organisation require any further assistance from your regional Modern Slavery Partnership regarding modern slavery? Please leave a contact email if you'd like someone to get in touch about this.

Email Address:

Any further comments about the workshop:



Evaluation form for Modern Slavery Partnership Coordinators

After the workshop, please fill this out and email a copy to Alicia Kidd at Alicia.kidd@hull.ac.uk

1. Which workshop did you run?

2. What date did you run the workshop?

3. How many people attended the workshop?

4. Did the workshop help engage partners that you have not previously worked with? If so, which partners?

5. Did you identify any new examples of best practice through the workshop? Please give details.

6. Did you identify any gaps in provision through the workshop? Please give details.

7. Was there anything you felt was missing from the workshop? Please give details.

8. Was there anything you would change about the workshop? Please give details.

9. Are you likely to run the workshop again?

10. Please provide some of the key pieces of feedback that came from the attendees.

11. Any other comments.

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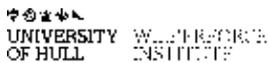
All content is accurate as of 26/08/20.

For any comments or questions, please contact Dr Alicia Kidd: Alicia.kidd@hull.ac.uk, or the Modern Slavery PEC on office@modernslaverypec.org.

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