

To: HMIC Team - Suffolk
From: Det Chief Supt Eamonn Bridger
Date: 16th June 2020
Re: **HMICFRS Report: 'The hidden victims: Report on Hestia's super-complaint on the police response to victims of modern slavery'**

Introduction:

This briefing note is written in response to the HMICFRS report **“The hidden victims: Report on Hestia's super-complaint on the police response to victims of modern slavery”**. The super complaint made the following observations albeit none are believed to be directly referencing the Suffolk Constabulary approaches:

- non-specialist police officers fail to recognise the signs of exploitation and fail in their duty to report modern slavery to the Home Office;
- police officers aren't taking immediate steps to make a victim feel safe;
- victims of modern slavery are treated as immigration offenders;
- victims of modern slavery are treated as criminals when they have been forced to commit criminal activities by their exploiters, despite the existence of the section 45 defence in the Modern Slavery Act 2015;
- police forces don't adequately investigate cases that come to their attention; and
- the adequacy of training provided to frontline officers.

The super complaint relied on evidence from the following sources:

- Hestia's analysis of witness statements;
- findings from the Home Affairs Select Committee on Modern Slavery;
- Freedom of Information requests sent to all police forces in England;
- interviews with Hestia keyworkers and service users; and
- supporting evidence from two legal expert organisations.

The complaint followed the 2017 HMICFRS thematic inspection of forces that examined how police forces in England and Wales were tackling modern slavery (MDS) and human trafficking crimes. The review work conducted to address the super complaint observed that there had been considerable improvement across policing in relation to the findings of the 2017 report there are still areas of concern in the following areas:

1. The approach taken by forces to planning and prioritising their responses to modern slavery.
2. The initial response to victims of modern slavery.

3. How victims are treated for offences they have committed, including any immigration offences.
4. Investigations in to modern slavery crimes.
5. Training.

Recommendations for Policing:

The following recommendations were made for consideration by forces. Where relevant I have added local commentary and a position where possible but it should be noted that this is not an easy process as it is not possible to tell how transferrable the findings are to a Suffolk context in all areas.

Recommendations

2. To chief constables

Assure themselves that police officers and staff (including non-specialist staff, as appropriate) are supported through access to learning, specialist policing resources and victim support arrangements, so that officers and staff are able to:

- a. easily access information and advice on modern slavery and human trafficking through their force systems;
- b. identify possible victims of modern slavery;
- c. recognise that victims of modern slavery should not be treated as criminals in situations where they have been forced to commit an offence by their exploiters;
- d. know how to take immediate steps to make victims feel safe (including facilitating access to a place of safety, if necessary);
- e. understand how to advise victims what support is available them;
- f. understand the National Referral Mechanism and duty to notify requirement, and know how to make good-quality referrals; and
- g. ensure that the statutory defence (provided by section 45 of the Modern Slavery Act 2015) for victims of slavery and exploitation who are compelled or coerced into committing offences by their exploiters is considered in all cases to protect victims from prosecution.

3. To chief constables

Assure themselves that their resources are being deployed to enable effective investigation of modern slavery offences (which may, for example, involve taking account of high levels of vulnerability and organised crime group involvement). They should assure themselves that their crime allocation processes direct investigations to the most appropriately skilled individuals and teams.

4. To chief constables, and police and crime commissioners

Work together to understand the support needs of victims of modern slavery crimes. They should provide appropriate support within their respective remits to augment the national provision so that victims feel safe and empowered to remain involved in any investigations. This should focus on what support should be available before and after National Referral Mechanism (NRM) referral as well as alternative provision available for those declining NRM referral.

Staff Training, Access to materials and Victim Support Arrangements:

All MDS development activity is captured on a strategic development plan which maps activity against both the national and local MDS requirements. The governance structure for delivery sits with the MDS Delivery Board chaired by DCS Head of Crime. The board includes a range of internal stakeholders across the various commands and monitors MDS performance.

All relevant material that may be needed by operational staff is situated on the Force Intranet pages and are easily searchable with a domain area dedicated to Modern Slavery & Vulnerable Communities. This is a central repository for guidance, newsletters and processes that can be assessed by all. All material that is sent to Force via the regional modern slavery coordinators and includes:

- NRM process in Suffolk guidance
- Several National and Regional guidance documents and news letters
- Short film produced by NCLCC on NRM – user guide
- Short film produced by NCLCC on S45 defence – user guide

In May 2021 a seminar was delivered to front line staff on S45 Modern Slavery Act and the NRM by the regional co-ordinator where in excess of 50 front line staff attended.

We are assessed approximately every 12 months by the regional co-ordinator within ERSOU. The most recent peer review was conducted December 2020 and there was strong recognition of good work and progress within the assessment. Where areas for development were highlighted these have been accommodated in local plans.

Local victim support arrangements are well exercised and the use of NRM has been increasing rapidly year on year. There have been several operations where a multi-agency approach has been arranged to service victim needs. The Salvation Army have been used to support victim recovery centres and statutory partners are well engaged locally around their response to vulnerable victims.

Resource and Crime Allocation – Modern Slavery:

As a result of the steady increase in crime reporting around MDS and human trafficking force crime allocation policy was amended to ensure that all reports are allocated to a detective trained resource for ownership and progression. This is superior to most force areas and the additional resilience created by not making this specialist crime for investigation means that we are able to ensure higher levels of investigative delivery.

Through precept investment the Constabulary has created modern slavery and vulnerable community's advisors and a coordinator who analyse trends and build relationships to develop intelligence and target victim intervention work across the force area. These roles are soon to be subject of formal evaluation that will help identify opportunities for further development of impact.

Force and regional tasking and co-ordinating structures are used effectively to ensure the most appropriate teams in policing are dealing with identified threats where modern slavery and human trafficking are concerned. Where cross border or organised crime group activity is identified this is allocated via the appropriate tasking mechanisms to specialist local/ regional teams to ensure effective intervention and/ or disruption.

The Constabulary has a strong approach to internal quality assurance and audit process with quarterly 'deep dive' reporting around Modern Slavery and human trafficking investigation standards. This thematic audit work is reported to the Modern Slavery Delivery and Organisational Performance Board.

Conclusion:

Modern Slavery and human trafficking remain as mostly hidden crimes nationally and in Suffolk. Since the creation of the relevant legislation the Constabulary has worked to provide greater understanding and capability to its workforce. There has been much progress made during difficult challenges and with a relatively meagre budget when compared to most force areas. There has been year on year increase in reporting and evidence would show that the Constabulary has improved services and strengthened governance over the last five years. Where there have been areas identified for improvement action has been taken and regular review from national and regional leads would suggest that activities in Suffolk are effective and proportionate to the identified threats.

Development plans remain living documents and the detailed findings of the report will be considered against those local approaches to ensure all learning and best practice approaches are adopted. Progress will continue to be reported through the described governance mechanisms and the Constabulary will continue to prioritise this high harm area of criminality.