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# Slavery at Home: a new bill to tackle slavery in Britain



Executive Summary

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In 2015 the Modern Slavery Act marked a turning point in the fight against slavery and human trafficking and set the UK as a global leader in tackling this horrendous crime. Nearly eight years later, despite increased awareness and understanding, the organised crime networks behind modern slavery are continuing to act with impunity—costing the UK billions of pounds and ruining thousands of lives.

Increasing numbers of potential victims are being identified and referred for support, nearly four times as many in 2021 as in 2015, including significant numbers of British victims who are now the single largest nationality represented. Yet more still go unidentified - in 2020, we estimated there could be at least 100,000 victims in the UK, 10 times the number referred for support that year. The imperative to stop slavery gangs in their tracks could not be clearer, yet prosecution rates remain low. The truth is that modern slavery remains a low risk, high reward crime.

Recently concerns have been raised that false claims of modern slavery are being used to bypass the immigration system. The National Referral Mechanism must be able to identify any false claims but these concerns should not divert attention from tackling slavery or reduce support for victims. Independent polling shows that the public believe that cracking down on false modern slavery claims should not lead to a reduction in victim support (53 per cent) and that more government support for victims is needed in order to bring more criminal gangs to justice (82 per cent).<sup>1</sup>

There is an urgent need to shift the balance of risk and reward on modern slavery. While the Modern Slavery Act 2015 (MSA 2015) set the foundation, now is the time for a new drive towards eradicating exploitation.

At home this means that no-one must be left behind in the drive to address the cost of living crisis and move towards a levelled up UK where everyone has the opportunity to flourish. The Government must make it a priority to protect vulnerable people and communities from offenders and organised crime gangs who seek to take advantage and exploit them.

Abroad, as we move into a new chapter for Global Britain with new trade and political relationships, the Prime Minister has an opportunity to put the UK at the forefront of tackling modern slavery across the globe.

There can be no compromise. We must be resolute in our determination to be tough on modern slavery at home and abroad.

In May 2022 the Government announced plans for a new modern slavery bill. A refreshed modern slavery strategy is also expected. The Government now has an opportunity to take swift and bold action injecting new momentum into the fight against modern slavery and shift the balance of risk and reward so criminals can no longer profit from human misery.

This paper sets out four key ways to make that shift. These are:

## 1. Stamping out emerging forms of modern slavery by making 'cuckooing' a criminal offence

Cuckooing is where offenders exploit someone by taking over their home and use the property for their own purposes, often the storage of drugs or weapons but not exclusively. Victims are often targeted because they are vulnerable through addiction,

age, or disability, and offenders can be violent and threatening. Exploiting someone by taking over their home is not currently a criminal offence. The CPS has said cuckooing is out of reach of the MSA 2015 where there is no movement and no other 'labour' is involved. Other offences such as drugs crimes or generic organised crime offences do not address the exploitation of the victim. **The Home Secretary should use the forthcoming Modern Slavery Bill to protect vulnerable people at risk of cuckooing and adequately prosecute the perpetrators by making it a specific modern slavery criminal offence.**

## 2. Getting tough on modern slavery offenders

The prosecution rates for modern slavery offences remain low. Data on prosecution rates and sentencing is incomplete, but available data suggests despite the increase of the maximum sentence for modern slavery crimes to life imprisonment in 2015, average sentences are not commensurate with the devastation modern slavery causes to victims. Civil orders (STPOs and STROs) created by the MSA 2015 can be imposed on offenders to restrict their behaviour including travel restrictions or preventing them engaging in certain kinds of business or employment. The orders can provide additional consequences for offenders, protection for current victims and prevent others being abused by modifying their behaviour, yet only a third of convicted offenders receive an STPO. **Increasing prosecution and conviction rates must be a key focus of the new modern slavery strategy. A thorough review of sentencing patterns should be undertaken to identify challenges and areas for operational improvement and data should be published annually on sentencing outcomes for all modern slavery offenders. The new modern slavery bill should introduce a national register for modern slavery offenders – similar to the sex offenders register – and make imposition of an STPO a statutory requirement on conviction for modern slavery offences. It should also increase access to STPOs and STROs in other circumstances such as after conviction for other offences and after applications by a wider range of chief constables. The wider range of orders available and their interaction with STPOs/STROs should be reviewed.**

## 3. Shifting the balance in business supply chains

Globalised supply chains bring considerable risks of forced labour into the UK market. The British public has been horrified by the reports of modern slavery in PPE supply chains during the COVID-19 pandemic and state-sponsored forced labour of hundreds of thousands of Uyghur people in China. There is huge potential for action by businesses to reduce modern slavery around the world, but, this requires decisive Government action to create a level playing field with consistent standards expected of all companies. The MSA 2015 created the first national obligations on businesses to report action against modern slavery, however, non-compliance and poor quality reporting has limited its effectiveness. As Global Britain moves into a new chapter after Brexit we must once again take a lead and strengthen protections against goods made with forced labour entering the UK market in both public and private supply chains. **The new modern slavery bill should strengthen section 54 reporting requirements by (i) extending them to public authorities and investment organisations, (ii) setting mandatory minimum reporting requirements with additional requirements to increase the quality of information provided including details of all instances of forced labour identified, remediation taken or reasons for null reports, and (iii) introducing penalties for failure to comply with the section including disqualification from holding a Director's position and a fine set at an appropriately dissuasive level, proportionate to an organisation's turnover. The bill should also establish a framework for the transparent imposition of WTO-compatible import controls**

<sup>1</sup> Polling by Opinium for the Centre for Social Justice and Justice and Care, field dates: 12-14 October 2022

targeting specific companies and goods affected by forced labour, that will encourage the remediation of forced labour practices as well as preventing goods from entering the UK market. UK trade deals should support these controls by containing strong anti-slavery provisions. The Government should take the earliest opportunity to put in place a consistent approach to eradicating modern slavery from all government supply chains emulating the regulation-making power under the Health and Care Act 2022. We also urge the Government to prioritise consideration of a comprehensive framework for mandatory due diligence including for modern slavery over the coming years.

#### 4. Smarter support for modern slavery victims

Victims are the key to unlocking progress against slavery offenders. We need a smarter approach to support which sees it as not simply a crisis intervention for individuals, but a strategic investment crucial to bringing offenders to justice and preventing further exploitation. Evidence shows that with appropriate, consistent support more victims engage with investigations and prosecutions providing vital evidence and intelligence that brings criminals to justice. But at present there is limited statutory provision of support available once the Home Office has confirmed someone as a victim. The current system for extending support is not working, in large part because of a bureaucratic process requiring victims to regularly provide evidence of their need at repeated assessments after short periods of support. The Government has already committed to providing a minimum of 12 months support for confirmed victims who need it, but the guidance has not yet been produced to make this a reality. **The new modern slavery bill should provide all confirmed victims with a minimum of 12 months of support after the NRM without a complex bureaucracy to 'prove' needs directly related to exploitation. We also urge the Government to ensure that confirmed victims with irregular immigration status receive temporary leave to remain so all victims can access support and take action to increase availability of specialist Victim Navigators embedded with police forces to support modern slavery victims to engage with the criminal justice process.**



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