



# MODERN SLAVERY POLICE TRANSFORMATION UNIT

## Victim Safeguarding Initial Actions Officer's Responsibilities

August 2020

Version 2

HANDLING INSTRUCTIONS: THIS DOCUMENT SHOULD NOT BE ALTERED OR AMENDED WITHOUT PRIOR AGREEMENT FROM THE REPORT OWNER THE MSOIC. EMAIL [MODERNSLAVERY@DEVONANDCORNWALL.PNN.POLICE.UK](mailto:MODERNSLAVERY@DEVONANDCORNWALL.PNN.POLICE.UK)

## Modern Slavery Victim Safeguarding Initial Actions – Officers’ responsibilities

Officer’s need to carry out immediate safeguarding for potential victims of modern slavery, this will include safe housing as victims might be unable to return to where they have been staying.

The National Referral Mechanism (NRM) offers support to a victim of Modern Slavery/Human Trafficking once the ‘Reasonable Grounds’ decision is made by the Single Competent Authority (SCA); however, this can take up to 5 working days and referral is not mandatory, where a victim declines the NRM, officers still need to offer support, submit a DTN (Duty to Notify) and put safeguarding measures in place where appropriate.

Police need to ensure communication is maintained with the SCA following the NRM referral. Regular updates are to be provided on changes to any safeguarding measures taken and or any significant investigative measures by email to [nationalreferralmechanism@homeoffice.gov.uk](mailto:nationalreferralmechanism@homeoffice.gov.uk) quoting the NRM reference in the email subject.

Services offered by the NRM will vary according to force areas - for information about local provisions and arrangements with partners officers should refer to force intranet sites or contact the force Modern Slavery lead.

The <https://www.humantraffickingfoundation.org/support-services>, also lists a directory of services by force area, which includes services available outside of the NRM.

### Housing support for victims

If a victim is a child (under 18) then immediate contact should be made with children’s services, through existing local referral pathways (i.e. MASH).

If an adult victim is in a situation of exploitation and they have children, child safeguarding referrals must be made, accommodation might be secured to safeguard them together.

Local housing authorities have duties to try and prevent homelessness or help to secure accommodation for all homeless people who are eligible for public funds assistance. They must also secure accommodation for those that are homeless and have a ‘priority need’ for accommodation, and if there is reason to believe a person **may** have priority need then interim accommodation must be provided for them whilst an assessment is completed.

The Housing Act 1996 requires local authorities to make enquiries of a person who is homeless or at risk of homelessness pursuant to section 184.

In order for the local authority to accept a duty pursuant to Part 7 Housing Act 1996 as amended by the Homelessness Reduction Act 2017<sup>1</sup>, the following criteria need to be met:

- ▶ The individual must be homeless or threatened with homelessness within 56 days
- ▶ They must be in priority need for accommodation. This includes (but is not limited to) pregnant women, those with dependent children and those who are vulnerable because of old age, have a physical or learning disability, have mental health problems, have had to leave the home because of

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<sup>1</sup> For Wales see Part 2 Housing (Wales) Act 2014

violence or harassment or there is some other special reason that makes the person vulnerable. Another reason could be that if a person is homeless or threatened with homelessness this significantly increases their risk of being re-trafficked or exposed to further exploitation

- ▶ They are eligible for assistance
- ▶ They have not made themselves intentionally homeless (escaping situation of homelessness is not intentionally homeless) and
- ▶ They have a local connection.

Section 188 (1) of the 1996 Act as amended by the Homelessness Reduction Act 2017<sup>1</sup> requires housing authorities to secure interim accommodation if they have reason to believe a person may be homeless, eligible for assistance and in priority need. However, **being a potential victim of MS does not necessarily mean an individual will be found to have priority need.**

<https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities>

- ▶ **British citizens** are eligible for Local Authority support for accommodation if they are deemed as a priority need;
- ▶ **EEA nationals** – exercising their treaty rights (working, studying or self-sufficient) are also eligible, even if the work is exploitative and unlawful
- ▶ **EEA nationals with ‘Settled Status’ (5 years continued residence)** - have the same eligibility as British nationals
- ▶ **EEA nationals with ‘Pre-Settled Status (below 5 years continuous residence)** - have eligibility on the same basis as before (e.g. working, studying or being self-sufficient).  
(<https://www.gov.uk/government/publications/eu-settlement-scheme-caseworker-guidance>)
- ▶ **Non-EU nationals** - will depend on immigration status, some may have regularised immigration status, those claiming asylum may be entitled to asylum support accommodation (ASA). Attached factsheet to help <http://www.asaproject.org/resources>.

If a victim is an EEA national & has been working but has stopped owing to becoming a victim of exploitation, they may retain worker status. (

Full guidance available here:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/759064/eea-qualified-persons-v6.0ext.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/759064/eea-qualified-persons-v6.0ext.pdf))

Adults: Under Care Act 2014 the Local Authority has a safeguarding duty to make enquiries (section 42 Care Act) where a person;

- ▶ Has needs for care and support
- ▶ Is experiencing, or at risk of, abuse and neglect
- ▶ As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of, abuse and neglect.

Emergency placements are available through the Victim Care Contract (VCC) by the Salvation Army (0300 3038151) - these spaces are limited & temporary.

#### **Other options:**

- ▶ Local charities in the immediate area often provide support to MS victims
- ▶ The Human Trafficking Foundation website highlights accommodation in specific areas
- ▶ Some forces have local safe houses or forces may have to pay for emergency accommodation

## Basic provisions

Officers should ensure that victims have immediate access to food, clothing, toiletries and money.

Providing provisions can be key to building trust and rapport, lack of the basics can encourage victims to return to perpetrators. Check local arrangements food banks / charities.

The Red Cross might help (0344 8711111).

## Medical

Investigators should ensure the victim's immediate medical needs have been considered.

Access to the appropriate medical facility should be considered (e.g. NHS Walk in Centre, A&E, GP, SARC). As should needs such as drug and alcohol dependency, STIs, pregnancy, malnourishment or physical injury. When dealing with a victim of sexual exploitation engage the services of a SARC and consider securing early evidence as per local policy.

## Contact

Victims should be made aware of how they can contact the investigation team if they need to do so. Also, the victim should have a safe contact number they can be contacted on if appropriate and this should be recorded clearly on logs or crime reports. The victim's consent for this to be shared with relevant organisations should be sought and the victim might need to be provided with a phone.

Victims should be updated on the progress of the investigation, including where suspects are arrested, charged or bailed as required by the Code of Practice for Victims of Crime.

## Translators

Official translation services must be used where possible, such as Language Line or an accredited interpreter in person. Check they have no connection to the victim, other people in the household, friends or family should not be used as interpreters (other victims might work for the trafficker, e.g. Alpha victims).

Use officers/police staff who can speak the same language.

If necessary, consideration should be given to using apps/tools (e.g. google translate) to obtain basic initial details, do not use for larger communication, to avoid wrong or misleading translations.

## Referrals

Consent from potential adult victims is required for them to be referred into the NRM, if they decline, a Duty to Notify must be completed.

Vulnerable persons - a vulnerable adult referral should be made to adult social care (adult MASH where applicable) to access extra support for the victim, the NRM referral will not access or provide this.

If a potential child victim is under 18, or may be under 18 - a referral must be made to the relevant Multi-agency safeguarding hub/unit and an NRM must be submitted following a strategy meeting using information from all relevant agencies (child victims do not have to consent to be referred into the NRM process).

## Communication needs due to vulnerability

If the victim/witness is considered 'vulnerable' within s.16 YJCEA 1999 and has communication needs, the services of a Registered Intermediary should be considered in accordance with the requirements of the statutory *Code of Practice for Victims of Crime* (Ministry of Justice 2015). A Registered Intermediary can be secured via NCA Major Crime Investigative Support on 0345 000 5463. Consideration should also be given to the need for an interview supporter as required by the statutory *Code of Practice for Victims of Crime*.

## Advice

The use of Independent Child Trafficking Guardians (ICTG's)/Victim Navigators should be considered.

ICTGs are an independent source of advice for all trafficked children and can speak up on their behalf (phone 0800 0434303, currently pilots in Croydon, GMP, Hampshire, Isle of Wight, East Midlands, West Midlands, Wales).

Victim Navigators or police Victim Liaison Officers are also available in some policing areas and provide guidance/support to the victim, working with the investigation team.

The Human Trafficking Foundation Mapping directory shows other independent advocates that are available, e.g. Independent Modern Slavery Advocates, Independent Sexual / Domestic Violence Advocates, (especially if offence is domestic violence/modern slavery related).

The children's society have independent advocacy services in some areas.

## Recording

It is important to clearly record in detail what support has been provided to the victim by the police and partners for future disclosure purposes. This is relevant should concerns later be raised about victim inducement by the defence.

## Large number of victims in immediate need of support

There should be contingency plans in place within forces for local resilience forums to quickly set up reception centres for large numbers of exploited and trafficked people. The Red Cross can also assist in providing the following assistance with a reception centre:

- ▶ Supply of emergency provisions such as food, clothes and blankets
- ▶ Emotional support
- ▶ First aid
- ▶ Email for support and advice: [antitrafficking@redcross.org.uk](mailto:antitrafficking@redcross.org.uk).

The NCA can also offer help and advice via their Modern Slavery Tactical Advisors 0844 778 2406 on a 24/7 basis.