

# WORKING ARRANGEMENTS FOR THE WELFARE AND PROTECTION OF ADULT VICTIMS AND POTENTIAL VICTIMS OF HUMAN TRAFFICKING AND MODERN SLAVERY

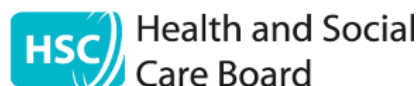
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Guidance issued by

the Department of Justice, the Police Service of Northern Ireland and the Health and Social Care Board

November 2018

This guidance was developed in discussion with the Department of Health (NI).



Keeping People Safe

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## GLOSSARY OF TERMS

### **Achieving Best Evidence in Criminal Proceedings**

Guidance on interviewing victims and witnesses, the use of special measures, and the provision of pre-trial therapy has been developed by the Department of Justice Northern Ireland<sup>1</sup>. The guidance is primarily aimed at police officers conducting visually recorded interviews with vulnerable and intimidated witnesses, those tasked with preparing and supporting such witnesses during the criminal justice process and those involved at the trial, both in supporting and questioning the witness in court. ABE trained social workers are able to participate in joint interviews with PSNI when required.

### **An Adult**

An adult is a person who has attained the age of 18 years.

### **Adult Safeguarding**

*Adult Safeguarding: Prevention and Protection in Partnership* (DHSSPS & DoJ, July 2015) outlines joint working arrangements for the protection of Adults at Risk of Harm (replacing the term “vulnerable adults”).

<https://www.health-ni.gov.uk/sites/default/files/publications/dhssps/adult-safeguarding-policy.pdf>

### **Adult at Risk of Harm**

An ‘**adult at risk of harm**’ is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their personal characteristics and/or life circumstances. Personal characteristics may include, but are not limited to, age, disability, special educational needs, illness, mental or physical frailty or impairment of, or disturbance in, the functioning of the mind or brain. Life circumstances may include, but are not limited to, isolation, socio-economic factors and environmental living conditions. (*Adult Safeguarding Operational Procedures, Adults at Risk of Harm and Adults in Need of Protection* (September 2016))

<http://www.hscboard.hscni.net/download/PUBLICATIONS/safeguard-vulnerable-adults/niasp-publications/Adult-Safeguarding-Operational-Procedures.pdf> .

### **Adults at Risk and in Need of Protection**

An ‘**adult in need of protection**’ is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their:

A. personal characteristics

**AND/OR**

B. life circumstances

**AND**

C) who is unable to protect their own well-being, property, assets, rights or other interests;

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<sup>1</sup> <https://www.justice-ni.gov.uk/sites/default/files/publications/doj/achieving-best-evidence-a-practitioner-guide.pdf>

## **AND**

D) where the action or inaction of another person or persons is causing, or is likely to cause, him/her to be harmed.

In order to meet the definition of an 'adult in need of protection' either (A) or (B) must be present, in addition to both elements (C), and (D). (*Adult Safeguarding Operational Procedures, Adults at Risk of Harm and Adults in Need of Protection* (September 2016))

<http://www.hscboard.hscni.net/download/PUBLICATIONS/safeguard-vulnerable-adults/niasp-publications/Adult-Safeguarding-Operational-Procedures.pdf> .

### **Belfast and Lisburn Women's Aid (BLWA)**

Belfast & Lisburn Women's Aid is one of two non-Governmental organisations (NGOs) currently contracted by the Department of Justice to provide support to potential adult victims of modern slavery in Northern Ireland. BLWA provides support to single adult females (including those with children and those who are pregnant as a result of their exploitation) while their cases are being considered under the NRM processes as per the statutory requirement under section 18 of the HT Act. BLWA also supports the repatriation of women who wish to return to their countries of origin.

The other provider currently contracted by the Department is Migrant Help (MH) which provides support to adult males, mixed gender couples and families. In instances where MH receives a disclosure of domestic violence or sexual abuse from a female who is accompanying a male partner, the female is then referred to BLWA who will take responsibility for providing support.

### **Competent Authorities (CA)**

The role of the Competent Authorities (CA) within the United Kingdom is to identify victims of human trafficking and modern slavery under the National Referral Mechanism (NRM). Once a referral to the NRM has been made, trained decision-makers in the CA will assess the case and make a decision on whether or not an individual is a victim of trafficking or modern slavery. There are currently two stages to the decision-making process: first the CA will decide if there are *reasonable grounds* to believe the individual is a victim of modern slavery / human trafficking (the Reasonable Grounds (RG) decision); once a person receives a positive RG decision the CA will consider their case in more detail until a Conclusive Determination (CD) can be made. In the UK the two Competent Authorities are currently:

- the UK Modern Slavery Human Trafficking Unit (MSHTU), which is part of the National Crime Agency (NCA) and which deals with referrals from the police, local authorities, and NGOs where there are no associated immigration issues (generally where the individual is an EEA national, a British citizen or a third country national who has extant leave to enter or remain in the UK); and
- the Home Office Visas and Immigration (UKVI), which deals with referrals which have been identified during the immigration process, for example, where trafficking or modern slavery may be raised as an issue in the course of an asylum claim (generally where the individual is a non-EEA national who does not have extant leave to enter or remain in the UK).

### *Pending reforms to the NRM:*

Following a review, on 26 October 2017, the Home Secretary announced a number of reforms to the NRM, including the intention to establish a single expert casework unit (Single Competent Authority) to replace the existing two competent authorities in handling all cases referred into the NRM and making decisions about whether someone is a victim of modern slavery. The single casework unit is expected to become operational during 2019.

In addition to this development the Home Secretary also announced the intention to introduce an independent panel of experts (Quality Assurance Panel) to review all negative decisions, thereby adding to the scrutiny such cases currently receive. At the time of publication this panel has not yet been established.

This guidance will be subject to further revisions in relation to the implementation of NRM reforms.

### **Council of Europe Convention on Action against Trafficking in Human Beings**

This treaty addresses all forms of trafficking, focusing on the protection of victims and on safeguarding their rights, as well as the prevention of trafficking and the prosecution of those responsible for it. It was adopted by the Council of Europe on 16 May 2005 and entered into force on 1 February 2008; the UK became a signatory in 2008.

### **ECHR – European Convention on Human Rights**

The European Convention on Human Rights (ECHR) (formally the Convention for the Protection of Human Rights and Fundamental Freedoms) is an international treaty to protect human rights and political freedoms in Europe. Drafted in 1950 by the then newly formed Council of Europe, the convention entered into force on 3 September 1953. All Council of Europe member states are party to the Convention. Article 4 prohibits slavery, servitude and forced labour.

### **EU Directive on Preventing and Combating Trafficking in Human Beings and Protecting its Victims**

Directive 2011/36/EU of the European Parliament and of the Council sets out minimum standards to be applied throughout the European Union in preventing and combating trafficking in human beings and protecting victims. It takes a victim-centred approach and covers actions in areas such as prevention, criminal law, prosecution of offenders, support for victims and victims' rights in criminal proceedings.

### **European Economic Area (EEA) national**

For the purpose of this guidance this means a citizen of one of the countries that make up the EEA i.e. Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and Switzerland. Although the latter is not a member of the EEA, Swiss citizens have rights which are similar to those of EEA nationals.

### **Exploitation for purposes of trafficking**

For the purposes of the human trafficking offence, exploitation can take a number of forms which are set out in section 3 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 (“the HT Act”)<sup>2</sup>. These cover slavery, servitude and forced or compulsory labour; sexual exploitation; removal of organs etc.; securing services etc. by force, threats or deception; and securing services etc. from children and vulnerable persons, having chosen them on the grounds that they are a child or an adult who is vulnerable and that another person who was not a child or a vulnerable person would be likely to refuse to be used for that purpose. Such services could include forced begging or criminal activities.

Section 25 of the Act defines a vulnerable adult as a person aged 18 or over whose ability to protect themselves from violence, abuse or exploitation is significantly impaired through physical or mental disability or illness, old age, addiction to alcohol or drugs or for any other reason.

### **First Responder in the National Referral Mechanism (NRM) Process**

First Responders are responsible for completing and submitting NRM referral forms in cases where an individual is suspected to be a potential victim of human trafficking or modern slavery. In the case of adults, the individual must consent to a referral being made. Where the suspected victim is a child, however, the First Responder must complete and submit an NRM referral form for assessment.

The First Responder organisations in Northern Ireland who may make NRM referrals are:

- Police Service for Northern Ireland (PSNI);
- the Health and Social Care Trusts (Trusts);
- Gangmasters Labour Abuse Authority (GLAA);
- UK Border Force (UKBF);
- UK Immigration Enforcement (UKIE).

In cases involving potential adult victims, the role is primarily performed by the PSNI. The First Responder completes an NRM Report Form and submits it to the MSHTU so that the case can be processed through the NRM system.

#### *Pending reforms to the NRM:*

As noted, following a review the Home Secretary has announced a number of reforms to the NRM, including the development of a new digital system to support the NRM process, making it easier for First Responders to refer victims for support, and enabling data to be captured and analysed to better aid prevention and law enforcement. Work on the development of this new digital system has commenced and is ongoing and as such, this guidance will be subject to further revisions, in relation to the implementation of the NRM digital system.

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<sup>2</sup> <http://www.legislation.gov.uk/nia/2015/2/contents/enacted>

### **Health and Social Care (HSC) Board**

The HSCB is responsible for commissioning, performance managing and quality assuring the health and social care services provided by the Health and Social Care Trusts in Northern Ireland. This includes ensuring that the Trusts comply with all legislative functions delegated to them, including those related to adult safeguarding. HSCB reports annually to the Department of Health (DoH) in respect of the Trusts' performance in respect of delegated statutory functions.

### **Health and Social Care (HSC) Trusts**

There are five Health and Social Care Trusts in Northern Ireland. Trusts deliver a range of health and social care services on behalf of the HSC Board, aimed at improving the health and social well-being of the population within their geographical areas.

### **Human Trafficking**

The offence of human trafficking is provided for under section 2 of the HT Act and the types of exploitation relevant to this offence are set out in section 3 of the Act.

Human trafficking involves arranging or facilitating the travel of another person with a view to them being exploited. This may involve recruiting, transporting or transferring the victim; harbouring or receiving them; or transferring or exchanging control over them. Travel can involve arriving into or entering any country; departing from any country; or travelling within any country. As such it is not necessary for someone to have crossed an international border for a trafficking offence to have been committed. There have been cases of **internal trafficking** within Northern Ireland and the UK, where a victim has been transported from A to B within Northern Ireland or the UK, for the purposes of exploitation, without crossing any country borders.

The legislation also makes clear that it is irrelevant whether the victim has consented to any element that forms part of the offence (including the exploitation) – it is still an offence.

### **Joint Protocol for Investigation of Adult Safeguarding Cases**

The Joint Protocol aims to provide a framework within which HSC Trusts, PSNI and the Regulation and Quality Improvement Authority (RQIA) can work in partnership to ensure adults at risk and in need of protection have equal access to the justice system when harm/abuse constitutes a potential crime.

<http://www.hscboard.hscni.net/download/PUBLICATIONS/safeguard-vulnerable-adults/niasp-publications/Protocol-for-joint-investigation-of-adult-safeguarding-cases.pdf>

### **Migrant Help**

Migrant Help (MH) is one of two non-Governmental organisations (NGOs) currently contracted by the Department of Justice to provide support to potential adult victims of modern slavery in Northern Ireland. MH provides support to adult males, mixed

gender couples and family units while their cases are being considered under the NRM processes as per the statutory requirement under section 18 of the HT Act.

The other provider currently contracted by the Department is Belfast & Lisburn Women's Aid (BLWA) which provides support to single adult females (including those with children and those who are pregnant as a result of their exploitation) while their cases are being considered under the NRM processes as per the statutory requirement under section 18 of the HT Act. BLWA also supports the repatriation of women who wish to return to their countries of origin. In instances where MH receives a disclosure of domestic violence or sexual abuse from a female who is accompanying a male partner, the female is then referred to BLWA who will take responsibility for providing support.

### **Modern Slavery**

Modern slavery is an umbrella term that is used to describe both **slavery, servitude and forced or compulsory labour** (which is an offence under section 1 of the HT Act) and **human trafficking** (an offence under section 2). Both offences involve exploitation of, or the intent to exploit, a victim. In the case of human trafficking, the offence will also involve an element of movement, or arranging / facilitating movement, with the intent to exploit. Victims of either offence are eligible for support under the National Referral Mechanism (NRM).

### **National Referral Mechanism (NRM)**

The National Referral Mechanism (NRM) is the United Kingdom's framework for identifying victims of modern slavery/human trafficking and ensuring that they receive the appropriate support. Once a referral to the NRM has been made, trained decision-makers in the Competent Authority (CA) will assess the case and make a decision on whether an individual is a victim of trafficking or modern slavery.

The NRM mechanism is also used to collect data about victims. This information contributes to building a clearer picture about the nature and scale of human trafficking and modern slavery in the UK. NRM statistics are published on a quarterly basis on the National Crime Agency's website and are available at:

<http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics>

#### *Pending reforms:*

The NRM was subject to a review, which reported on 11 November 2014. The Review Team recommended that the support system for identifying and supporting victims of human trafficking should be overhauled. The full report is available at:

<https://www.gov.uk/government/publications/review-of-the-national-referral-mechanism-for-victims-of-human-trafficking> .

Work is currently underway to implement a number of reforms to the way the NRM is structured, including the creation of a Single Competent Authority and the development of a new digital system. As such, further revisions to this guidance will be required in relation to implementation.



## **Non-EEA National**

For the purpose of this guidance, a non-EEA national means a person who does not hold British citizenship or citizenship of Switzerland or citizenship of an EEA country.

## **People smuggling**

Modern slavery is not the same as people smuggling. Modern slavery offences are offences against the person and involve a victim. People smuggling is an offence against the state and involves the illegal movement of people with their consent.

People smuggling (also called facilitation under UK law) is an arrangement whereby a person either secretly or by deception (whether for profit or otherwise) assists a person to enter the country illegally. Once the person enters the UK the relationship between the person and the smuggler ends. The illegal immigrants concerned are normally complicit in the offence, so that they can remain in the UK illegally.

A number of factors help to distinguish between smuggling and trafficking:

- smuggling is characterised by illegal entry only and international movement only, either secretly or by deception, whether for profit or otherwise;
- there is normally no coercion or violence involved or required from those assisting in the smuggling.

However, in some instances people who have been smuggled will also have been trafficked or exploited; the fact that an individual has entered into transaction with people smugglers may of itself make them more vulnerable to modern slavery.

## **PSNI Modern Slavery Human Trafficking Unit (MSHTU)**

PSNI is a First Responder. A dedicated PSNI Modern Slavery Human Trafficking Unit (MSHTU) was created in 2015. It sits within C2 Serious Crime Branch. The role and remit of the MSHTU is to investigate organised crime involving cross-jurisdictional human exploitation; assist in the identification and protection of victims of modern slavery and human trafficking; develop and enhance new investigative tactics and proactive operations to prevent trafficking and detect offenders; work in collaboration with national and international law enforcement and statutory agencies; and provide guidance and support for localised district investigations.

PSNI MSHTU are a central point of contact to review all First Responder screening forms and potential NRM referrals; to provide advice and guidance to local officers and agencies; to assist in the correct identification of potential victims of modern slavery and human trafficking; and to ensure that correct safeguarding and victim support procedures are followed.

## **Slavery, servitude and forced or compulsory labour**

The offence of slavery, servitude and forced or compulsory labour is provided for under section 1 of the HT Act and covers situations in which persons are coerced to work through the use of violence or intimidation, or by more subtle means such as

accumulated debt bondage, retention of identity papers or threats of denunciation to immigration authorities.

### **Third Country national**

For the purpose of this guidance, this means a person who does not hold British citizenship or the citizenship of an EEA country.

### **United Kingdom Modern Slavery Human Trafficking Unit (MSHTU)**

The UK Modern Slavery Human Trafficking Unit (MSHTU) is a dedicated, National Crime Agency-led, multi-agency centre based in Birmingham that works in partnership with other agencies in the UK and abroad.

As one of the UK's current Competent Authorities, it is the role of MSHTU to assess the cases of potential victims of human trafficking who are British citizens, EEA or third country nationals who have extant leave to enter or remain in the UK - and who have been referred into the NRM – in order to reach a Conclusive Determination as to whether they are victims of trafficking and to record them as such. (As noted, the Home Secretary has announced the intention to establish a single casework unit that will eventually replace the existing two Competent Authorities.)

MSHTU is also available to provide 24/7 tactical advice to law enforcement bodies in respect of potential trafficking and modern slavery cases. **See contact details at Appendix 2.**

### **United Kingdom Immigration Enforcement (UKIE)**

Immigration Enforcement is an operational unit within the Home Office which provides some of the functions of the former UK Border Agency. It is responsible for tackling the full range of immigration criminality, tackling and disrupting organised immigration crime and removing the most harmful individuals and those with no right to be here from the UK. Immigration Enforcement officers may encounter potential victims of human trafficking during the course of their operational duties.

The UKIE team based in Northern Ireland consults with PSNI MSHTU when UKIE officers encounter an individual who they believe or suspect to be a victim of modern slavery or human trafficking. The UKIE Financial Investigation Team based in Northern Ireland also liaises with PSNI MSHTU when appropriate.

UKIE and PSNI also carry out intelligence-led, pre-planned joint enforcement activity.

### **United Kingdom Visas and Immigration**

On 1 April 2013, the former UK Border Agency was split into two separate operational units within the Home Office.

- **Border Force (BF)**

Border Force (BF) was formed on 1 March 2012 as a law enforcement command within the Home Office. It secures the UK border by carrying out immigration and customs controls for people and goods entering the UK. It is responsible for:

- checking the immigration status of people arriving in and departing the UK;
- searching baggage, vehicles and cargo for illicit goods or illegal immigrants;
- patrolling the UK coastline and searching vessels;
- gathering intelligence;
- alerting the police and security services to people of interest; and
- reporting all concerns in relation to child victims/potential victims of human trafficking to enable a full investigation to be made of that child's circumstances.

BF is a First Responder organisation for potential victims of trafficking and modern slavery. It works closely with Competent Authorities: the MSHTU and UKVI as well as Immigration Enforcement based at Drumkeen House in Belfast.

- **UK Visas and Immigration (UKVI)**

UKVI provides some of the functions of the former UK Border Agency and is responsible for handling visa applications to come to the UK, applications to extend a stay in the UK on a temporary and permanent basis, applications for asylum, appeals, correspondence and sponsor management.

As one of the UK's current Competent Authorities, UKVI is currently responsible for assessing and making NRM Conclusive Determinations in cases where an asylum application is being dealt with through the NRM (i.e. generally where the individual is a non-EEA national who does not have extant leave to enter or remain in the UK). As noted, the Home Secretary has announced the intention to establish a single casework unit that will eventually replace the existing two Competent Authorities.

### **Working Arrangements for the Welfare and Safeguarding of Child Victims and Potential Child Victims of Human Trafficking and Modern Slavery**

This document constitutes equivalent operational guidance that has been produced by the Health and Social Care Board and the PSNI in respect of child victims and potential child victims of human trafficking and modern slavery.

<https://www.health-ni.gov.uk/sites/default/files/publications/health/working-arrangements-potential-child-victims-of-human-trafficking-and-modern-slavery.pdf>

## 1. INTRODUCTION

- 1.1 This guidance<sup>3</sup> is issued by the Department of Justice (DoJ), the Police Service of Northern Ireland (PSNI) and the Health and Social Care Board. It has been developed in discussion with the Department of Health. The guidance may be amended from time to time to reflect changes to legislation or policy and procedures in relation to victims of human trafficking.
- 1.2 It should be read in conjunction with existing legislation (the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015<sup>4</sup> (the HT Act) and the Modern Slavery Act 2015<sup>5</sup> (the MS Act)) and other guidance relating to victims of modern slavery, including *Working Arrangements for the Welfare and Safeguarding of Child Victims and Potential Victims of Human Trafficking and Modern Slavery*.<sup>6</sup>
- 1.3 The guidance is intended to provide information on human trafficking and modern slavery and to set out the appropriate arrangements for identifying and supporting adult victims or potential victims of human trafficking or modern slavery. It sets out the actions to be taken by the PSNI, Health and Social Care Trusts and other relevant frontline practitioners in relation to adults where human trafficking or modern slavery is suspected or claimed or where potential victims are recovered during police operations. The arrangements outlined here are consistent with current adult safeguarding guidance and with the principles of the ECHR.
- 1.4 The Police Service of Northern Ireland (PSNI) has a key role in combating human trafficking and modern slavery with regard to its prevention, detection, investigation and the recovery and protection of victims. Health and Social Care (HSC) Trusts have a role in the identification, recovery, support and rehabilitation of adult victims. This guidance is primarily for use by the PSNI and HSC Trusts. However, all practitioners, agencies and public facing service providers have an important role in identifying and securing help for victims of trafficking and modern slavery and should engage with the PSNI and HSC Trusts.

### **Slavery, servitude and forced or compulsory labour**

- 1.5 The offence of slavery, servitude and forced or compulsory labour is provided for under section 1 of the HT Act and covers situations in which persons are coerced to work through the use of violence or intimidation, or by more subtle

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<sup>3</sup> This guidance replaces the Working Arrangements for the Welfare and Protection of Adult Victims of Human Trafficking issued by the Department Of Justice and the then Department of Health, Social Services and Public Safety (DHSSPS) in October 2012.

<sup>4</sup> <http://www.legislation.gov.uk/nia/2015/2/contents>

<sup>5</sup> <http://www.legislation.gov.uk/ukpga/2015/30/contents>

<sup>6</sup> <https://www.health-ni.gov.uk/sites/default/files/publications/health/working-arrangements-potential-child-victims-of-human-trafficking-and-modern-slavery.pdf>

means such as accumulated debt bondage, retention of identity papers or threats of denunciation to immigration authorities.

- slavery: the status or condition of a person over whom any, or all, of the powers attaching to the right of ownership are exercised;
- servitude: linked to slavery, but in addition to the obligation to provide certain services to another, this includes the obligation to live on the other's property and the perceived impossibility of changing his or her status;
- forced or compulsory labour: Article 2 of the 1930 Forced Labour Convention defines forced or compulsory labour as all work or service which is exacted from a person under the menace of any penalty and for which the person has not offered him or herself voluntarily.

The HT Act makes clear that the victim's consent to any act that forms part of the offence (including the act of exploitation) is irrelevant; an offence has still been committed.

## Human Trafficking

- 1.6 The offence of human trafficking is provided for under section 2 of the HT Act. Human Trafficking involves arranging or facilitating the travel of a person with the intention of exploiting them. This will entail recruiting; transporting or transferring; harbouring or receiving them; transferring or exchanging control over them. Travel may involve arriving or entering any country; departing from any country; or travelling within any country. As such it is not necessary for someone to have crossed an international border for a trafficking offence to have been committed. Internal trafficking also occurs in Northern Ireland when a victim is transported from A to B in Northern Ireland to be exploited. As with the slavery offence, the legislation makes clear that the victim's consent to any act that forms part of the offence (including the act of exploitation) is irrelevant; an offence has still been committed.
- 1.7 The internationally recognised definition of human trafficking is set out in the United Nations' 2000 *Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children* (the Palermo Protocol)<sup>7</sup>.
- 1.8 Exploitation in human trafficking cases can take a number of forms. In Northern Ireland the types of exploitation relevant to the human trafficking offence are set out in section 3 of the HT Act. These include:
  - slavery, servitude and forced or compulsory labour;
  - sexual exploitation;
  - the removal of organs;
  - securing services by force, threats or deception;
  - securing services from children or vulnerable persons.

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<sup>7</sup> The Palermo Protocol can be accessed at [https://www.unodc.org/documents/treaties/Special/2000\\_Protocol\\_to\\_Prevent\\_2C\\_Suppress\\_and\\_Punish\\_Trafficking\\_in\\_Persons.pdf](https://www.unodc.org/documents/treaties/Special/2000_Protocol_to_Prevent_2C_Suppress_and_Punish_Trafficking_in_Persons.pdf)

- 1.9 The legislation clarifies that securing the services of a person could include forced begging or forced criminal activities (for example, cannabis cultivation, street crime, illegal adoption, forced marriage or benefit fraud).
- 1.10 Some trafficking victims may be brought into the UK via numerous transit countries and may travel through other European Economic Area (EEA) countries before arriving in Northern Ireland. In addition to those victims who may be trafficked to Northern Ireland from abroad, there have also been examples of people being trafficked **within** the UK, **including within Northern Ireland**. The ease of passage across the land border between Northern Ireland and the Republic of Ireland, known to be used by traffickers, presents particular difficulties to authorities in both jurisdictions.

### **Modern slavery**

- 1.11 Modern slavery is an umbrella term which covers both the offence of slavery, servitude and forced or compulsory labour and the separate offence of human trafficking. It is often linked to organised crime and may have an international dimension, however, in some cases it may also be perpetrated by a single person, who may be known or related to the victim or may be in a position of trust.
- 1.12 Both offences involve the exploitation of, or the intent to exploit, a victim. In the case of human trafficking, the offence also involves an element of movement or arranging or facilitating travel with the intent to exploit. Victims and potential victims of either offence in Northern Ireland are entitled to support under the National Referral Mechanism (NRM).
- 1.13 Modern slavery is an abuse of basic rights, centred on the exploitation of human beings for profit. In many cases victims may be coerced, deceived, manipulated or forced into the control of others who seek to profit from their exploitation and suffering. Victims may be reluctant to disclose their plight perhaps as a result of fear of reprisal; distrust of police or government agencies; fear that they may themselves have committed a crime; or due to a misplaced loyalty to the criminals who have trafficked or exploited them. In some cases they may not understand or perceive themselves to be victims of slavery or trafficking. In other cases the exploitation may not yet have taken place or the person may hold a belief that their situation is preferable to that from which they have been trafficked. Sometimes they may not even know where they are because traffickers frequently move them to escape detection. **Further information on the possible barriers to self-disclosure by victims is set out at Chapter 3.**

#### **Control factors**

- 1.14 Common features in all forms of modern slavery include the coercion, deception or forcing of victims into the control of others who seek to profit from their exploitation and suffering. It may also involve the use of threats or violence against the victim's family, and, in some cases, collusion in trafficking by family members.

- 1.15 Victims may be controlled through violence; debt bondage; restrictions on freedom of movement; instilling fear of authority, for example, being told that they will be deported if they seek help; emotional attachment; religion and magic; and isolation. Typically, victims are watched, or escorted or guarded by traffickers or associates of traffickers and their activities are restricted to prevent them from seeking help. In addition, their exploiters may:
- coach victims to answer questions with a cover story, e.g. about being a wife, relative, student or tourist;
  - instruct them to lie about their age, e.g. to claim they are under 18 years in order to secure the protection of the HSC Trust and potentially the more favourable outcomes for unaccompanied children in immigration decisions, where there is an age dispute (see **Paragraphs 7.11-7.14**); or
  - direct them to claim asylum thereby seeking to exploit the situation so that victims will be allowed to remain in the country while their claim is being processed by the UK Visas and Immigration (UKVI). Note: everyone has the right to seek asylum from persecution (Article 14 of the Universal Declaration of Human Rights; UN Convention on Refugees). No aspersion should be cast on any individual who chooses to exercise this right.
- 1.16 All frontline practitioners, agencies and service providers need to be aware that the profile of modern slavery can change over time.
- 1.17 Victims of modern slavery are some of the hardest to reach and most vulnerable of victims. Hidden away, deceived, exploited, often brutalised and frightened, they need to be formally identified and provided with a tailored response that fits their vulnerability and needs. Therefore it is important not to stereotype victims and to deal with each victim on an individual basis. No two cases are the same and staff should also be alert to the trauma that disclosure itself may cause to the victims. Professionals working with victims of modern slavery should be aware that time may be needed to establish trust between the victim and helping agencies.

### **Scale of modern slavery**

- 1.18 Modern slavery offences are largely hidden crimes, which often makes it difficult to establish an accurate assessment of the nature and extent of the problem across Great Britain and Northern Ireland.
- 1.19 The National Referral Mechanism (NRM) is the United Kingdom's framework for identifying victims of human trafficking or modern slavery and ensuring that they receive the appropriate support. Statistics collated through the NRM currently help to inform much of our understanding of the nature and scale of human trafficking and modern slavery across the United Kingdom<sup>8</sup>. However, it is widely accepted that the NRM only reveals part of the picture, particularly since, in the case of adults, the individual must consent to a referral being made. The National Crime Agency (NCA) also publishes an annual strategic

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<sup>8</sup> <http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics>

assessment of modern slavery, which is informed by additional data sources, other than the NRM.

- 1.20 In addition, new legislation in each of the United Kingdom jurisdictions has made provision for a new statutory duty on specified public authorities to report anonymised information on suspected cases of modern slavery, where an adult does not choose to enter the NRM. This duty has not yet been implemented in Northern Ireland but, when it is, the information it generates will help to improve our understanding of the true scale of modern slavery in Northern Ireland.
- 1.21 While modern slavery is a largely hidden crime, victims may be more easily identified if front-line professionals and the wider public are aware of the common signs and indicators to look out for; a list of the key indicators of modern slavery are set out at Chapter 2. There are a number of areas of competence that are particularly relevant to practitioners:
- **victim identification:** staff need to be able to recognise the signs that someone may be a victim of human trafficking or modern slavery;
  - **victim support:** the need to attend to the immediate physical needs of victims; longer term social and psychological needs; as well as information and legal advice. Statutory support for potential victims of modern slavery is available and is covered in more detail at Chapter 5 of this guidance;
  - **assistance with the repatriation of victims:** in some instances practitioners and agencies may be involved in the repatriation of a victim or potential victim to their country of origin;
  - **prevention of human trafficking and modern slavery:** practitioners and organisations may have a role in assisting the police in disrupting organised criminal networks or in reducing demand for the services of victims of modern slavery within their area; and
  - **working in partnership:** tackling modern slavery requires a cross-sectoral partnership response and as such inter-agency co-operation is required at all levels, including within specialist organisations working in this field.

### International commitments on modern slavery

- 1.22 In Northern Ireland, our response to modern slavery is informed and governed by a number of international instruments that the UK has signed up to. In particular these include:
- Council of Europe Convention on Action Against Trafficking in Human Beings (2007)<sup>9</sup>;
  - EU Directive 2011/36/EU on Preventing and Combating Human Trafficking<sup>10</sup>.
  - European Convention on Human Rights<sup>11</sup>

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<sup>9</sup> <https://rm.coe.int/16805d41e9>

<sup>10</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:101:0001:0011:EN:PDF>

<sup>11</sup> [http://www.echr.coe.int/Documents/Convention\\_ENG.pdf](http://www.echr.coe.int/Documents/Convention_ENG.pdf)



Together these instruments have set minimum standards that we are required to implement in respect of preventing trafficking, pursuing perpetrators and identifying and supporting victims.

## **Strategic response in Northern Ireland**

1.23 In Northern Ireland the lead responsibility for implementing the Convention & Directive primarily falls to the DoJ, although other Executive Departments and statutory agencies also have important responsibilities.

- DoJ is the lead Executive Department responsible for developing and maintaining the policy, strategic and legislative frameworks in Northern Ireland in respect of tackling human trafficking and modern slavery. In addition, DoJ funds the provision of assistance and support to adult potential victims of human trafficking and modern slavery whose cases have been referred to the NRM for assessment and who are awaiting a Conclusive Determination regarding their victim status by the Competent Authority.
- DoH has the lead responsibility amongst government departments for safeguarding and protecting children, including children who have been subject to modern slavery.
- PSNI, HSCTs and the HSC Board also have key roles, particularly in respect of prevention and the recovery, support and safeguarding of victims.
- PSNI also has operational responsibility for the investigation of all forms of modern slavery, including human trafficking.

1.24 The HT Act is the key piece of legislation in Northern Ireland relating to modern slavery. Amongst other things, the HT Act makes provision for:

- the offences of slavery, servitude, forced and compulsory labour, human trafficking, and the sentencing framework that applies to these offences;
- the confiscation of criminal assets associated with modern slavery offences;
- a range of measures to support victims and potential victims and to protect them within the criminal justice system;
- a number of measures that are intended to enhance the response of law enforcement and wider statutory authorities to addressing modern slavery. These include powers for courts to restrict potentially harmful behaviour by perpetrators, obligations in respect of reporting suspected cases, and a requirement for DoJ to publish an annual strategy to raise awareness of, and tackle, human trafficking and slavery.

1.25 As indicated above, DoJ is required to produce an annual multi-agency strategy aimed at tackling modern slavery and human trafficking. The strategy sets out

strategic priorities and objectives for delivery. The current strategy can be accessed on the Organised Crime Task Force website<sup>12</sup>.

- 1.26 Complementing the provisions in the HT Act, in November 2014, the Home Secretary appointed a UK-wide Independent Anti-Slavery Commissioner to spearhead the UK's fight against modern slavery, with a concerted focus on strengthening law enforcement efforts in the UK and internationally and helping to ensure that public authorities identify and support slavery victims effectively. Under the Modern Slavery Act 2015, the Commissioner's role and remit also extend to Northern Ireland.

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<sup>12</sup> [www.octf.gov.uk](http://www.octf.gov.uk)

## 2. IDENTIFYING VICTIMS OF MODERN SLAVERY

### Early identification of victims

- 2.1 The early identification of victims is key to ensuring an end to the exploitation and to providing the assistance necessary to begin their healing and rehabilitation process.
- 2.2 Adult safeguarding is everyone’s responsibility. Anyone in the course of any employment may encounter the signs and indicators of a potential victim of modern slavery or human trafficking.

### UN list of human trafficking indicators

- 2.3 The United Nations Office on Drugs and Crime has published a detailed list of key signs and indicators that may be present in a case involving human trafficking or other forms of modern slavery. These are set out below.
- 2.4 Not all the indicators listed below are present in all situations involving trafficking in humans. Although the presence or absence of any of the indicators neither proves nor disproves that human trafficking is taking place, their presence should lead to investigation. Victims of trafficking in humans can be found in a variety of situations. You can play a role in identifying such victims.

<b>General Indicators – victims of modern slavery:</b>	
<ul style="list-style-type: none"> <li>• Believe that they must work against their will</li> <li>• Be unable to leave their work environment</li> <li>• Show signs that their movements are being controlled</li> <li>• Feel that they cannot leave</li> <li>• Show fear or anxiety</li> <li>• Be subjected to violence or threats of violence against themselves or against their family members and loved ones</li> <li>• Suffer injuries that appear to be the result of an assault</li> <li>• Suffer injuries or impairments typical of certain jobs or control measures</li> <li>• Suffer injuries that appear to be the result of the application of control measures</li> <li>• Be distrustful of the authorities</li> <li>• Be threatened with being handed over to the authorities</li> <li>• Be afraid of revealing their immigration status</li> <li>• Not be in possession of their passports or other travel or identity documents, as those documents are being held by someone else</li> <li>• Come from a place known to be a source of human trafficking</li> <li>• Have had the fees for their transport to the country of destination paid for by facilitators, whom they must pay back by working or providing services in the destination</li> </ul>	<ul style="list-style-type: none"> <li>• Have false identity or travel documents</li> <li>• Be found in or connected to a type of location likely to be used for exploiting people</li> <li>• Be unfamiliar with the local language</li> <li>• Not know their home or work address</li> <li>• Allow others to speak for them when addressed directly</li> <li>• Act as if they were instructed by someone else</li> <li>• Be forced to work under certain conditions</li> <li>• Be disciplined through punishment</li> <li>• Be unable to negotiate working conditions</li> <li>• Receive little or no payment</li> <li>• Have no access to their earnings</li> <li>• Work excessively long hours over long periods</li> <li>• Not have any days off</li> <li>• Live in poor or substandard accommodations</li> <li>• Have no access to medical care</li> <li>• Have limited or no social interaction</li> <li>• Have limited contact with their families or with people outside of their immediate environment</li> <li>• Be unable to communicate freely with others</li> <li>• Be under the perception that they are bonded by debt</li> <li>• Be in a situation of dependence</li> <li>• Have acted on the basis of false promises</li> </ul>

### Children – child victims of modern slavery:

- Have no access to their parents or guardians
- Look intimidated and behave in a way that does not correspond with behaviour typical of children their age
- Have no friends of their own age outside of work
- Have no access to education
- Have no time for playing
- Live apart from other children and in substandard accommodations
- Eat apart from other members of the “family”
- Be given only leftovers to eat
- Be engaged in work that is not suitable for children
- Travel unaccompanied by adults

- Travel in groups with persons who are not relatives
- The following might also indicate that children have been trafficked:
- The presence of child-sized clothing typically worn for doing manual or sex work
  - The presence of toys, beds and children's clothing in inappropriate places such as brothels and factories
  - The claim made by an adult that he or she has “found” an unaccompanied child
  - The finding of unaccompanied children carrying telephone numbers for calling taxis
  - The discovery of cases involving illegal adoption

### Domestic servitude – victims of domestic servitude:

- Live with a family
- Not eat with the rest of the family
- Have no private space
- Sleep in a shared or inappropriate space
- Be reported missing by their employer even though they are still living in their employer's house

- Never or rarely leave the house for social reasons
- Never leave the house without their employer
- Be given only leftovers to eat
- Be subjected to insults, abuse, threats or violence

### Forced labour – victims of labour exploitation:

People who have been trafficked for the purpose of labour exploitation are typically made to work in sectors such as the following: agriculture, construction, entertainment, service industry and manufacturing (in sweatshops).

- Live in groups in the same place where they work and leave those premises infrequently, if at all
- Live in degraded, unsuitable places, such as in agricultural or industrial buildings
  - Not be dressed adequately for the work they do: for example, they may lack protective equipment or warm clothing
  - Be given only leftovers to eat
  - Have no access to their earnings
  - Have no labour contract
  - Work excessively long hours
  - Depend on their employer for a number of services, including work, transportation and accommodation
  - Have no choice of accommodation
  - Never leave the work premises without their employer
  - Be unable to move freely
  - Equipment is designed or has been modified so that it can be operated by children.
  - There is evidence that labour laws are being breached.

- Be subject to security measures designed to keep them on the work premises
  - Be disciplined through fines
  - Be subjected to insults, abuse, threats or violence
  - Lack basic training and professional licences
- The following might also indicate that people have been trafficked for labour exploitation:
- Notices have been posted in languages other than the local language.
  - There are no health and safety notices.
  - The employer or manager is unable to show the documents required for employing workers from other countries.
  - The employer or manager is unable to show records of wages paid to workers.
  - The health and safety equipment is of poor quality or is missing.
  - There is evidence that workers must pay for tools, food or accommodation or that those costs are being deducted from their wages.

### Sexual exploitation – victims of sexual exploitation:

<ul style="list-style-type: none"> <li>• May be of any age, although the age may vary according to the location and the market</li> <li>• Move from one brothel to the next or work in various locations</li> <li>• Be escorted whenever they go to and return from work and other outside activities</li> <li>• Have tattoos or other marks indicating “ownership” by their exploiters</li> <li>• Work long hours or have few if any days off</li> <li>• Sleep where they work</li> <li>• Live or travel in a group, sometimes with other women who do not speak the same language</li> <li>• Have very few items of clothing</li> <li>• Have clothes that are mostly the kind typically worn for doing sex work</li> <li>• Only know how to say sex-related words in the local language or in the language of the client group</li> </ul>	<ul style="list-style-type: none"> <li>• Have no cash of their own</li> <li>• Be unable to show an identity document</li> <li>• There is evidence that suspected victims have had unprotected and/or violent sex.</li> <li>• There is evidence that suspected victims cannot refuse unprotected and/or violent sex.</li> <li>• There is evidence that a person has been bought and sold.</li> <li>• There is evidence that groups of women are under the control of others.</li> <li>• Advertisements are placed for brothels or similar places offering the services of women of a particular ethnicity or nationality.</li> <li>• It is reported that sex workers provide services to a clientele of a particular ethnicity or nationality.</li> <li>• It is reported by clients that sex workers do not smile.</li> </ul>
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### Forced begging and petty crime:

<ul style="list-style-type: none"> <li>• May be children, elderly persons or disabled migrants who tend to beg in public places and on public transport</li> <li>• Be children carrying and/or selling illicit drugs</li> <li>• Have physical impairments that appear to be the result of mutilation</li> <li>• Be children of the same nationality or ethnicity who move in large groups with only a few adults</li> <li>• Be unaccompanied minors who have been “found” by an adult of the same nationality or ethnicity</li> <li>• Move in groups while travelling on public transport: for example, they may walk up and down the length of trains</li> <li>• Participate in the activities of organized criminal gangs</li> <li>• Be part of large groups of children who have the same adult guardian</li> <li>• Be punished if they do not collect or steal enough</li> </ul>	<ul style="list-style-type: none"> <li>• Live with members of their gang</li> <li>• Travel with members of their gang to the country of destination</li> <li>• Live, as gang members, with adults who are not their parents</li> <li>• Move daily in large groups and over considerable distances</li> </ul> <p>The following might also indicate that people have been trafficked for begging or for committing petty crimes:</p> <ul style="list-style-type: none"> <li>• New forms of gang-related crime appear.</li> <li>• There is evidence that the group of suspected victims has moved, over a period of time, through a number of countries.</li> <li>• There is evidence that suspected victims have been involved in begging or in committing petty crimes in another country.</li> </ul>
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2.5 All public facing agencies and service providers should be alert to these indicators to ensure the correct action is taken.

### **3. OBSTACLES TO SELF IDENTIFICATION BY VICTIMS OF MODERN SLAVERY**

- 3.1 Some individuals may be unlikely to disclose that they are victims of modern slavery. In some cases they may not have an awareness of trafficking or modern slavery or perceive themselves to be exploited. In many cases they may believe they are coming to the UK for a better life and may have entered the country illegally. Sometimes exploitation may not have yet occurred and so the individual may be wholly unaware that of what is intended for them.
- 3.2 Individuals who have been trafficked into the country may have been coached with a story to tell the authorities in the UK and warned not to disclose any detail beyond the story, as this would lead to them being deported. The apparent collusion by the individual with their trafficker can add to confusion when attempting to identify an individual as a victim of trafficking into or within a jurisdiction.
- 3.3 Those who encounter victims and potential victims of human trafficking should always consider that the individual may be reluctant to disclose their circumstances because:
- their experience of authority in their country of origin is such that they do not trust the police or other statutory agencies;
  - the identification and referral process may mimic aspects of what had happened during trafficking (for example, promises of help and support and of a 'better life', movement by persons the individual does not know, being taken to unknown locations and/or being 'taken care of');
  - their circumstances, even under exploitation, in the UK may compare more favourably to the individual's experiences at home;
  - they are under duress or threat, either to themselves or to their families.
- 3.4 It is important to remember that disclosure from an individual can take time, especially where the individual is within the control of a trafficker or facilitator, and relies on a relationship of trust and safety being established. Disclosure can be a progressive process in which the individual will disclose information gradually and in response to the reaction they perceive him/herself to receive as he/she discloses information.

## 4. THE NATIONAL REFERRAL MECHANISM (NRM)

### The NRM referral and report

- 4.1 All member states which are signatories to the Council of Europe Convention are required to establish a national referral mechanism.
- 4.2 **The National Referral Mechanism (NRM) is the United Kingdom’s framework for identifying victims of human trafficking or modern slavery and ensuring they receive the appropriate support.** Once a referral to the NRM has been made, trained decision-makers in the Competent Authority (CA) will assess the case and make a decision on whether an individual is a victim of trafficking or modern slavery.
- 4.3 Within the UK, the NRM mechanism is currently also used to collect data about victims. This information contributes to building a clearer picture about the nature and scale of human trafficking and modern slavery in the UK. NRM statistics are published on a quarterly basis on the National Crime Agency’s website and are available at:  
<http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics>

### Future changes to the NRM

- 4.4 The NRM was subject to a national review, which reported on 11 November 2014. Following a number of pilot schemes that were tested in England the Home Secretary announced a number of reforms to the NRM. These include reforms to the decision-making process, including replacing the existing two CAs with a single case-work unit and establishing a panel of experts to review negative decisions; the development of a new digital system for referrals and to support case work; and changes to the support arrangements in England and Wales. At the time of publication work has commenced on these reforms however they are not yet in place. Within Northern Ireland further policy consideration is planned of the support available under the NRM within this jurisdiction. As such further revisions to this operational guidance will be needed, pending implementation of the planned NRM reforms.

### Overview of existing NRM Process

- 4.5 In brief, the existing NRM process is set out below:
- **potential victim identified**
  - **referral to NRM by First Responder (target – 48 hours)**
  - **case considered by a Competent Authority**
  - **“Reasonable Grounds” decision (target – within 5 days of referral)**
  - **recovery and reflection period for the victim**
  - **“Conclusive Determination” (generally made after 45 days of referral)**

### ***How the NRM works: role of First Responders***

- 4.6 First Responders are responsible for completing and submitting NRM referral forms in cases where an individual is suspected to be a victim of human trafficking or modern slavery. In the case of adults the individual must consent to a referral being made. However, where the suspected victim is a child, the First Responder must complete and submit an NRM referral form for assessment.
- 4.7 The First Responder organisations in Northern Ireland who may make NRM referrals are:
- PSNI;
  - the Health and Social Care Trusts;
  - Gangmasters Labour Abuse Authority;
  - UK Border Force;
  - UK Immigration Enforcement.
- 4.8 In the case of adult potential victims of modern slavery, the First Responder who encounters the victim (whether that is PSNI, HSCTs, GLAA, UKBF or UKIE) should complete the NRM form.
- 4.9 Other persons who encounter suspected victims of trafficking or modern slavery should alert PSNI so that further enquiries can be made. For non-emergencies, persons should contact 101 and in an emergency contact 999.
- 4.10 There is a specific NRM referral form for adult victims recovered in Northern Ireland. This is available online at: <https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms> (use Scotland and Northern Ireland form) and should be completed by the relevant First Responder and returned to the MSHTU Competent Authority via e-mail at [nrm@nca.x.gsi.gov.uk](mailto:nrm@nca.x.gsi.gov.uk) or by fax to **0870 496 5534**.
- 4.11 **Where any First Responder issues an NRM form they should immediately notify PSNI** - see Appendix 4 for contact details.
- 4.12 The target timescale for the initial submission of the NRM referral form is 48 hours from the identification of the person as a potential victim of trafficking or modern slavery. Additional information may be submitted at a later stage. The relevant Competent Authority will normally contact the First Responder in advance of making the conclusive determination to check if there is any additional information to be considered.

### ***How the NRM works: role of the Competent Authorities***

- 4.13 The role of the Competent Authorities (CA) within the United Kingdom is to identify victims of human trafficking or modern slavery under the



National Referral Mechanism (NRM). Once a referral to the NRM has been made, trained decision-makers in the CA will assess and make a decision on whether an individual is a victim of trafficking or modern slavery.

4.14 There are currently two stages to the decision-making process:

- first the CA will decide if, on the balance of probabilities, there are *reasonable grounds* to believe the individual is a victim of trafficking or modern slavery (the Reasonable Grounds (RG) decision);
- once a person receives a positive RG decision, the CA will consider their case in more detail until a Conclusive Determination (CD) (also known as a *conclusive grounds decision*) can be made.

4.15 In the UK there are currently two Competent Authorities. These are:

- the UK Modern Slavery Human Trafficking Unit (MSHTU), which is part of the National Crime Agency (NCA) and which deals with referrals from the police, local authorities, and NGOs where there are no associated immigration issues (generally where the individual is an EEA national, a British citizen or a third country national who has extant leave to enter or remain in the UK); and
- the Home Office's UK Visas and Immigration (UKVI), which deals with referrals which have been identified during the immigration process, for example where trafficking or modern slavery may be raised as an issue in the course of an asylum claim (generally where the individual is a non-EEA national who does not have extant leave to enter or remain in the UK).

As noted, work is ongoing to establish a single casework unit that will ultimately replace these two CAs but at the time of publication this is not yet in place.

### **Reasonable grounds decision**

4.16 Once an NRM referral form has been received, the relevant CA will determine first whether reasonable grounds, and subsequently whether conclusive grounds, have been established that the individual is a victim of modern slavery.

4.17 The target deadline for making a reasonable grounds decision is five working days. During this period the individual may be interviewed by the CA in order to enable the collation of information to inform the NRM process. Where reasonable grounds have been established, a conclusive determination will be progressed.

## Recovery and reflection period

- 4.18 A recovery and reflection period of at least 45 days will routinely be granted to anyone who is referred into the NRM where there are reasonable grounds to suspect that they are a victim of modern slavery. The recovery and reflection period is intended to allow the potential victim a period of time to begin the process of recovery and to reflect on whether they wish to co-operate with a law enforcement investigation. Also during this period, the Competent Authority will gather evidence to enable the decision to be made.
- 4.19 Where the potential victim is not a UK citizen or an EEA national and has no extant leave to enter or remain in the UK, the UKVI will consider separate immigration and asylum issues simultaneously. However, no immigration decision will be served during this period.
- 4.20 During the recovery and reflection period, the potential victim is entitled to remain in the UK (regardless of their immigration status otherwise) as well as to a range of support services. In Northern Ireland, section 18 of the HT Act places a statutory duty on DoJ to provide assistance and support to adult potential victims who have been referred, or who are about to be referred, into the NRM for a Conclusive Determination as to whether they are a victim of modern slavery. DoJ currently contracts Migrant Help and Belfast and Lisburn Women's Aid to provide support and assistance to adult potential victims under section 18 of the Act.
- 4.21 The assistance and support under section 18 is provided until either:
- there is a determination that there are not reasonable grounds to believe the individual is a victim of modern slavery; or
  - that a conclusive determination has been made (either that the individual is or is not a victim of modern slavery); however, where the individual receives a positive conclusive grounds decision (i.e. that they are a victim of modern slavery) DoJ is required to continue to provide support until the end of the 45 day recovery and reflection period.

Further information on this contracted support is set out in **Chapter 5** of this guidance.

- 4.22 In some cases the potential victim may indicate that they wish to return immediately to their home country. In such cases the individual will be provided with assistance in respect of repatriation. Further advice on repatriation and safe returns is set out at **Chapter 9** of this guidance.

## Conclusive grounds decision

- 4.23 Following a positive "Reasonable Grounds" decision, the CA will complete a more in-depth assessment to determine conclusively whether the individual is a victim of modern slavery. The expectation is that a Conclusive Grounds decision will be made as soon as possible following day 45 of the recovery and reflection period. There is no target to make a conclusive grounds

decision within 45 days. The timescale for making a conclusive grounds decision will be based on all the circumstances of the case. The CA will gather further information relating to the referral from the First Responder and other agencies. This additional information will be used to make the conclusive grounds decision. A positive conclusive grounds decision is when a case meets the case manager's threshold that, on the balance of probability, "it is more likely than not" that the individual is a victim of human trafficking.

- 4.24 If the referred person is conclusively identified as a victim of human trafficking, what happens next may depend on his or her wishes. The victim must be provided with as much information as possible, in the most appropriate format, to fully understand all their options, thereby informing their decision-making.
- 4.25 Being identified as a victim of modern slavery does not automatically entitle someone to remain in the UK indefinitely. Decisions on whether a potential victim can or cannot remain in the UK are made on a case by case basis, dependant on individual circumstances. However, under the EU Directive on Human Trafficking, victims of human trafficking are entitled to certain protections, including that they should continue to receive support and assistance from the UK state in cases where they are assisting in criminal proceedings or where their personal circumstances warrant it – this may include cases where a victim is pursuing compensation.
- 4.26 Where a victim is assisting law enforcement with criminal proceedings, and where they otherwise would not have leave to remain within the UK, PSNI will support an application to the Home Office's UKVI for discretionary leave to remain in the UK. Where an individual is granted discretionary leave to remain in the UK they may have recourse to public funds, depending on their circumstances.
- 4.27 When a potential victim agrees to co-operate with law enforcement for prosecution purposes, confirmation that the person is required by the police to remain in the UK is provided to the Competent Authority by the Officer in Charge of the investigation. Potential victims are under no obligation to cooperate with law enforcement. Where the potential victim chooses not to cooperate, the CA may still decide to issue a Residence Permit in recognition of the personal circumstances of the potential victim. Some potential victims may agree to cooperate with law enforcement but may arrange to do this from their country of origin and therefore are not required by the police to remain in the UK. No decision on whether to grant discretionary leave will be taken by the Home Office before a conclusive grounds decision is made. (See **paragraph 6.50.**)
- 4.28 If there are no circumstances that would lead to discretionary leave to remain in the UK being granted, the individual will be provided with assistance in respect of repatriation. Further advice on repatriation and safe returns is set out at Chapter 8 of this guidance.

## **Guidance and e-learning**

- 4.29 The Home Office has published further detailed guidance to frontline staff on modern slavery that is available at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/509326/victims-of-modern-slavery-frontline-staff-guidance-v3.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/509326/victims-of-modern-slavery-frontline-staff-guidance-v3.pdf)

Guidance on the completion of adult NRM referral forms for Northern Ireland is available at:

<https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/national-referral-mechanism-guidance-adult-northern-ireland-and-scotland>

## **5. SUPPORT FOR RECOVERED VICTIMS**

- 5.1 DoJ currently has a contract with Migrant Help (MH) and Belfast and Lisburn Women's Aid (BLWA) to provide accommodation and a range of support services for potential adult victims of modern slavery during the period of recovery and reflection. Migrant Help supports adult male victims, mixed gender couples and family units. Belfast and Lisburn Women's Aid supports adult female victims including those with children and those who are pregnant as a result of their exploitation. BLWA also supports the repatriation of women who wish to return to their countries of origin. In instances where MH receives a disclosure of domestic violence or sexual abuse from a female who is accompanying a male partner, the female is then referred to BLWA who will take responsibility for providing support. The contracted support is available until the "conclusive grounds" decision has been issued by the CA, or until the end of the 45 day recovery and reflection period, if that is longer.
- 5.2 The support available through the DoJ contract includes:
- (i) safe accommodation;
  - (ii) one-to-one support by experienced support workers;
  - (iii) help with living/travel costs;
  - (iv) help to access healthcare;
  - (v) signposting to immigration advice;
  - (vi) signposting to independent legal advice and advice on eligibility for compensation;
  - (vii) help to access counselling or other therapeutic services; and
  - (viii) interpreter/translation services.
- 5.3 As outlined above, the support provided by MH and BLWA includes helping the victims to access health care, counselling or other therapeutic services. Where there are likely to be ongoing support needs, MH and BLWA will liaise with other non-Government organisations and the relevant HSC Trust with a view to identifying how these might best be met.
- 5.4 If, however, at either the "reasonable grounds" or "conclusive grounds" stage, the CA concludes that the person is not considered to be a victim of modern slavery, normal immigration procedures will apply in the case of Non-EEA Nationals. This can be a critical time for Non-EEA nationals, who may become subject to immigration enforcement, and therefore specialist immigration advice is essential. In the case of EEA Nationals, they may be in

a position to return home or to exercise their Treaty rights<sup>13</sup> in the UK. Requests for access to health and social care assistance by persons who are not considered to be modern slavery victims will need to be considered by the HSC Trust in the context of the relevant legislation and guidance.

- 5.5 In certain cases there may be children or young people who accompany or who have been found in the care of parents or carers who are subject to modern slavery, but the child or young person may not necessarily be a victim of exploitation themselves. However, in such instances, the needs of children should be rigorously assessed as they are vulnerable children who may be in need of protection. In such instances the relevant Trust must always conduct enquiries under its Article 66 Duty to Investigate and must complete a child protection investigation into the circumstances of such children / young people.
- 5.6 In such circumstances, where a family group is recovered and the parent or other responsible adult with whom a child has been living has been a victim of modern slavery, a referral should be made immediately by the PSNI to the relevant HSC Trust to enable an assessment of the child's circumstances to be made. The family's immediate needs will be met under the provisions of *The Children (Northern Ireland) Order 1995*<sup>14</sup> (the Children Order) which relate to support for children in need and their families, unless doing so may prejudice the welfare or the best interests of the child. A full assessment of any such child's circumstances should always be carried out using the Understanding the Needs of Children in Northern Ireland (UNOCINI) process, mindful that children of different ages can have varied and differing needs. In these situations there will be an interface with the procedures and services set out in Working Arrangements for the Welfare and Safeguarding of Child Victims and Potential Child Victims of Human Trafficking and Modern Slavery - <https://www.health-ni.gov.uk/sites/default/files/publications/health/working-arrangements-potential-child-victims-of-human-trafficking-and-modern-slavery.pdf> . It is important that family members, where it is safe and appropriate to do so, are fully involved and kept aware of decisions made with regard to their support and care.
- 5.7 Further contact details for some useful sources of information and support are provided in **the Appendices** to this guidance.

### **Access to independent legal advice**

- 5.8 Non-EEA Nationals who are identified as victims or potential victims of trafficking will need to be aware of immigration issues and the provisions for seeking asylum, humanitarian protection or other immigration application in

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<sup>13</sup> This refers to the *Treaty of Rome 1957* (as amended by subsequent Treaties) which established the European Community and the rights under that Treaty, which apply to citizens of the EEA. These rights enable citizens of other EEA countries to live and work in the UK provided they will be self-sufficient (i.e. not a burden on the social assistance system).

<sup>14</sup> The Children Order can be accessed at:  
<http://www.legislation.gov.uk/nisi/1995/755/contents>

the UK, as well as rights and other considerations which may be pertinent to their circumstances.

- 5.9 After having explained the advantage of seeking legal advice in relation to these issues, MH / BLWA should, with the person's consent and as a matter of urgency, arrange for appropriate legal representation.
- 5.10 MH / BLWA should liaise with the recovered victim's solicitor who will gather relevant information and, where necessary, lodge representation with UK Visas and Immigration (UKVI). They should also ensure that the recovered victim's solicitor is aware of all impending interviews between UKVI and/or the PSNI and the recovered victim in relation to trafficking, asylum and other immigration matters and should at all stages co-operate in the provision of timely information to assist the recovered victim's case. In all interviews conducted by the UKVI, the recovered victim should be accompanied by his or her MH / BLWA support worker unless it has been agreed beforehand that the solicitor should attend the interview.
- 5.11 Where a recovered victim is being interviewed by the PSNI in relation to a criminal investigation into a trafficking allegation, he or she should, as a matter of good practice, be accompanied by a solicitor. Some victims may have more than one solicitor acting in their case, for example an immigration adviser, a criminal defence solicitor or a family solicitor. Issues may arise during the course of the interview which could have implications for the recovered victim's immigration status and/or outstanding application with UKVI. Interpreting services will also need to be provided as required and the need for the presence of an "appropriate adult"<sup>15</sup> considered.

### **Assessment and management**

- 5.12 MH / BLWA, with input from the HSC Trust as necessary, will have the key role in assessment and management with regard to adults who have been victims or are potential victims of trafficking. Risk assessment and management should be undertaken as part of each individual's ongoing support plan and will need to take account of risk factors associated with human trafficking including anxieties about their future, issues arising from any criminal investigation and other risks identified by the PSNI. This may include the potential risk of the victim contacting their trafficker. Cognisance also needs to be taken of the potential risk that traffickers may pose to staff, for example, seeking to intimidate or influence. In addition, the risk assessment should include considerations of any potential risks posed by the victim to other recovered victims or children. Where there is uncertainty about the age of the victim, particularly in relation to concerns that a young person may be younger or older than stated, an age assessment should be undertaken by two social workers, one of whom must be trained in conducting Merton-

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<sup>15</sup> MindWise has been contracted by the DoJ to deliver the Northern Ireland Appropriate Adult Scheme. The scheme aims to protect and safeguard the rights of young people and mentally vulnerable adults who are detained by the Police. The scheme is accessible to every PSNI station throughout Northern Ireland. More information is available through the MindWise website at: <http://www.mindwisenv.org/>

compliant age assessments of young people. The other should preferably be a social worker familiar with the victim's case or competent in an area of potential victim need, for example, mental health (see **Paragraphs 7.11 – 7.14**) as part of the risk management strategy.

- 5.13 **The location of a recovered victim of human trafficking should not be divulged to any enquirers** until the PSNI has conducted relevant checks and is in a position to offer advice as to the nature of the contact. Exceptions to this provision will include the recovered victim's solicitor or any other known professional essential to the plan for the recovered victim's health and well-being. Providers of support services or any professional working with a recovered victim should immediately notify the PSNI of anyone else who attempts to contact the recovered victim by presenting as employers, relatives or friends. Where the recovered victim is in possession of a mobile phone, this may need to be retained by the PSNI in order to protect the recovered victim and/or secure evidence in the context of the investigation.

### **Recovered victims who go missing**

- 5.14 Support service providers should seriously consider the risk that victims of human trafficking may go missing and take this into account in planning their care and support package. A recovered victim who goes missing should be immediately reported to the PSNI and to the recovered victim's solicitor where one has been appointed.



## **6. THE ROLE OF THE POLICE SERVICE OF NORTHERN IRELAND (PSNI)**

- 6.1 The PSNI has a key role in relation to the prevention and detection of modern slavery/human trafficking, the dismantling and prosecution of the organised crime gangs that may be involved, and in the recovery and protection of victims. Modern slavery and human trafficking are serious offences, however, victims may also have been subjected to other offences during the different stages of their journey and period of exploitation, for example, false imprisonment, sexual or physical violence and verbal threats. Victims of modern slavery may be identified as part of another criminal investigation.

### **PSNI Modern Slavery Human Trafficking Unit (MSHTU)**

- 6.2 PSNI has set up a dedicated Modern Slavery Human Trafficking Unit (MSHTU) which is part of C2 Serious Crime Branch, Special Investigation Unit. The role and remit of the MSHTU is to investigate organised crime involving cross-jurisdictional human exploitation; to assist frontline professionals in the identification and protection of victims of modern slavery and human trafficking; to develop and enhance new investigative tactics; to conduct pro-active operations to prevent trafficking and detect offenders; to work in collaboration with national and international law enforcement and statutory agencies; and to provide guidance and support for localised district investigations.
- 6.3 The Unit provides a 24/7 'On Call' facility to support frontline police and other agencies when required. Every incident brought to the attention of the MSHTU will be reviewed, and dedicated support provided to the investigating officer if it is not being investigated by the MSHTU.
- 6.4 PSNI MSHTU is a central point of contact to review all First Responder screening forms and National Referral Mechanism (NRM) referrals, to provide advice and guidance to local officers and agencies to assist in the correct identification of potential victims of modern slavery and human trafficking, and to ensure correct safeguarding and victim support procedures are followed. See **Appendix 4** for contact details.

### **MSHTU Callout**

- 6.5 This is available in extreme circumstances through UCMC Callout desk authorised via Duty Inspector.

PSNI MSHTU call out criteria are as follows:

- where any immediate Article 2 ECHR issue is identified in relation to a Potential Victim of Trafficking (PVoT) or Modern Slavery;
- when a person located during a brothel search shows signs and indicators of being trafficked;
- any instance whereby a PVoT may be moved on without immediate police intervention;
- when an arrest has been made for Human Trafficking or Modern Slavery;

- any instance where a response is necessary before the commencement of the next turn of duty; or
  - when Police on the ground intend to complete an NRM form.
- 6.6 PSNI MSHTU on call will respond to the reports of modern slavery / human trafficking outlined above and will consider the most appropriate response. Each incident will be treated individually and the level of response commensurate with the immediacy of the reduction in the Threat Risk or Harm posed to Potential Victims of Trafficking. Advice and guidance may be provided, with responsibility for the investigation remaining with Criminal Investigations Branch (C1), Public Protection Branch (C7) or local District personnel.

### PSNI First Responder guidance

- 6.7 Is the potential victim in control of police? If not, consider police powers to gain access to them.
- i. On receipt of a report of a Potential Victim of Modern Slavery or Human Trafficking, satisfy yourself there are signs and indicators present before proceeding (**Chapter 2**).
  - ii. Conduct an initial safeguarding screening questionnaire to establish if they are a potential victim. If they are not a victim, email the screening form to [zHumanTraffic@psni.pnn.police.uk](mailto:zHumanTraffic@psni.pnn.police.uk). The screening questionnaire can be found on the MSHTU PoliceNet pages via Departments / Crime Operations / C2 Serious Crime / SIU.
  - iii. After screening, if you suspect the person is a potential victim of MSHT, contact the MSHTU to ensure a consistent approach to the identification of potential victims and for effective management of all safeguarding and protection referrals across the PSNI. MSHTU will provide guidance by ensuring an NRM referral is appropriate in the circumstances. When at all possible please use a face to face interpreter when completing an NRM form.
  - iv. The PSNI, in the role of First Responder, will be the lead agency for the purpose of completing the NRM referral form in respect of each recovered victim. The First Responder, when completing the NRM form, may need to consult with other agencies in order to provide as much relevant information as possible. The NRM form can be accessed online through:   
<https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms> (use Scotland and Northern Ireland form)
  - v. Officers must obtain consent to make an NRM referral. Adult victims must consent and sign the NRM form. Child consent is not required. On completion, the NRM referral form should be sent to the National NCA Modern Slavery Human Trafficking Unit at [nrm@nca.x.gsi.gov.uk](mailto:nrm@nca.x.gsi.gov.uk). A copy

must also be emailed to the PSNI MSHTU at:  
[zHumanTraffic@psni.pnn.police.uk](mailto:zHumanTraffic@psni.pnn.police.uk)

- vi. Contact the relevant DoJ Victim Support Contract provider (see below) to remove the potential victim to a place of safety.
- vii. A PSNI MSHT Risk Assessment form (link below, accessible for PSNI officers only) **MUST** be completed and a copy provided to the support provider when the victim is transferred to the support provider or within 48 hours. Any **Medium - High** risks **MUST** be communicated at the time of handover.

[http://policenet/main-home/directory\\_departments/crime\\_operations\\_hq\\_pg/crime\\_ops\\_c2\\_pg/c2\\_human\\_trafficking-2.page/c1\\_ht\\_documents.pg](http://policenet/main-home/directory_departments/crime_operations_hq_pg/crime_ops_c2_pg/c2_human_trafficking-2.page/c1_ht_documents.pg)

**DO NOT** use anyone else present to act as an interpreter. Separate persons to stop potential traffickers/controllers attempting to influence the victims by way of threats.

**DO NOT** conduct a screening in front of another potential victim, witness or suspect. If possible remove potential victims from premises away from potential controllers for the purposes of screening. Do not screen potential victims in bedrooms of premises.

**DO NOT** use Google Translate or your personal mobile. Use qualified interpreters via telephone or face to face (best option). This is for the safety of attending officers as well as being aware of conversations between parties involved.

**REMEMBER** FIRST IMPRESSIONS LAST. Keep victim-focussed throughout. Gain their trust and build a rapport using active listening, empathy, and sensitivity when speaking to potential victims.

**REMEMBER** to consider ROWAN Centre and Early Evidence Kits for victims of sexual crime.

**REMEMBER** to confirm immigration status/identity with UK Border Force (24hr Control 01612611640). Victims of Trafficking take priority over immigration status. If the person is not a victim they may need to be arrested for immigration or other offences.

## **MSHT VICTIM SUPPORT PROVIDERS**

### **Migrant Help**

- 6.8 Migrant Help provides advice and support to vulnerable migrants in the UK. It provides support primarily for adult male potential victims of modern slavery and human trafficking while they go through the NRM process. However, if a male is accompanied by a female partner and/or children, they will all be

supported by Migrant Help as a family unit. This is funded by the Department of Justice. Further information is available at **Chapter 5**.

### **Belfast and Lisburn Woman's' Aid**

- 6.9 Belfast and Lisburn Women's Aid (BLWA) supports adult female victims, irrespective of the type of exploitation (labour/sexual/servitude), including those with children and those who are pregnant as a result of their exploitation. Further information is available at **Chapter 5**.
- 6.10 The unique individual circumstances of each investigation will determine whether or not to invoke the procedures and protocols established under the NI Safeguarding Partnership: <http://www.hscboard.hscni.net/NIASP/> . In some situations, the PSNI may need to take immediate action to remove the person to a safe place outside Northern Ireland.

### **First Responder training**

- 6.11 All PSNI First Responders should complete the Modern Slavery Human Trafficking (MSHT) e-Learning module available through NCALT. Although this training refers to the Modern Slavery Act 2015 for England and Wales, the same principles, first response, and the NRM process, are the same for Northern Ireland investigations.

### **PSNI Central Referral Unit (CRU)**

- 6.12 Police may hear of a modern slavery and human trafficking concern from Health and Social Care Trusts (HSCT), any other agency, or from a member of the public to the PSNI's Central Referral Unit (CRU) that sits within C7 Public Protection Unit. CRU will screen each referral they receive and assign to the appropriate Public Protection Unit (PPU), MSHTU, or other relevant District, Department or Branch. If it is determined, following assessment, that a potential adult victim of Modern Slavery and Human Trafficking has been encountered, the PSNI MSHTU will be informed.

### **When to contact CRU**

- 6.13 It is necessary for First Responders to contact CRU when there is an allegation, or reasonable cause to suspect, the abuse of an **Adult at Risk** or an **Adult in Need of Protection**. In addition to vulnerable adult incidents, it is also necessary to contact CRU when there is an allegation, or reasonable cause to suspect, the abuse of a child, be that physical, sexual or wilful neglect or there is a clear concern for the safety of a child.
- 6.14 Referring an incident to CRU should not preclude Police obligations to take prompt and effective action to safeguard children at risk, preserve evidence and/or apprehend suspected offenders.
- 6.15 In urgent cases outside CRU Office Hours, the Duty Inspector will authorise PPU callout if necessary. **Regional Emergency Social Work Service**

**should be contacted in urgent cases on 02895049999.** Non urgent cases should be emailed to **zCRU** provided all salient details have already been obtained. It is the attending officer's responsibility to share details of the related incident via a Form 0.

- 6.16 Safeguarding adults is complex and challenging. The focus of any intervention must be on promoting a proportionate, measured approach to balancing the risk of harm with respecting the adult's choices and preferred outcome for their own life circumstances. The right of a person with capacity to make decisions and remain in control of their life must be respected.
- 6.17 Consideration of 'capacity' and 'consent' are central to adult safeguarding, there should always be a presumption of capacity to make decisions unless there is evidence to suggest otherwise.
- 6.18 There are also some circumstances when it may be necessary to consider the protection and rights of others and overriding the withholding of consent may be necessary to ensure the protection of others.

#### **What is a vulnerable adult?**

- 6.19 The language of adult safeguarding previously focussed on protection and used the term 'vulnerable adult.' This was widely misinterpreted, often used out of context and, for some, the term implied weakness on the part of the adult, which many found unacceptable.
- 6.20 Policy has now moved away from the concept of 'vulnerability' and towards establishing the concept of 'risk of harm' in adulthood. It places the responsibility for harm caused with those who perpetrate it. While some legislation and guidance documents still refer to vulnerable adults, the term should no longer be used.
- 6.21 That said, Section 25 of the HT Act defines a **vulnerable adult** as a person aged 18 or over whose ability to protect themselves from violence, abuse or exploitation is significantly impaired through physical or mental disability or illness, old age, addiction to alcohol or drugs or for any other reason.

#### **What is an Adult at Risk?**

- 6.22 An '**adult at risk of harm**' is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their personal characteristics and/or life circumstances:
- **Personal characteristics** may include, but are not limited to, age, disability, special educational needs, illness, mental or physical frailty or impairment of, or disturbance in, the functioning of the mind or brain.
  - **Life circumstances** may include, but are not limited to, isolation, socio-economic factors and environmental living conditions.

- 6.23 A person with a physical disability or an older person may not deem themselves as being an Adult at Risk of Harm, and may not wish to be dealt with under these procedures. In cases such as these, the incident can be investigated as normal, unless there is a concern that they do not have the capacity to make these decisions for themselves.

### **What is an Adult in Need of Protection?**

- 6.24 An '**adult in need of protection**' is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by:
- A) their personal characteristics;  
**AND/OR**
  - B) their life circumstances;  
**AND**
  - C) who is **unable to protect** their own well-being, property, assets, rights or other interests;  
**AND**
  - D) where the **action or inaction of another person or persons** is causing, or is likely to cause, him/her to be harmed.
- 6.25 In order to meet the definition of an 'adult in need of protection' either (A) or (B) must be present, in addition to both elements (C), and (D).
- 6.26 Self-harm or self-neglect does not sit within the definition of an 'adult in need of protection'. Persons with alcohol dependency or drug addiction are not viewed as an Adult at Risk of Harm unless they also have a mental illness or disability.
- 6.27 Further advice and guidance on CRU and adult safeguarding can be found on C7 PPU PoliceNet pages using the following link;  
[http://policenet/main-home/directory\\_departments/crime\\_operations\\_hq\\_pg/public\\_protection\\_branch.htm](http://policenet/main-home/directory_departments/crime_operations_hq_pg/public_protection_branch.htm)

### **Pre-Planned operation contact arrangements**

- 6.28 Where there is a planned operation or investigation that would benefit from co-working, the PSNI will contact the relevant HSC Trust's Designated Human Trafficking Officer or Out-of-Hours Emergency Service as appropriate – see **Appendix 5** for contact details.
- 6.29 Where possible, the PSNI should alert the relevant Trust(s) at the earliest opportunity in advance of a planned operation to enable the Trust to make any preparations it considers necessary to meet the anticipated needs of any potential vulnerable victims.
- 6.30 A strategy discussion or, where time permits, a strategy meeting, should take place to plan the joint adult protection investigation. This will include the

arrangements, if any, for a social worker to be present during the police operation and the co-ordination of the assessment of the victim's needs in accordance with procedures and protocols established under the NI Safeguarding Partnership <http://www.hscboard.hscni.net/NIASP/> and associated processes. The contracted DoJ victim support provider for victims should also be involved as part of this pre-planning co-working stage, where appropriate.

- 6.31 In such situations PSNI should also consider consulting with UKIE and/or UKBF if the operation is concerned with adults who are Non-EEA Nationals.
- 6.32 Where an operation or investigation is targeted on, or recovers, children or children in families, then the process will follow the guidance set out in *Working Arrangements for the Welfare and Safeguarding of Child Victims and Potential Child Victims of Human Trafficking and Modern Slavery* - <https://www.health-ni.gov.uk/sites/default/files/publications/health/working-arrangements-potential-child-victims-of-human-trafficking-and-modern-slavery.pdf>.

### **Adult protection procedures**

- 6.33 In all cases, the PSNI will accompany the recovered victim to a Medical Suite and, when it is safe and appropriate to do so, arrange for transfer of the person to the appropriate contracted support service. The PSNI protocol for attending the Rowan Centre must be followed.

*Note: The Rowan Sexual Assault Referral Centre (SARC NI) is a specialist centre for victims of sexual assault at Antrim Area Hospital which delivers services to children and adults who have been raped, sexually assaulted or sexually abused. Victims who have been trafficked for sexual purposes can receive care and support from the SARC and will have the opportunity to assist in a police investigation, which can include a forensic medical examination, if they so choose. SARC NI is a collaborative initiative involving the DoH and PSNI. The centre will provide a range of specialist clinical assessment, intervention, and integrated care and support for the victim / survivor and their family, where applicable, in the aftermath of a sexual assault.*

- 6.34 In all cases where adult protection procedures are activated, the PSNI and the social worker allocated to the case will conduct an investigation in accordance with procedures and protocols established under the NI Safeguarding Partnership <http://www.hscboard.hscni.net/NIASP/>
- 6.35 Access to suitably skilled and supported interpreting and translation services may be crucial to the investigation. Where necessary, the PSNI will make these services available to assist the joint inquiry/investigation process.

## Medical and forensic procedures and consent

- 6.36 The PSNI forensic medical officer may, with the recovered victim's consent, conduct a medical examination to obtain evidence to assist the investigation. Where possible, this medical examination should be co-ordinated with the assessment of any healthcare needs so as to reduce the impact on the recovered victim and should follow best practice, for example, in conducting medical examinations for rape and sexual assault.
- 6.37 The PSNI may, for protection purposes, also seek the recovered victim's consent to the provision of a non-invasive DNA sample in order to aid identification in the event that he or she goes missing and is re-trafficked under another identity. The *Human Tissue Act 2004* (the Human Tissue Act) requires that qualifying consent<sup>16</sup> must be provided for the taking of a DNA sample and the use of the sample must be for a specified purpose as set out in Schedule 4 to the Human Tissue Act. Under paragraph 5(1) of Schedule 4, use of the results of the analysis of DNA is lawful where it is for the prevention or detection of crime. Under paragraph 5(2) of Schedule 4, detecting crime includes establishing by whom, for what purpose, by what means and generally in what circumstances any crime was committed.
- 6.38 With regard to issues of consent to the above procedures, adults are presumed in law to be competent to give consent for themselves for their own healthcare and associated procedures, including the provision of a DNA sample.<sup>17</sup> However they must also have the capacity (be competent) to take a particular decision i.e. they must be able to comprehend and retain information material to the decision, especially as to the consequences of having or not having the intervention in question. They must also be able to use and weigh up this information in the decision-making process.
- 6.39 If the recovered victim is judged to lack capacity, it will be lawful to provide necessary medical treatment which is in the "best interests" of the adult. The House of Lords previously has suggested that action taken "to preserve the life, health or well-being" of an individual will be in their best interests, and subsequent court judgements have emphasised that an individual's best interests go beyond their medical interests to include much wider welfare considerations, such as their psychological health, well-being and quality of life.<sup>18</sup> However, use of best interests for medical treatment does not cover the taking of DNA.
- 6.40 The experience of human trafficking and subsequent exploitation and, indeed the process of recovery, may impact on the mental health of the recovered

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<sup>16</sup> Qualifying consent is consent that fulfils the requirements of the Human Tissue Act and therefore allows DNA analysis to be carried out without committing an offence. Schedule 4 to the Human Tissue Act sets out who can give qualifying consent.

<sup>17</sup> See *Human Tissue Authority Code of Practice A – Consent (HTA, 2017)* which can be accessed through: <https://www.hta.gov.uk/hta-codes-practice-and-standards-0>

<sup>18</sup> DHSSPS consent guides for Healthcare Professionals and Social Workers, Social Care Staff and Students can be accessed through: [http://www.dhsspsni.gov.uk/public\\_health\\_consent](http://www.dhsspsni.gov.uk/public_health_consent)



victim to the extent that the provisions of the *Mental Health (Northern Ireland) Order 1986*<sup>19</sup> are engaged. Where the use of compulsion is considered necessary, PSNI should liaise with the relevant HSC Trust(s) to ensure that such measures are appropriately and sensitively engaged; this may require input by an Approved Social Worker.<sup>20</sup>

## **Recovered victims who go missing**

- 6.41 There must always be a concern with anyone who voluntarily agrees to be referred to the National Referral Mechanism process as a victim of Human Trafficking or Modern Slavery, who subsequently cannot be located to be interviewed to clarify and investigate the allegation. This increases the risk of the person being re-victimised / being a victim of crime / unable to avail of the support the State provides for victims.
- 6.42 Recovered victims who subsequently go missing should be reported to the PSNI by the provider of support services, currently Migrant Help/Belfast and Lisburn Women's Aid to a PSNI Call Management Centre as per normal arrangements by dialling 101 or in an emergency dial 999.
- 6.43 Given the high level of risk that victims and potential victims of Modern Slavery and Human Trafficking may go missing, this risk of the person going missing is covered in the initial risk assessment handover from PSNI to the victim support provider.
- 6.44 The Association of Chief Police Officers (ACPO) definition of a missing person is anyone whose whereabouts cannot be established and the circumstances are out of character or the context suggests the person may be the subject of crime or at risk to themselves or another.
- 6.45 Where there are concerns that a trafficked adult is being moved within the UK or to the Republic of Ireland, the PSNI, in discussion with others as appropriate, will consider whether any actions should be taken by them to alert UK police forces or An Garda Síochána. UKBF should also be provided with the details of any recovered victim who has gone missing in order that UKBF officers at ports of entry may be alerted.
- 6.46 In the event of a recovered victim of Modern Slavery or Human Trafficking going missing, the PSNI investigating officer must contact the PSNI MSHTU for advice on completing various investigative considerations to assist in locating the missing person.

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<sup>19</sup> It should be noted that Mental Health legislation in Northern Ireland has been subject to extensive review and is in the process of change.

<sup>20</sup> Approved Social Workers are appointed to carry out the functions given to them under the *Mental Health (Northern Ireland) Order 1986*; they must be approved as having appropriate competence in dealing with people who are suffering from a mental disorder.

- 6.47 Officers must keep an open mind and consideration must be given to the following:
- i. Who has reported the person missing and why?
  - ii. Can the person's whereabouts be established?
  - iii. Are the circumstances out of character and why?
  - iv. Is there information or does the context indicate that the person may be subject to a crime?
  - v. Is there information to suggest that the person may be at risk of significant harm to themselves or others and why?
- 6.48 Every incident of a victim going missing must be investigated on the individual circumstances and officers must always be mindful of the ever changing circumstances, information and intelligence picture.

#### **PSNI inquiries and criminal investigations**

- 6.49 The PSNI will maintain close contact with the relevant service providers and HSC Trust, where it is involved, in relation to the progress of further relevant enquiries or criminal investigations and will provide any information necessary to assist these organisations in safeguarding the recovered victim.
- 6.50 When a potential victim agrees to co-operate with law enforcement for prosecution purposes, confirmation that the person is required by the police to remain in the UK is provided to the Competent Authority by the Officer in Charge of the investigation. This application may take the form of a letter setting out the rationale and including any reference numbers or other details to assist the Home Office to identify the individual. However, no decision on whether to grant discretionary leave will be taken by the Home Office before a conclusive grounds decision is made (see **paragraphs 4.25-4.28**).

## 7. THE ROLE OF HEALTH AND SOCIAL CARE (HSC) TRUSTS

- 7.1 HSC Trusts have a general duty to promote an integrated system of health and social care designed to secure improvement in the physical and mental health and social well-being of people in Northern Ireland and in the prevention, diagnosis and treatment of illness.
- 7.2 It should be noted that HSC Trust statutory duties in relation to victims of trafficking and modern slavery differ in terms of child and adult victims. All forms of child trafficking should be, first and foremost, recognised as child abuse and therefore require all the existing multi-agency policies and procedures around child protection. However, many adult victims may have no recourse to public funds. This does not mean they should not receive health and social care (**paragraph 7.19**). In such cases, each HSC Trust must take the decision as to the degree of social care support that it will provide on a discretionary basis in light of its role in promoting health and wellbeing in its area. Responding to the healthcare needs of trafficked adults is dealt with in **paragraphs 7.8 – 7.10**.

### Contact and liaison arrangements

- 7.3 All HSC staff and particularly those engaged in emergency healthcare, adult safeguarding work, and Out-of-Hours Teams, should be familiar with the indicators of human trafficking (see Chapter 2) and the procedures set out and referenced in this guidance.
- 7.4 When notified of an impending operation or investigation that would benefit from co-working, the relevant HSC Trust's Designated Human Trafficking Officer will make appropriate arrangements with the PSNI to assist the operation or investigation (see **Appendix 5** for contact details). The HSC Trust and the PSNI should agree a strategy to plan the joint investigation and the assessment of the recovered victim's needs. Where issues of consent arise during an investigation, the provisions set out in **paragraphs 6.36 – 6.40** of this guidance should be noted. Where an operation or investigation is targeted on, or recovers, children or children in families, then the process will follow the guidance set out in *Working Arrangements for the Welfare and Safeguarding of Child Victims and Potential Child Victims of Human Trafficking and Modern Slavery* – <https://www.health-ni.gov.uk/sites/default/files/publications/health/working-arrangements-potential-child-victims-of-human-trafficking-and-modern-slavery.pdf> .
- 7.5 In the case of any adult who comes to the attention of the HSC Trust as a potential victim of trafficking and who is not already known to the PSNI, the Trust should immediately notify the PSNI – see **Appendix 4** for contact details.
- 7.6 In all cases where adult safeguarding procedures are activated, the HSC Trust and the PSNI will conduct joint inquiries and joint protocol interviewing in accordance with *Adult Safeguarding: Prevention and Protection in Partnership*

(DHSSPS and DoJ July 2015) and the associated *Protocol for Joint Investigation*. Where necessary, the PSNI will make interpreting services available, and any other victim support service needed to assist the joint adult protection inquiry/investigation process.

## Support for recovered victims

7.7 Arrangements for the support of recovered victims are set out in **Chapter 5** of this guidance. While HSC Trusts may have a more limited role in the recovery and initial support and rehabilitation of adult victims, their Designated Human Trafficking Officer should:

- facilitate access to social workers who have been trained in conducting Merton-compliant age assessment of young people (see **paragraphs 7.11 – 7.14**);
- on the basis of assessed need, seek to facilitate access across the full range of health and social care services that the HSC Trusts provide; and
- where there are likely to be ongoing support needs, enable early liaison between Migrant Help / Belfast and Lisburn Women's Aid and the HSC Trust with a view to identifying how these might best be met.

## Healthcare needs of recovered victims

7.8 As a consequence of the *Provision of Health Services to Persons not Ordinarily Resident (Amendment) Regulations (Northern Ireland) 2008*,<sup>21</sup> Northern Ireland is now compliant with the requirements of the Convention against Trafficking in relation to the healthcare needs of victims during the recovery and reflection period. General healthcare needs, i.e. registration with, and access to, GP services and routine treatment should be arranged by Migrant Help/Women's Aid Federation (NI). If an adult has emergency medical needs, Accident and Emergency units at hospitals will provide such treatment. Please note **paragraphs 6.36 – 6.40** with regard to issues of consent.

7.9 In view of the life circumstances to which they have been potentially exposed, all recovered victims should be offered screening for Hepatitis B, Hepatitis C and HIV infection and, where appropriate, should be encouraged to avail of sexual health screening. Where the adult is consenting, Migrant Help / Belfast and Lisburn Women's Aid should make contact with the relevant Genitourinary Medicine (GUM)/Sexual Health Clinics clinic to arrange an appointment (see **Appendix 6** for contact details of local clinics).

7.10 Adults who have been trafficked may also have mental health needs, and may experience post-traumatic stress symptoms during the recovery and reflection

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<sup>21</sup> The 2008 Regulations can be accessed at: <http://www.legislation.gov.uk/nisr/2008/377/contents/made>

The 2005 Regulations can be accessed at: <http://www.legislation.gov.uk/nisr/2005/551/contents/made>

period and for a long period afterwards. In such cases, Mental Health Services or other relevant counselling and support services should be sought for the victim.

### **Age disputed individuals**

- 7.11 Some individuals may not be in possession of official documentation confirming their date of birth or may have been told to lie about their age to evade attention from the authorities. A young person under the age of 18 years found in a brothel, for example, may have been told to state that he/she is an adult. Other young people who are over the age of 18 may have been told to claim they are under 18 years in order to secure the protection of the HSC Trust and the more favourable outcomes for unaccompanied children in immigration decisions.
- 7.12 The Convention against Trafficking states “when the age of the victim is uncertain and there are reasons to believe that the victim is a child, he or she shall be presumed to be a child and shall be accorded special protection measures pending verification of his/her age”. The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (NI) 2015, complies with the Convention. Section 25(3) provides that, in respect of any function under the Act, where the age of the victim is uncertain, where there is reason to believe that the victim is a child, they are to be treated as such. Therefore, where there is concern that a young person who claims to be an adult is suspected of being under the age of 18 years, the young person must be treated as a child and the guidance set out in *Working Arrangements for the Welfare and Safeguarding of Child Victims and Potential Victims of Human Trafficking and Modern Slavery* must be followed until information to the contrary becomes available – <https://www.health-ni.gov.uk/sites/default/files/publications/health/working-arrangements-potential-child-victims-of-human-trafficking-and-modern-slavery.pdf> .
- 7.13 Where necessary, in the case of young people who are suspected of being over the age of 18 years, or a youthful adult claims to be under 18 years old, an age assessment should be carried out by the HSC Trust at the earliest opportunity. HSC Trusts should have ready access to social workers who have been trained in conducting Merton-compliant age assessment of young people. Age assessment should be undertaken by two social workers, one of whom must be Merton trained and the other, preferably, the young person’s social worker or a social worker who is familiar with the case.
- 7.14 The PSNI will be responsible for arranging accommodation for any young victim assessed by the Trust to be aged 18 years or over through Migrant Help or Belfast and Lisburn Women’s Aid – see **Chapter 5**. Children who are believed to have been trafficked will need to be accommodated by the HSC Trust under Article 21 of the Children Order and the full regulatory provisions and guidance in respect of looked after children will apply.

## **Families with children who have been trafficked**

- 7.15 In certain cases there may be children or young people who accompany or who have been found in the care of parents or carers who are subject to modern slavery, but the child or young person may not necessarily be a victim of exploitation themselves. However, in such instances the needs of children should be rigorously assessed as they are vulnerable children who may be in need of protection. In such instances the relevant Trust must always conduct enquiries under its Children Order Article 66 Duty to Investigate and must complete a child protection investigation into the circumstances of such children / young people.
- 7.16 Where a child is recovered as part of a family group and the child's parent or other responsible adult with whom the child has been living has been a victim of trafficking or modern slavery, a referral should be made immediately by the PSNI to the relevant HSC Trust to enable an assessment of the child's circumstances to be made. The family's immediate needs will be met under the Children Order provisions relating to support for children in need and their families unless doing so may prejudice the welfare or best interests of the child. A full assessment of any such child's circumstances should always be carried out using the Understanding the Needs of the Child in Northern Ireland (UNOCINI) process, mindful that children of different ages can have varied and differing needs. The relevant guidance is set out in *Working Arrangements for the Welfare and Safeguarding of Child Victims and Potential Victims of Human Trafficking and Modern Slavery* – <https://www.health-ni.gov.uk/sites/default/files/publications/health/working-arrangements-potential-child-victims-of-human-trafficking-and-modern-slavery.pdf>

## **Persons confirmed as victims of trafficking**

- 7.17 If the Competent Authority conclusively finds that an EEA national or non-EEA national is a victim of modern slavery, they may be considered for a temporary residence permit known as 'discretionary leave' if they do not wish to return to their country of origin. They will not qualify for a permit solely on the grounds that they are a victim of modern slavery: they still need to meet additional criteria to qualify. They may qualify for discretionary leave if they are a confirmed victim of modern slavery and they are assisting the police with their enquiries, pursuing a compensation claim against their traffickers, or leave is necessary owing to personal circumstances. Each case is considered on its own merits. Grants of discretionary leave to remain in the UK are for up to 30 months' leave to remain, with the time period granted depending on the individual circumstances of the case. A person who has been trafficked and granted discretionary leave to remain will, as a consequence of their conditions, have access to public funds and permission to work in the UK.
- 7.18 EEA nationals who do not wish to return to their country of origin may also exercise rights under the European Convention on Human Rights (ECHR)<sup>22</sup> by

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<sup>22</sup> These are rights set out in the ECHR and enshrined in UK law by the *Human Rights Act 1998*. Not all Convention rights operate in the same way. Some are 'absolute' while others are 'limited' or 'qualified' in nature.

applying for leave to remain on the basis of their private or family life (Article 8 of the ECHR). Some may also be a “qualified person” as defined by regulation 6 of The Immigration (European Economic Area) Regulations 2016 or the family member of a qualified person.

- 7.19 All queries in relation to potential Social Security benefit, other government supports or services entitlements for Victims/Potential Victims of Human Trafficking/Modern Day Slavery should be directed to the following email address:

[Knockbreda.makethecall.scr@nissa.gsi.gov.uk](mailto:Knockbreda.makethecall.scr@nissa.gsi.gov.uk)

- 7.20 The HSC Trust may be asked by Migrant Help or Belfast and Lisburn Women’s Aid to assist with the rehabilitation of trafficked victims to independent living and, in view of the potential continuing vulnerability of trafficked victims, the HSC Trust should respond accordingly. **It will not be necessary for the HSC Trust to consider entitlement to access health and social care in the case of confirmed victims of trafficking who have been given discretionary leave to remain in the UK, refugee status or humanitarian protection.** However, assessment under the care management process, which is needs-driven, will determine what, if any, care services will be provided.

## 8. TRANSITIONS TO ADULT SERVICES

- 8.1 Some victims who were recovered and supported as children will continue to need to be supported as they become adults. Planning and follow-up support for children who may have been trafficked or subject to modern slavery will be led by the HSC Trust in accordance with the care planning, leaving care and after-care procedures for Looked After Children. Such planning will form an integral part of the child's/young person's Looked After Child Review of Arrangements and Protecting Looked After Children meetings.
- 8.2 As part of the care plan, the Trust should also support the child in relation to matters such as family tracing, immigration issues and, where appropriate, to continue living in the UK or to co-operate with repatriation arrangements.
- 8.3 Where the child continues to live in the UK and is an 'eligible or 'relevant' child within the meaning of The Children (Leaving Care) Regulations (Northern Ireland) 2005, he or she will be entitled to receive appropriate leaving care support in accordance with Articles 34A to 35D of The Children (Northern Ireland) Order 1995.
- 8.4 Consideration must be given by all agencies and practitioners, commensurate with their roles and responsibilities, to the young person's continuing need for protection and support as the young person makes the transition into adult life.
- 8.5 As child victims and potential victims of human trafficking and modern slavery remain vulnerable to their traffickers and exploiters and to a range of other risks and challenges, it is essential that service provision recognises the need for on-going support.
- 8.6 Support should begin with the end in mind and all survivors should be made aware that the support being provided is limited. The *Working Arrangements for the Welfare and Safeguarding of Child Victims and Potential Child Victims of Human Trafficking and Modern Slavery*<sup>23</sup> guidance sets out that, for child victims, it is crucial that an exit strategy and leaving care plan is devised as soon as possible in the engagement with the child/young person to ensure an appropriate level of support that assists the young person into the fullest independent adulthood possible. The Leaving Care Plan/exit plan and Aftercare Support should only set realistic expectations.
- 8.7 It is important that on-going planning and engagement with the young person assists him/her to:-
- explore and understand all the exit options available, including repatriation if the young person has expressed a clear desire to return home based on an informed decision;

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<sup>23</sup> <https://www.health-ni.gov.uk/sites/default/files/publications/health/working-arrangements-potential-child-victims-of-human-trafficking-and-modern-slavery.pdf>



- make safe and appropriate travel arrangements if returning to his/her country of origin;
- move on from the service, find suitable accommodation, training or employment and financial support, and make appropriate travel arrangements;
- contribute as fully as possible to a final assessment to identify areas where he/she has made progress and/or has needs that have not been fully met yet.

8.8 The continued vulnerability of young people who have been victims of human trafficking or modern slavery, as well as their potential need for on-going support to address trauma they have experienced, should inform support plans and packages to assist them and promote their independence in adult life.

8.9 Arrangements to support children and adults who have been victims of human trafficking or modern slavery should include an evaluation of the support they have received and consider the following areas:-

- ongoing safety (including risk from traffickers or exploiters)<sup>24</sup>
- whether they have yet received a conclusive determination under the NRM or remain eligible for support under the DoJ-funded contract for adult potential victims of modern slavery/human trafficking;
- health issues and on-going access to appropriate healthcare services;
- legal issues and immigration status;
- housing and finance (access to welfare, managing money and debts);
- living skills (readiness for independence);
- education and work (including any entitlement to support education, employment and training up to 24 years of age);
- social and spiritual networks (contacts with family, friends and community agencies);
- options in relation to future return to their country of origin;
- an on-going effective multi-agency service provision that ensures that those exiting services have access to appropriate additional support;

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<sup>24</sup> In instances where there is a concern that a young person may remain at risk from traffickers if he/she moves to another geographical area, consideration must always be given to the necessity that PSNI make a notification to the local area into which the young person has moved.

- how young adults are best enabled to access services that are available in the local area where they are moving to;
- an adequate 'moving-on' package, including a list of useful contacts, addresses, numbers and referral forms they can use if needed;
- how young adults can be assisted to recognise the progress they have made and the positive outcomes in their life;
- if necessary, how any issues of drug and/or alcohol dependence or misuse will continue to be addressed.

## 9. REPATRIATION / REUNIFICATION / SAFE RETURNS

- 9.1 The EU Trafficking Directive (2011/36/EU, preamble para.10) recognises that survivors of trafficking have the right to be protected against return to a country where there is a risk of the death penalty, torture or other inhuman or degrading treatment or punishment as prescribed by the Charter of Fundamental Rights of the European Union (2000/C 364/01, Art. 4 and Art 19(2)) and, if found to be a refugee in accordance with the Convention Relating to the Status of Refugees (UN, 1951), not to be returned (non-refoulement)<sup>25</sup> to a place where they fear persecution. Furthermore, Article 11(6) of the Directive requires Member States to give victims information about the "...possibility of being granted international protection..."
- 9.2 In some cases, and with advice from their lawyers, trafficked victims apply to the UKVI for asylum or for humanitarian protection. This is often because of the high risk they face of coming to harm if they are forced to return to their countries of origin. All such risks must be carefully considered.
- 9.3 However, potential victims of trafficking and modern slavery may wish to voluntarily return to their country of origin, in which case they should be encouraged to consider whether this is a viable and safe solution for them.
- 9.4 It is essential that those who have been victims of human trafficking or modern slavery are able to discuss and consider any risks of re-trafficking prior to their return. The assessment of the appropriateness of repatriation or reunification and safe return to the country of origin **MUST ALWAYS** involve PSNI.
- 9.5 When gathering information that may help to inform decisions about whether an adult should be returned to their country, PSNI will conduct a Repatriation Risk Assessment to ensure that it is in the best interests of the potential victim to be repatriated. The potential victim should specifically be asked:
- Why is the person requesting repatriation?
  - Do they want to return?
  - Would they be returning to the place from which they were trafficked?
  - Were their family and friends involved in the trafficking?
  - Will they be at risk of re-trafficking?
  - Do they have support networks and specialist services they can access if they return?
  - Do they believe they will be safeguarded and protected if returned?

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<sup>25</sup> Non-refoulement: the practice of not forcing refugees or asylum seekers to return to a country in which they are liable to be subject to persecution.

- Do they have good prospects for a financially stable and independent life upon return?

9.6 The answers to these questions will determine if PSNI supports the repatriation of this potential victim. It should be noted that once an adult leaves Northern Ireland it may be difficult for PSNI to state if a victim is at risk of harm from their traffickers and their potential associates in their country of origin. PSNI will request that full contact details are provided of the country of origin address and telephone contact number. This will enable the PSNI investigation team to make contact with the victim to keep them updated regarding the investigation and for any other necessary reason.

9.7 The concept of 'abuse of a position of vulnerability', to which many survivors of trafficking are susceptible, should be borne in mind and if there are reasons to believe that return may endanger their lives and put them at risk, they should be encouraged to consider other options.

9.8 In cases where the victim wishes to return to their country of origin, it is important that every effort is made to ensure that they can do so as safely as possible.

9.9 Ensuring the safety of such arrangements to repatriate victims of human trafficking or modern slavery will require:

- carrying out a multi-agency risk assessment, with parties within the UK and abroad, and ensuring as far as possible that risks of re-trafficking or reprisals are limited;
- a thorough assessment of the individual's circumstances and, where appropriate and safe, notification of the local police of any active risk of reprisals from traffickers or witness intimidation;
- identifying NGOs and government agencies that can support and sustain survivors' social reintegration and recovery upon return, by helping them access appropriate healthcare services, realistic and progressive training opportunities, and financial and housing support;
- liaison with other UK agencies and services that might be able to share existing contacts and arrange assistance in the country of origin;
- providing assistance to make travel arrangements on behalf of survivors, through other agencies - such as Refugee Action or the International Organisation for Migration (IOM) - or directly by using your organisation's own funds if this is possible and appropriate in the circumstances;
- accompanying survivors to the relevant Embassy to collect their travel documents;
- accompanying survivors to the airport and arranging special assistance at the airport to ensure survivors are escorted to the plane and arranging pick up on landing (if available);

- arranging for a named and identifiable person from a support agency and/or a named family member, who is known to be safe and acting in the victim's best interests, to pick them up at the airport;
- where appropriate, and if possible, agreeing with survivors continued contact and/or call on safe arrival (avoiding giving commitments or making promises that you will not be able to keep);
- encouraging survivors to agree to provide evidence either in person or via video link if they have agreed to be a witness in criminal proceedings;
- understanding survivors' plans on return – access to education, work etc. – and how to address the vulnerabilities that may remain, eliminating, so far as reasonably practicable, any vulnerability to, and risks of, subsequent re-trafficking.

## **10. SUPPORTING VICTIMS OF HUMAN TRAFFICKING OR MODERN SLAVERY TO ACCESS JUSTICE**

- 10.1 Victims and potential victims of modern slavery require special protection, assistance and support in order to prevent additional hardship and/or further victimisation as a result of their participation in the criminal justice process and in order to ensure that their best interests and dignity are respected.
- 10.2 All necessary interviews must be conducted in compliance with the requirements of the 'Joint Protocol' and 'Achieving Best Evidence' and victims of human trafficking should be offered bespoke support as vulnerable witnesses and provided support to enable them to give their evidence effectively. This is in line with section 23 of the HT Act which makes provision for the protection of trafficking and modern slavery victims in criminal investigations. Support should also be provided to assist the individual to manage any trauma that involvement in justice processes may cause.

### **Statutory defence for victims of human trafficking and modern slavery**

- 10.3 Section 22 of the HT Act creates a statutory defence for victims of human trafficking and modern slavery offences who have been compelled to commit certain offences. The defence does not apply in respect of more serious offences. It is applicable where a reasonable person in the same situation and with the same characteristics would have no realistic alternative but to commit the offence.

### **Supporting trafficked/enslaved witnesses**

- 10.4 Section 24 of the HT Act ensures that victims of human trafficking and modern slavery are entitled to apply for special measures in court. Victims who agree to testify shall be accorded special protection measures to ensure their safety and that of their family members in the country or place of origin, transit and destination.
- 10.5 Reference should be made to a witness's potential need of international protection and possible resettlement due to the risk of retaliation from traffickers against whom he or she has provided evidence.
- 10.6 Authorities shall take all necessary steps, including cooperation with authorities outside the country, to protect the victim and his or her family members.

### **Civil proceedings**

- 10.7 The victim's solicitor should advise the individual of his/her right to initiate civil proceedings against traffickers and other persons involved in their exploitation.
- 10.8 The victim's solicitor should ensure that appropriate action is taken within an appropriate court or tribunal to secure appropriate redress and compensation for the victim.

## **Immigration and Asylum**

- 10.9 Responsibility for responding to issues relating to immigration and asylum rests with UKVI. States should further take into account that illegal entry into, or stay in, a country by an individual may be justified according to general principles of law, where such entry or stay is the only way of preventing a violation of the individual's fundamental human rights. States should ensure that penalties are not imposed on victims of human trafficking on account of their illegal entry into or presence in the country.
- 10.10 The support available to adult potential victims of modern slavery under the DoJ support contract (**Chapter 5**) includes signposting to immigration advice.

## **Access to Compensation**

- 10.11 Victims of human trafficking and modern slavery may be eligible for compensation under the Criminal Injuries (Compensation) (Northern Ireland) Order 2002, according to the circumstances of each individual case. DoJ has published guidance that sets out the procedures for applying for compensation, as well as the grounds on which compensation may be awarded, and the arrangements available to assist and support a person in applying for compensation<sup>26</sup>.

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<sup>26</sup> <https://www.justice-ni.gov.uk/publications/compensation-leaflet-and-advice-victims-human-trafficking-english>

## **APPENDICES**

1. Sources of information and support
2. Competent Authorities Contact Details
3. DoJ Contracted Support Providers
4. PSNI contacts
5. HSC contact details for trafficked adults
6. GUM/Sexual Health Clinics contact details
7. Links to related sites



## **APPENDIX 1. SOURCES OF INFORMATION AND SUPPORT**

Practitioners working with victims of trafficking may find the following contacts and sources of information helpful. Consent should be obtained for all referrals.

### **The Police Service of Northern Ireland (PSNI)**

Web: <https://www.psni.police.uk/>  
Telephone: **101 or in an emergency dial 999**

PSNI investigate both proactively and reactively Human Trafficking offences. They work in partnership with other stakeholders within the OCTF subgroup to ensure rescued victims are properly supported. PSNI are first responders for these purposes.

### **The Health and Social Care Board (HSCB)**

Web: <http://www.hscboard.hscni.net/>  
Telephone: **0300 555 0115**  
E-mail: [Enquiry.hscb@hscni.net](mailto:Enquiry.hscb@hscni.net)

The HSCB commissions social work and social care services for people with different individual needs who require support to live life fully and as independently as possible.

### **The Health and Social Care Trusts (HSCTs)**

Each Trust provides services to the public within its geographical boundaries.

### **The United Kingdom Modern Slavery Human Trafficking Unit (MSHTU)**

Web: <http://www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-human-trafficking-centre>

Telephone: **0844 778 2406** (National Referral Mechanism Team)

E-mail: [nrm@nca.x.gsi.gov.uk](mailto:nrm@nca.x.gsi.gov.uk) (for NRM Referral forms)

A multi-agency centre that provides a central point for the development of expertise and co-operation in relation to the trafficking of human beings. It works with other stakeholders from the governmental, non-governmental and inter-governmental sectors in the UK and abroad.

### **United Kingdom Visas and Immigration (UKVI)**

Telephone: **028 9019 1050 or 028 90 191049** (Competent Authority contact for Northern Ireland)

Competent Authority functions under the Convention are discharged by the local Northern Ireland Office of the UKIC.

### United Kingdom Border Force (UKBF)

Web: <https://www.gov.uk/government/organisations/border-force>

Telephone: **0300 123 700**

UKBF is a law enforcement command within the Home Office. They secure the borders of the UK by carrying out immigration and customs control for people and goods entering the UK.

### Modern Slavery Helpline

Web: <http://www.modernslaveryhelpline.org/>

Telephone: **0800 0121 700**

The Modern Slavery Hotline can be called if you require help, wish to report a suspicion or seek advice.

### Belfast and Lisburn Women's Aid

Web: <http://belfastwomensaid.org.uk/>

Telephone: **02890 666049** (9-5pm)  
**0808 802 1414** (24 Hour Domestic & Sexual Violence Helpline)

E-mail: [admin@belfastwomensaid.org.uk](mailto:admin@belfastwomensaid.org.uk)

Belfast & Lisburn Women's Aid primarily provides confidential support, information and emergency accommodation for women and children affected by domestic violence. They provide support for adult female potential victims who have been trafficked for the purposes of sexual exploitation while they go through the NRM process. This is funded by the Department of Justice.

### Migrant Help

Web: <https://www.migranthelpuk.org/>

Telephone: **0808 8000 630**

Migrant Help primarily provides advice and support to vulnerable migrants in the UK. They provide support for adult potential victims of modern slavery and of human trafficking for labour exploitation while they go through the NRM process. This is funded by the Department of Justice.

### Flourish NI

Web: <http://flourishni.org/>

Telephone: **02890 098828**

Flourish NI provide support to survivors of modern slavery ensuring they have access to key services such as counselling, advocacy, housing, education and training. Their aim is to support trafficked people to overcome the trauma of their past and move towards a brighter future, living independently in the community.

### No More Traffik

Web: <https://www.nomoretraffik.com/>

No More Traffik's aim is to advocate and provide support for victims of human trafficking and work towards the long-term solution of abolishing modern day slavery. They educate and connect people across Northern Ireland in their response to human trafficking.

### Human Trafficking Foundation

Web: <http://www.humantraffickingfoundation.org/>  
Telephone: **020 3773 2040**  
E-mail: [info@humantraffickingfoundation.org](mailto:info@humantraffickingfoundation.org)

The Human Trafficking Foundation is a UK-based charity which grew out of the work of the All Party Parliamentary Group on Human Trafficking. HTF was created in order to support and add value to the work of the many charities and agencies operating to combat human trafficking in the UK.

### International Organisation for Migration (UK)

Web: [www.iomlondon.org](http://www.iomlondon.org)  
Telephone: **020 7233 0001**  
**0800 0121 700** (Modern Slavery Helpline)  
E-mail: [iomuk@iom.int](mailto:iomuk@iom.int)

IOM UK runs two voluntary return programmes: one is for anyone who has been in the asylum system at any stage – applying, appealing, refused – (VARRP); another for irregular migrants – who have overstayed their visas or have been smuggled or trafficked into the country (AVRIM). Under both programmes IOM arranges flights and onward transportation to the home doorstep but under the scheme for asylum seekers, IOM also delivers Reintegration Assistance in the country of return.

### International Justice Mission (IJM)

Web: <http://www.ijm.org/>  
Telephone: **02895 088098** (Northern Ireland)  
E-mail: [ireland@ijmuk.org](mailto:ireland@ijmuk.org) (Northern Ireland)

IJM seeks to rescue and restore victims, as well as strengthening Justice Systems to better protect communities from modern slavery. They educate, train, advocate and provide awareness of the issues around modern slavery.

## Missing People UK

Web: [missingpeople.org.uk](http://missingpeople.org.uk)  
Telephone: **020 8392 4527 (Missing from Care Team)**

Missing People is a voluntary organisation that provides support for missing children, vulnerable adults and families. It offers specialist advice and practical support as well as searching and securing publicity. Local Authorities (LAs) in England fund the Missing People's Missing from Care Team that provides a specialist service to LA children's social care when any of their 'looked after' children go missing. LA children's social care professionals can contact the Missing from Care Team.

## Advice NI

Web: <http://www.adviceni.net/>  
Telephone: **028 90 64 5919**  
Fax: **028 90 49 2313**

Advice NI is a membership organisation that exists to promote, support and develop the independent advice sector across Northern Ireland. Its mission is to develop an independent advice sector that provides the best possible advice to those who need it most.

Contact details for local Advice NI members can be accessed through the web address above.

## British Red Cross

Web: <http://www.redcross.org.uk/>  
Telephone: **02890 73 5350**

British Red Cross is a volunteer-led humanitarian organisation that helps people in crisis, whoever and wherever they are. It enables vulnerable people at home and overseas to prepare for and respond to emergencies in their own communities. When the crisis is over, it helps people recover and move on with their lives.

## Bryson Charitable Group

Web: [www.brysongroup.org](http://www.brysongroup.org)  
Telephone: **02890 325835**  
E-mail: [info@brysongroup.org](mailto:info@brysongroup.org)

Bryson Charitable Group is a Northern Ireland social enterprise tackling major social and economic challenges, committed to identifying and developing sustainable responses to existing and emerging social needs.

## Christian Action Research and Education NI (CARE NI)

Web: <http://care.org.uk/>  
Telephone: **07534 911037**  
E-mail: N. Ireland Director: [tim.martin@care.org.uk](mailto:tim.martin@care.org.uk)

CARE NI is a Christian charity seeking to uphold human dignity and to support the most vulnerable people in society, engaging with politicians in Northern Ireland.

### Chinese Welfare Association

Web: <http://www.cwa-ni.org/>  
Telephone: **028 90 288277**  
Fax: **028 90 288278**

Chinese Welfare Association works to secure the future of the Chinese community in Northern Ireland within a framework of racial equality and enable all sections of the community to fully participate in both the development of the community and the wider society.

### Citizens Advice

Web: <http://www.citizensadvice.co.uk/>

Citizens Advice helps people resolve their debt, benefits, housing, legal, discrimination, employment, immigration, consumer and other problems and is available to everyone regardless of race, gender, sexuality, age, nationality, disability or religion. Contact details for local Citizens Advice can be accessed through the web address above.

### Craigavon Intercultural Programme (CIP)

Web address: <http://www.craigavonintercultural.org/>  
Telephone: **02838 39 3372**  
E-mail: [info@craigavonintercultural.org](mailto:info@craigavonintercultural.org)

Craigavon Intercultural Programme (CIP) is committed to supporting people from different cultural & ethnic backgrounds and seeks to be a catalyst in promoting innovation and opportunities for their community development. CIP offers practical assistance to both indigenous & new communities in promoting integration & encouraging full participation in society regardless of race/nationality.

### EMBRACE

Web: <http://www.embraceni.org/>  
Telephone: **02890 663145**

EMBRACE is a group of Christians working together to promote a positive response to people seeking asylum, refugees, migrant workers and minority ethnic people in Northern Ireland.

### Evangelical Alliance

Web: <http://www.eauk.org/>

Telephone: **02890 739079**

Email: [nireland@eauk.org](mailto:nireland@eauk.org)

The Evangelical Alliance is made up of hundreds of organisations, thousands of churches and tens of thousands of individuals. United in mission and voice, EA exist to serve and strengthen the work of the church in communities and throughout society. Highlighting the significant opportunities and challenges facing the church today, they work together to resource Christians so that they are able to act upon their faith in Jesus, and to speak up for the gospel, justice and freedom in their areas of influence.

### Freedom Acts

Web: <http://www.freedomacts.co.uk>

Telephone: **02838 393372**

Freedom Acts delivers awareness and training to many voluntary and statutory groups and directly through school lessons, seminars, workshops and presentations. Their aim is for safe, inclusive communities where people are free from exploitation.

### Homeplus NI Limited

Web: <http://homeplusni.com/>

Telephone: **02890 311836 or 07889867610**

Homeplus NI Limited aims to deliver services that would meet the immediate accommodation and support needs of vulnerable homeless people who were sleeping rough, particularly those in the Belfast and Greater Belfast areas. It works with the most vulnerable in our society who have become homeless and those who are sleeping rough, including foreign nationals, refugees, asylum seekers, and those without recourse to public funds.

### Invisible Traffick

Web: [www.invisibletraffick.org](http://www.invisibletraffick.org)

Telephone: 02891 819781

Email: [info@invisibletraffick.org](mailto:info@invisibletraffick.org)

Invisible Traffick provide awareness, education and active support to promote a clearer sense of the signs and dangers of human trafficking.

### The Law Centre (NI)

Web: <http://www.lawcentreni.org/>

Telephone: **02890 24 4401**

Email: [admin.belfast@lawcentreni.org](mailto:admin.belfast@lawcentreni.org)

The Law Centre (NI) will normally provide representation in appeals before the Asylum and Immigration Tribunal and any further relevant challenges by way of judicial review or via the Court of Appeal and beyond, where necessary. The Law Centre concentrates on appeals from decisions refusing political asylum and will also represent in other immigration appeals from time to time but as a lower priority. It prioritises representation for asylum appeals, strategic cases, detained clients, foreign national prisoners and vulnerable clients subject to imminent removal. It also provides specialist legal advice for victims of trafficking.

### The Law Society of Northern Ireland

Web: <http://www.lawsoc-ni.org/>  
Telephone: **02890 23 1614**  
Fax: **02890 23 2606**  
Email: [enquiry@lawsoc-ni.org](mailto:enquiry@lawsoc-ni.org)

The Law Society of Northern Ireland is a professional body, which has the authority to discipline, educate and regulate practising solicitors in Northern Ireland. Among other things the Society has an online Solicitors Database which provides access to the contact details of firms and solicitors in the major cities, towns and villages in Northern Ireland.

**Note:** The Society cannot offer legal advice to the general public or deal with inquiries that properly should be placed with the person's own solicitor.

### Northern Ireland Strategic Migration Partnership (NISMP)

Web: <https://www.nilga.org/working-groups/strategic-migration-partnership/>  
Telephone: **02890 798972**

NISMP works with local government and other stakeholders to support the retention and integration of migrants in a way that promotes social cohesion and future economic growth. Management support for the partnership is provided through NILGA.

### Northern Ireland Community of Refugees and Asylum Seekers (NICRAS)

Web : <http://www.nicras.btck.co.uk/>  
Telephone: **02890 246699**  
Fax: **02890 248855**  
Email: [info@nicras.org.uk](mailto:info@nicras.org.uk)

NICRAS aims to support the integration process of refugees and asylum seekers into local communities throughout Northern Ireland.

## NEXUS NI

Web: <http://www.nexusinstitute.org/>  
Belfast – **02890 32 6803**  
L'derry – **02871 26 0566**  
Enniskillen – **02866 32 0046**

Nexus offers counselling to survivors of childhood sexual abuse, victims of sexual violence including those who have experienced rape and sexual assault. Nexus has four offices across Northern Ireland. Nexus also offers counselling from outreach centres throughout Northern Ireland.

## NSPCC

Web: <http://www.nspcc.org.uk/>  
Helpline: **0808 800 5000**

NSPCC are a charity fighting to prevent and protect children from abuse.

## Policing and Community Partnerships (PCSPs)

Web: <http://www.pcsp.org/>

PCSPs are local bodies made up of Councillors and independent people from each council area who work to make your community safer. They do this by focusing on the policing and community safety issues that matter most in your area. Contact details for the various PCSPs can be found on the above website.

## The Rainbow Project

Web : <http://www.rainbow-project.org>  
Telephone: Belfast – **02890 31 9030**  
L'derry – **02871 28 3030**

The Rainbow Project works to improve the physical, mental and emotional health of gay, bisexual and non-heterosexual men in Northern Ireland.

## Rape Crisis Network Ireland

Rape Crisis Network Ireland provides counselling and support for survivors of sexual violence and abuse and those who support them.

Web: <http://www.rcni.ie>  
24 hour helpline: **1800 778888**

## Refugee Action

Web: <http://www.refugee-action.org.uk/>  
Telephone: **0808 800 0007**  
Fax: **02076 54 0696**  
E-mail: [info@refugee-action.org.uk](mailto:info@refugee-action.org.uk)



Refugee Action is an independent national charity working with refugees to build new lives in the UK. It provides practical advice and assistance for newly arrived asylum seekers and long-term commitment to their settlement through community development work. It also runs the Choices Assisted Voluntary Returns Service for Asylum seekers and refused Asylum seekers; families and children; people in the UK with no legal status (irregular migrants) and people with discretionary leave to remain.

### The Salvation Army

Web: <http://www.salvationarmy.org.uk/>  
Telephone: **020 7367 4500**  
E-mail: [info@salvationarmy.org.uk](mailto:info@salvationarmy.org.uk)

The Salvation Army extends a helping hand to those who are homeless, friendless and in need; demonstrating Christian principles through practical support, offering unconditional friendship, and very practical help to people of all ages, backgrounds and needs.

### Samaritans

Web: <http://www.samaritans.org/>  
Telephone: National Helpline: **08457 90 90 90**  
E-mail: [jo@samaritans.org](mailto:jo@samaritans.org)

Samaritans aims to benefit society by improving people's emotional health in order to create a greater sense of well-being. Apart from being a 24-hour source of support on the telephone, by e-mail, by letter or face to face, Samaritans also work in local communities.

Contact details for local branches can be accessed through the above web address.

### Society of St Vincent de Paul

Web: <http://www.svp.ie/appeal/>  
Telephone: **048 903 51561**  
E-mail: [info@svpni.co.uk](mailto:info@svpni.co.uk)

Society of St Vincent de Paul is a voluntary social service organisation committed to helping those in need, regardless of creed or lifestyle.

### South Tyrone Empowerment Programme (STEP)

Web: <http://www.stepni.org/>  
Telephone: **02887 75 0211**  
E-mail: [info@stepni.org](mailto:info@stepni.org)

STEP seeks to enable those most vulnerable to marginalisation, disadvantage and exclusion, to develop the confidence and skills to be heard; to identify their own strengths and needs; to access the support and expertise to help them in finding solutions and advocating social change.

## Solas Trust

Web: <http://www.solastrust.org/>

Solas Trust provides refuge, restoration and rehabilitation for women who have been rescued from human trafficking, and helps to equip them with the skills and confidence necessary to lead a full and productive life.

## Soroptimist International

Web: [www.sigbi.org](http://www.sigbi.org)

Email: [hq@sigbi.org](mailto:hq@sigbi.org)

Soroptimist International, which consists of Soroptimist International of the Americas, Soroptimist International of Europe, Soroptimist International of Great Britain & Ireland and Soroptimist International of the South West Pacific, is a global volunteer movement working together to transform the lives of women and girls.

## Victim Support NI

Web: <http://www.victimsupportni.co.uk/>

Telephone: Belfast Hub Office – (028) 9024 3133

Derry/Londonderry Hub Office - (028) 7137 0086

Victim Support NI is the charity which helps people affected by any type of crime. It provides emotional support, information and practical help to victims, witnesses and others affected by crime, including those seeking compensation through the criminal injuries compensation scheme.

## The Welcome Organisation

Web: <http://www.homelessbelfast.org/>

Telephone: **02890 240424**

Email: [info@homelessbelfast.org](mailto:info@homelessbelfast.org)

The Welcome Organisation has been working in Belfast for the last 15 years to address the needs of people who are homeless or rough sleeping in the city. They aim to support people in making the move off the street, progressing towards independent living and alleviating isolation - providing a sense of belonging and community. Services provided and contact details can be accessed through the website.

## APPENDIX 2

### COMPETENT AUTHORITIES CONTACT DETAILS

UK MODERN SLAVERY AND HUMAN TRAFFICKING UNIT (MSHTU)		
	Area covered	Telephone
24 hour contact	UK (including NI)	0844 7782406 e-mail: <a href="mailto:nrm@nca.x.gsi.gov.uk">nrm@nca.x.gsi.gov.uk</a>
NCA Tactical advice for law enforcement bodies		0121 345 5529

THE HOME OFFICE VISAS AND IMMIGRATION (UKVI)		
	Area covered	Telephone
Office Hours only	Northern Ireland	(028) 90 191050 or (028) 90 191049  e-mail: <a href="mailto:SNICompetentAuthorityInbox@homeoffice.gov.uk">SNICompetentAuthorityInbox@homeoffice.gov.uk</a>

## DoJ CONTRACTED SUPPORT PROVIDERS

DoJ currently has a contract with Migrant Help (MH) and Belfast and Lisburn Women’s Aid (BLWA) to provide accommodation and a range of support services for potential adult victims of modern slavery during the period of recovery and reflection.

### Migrant Help

Migrant Help provides support services for adult male victims, mixed gender couples and family units.

National	Northern Ireland
<p>Migrant Help Charlton House Dour Street Dover CT16 1AT</p> <p>Tel: (013) 0420 3977 Web: <a href="http://www.migranthehelpuk.org">www.migranthehelpuk.org</a> Email: <a href="mailto:info@migranthehelpuk.org">info@migranthehelpuk.org</a></p>	<p>Migrant Help Bryson House 28 Bedford Street Belfast BT2 7FE</p> <p><u>Office Mon – Fri, 9am – 5pm</u> Tel: (028) 9031 5744</p> <p><u>Out of hours</u> Tel: (028) 9244 8449</p> <p>Email: <a href="mailto:northernireland@migranthehelpuk.org">northernireland@migranthehelpuk.org</a></p>

### Belfast and Lisburn Women’s Aid

Belfast and Lisburn Women’s Aid supports adult female victims including those with children and those who are pregnant as a result of their exploitation. BLWA also supports the repatriation of women who wish to return to their countries of origin. In instances where MH receives a disclosure of domestic violence or sexual abuse from a female who is accompanying a male partner, the female is then referred to BLWA who will take responsibility for providing support.

Belfast & Lisburn Women's Aid  
30 Adelaide Park  
Belfast  
BT9 6FY  
Northern Ireland

Web address: <http://belfastwomensaid.org.uk/>

Telephone: **028 9066 6049** (9-5pm)  
**0808 802 1414** (freephone 24 Hour Domestic & Sexual Violence Helpline)

E-mail: [admin@belfastwomensaid.org.uk](mailto:admin@belfastwomensaid.org.uk)

### PSNI CONTACT DETAILS

**Non-PSNI officers** should contact PSNI by dialling 101 for non-emergencies, and in an emergency contacting 999.

**PSNI officers** should view the Modern Slavery Human Trafficking Unit (MSHTU) pages on the internal police intranet for the most up to date contact extension numbers which can be contacted during normal office hours on Monday to Friday. The link (accessible for PSNI officers only) is:

[http://policenet/main-home/directory\\_departments/crime\\_operations\\_hq\\_pg/crime\\_ops\\_c2\\_pg/c2\\_human\\_trafficking-2.page/c1\\_ht\\_contacts.htm](http://policenet/main-home/directory_departments/crime_operations_hq_pg/crime_ops_c2_pg/c2_human_trafficking-2.page/c1_ht_contacts.htm)

**Callout for PSNI first responders is available in extreme circumstances through UCMC Callout desk authorised via Duty Inspector**

C2 MSHTU call out criteria:

- Where any immediate Article 2 ECHR issue is identified in relation to a Potential Victim of Trafficking (PVoT) or Modern Slavery.
- When a person located during a brothel search shows signs and indicators of being Trafficked.
- Any instance whereby a PVoT may be moved on without immediate police intervention.
- When an arrest has been made for Human Trafficking or Modern Slavery.
- Any instance where a response is necessary before the commencement of the next turn of duty.
- When police on the ground intend to complete an NRM form.

C2 MSHTU on call will respond to reports of Human Trafficking outlined above and will consider the most appropriate response. Each incident will be treated individually and the level of response commensurate with the immediacy of the reduction in the Threat Risk or Harm posed to Potential Victims of Trafficking. Advice and guidance may be provided with responsibility for the investigation remaining with Criminal Investigations Branch (C1), Public Protection Branch (C7) or local District personnel.

## APPENDIX 5

### HSC CONTACT DETAILS FOR TRAFFICKED ADULTS

HSC Trust	Contact Details (Working Hours)	Contact Details (Out-of-Hours)
<b>Belfast</b>  South, East, North and West Belfast	Phone: (028) 9056 5637 or (028) 9056 5707	The Emergency Duty Team Phone: (028) 9056 5444 e-mail: <a href="mailto:edt5@belfasttrust.hscni.net">edt5@belfasttrust.hscni.net</a>
<b>South Eastern</b>  Newtownards, Down, North Down & Lisburn	Tel: (028) 9250 1227 or (028) 9266 5181 ext 4575	As above
<b>Northern</b>  Antrim, Ballymena, Ballymoney, Carrickfergus, Coleraine, Cookstown, Larne, Magherafelt and Newtownabbey	Phone: (028) 9441 3125	Emergency Out-of-Hours Social Work Service. Phone: (028) 9446 8833
<b>Southern</b>  Armagh, Banbridge, Craigavon, Dungannon, Newry and Mourne	Phone: (028) 3741 2334 Mobile: 07827293212	Duty Social Worker Craigavon Area Hospital Phone: (028) 3833 4444  Daisy Hill Hospital, Newry Phone: (028) 3082 5000  Out-of-Hours Manager Phone: (028) 3752 0545/605
<b>Western</b>  Londonderry, Limavady, Strabane, Omagh and Fermanagh	Phone: (028) 7161 1366	Out of Hours – Standby Co-ordinator Phone: (028) 7134 5171 for Derry area or Phone: (028) 6638 2000 for Fermanagh and Omagh
<b>HSC Board</b>		
In the event of any difficulty in reaching a HSC Trust, please contact: Regional Adult Safeguarding Officer, HSC Board, Co. Hall, Galgorm Road, Ballymena Phone: (028) 2531 1213 Mobile: 07920186499		

## GUM / SEXUAL HEALTH CLINICS CONTACT DETAILS

<https://www.sexualhealthni.info/gum-clinics-northern-ireland>

Health & Social Care Trust	Contact details
<b>BELFAST</b>	<p><b>Belfast</b>            Genitourinary Medicine            Level 3 Outpatients Department            Royal Group Hospitals            Grosvenor Road            Belfast BT12 6BA  <b>Phone:</b> (028) 9063 4050</p>
<b>NORTHERN</b>	<p><b>Ballymena</b>            Ground Floor South            Braid Valley Building            Cushendall Road            Ballymena            Co. Antrim            BT43 6HL  <b>Phone:</b> (028) 7034 6028</p> <p><b>Coleraine</b>            Genitourinary Medicine            Outpatients Department 2            Causeway Hospital            4 Newbridge Road            Coleraine            Co. Antrim  <b>Phone:</b> (028) 7034 6028</p>
<b>SOUTHERN</b>	<p><b>Newry</b>            Genitourinary Medicine,            John Mitchell Place            Hill Street            Newry            Co. Armagh            BT34 2BU  <b>Phone:</b> (028) 3756 2080</p> <p><b>Portadown</b>            Portadown Health &amp; Care Centre            Tavanagh Avenue            Portadown            Co. Armagh            BT62 3BE  <b>Phone:</b> (028) 3756 2080</p>

<p><b>SOUTH EASTERN</b></p>	<p><b>Downpatrick</b> Sexual Health Clinic, Outpatients Dept, Downe Hospital, 2 Struell Wells Road, Downpatrick Co. Down BT30 6RL <b>Phone:</b> (028) 4483 8133</p> <p><b>Bangor</b> Sexual Health Clinic Bangor Community Hospital Castle Street Bangor Co. Down BT20 4TA <b>Phone:</b> (028) 4483 8133</p> <p><b>Lisburn</b> Sexual Health Clinic Health Centre Linenhall Street Lisburn Co. Antrim BT28 1LU <b>Phone:</b> (028) 4483 8133</p>
<p><b>WESTERN</b></p>	<p><b>Londonderry</b> Genitourinary Medicine Anderson House Glenshane Road Londonderry Co. Londonderry BT47 1SB <b>Phone:</b> (028) 7161 1269</p> <p><b>Omagh</b> Women and Family Centre Omagh Hospital and Primary Care Complex Omagh Co. Tyrone BT79 0JJ <b>Phone:</b> (028) 7161 1269</p>



### LINKS TO RELATED SITES

AIRE Centre <http://www.airecentre.org/>

Amnesty International: <http://www.amnesty.org.uk/>

Anti-Slavery International: <http://www.antislavery.org>

Asylum Aid: <http://www.asylumaid.org.uk>

BAWSO: <http://www.bawso.org.uk/>

Blue Blindfold: <http://www.blueblindfold.co.uk>

CARE: <http://www.care.org.uk>

Chaste: <http://www.chaste.org.uk>

Coalition Against Trafficking in Women-International:  
<http://www.catwinternational.org/>

Community Foundation for Northern Ireland: <http://www.communityfoundationni.org/>

Council of Europe web site on trafficking:  
[http://www.coe.int/t/dghl/monitoring/trafficking/default\\_en.asp](http://www.coe.int/t/dghl/monitoring/trafficking/default_en.asp)

Department for Economy <https://www.economy-ni.gov.uk/>

Department of Health: <http://www.health-ni.gov.uk/>

Department of Justice: <http://www.dojni.gov.uk/>

Department for Communities: <https://www.communities-ni.gov.uk/>

Europa Summaries of EU Legislation – Fight against trafficking in human beings:  
[http://europa.eu/legislation\\_summaries/justice\\_freedom\\_security/fight\\_against\\_trafficking\\_in\\_human\\_beings/index\\_en.htm](http://europa.eu/legislation_summaries/justice_freedom_security/fight_against_trafficking_in_human_beings/index_en.htm)

EUROPOL: <http://www.europol.europa.eu>

Gangmasters and Labour Abuse Authority: <http://www.gla.gov.uk>

Global Alliance Against Trafficking in Women: <http://www.gaatw.org/>

Helen Bamber Foundation: <http://www.helenbamber.org/>

HM Revenue & Customs (HMRC): <http://www.hmrc.gov.uk/>

HSC Board: <http://www.hscboard.hscni.net/>

HSC Trust – Belfast: <http://www.belfasttrust.hscni.net/>

HSC Trust – Northern: <http://www.northerntrust.hscni.net/>

HSC Trust – Northern Ireland Ambulance Service: [www.niamb.co.uk/](http://www.niamb.co.uk/)

HSC Trust – Southern: <http://www.southerntrust.hscni.net/>

HSC Trust – South Eastern: <http://www.setrust.hscni.net/>

HSC Trust – Western: <http://www.westerntrust.hscni.net/>

Immigration Law Practitioners' Association: <http://www.ilpa.org.uk>

Immigration and Nationality Directorate, Home Office: <http://www.ind.homeoffice.gov.uk>

International Labour Organisation: <http://www.ilo.org>

Joint Council for the Welfare of Immigrants: <http://www.jcwi.org.uk>

Kalayaan: <http://www.kalayaan.org.uk>

La Strada International: <http://www.lastradainternational.org>

Medaille Trust: <http://www.medaille.co.uk/>

National Crime Agency: <http://www.nationalcrimeagency.gov.uk/>

nidirect Government Services: <http://www.nidirect.gov.uk/>

Northern Ireland Housing Executive: <http://www.nihe.gov.uk/>

Northern Ireland Human Rights Commission: <http://www.nihrc.org/>

Northern Ireland Strategic Migration Partnership: <https://www.nilga.org/working-groups/strategic-migration-partnership/>

Police Service of Northern Ireland: <http://www.psnipolice.uk/>

Public Health Agency: <http://www.publichealth.hscni.net/>

Public Prosecution Service for Northern Ireland (PPSNI): <http://www.ppsni.gov.uk/>

Refugee Council: <http://www.refugeecouncil.org.uk>

Serious Organised Crime Agency (SOCA): <http://www.soca.gov.uk>

SOLACE: <http://www.solace.org.uk>

Stop the Traffik: <http://www.stopthetraffik.org>

The Executive Office: <https://www.executiveoffice-ni.gov.uk/>

The Human Trafficking Foundation: <http://www.humantraffickingfoundation.org/>

United Nations Office on Drugs and Crime – Human Trafficking and Migrant Smuggling: <http://www.unodc.org/unodc/en/human-trafficking/index.html>

United Nations Protocol To Prevent, Suppress And Punish Trafficking In Persons, Especially Women And Children, Supplementing The United Nations Convention Against Transnational Organized Crime 2000: [http://www.uncjin.org/Documents/Conventions/dcatoc/final\\_documents\\_2/convention\\_%20traff\\_eng.pdf](http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_%20traff_eng.pdf)

UN GIFT: <http://www.ungift.org>

UNSEEN: <http://www.unseenuk.org>