



## Gangmasters & Labour Abuse Authority

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19 June 2017

Dear Mr Forkert

### **Inquiry into establishing a Modern Slavery Act in Australia**

This response on behalf of the Gangmasters and Labour Abuse Authority (GLAA) focuses on the following areas of the terms of reference of the inquiry:

- The nature and extent of modern slavery (including slavery, forced labour and wage exploitation, involuntary servitude, debt bondage, human trafficking, forced marriage and other slavery-like exploitation) both in Australia and globally;
- Identifying international best practice employed by governments, companies, businesses and organisations to prevent modern slavery in domestic and global supply chains, with a view to strengthening Australian legislation;
- Provisions in the United Kingdom's legislation which have proven effective in addressing modern slavery, and whether similar or improved measures should be introduced in Australia;

### **Background to the GLAA**

A summary of the role and history of the GLAA is provided below, which is also considered to address the third point above; reference to "GLA" relate to its role prior to its recent expansion and remit as the GLAA. The GLA has been recognised as a model of best practice by a number of organisations with an international role in relation to forced labour including the ILO, UNODC, and OSCE, particularly its unique combination of criminal and civil investigative approaches to investigate offences, and prevent non-compliance, which may then enable greater criminality and exploitation of workers.

The Gangmasters Licensing Authority was created by statute in the UK in 2004 following the Morecambe Bay tragedy in which 23 Chinese cockle pickers drowned. The [Gangmasters \(Licensing\) Act 2004](#) commenced its legislative journey as a private member's bill, rather than as a Government manifesto commitment. The objective of the original bill was:

“... to make the operation of Gangmasters more transparent, thereby ensuring that they comply with the legal obligations they owe to their employees or workers. The Bill is therefore designed to promote the rights of gang workers and eliminate forced labour in the relevant sectors.”

Following the tragedy the Bill was adopted by Government, and amended to also control the activities of Gangmasters operating in the shellfish industry.

The GLA introduced a licensing scheme to drive up compliance, and exclude companies that exploited workers. Its powers enabled the ability to conduct compliance inspections, and criminal investigations into companies that operated without a licence, with a maximum penalty on indictment of 10 years imprisonment. The assessment of compliance is made against the GLA's [licensing standards](#), covered existing UK legislation that related to the working environment, contractual matters, and issues such as tax and national minimum wage, except for section 3 of the standards, which was based on the ILO's indicators of forced labour. Inspection reports are then used to make a licence decision to refuse, grant a licence, or grant a licence with conditions, and to revise and revoke a licence, or allow it to continue with conditions where improved compliance is required. This model is being replicated under the [Victorian State Government response](#) to its labour hire inquiry (see recommendations 13 – 25).

In 2004 the UK also introduced a trafficking offence in [section 4 of the Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004](#). In 2009 the UK introduced a standalone forced labour offence in section 71 of the Coroners and Justice Act 2009, which was subsequently repealed and incorporated into [section 1 of the Modern Slavery Act 2015](#).

The experience of the GLA, from the commencement of its operations in 2006, is that labour exploitation is not easily identified or understood by comparison to sexual or child exploitation. Where the GLA identified that employment agencies that it had licensed were operating in a manner that equated to forced labour it would revoke the licence. However, the underlying criminal behaviour could not at that time be further investigated by the GLA, or accepted for investigation by the police as elements of the trafficking offence were not always present. Consequently offenders would not be pursued appropriately.

When the 2009 offence was introduced the GLA proposed that it should be given the authority to investigate that offence, but its proposal was not accepted. In 2014, under “machinery of Government” changes the GLA, whose reporting line had been to the Agricultural Department, was transferred to the Policing and Crime Directorate of the Home Office. During the passage of the Modern Slavery Act 2015 parliamentary debates sought the expansion of the GLA to enable it to investigate forced labour. Whilst these proposals were again not accepted, a clause was inserted into the Act requiring a review of the GLA under the next incoming Government. In 2015 the new Government decided to initiate a review of labour market enforcement, within which the review of the GLA would

also be undertaken. The [Government's response](#) to the consultation was published in January 2016, and amongst the outcomes proposed were: a change of name to GLAA; enhanced criminal investigative powers; the ability to investigate the modern slavery offences, insofar as it related to forced labour; and to also investigate other labour market offences. The changes were introduced in [Part 1, Chapter 1 of the Immigration Act 2016](#). The GLAA commenced using its new powers on 1 May 2017.

The wider remit and powers provided to the GLAA demonstrate the recognition of the experience of the GLA in identifying forced labour, its experience in supporting police and National Crime Agency investigations, as well the control it exerts through the combination of its compliance functions, and licensing regime, which creates a situational crime prevention model to drive up and maintain compliance.

The GLAA has the following powers:

- entry to conduct civil inspections
- entry under warrant in criminal investigations under the Gangmasters (Licensing) Act
- authority to conduct surveillance, obtain data communications information on mobile phone activity
- to lawfully request and exchange information with other UK and overseas law enforcement bodies and labour inspectorates
- authority to undertake proceeds of crime investigations, and
- additional (new) powers under the Police and Criminal Evidence Act 1984 (in England and Wales only) to:
  - Obtain a warrant for entry, search and seizure, including of individuals where appropriate
  - Arrest suspects engaged in labour market offences

### Other organisational models

The GLAA is not the only organisation to operate both civil and criminal investigation powers, and, as an organisation outside of the police, to be empowered to investigate forced labour. Both Dutch and Belgian inspectorates have similar powers:

### Comparison of powers of state agencies in western EU states for the investigation of forced labour provided by Dutch and Belgian officers to the GLA

Country	Offence	Organisations empowered
Belgium	Article 433	<p>The following persons have been legally empowered to investigate Trafficking in Human Beings offences in Belgium:</p> <ul style="list-style-type: none"> <li>• all officers of judicial police</li> <li>• all agents of federal and local police</li> <li>• all agents of the Aliens Office</li> <li>• all agents of the Customs Office of the Ministry of Finance</li> <li>• all inspectors of the Ministry of Labour</li> <li>• all inspectors of the Ministry of Small and Medium Enterprises</li> <li>• all inspectors of the National Social Security Office</li> <li>• all inspectors of the Social Inspectorate (= inspection agency of Ministry of Social Security)</li> </ul>

<b>Netherlands</b>	<b>Article 273f</b>	<p><b>Police</b> (<a href="http://www.politie.nl/">http://www.politie.nl/</a>); we have one national police now. F ex. Our former foreigners police is now also integrated in this police force. The police is entitled to investigate both sexual and labour exploitation. The focus is on the combat of sexual exploitation.</p> <p><b>Koninklijke Marechaussee</b> (<a href="http://www.defensie.nl/marechaussee">http://www.defensie.nl/marechaussee</a> ); you could translate them as the military police. They are taking care of our borders and therefore encounter cases of THB.</p> <p><b>Inspectie SZW</b> (<a href="http://www.inspectieszw.nl/english/index.aspx">http://www.inspectieszw.nl/english/index.aspx</a>). We focus on the combat of labour exploitation. Whenever we have a case and we discover both labour exploitation and sexual exploitation we can investigate the case further, but we cooperate then with the police.</p>
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An alternative model also operates in Italy. Whilst there is an Italian labour inspectorate there is a special command unit of the Carabinieri that is empowered as labour inspectors in addition to their criminal powers, to ensure, like the GLAA, that there is holistic response to identified forced labour. Attached as Appendix 1 is a summary of the unit of the Carabinieri.

Should you require further information on this model of a police force with labour inspectorate powers as the alternative to the GLAA (as a labour inspectorate with policing powers) I would be happy to provide you with contact details. Similarly I can provide contacts at the Dutch and Belgian inspectorates with the officers that provided the information in the above table.

The GLAA therefore considers that the most effective method of tackling modern slavery offences is through creating a framework of control and investigation, and empowering a non-police organisation, which has experience of deceptive and exploitative recruitment and employment methods, with the appropriate investigation powers, to provide a combination of civil and criminal investigation capabilities.

The GLAA further considers that current reviews within Australia, both at Federal and State level provide a fertile period to bring about such change. Proposals from the Migrant Taskforce, the State licensing systems being proposed in Victoria (which cites the original GLA model as an effective model), and Queensland, coupled with proposals to increase the investigative powers of the Fair Work Ombudsman (FWO) could create the necessary framework to improve the capacity to tackle forced labour. The proposed amendments in Part 4 of Schedule 1 of the FAIR WORK AMENDMENT (PROTECTING VULNERABLE WORKERS) BILL 2017 would provide the FWO with enhanced investigation powers, but we would suggest that the powers now provided to the GLAA should be considered to determine whether further powers for the FWO may be necessary. It is also important to ensure that information exchange will be lawful with any State licensing regime that is introduced, which may identify non-compliance and forced labour issues. See also recommendation 12 in the [Victorian State Government response to the labour hire inquiry](#) (page 10) on enhancing the FWO's investigative powers.

**The nature and extent of modern slavery (including slavery, forced labour and wage exploitation, involuntary servitude, debt bondage, human trafficking, forced marriage and other slavery-like exploitation) both in Australia and globally;**

The ILO produces a [global estimate](#) of forced labour. The UK's [Modern Slavery strategy](#), introduced to accompany the Modern Slavery Act 2015 also provided estimates of modern slavery within the UK (see Chapter two, pages 15-26). Other reports, such as produced by [Europol](#), present an EU assessment, but collation of reliable statistical data is recognised by Eurostats as a problem in its [report](#).

One of the key problems in assessing the nature and extent of forced labour is low levels of awareness of what constitutes forced labour, coupled with an enforcement framework that does not empower Government organisations with relevant experience to be able to investigate forced labour. In turn this means that the lack of investigations, and prosecutions, results in limited knowledge of the true extent of labour exploitation, or the methods employed to facilitate the offence.

Now that the GLAA has an expanded remit we believe that we will be able to contribute to the assessment of the nature and extent of forced labour in the UK. In the UK the Immigration Act 2016 also created the role of the Director of Labour Market Enforcement, with oversight over the activities of the GLAA, and two other inspectorates operating in the labour market arena, with responsibilities for national minimum wage and employment agencies enforcement. The Director's responsibilities also include the development of an annual strategy within which there will be an emerging understanding of the nature and extent of forced labour. The Director's first interim strategy is due to be published shortly, now that a new Government has been formed after the recent general election.

In addition to the development of this knowledge the GLAA has produced its first strategic assessment of the nature of forced labour, and the industries and areas of the UK where it is prevalent, based on its operational experience. Whilst the GLAA (as the GLA) has previously had a restricted role it nonetheless receives and develops intelligence on where, and in what areas and methods forced labour issues occur. A copy of that assessment is attached as Appendix 2.

**Identifying international best practice employed by governments, companies, businesses and organisations to prevent modern slavery in domestic and global supply chains, with a view to strengthening Australian legislation;**

In the response provided above there has been a focus on the powers necessary to ensure appropriate and effective investigation of offences can occur. However, prevention campaigns, to raise awareness of the indicators of forced labour, and guidance, such as the GLA's [spotting the signs](#)<sup>1</sup> guidance can be effective and should be considered.

The eradication of criminal behaviour to exploit workers cannot be effective without the support of industry. The Transparency in Supply Chains requirement in [section 54](#) of the Modern Slavery Act 2015 is designed to encourage and report on a company's due diligence to identify and report forced labour, which the ETI has commented on in their response to this inquiry. However such a requirement needs to be backed up with awareness training by organisations with the relevant experience. This is the approach the

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<sup>1</sup> This booklet was reviewed at our request by the ILO, with whom we now also have an agreement on closer cooperation, to support their capacity building work to tackle forced labour.

GLAA has undertaken, in its [recent partnership with the University of Derby](#), to provide accredited training to employees, at different managerial and audit levels, particularly in the food industry. This was a natural successor to the work the GLAA completed in the creation of a [supermarket and supplier protocol](#), and a [best practice guide](#) on how to prevent, and spot irregular practice.

The GLA also provides a [resource page](#) on its website with links to other academic and international reports on labour exploitation, and how to prevent it, as other examples of best practice.

## **Other issues**

In the UK the initial limited remit of the GLA presented a situation where the GLA could revoke the licence of an exploitative company, preventing it continuing to operate in the Agricultural sector, but unable to prevent its operation in other industry sectors. This was a risk that offending companies would simply displace their activities to areas outside the oversight of the GLA. Whilst the remit of the GLAA has expanded its new role is different within the different jurisdictions of the UK and Northern Ireland. This creates a similar risk of displacement to that experienced in the licensing regime.

In England and Wales the GLAA can now provide a wider investigative role across all industry, but the licensing regime remains limited to the current scope of that scheme, as introduced in legislation in 2004. The GLAA cannot undertake similar investigations for forced labour in Scotland or Northern Ireland.

The Immigration Act 2016 introduced new civil sanction [undertakings](#), and [Orders](#) (where an undertaking is not complied with) which the enforcement bodies can utilise. The GLAA can apply these sanctions in England and Wales, and Scotland, but not Northern Ireland.

The difference in the powers that the GLAA has in different jurisdictions, and the different sanctions it can apply, create the potential for further displacement, and for offenders to operate, in, and from, legal jurisdictions, where they may not be so effectively investigated and sanctioned.

The current developments of different State licensing regimes within Australia could produce a similar effect. For example, if Queensland and Victoria State schemes apply different licensing requirements, a non-compliant company that exploits workers, may be prevented from trading in one State, but carry on in the State with the weaker oversight. That may also create problems where a company is based in the State of lower compliance requirements, but provides workers into the other State, which the State with the higher threshold of compliance considers unacceptable. This situation may also create difficulties for the police and FWO in ensuring a common understanding and consistent investigative approach, and clarity of evidential requirements. A framework that connects these regulatory mechanisms, to enhance effective investigation and sanction of exploitative employers is therefore essential in the view of the GLAA.

I trust that this response, albeit delayed, is of assistance to the inquiry. If you require clarification of any of the points raised, or data in relation to our activity, please do not hesitate to contact me.

Yours sincerely

**Darryl Dixon**  
*Director of Strategy*



## **CARABINIERI COMMAND FOR PROTECTION OF LABOUR**

Since 1934 personnel from Arma dei Carabinieri corps has been assigned to Ministry of labour for the vigilance on the application of labour legislation. This field of activity is traditionally one of the Carabinieri sectors of specialization, in the framework of the Italian system of Public security.

Nowadays the Carabinieri Command for the Protection of labour, which is a unit of the Carabinieri Special Organization, operates under the functional dependence of Ministry of Labour; its highly - professional personnel is tasked of the surveillance on the application of labour legislation and social security within industrial and commercial firms, offices, farms, and, broadly, where it is foreseen paid work.

In particular, sectors of activities, generally aimed to implement social solidarity, are the suppression of abuses, the control of working conditions and protection of security and health of workers, especially of those in vulnerable conditions, such as foreigners, minors, etc. The main task is naturally the fight against illegal, concealed employment and sweat labour, as well as against every type of human exploitation, frequently related to favouring illegal immigration, trafficking in human beings and reduction in slavery. Also frauds (against workers' rights, against the state in illegally deducting contributions and in perceiving EU and public funds under false allegations - the latter often linked to organized crime groups) are an important field of activity.

The personnel, after a specific course, is given the qualification of Labour Inspectors, which is necessary to develop control activities in this sector, together with that of Agent and Officer of Judiciary Police.



The operations are carried out autonomously, or to support Carabinieri territorial units or also other authorities (mainly Labour inspectorates) or Police Forces in enforcing labour legislation.

The Command is composed by a Commander, a central Operational Unit (which carries out investigation, analysis and coordination activity) and 102 local groups (at District level, aside the Provincial Labour Directions).

The activity of the Command is not only related to monitoring, preventing and suppressing violations of labour and social security legislation; it is also involved in carrying out analysis and studies in the field of economy and labour market, individuating alterations and negative trends, and also providing workers with legal advice in order to address them to the relevant public services.

In 2005 the Command carried out more than 24.500 firms inspections (128.000 workers), reporting to the judicial authority more than 10.000 persons (188 arrested, mainly for crimes linked to labour exploitation of third- national illegal immigrants).

In the Operation "**Marco Polo**", carried out in 2005 at national level to monitor and control firms owned by Chinese businessmen, more than 90 persons have been arrested for offences related to exploitation of illegal immigrants' work (among them some for reduction in slavery).

At international level, the Command is involved in cooperation projects, also financed by EU, with international organizations and ministries of interior and labour, in the field of capacity building, training and mentoring of inspection and law enforcement unities.



## Gangmasters & Labour Abuse Authority

### ***The Nature and Scale of Labour Exploitation across all Sectors within the United Kingdom***

Author	Elaine Duncan – Intelligence Unit
Role	Strategic and Performance Analyst
Owner	Paul Broadbent
Date of Completion	28/11/2016 – V1b

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## ***PROBLEM PROFILE***

### **Key Findings**

- Whilst the situation is improving, the gathering, collation and analysis of information concerning modern day slavery and labour exploitation, in its widest sense, remains fragmented in general terms, leading to significant intelligence gaps in some areas

### **UK Picture**

- Lack of awareness of rights, language barriers, isolation, debt bondage, fear of reprisals, uncertain immigration status, lack of alternative employment opportunities, violence or threats of violence and removal of passports or identification papers are some key reasons why many PVs do not report their abuse
- Labour exploitation is endemic across the UK with car washes, nail bars, construction, agriculture, traveller communities, factory work and the food industry regularly featuring in both intelligence reports and force operations. Care homes, building sites, charity bag collection, recycling, the fishing industry and cleaning are also acknowledged, albeit less regularly
- A common theme across the UK is the general lack of cooperation from victims, with many reluctant to admit or don't understand that they are being exploited and if they do they are unwilling to support prosecution once they are free of their situation preferring to go back to their country of origin and in some instances return to their "exploiter"
- Many PVs are recruited due to vulnerabilities including drug and/or alcohol addiction, homelessness, isolation, mental health issues or unemployment in particular by the traveller communities
- The involvement of OCGs in both trafficking and exploiting PVs is evident and in many cases more than one type of exploitation is occurring
- It is apparent that in some instances PVs are being moved amongst sites across the UK by their "recruiters" fearful of arousing suspicion and in the attempt to avoid detection

### **Potential Victims, Suspects and Sectors**

- PVs are often exploited by offenders with the same cultural, ethical or national background
- Members of the traveller community are exploiting both Eastern Europeans and UK nationals employing Eastern European workers to carry out the construction work and vulnerable British males to deliver leaflets and door to door canvassing
- Both PVs working in nail bars and suspects are believed to be of Vietnamese origin
- Lithuanians are documented as being exploited within the fraudulent charity bag collection sector whilst Bangladeshi, Chinese and Nepalese nationals are believed to be being exploited within the restaurant sector
- Exploitation is most prevalent within the agriculture sector, car washes, construction sector, nail bars, restaurants/takeaways and within the traveller community however is also believed to be

## ***PROBLEM PROFILE***

occurring in care homes, the fishing industry, factory work, the cleaning industry, poultry and eggs, food production/packaging, food processing and the charity bag collection sector

- Seasonal and temporary workers are particularly vulnerable to exploitative practices within the agricultural sector
- Sectors such as agriculture and fishing tend to be more localised with exploitation within car washes, nail bars and the traveller community more widespread

### **Recruitment and Finance**

- The use of self-employment to avoid suspects of labour exploitation being responsible for PVs is an emerging trend
- PVs are recruited via online methods, direct contact with other PVs, via social media or word of mouth. It is also believed that fake job adverts are posted online to target PVs
- Typical MO by the traveller communities is to persuade vulnerable males on the false promise of accommodation, food, alcohol and money with many recruited from homeless shelters, soup kitchens and job centres
- PVs are forced to work long hours with minimum pay with many debt bonded, having to pay back fees and the cost of their transportation to the UK. Many are often charged a job "finder's fee" and accommodation costs. Many are forced to open bank accounts which they have no access to, bank loans taken out in their name and social security benefits claimed which the controller will keep
- The non-payment of the NMW is an occurring theme across the UK

### **Transport**

- Although the intelligence picture is limited there is evidence to suggest that PVs from EEA countries travel by budget airlines, bus, coach, minibus or vehicles on ferries between mainland Europe and the UK. Some utilise bus services from their home country. It is also suggested that some PVs arrive in the UK concealed in lorries
- Some PVs are transported in groups, in particular from Romania who arrive, in some cases, in the UK by bus via France and Germany

### **Accommodation, Health and Safety and Coercion**

- Imposed accommodation is a factor with accommodation provided by the traffickers overcrowded and of a poor living standard with some PVs having limited or no access to electricity, food or running water
- In some cases there are poor working conditions with limited or no personal protection equipment (PPE)
- Access to healthcare, in some instances is restricted
- Passports and or identity documents are removed to control the movements of PVs

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- Violence and/or threats of violence are often used to control PVs, in particular within the traveller communities

### **GLAA Sector Intelligence**

#### **Potential Victims and Suspects**

- The majority of Potential Victims (PVs) of labour exploitation within the UK are males (64%)
- The majority of PVs originate from Eastern European Countries (72%) with Romania and Poland accounting for 36% (where nationality is known)
- The majority of suspects originate from Eastern European countries (44%) with Romania and Poland accounting for 20% (where nationality is known)
- Consistent with NCA findings most of the PVs exploited for labour in the UK are from EEA countries and therefore legally entitled to work and live in the UK
- The level of labour exploitation, in relation to victims of non EEA countries, is unknown and remains a relatively hidden crime

#### **Sectors**

- The majority of intelligence identifies labour exploitation across sectors regulated by GLA (58%) in particular agriculture – fruit and vegetables (21%) and the food industry (15%)
- Labour exploitation in sectors out with the GLA remit includes car washes (7%) and construction and factory work (3%) respectively
- “Other” sectors (13%), includes scrap metal businesses, window replacement and cleaning companies
- The highest rate of incidents of labour exploitation involving PVs originating from Bulgaria and Romania are within the agricultural- fruit and vegetable sector

#### **Location**

- West Midlands and Kent areas have the highest incidents of suspected labour exploitation followed by Bedfordshire and Cambridgeshire
- There is limited intelligence in relation to labour exploitation within Scotland, Wales and Northern Ireland accounting for 3%, 2% and 5% of the intelligence reports respectively

#### **Recruitment**

- The use of recruitment agencies is relatively common in relation to labour exploitation cases, and are referred to in 48% of reports and is prevalent in agriculture (43%), food industry (65%), factory work (80%) and meat processing (83%)

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### **Transport**

- PVs travel to the UK by either plane or coaches, with many collected by recruiters when they arrive in the UK
- The majority of PVs are from EEA countries (72%) allowing them to travel to the UK legally with the travel arrangements of PVs from non-EEA countries into the UK unknown

### **Finance**

- Many PVs have their wages withheld, excessive deductions taken from their wages or forced to pay a "job finder's" fee
- Social Security benefits are, in some cases, claimed on behalf of PVs and retained by the recruiter/trafficker
- Non-payment of the National Minimum Wage (NMW) to PVs is a common theme across intelligence reports (35%)
- Some PVs are forced to open bank accounts which they have no control over
- Contracts of employment are not always provided or are in English which many PVs can't understand
- Some PVs are classed as self-employed, meaning that the employer does not have to pay tax, national insurance contributions or holiday pay

### **Accommodation, Health and Safety and Coercion**

- Many PVs are forced to live in overcrowded or poor living conditions, sharing a room with multiple people with some sleeping on mattresses on the floor and living in industrial buildings, vans or caravans
- Some PVs are working long hours over long periods with limited or no breaks
- Personal protection equipment (PPE) is limited in some cases, with a general lack of health and safety control
- Debt bondage, violence, threats of violence, threats of losing their jobs and fear of being sent back home are all coercive methods used to control PVs
- Passports and identification documents are removed in some cases restricting movements of PVs
- Some PVs experience one or a combination of factors associated with labour exploitation

### **NRM**

#### **NRM Labour Exploitation Referrals**

- Referrals into the NRM for labour exploitation increased by 50% from 2014 (n=788) and 2015 (n=1183)

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- The majority of PVs of labour exploitation referred in both 2014 and 2015 were first encountered in England
- There has been a decrease (55.3%) of minor female referrals in 2015 with a sharp (67.9%) increase in minor males referrals
- Labour exploitation within the UK accounted for 33.6% and 36.2% of all NRM referrals in 2014 and 2015 respectively
- Labour exploitation replaced sexual exploitation in 2015 as the most common exploitation type recorded for potential adult victims referred in to the NRM whilst remaining the most common exploitation type for minor referrals

### **Referring Agencies - 2015**

- All of the GLA referrals into the NRM were for PVs of labour exploitation
- Vietnam was the country of origin for the majority of PVs of labour exploitation for referrals by LAs (n= 27, 51.9%)
- The Salvation Army referred 183 PVs of labour exploitation in to the NRM accounting for 49.1% of their referrals
- All referrals for labour exploitation from Barnardos were for male minors with 50% of PVs originating from Vietnam
- Poland and Vietnam feature highly as the country of origin for referrals by Non-Government Organisations/Third Sector
- 60% of referrals in to the NRM by BTP were for PVs of labour exploitation
- The greatest number of referrals by the police in England were from Greater Manchester and the Metropolitan Police however 64%(n=57) of Greater Manchester referrals were due to potential labour exploitation compared to 18% (n=16) of the Metropolitan police referrals
- PVs of labour exploitation referred by Police Scotland originated from 6 different countries, with the majority from Vietnam (n=12, 66.7%)
- PVs of labour exploitation referred by PSNI originated from 6 different countries, with the majority originating from Bulgaria (n=16, 59.2%)

### **Labour Exploitation – Country of Origin 2015**

- Vietnam was the most common country of origin for PVs of labour exploitation within the UK (n= 231, 19.5%) followed by Poland (n=139, 11.7%) and Albania (n=136, 11.5%)
- Over 50% of PVs referred into the NRM for labour exploitation were EEA nationals, legally allowed to reside and work in the UK

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### **NRM Referrals across the UK**

- Poland was the most prevalent country of origin for PVs of adult labour exploitation first encountered in England (n= 131, 17.1%) followed by Vietnam (n=117, 15.2%) and Romania (n=111, 14.5%)
- Albania (n=119, 44.4%) was the most prevalent country for referrals of minor PVs of labour exploitation first encountered in England
- Vietnam was the most prevalent country of origin for PVs of both adult (n=9, 23.7%) and minor (n=10, 76.9%) labour exploitation first encountered in Scotland
- Bulgaria was the most prevalent country of origin for PVs of adult labour exploitation first encountered in Northern Ireland (n=16, 57.1%)
- China (n=2, 66.6%) was the most prevalent country for referrals of minor PVs of labour exploitation first encountered in Northern Ireland
- Sudan was the most prevalent country of origin for PVs of adult labour exploitation first encountered in Wales (n=21, 33.8%)
- Vietnam was the only country of origin for all four referrals for PVs of minor labour exploitation

### **Measures to Tackle Labour Exploitation and Modern Slavery: Investigations, Disruptions and Initiatives**

#### **Department for Business, Energy & Industrial Strategy (BEIS)**

- A causal link has been identified between labour abuse and labour exploitation within some sectors in the UK
- The nature of non-compliance has shifted from abuse of employment regulation to increased organised criminal activity engaged in labour exploitation
- Forced labour is believed to be growing faster than any other forms of exploitation

#### **Named and Shamed – Non-compliance of National Minimum Wage**

- Since the scheme was introduced in October 2013, 687 employers have been named and shamed, with total arrears of more than £3.5 million
- A diverse range of sectors are included on the lists including chemists, employment agencies, football clubs, taxi firms, funeral directors, charities, estate agents and dental practices
- The sectors where the problem is most endemic are hair and beauty<sup>1</sup> followed by car repair/sales/accessories. Nurseries and care providers also featured highly on the lists
- In 2015 NMW breaches were investigated at around 100 social care companies

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<sup>1</sup> Mainly Restaurants/café/inn/takeaways/pubs



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- Businesses located, or registered, in London accounted for 10% of named companies (n=69), with hair and beauty, food industry and care providers featuring highly

### **Health and Safety**

- Every year in the agriculture, forestry and fishing sectors around 4% of workers sustain a work-related injury

### **Charities and NGOs**

**To note:** The following may, in due course, provide useful sources of data to inform the wider picture in relation to labour exploitation in sectors across the UK

- Migrant Help is the UK's only NGO supporting adult victims of human trafficking in England, Scotland, Wales and Northern Ireland
- The Salvation Army was recently appointed to retain the Governments Victim Care Contract to manage the support of all adult victims of modern slavery in England and Wales
- Unseen UK is the NGO selected to operate the UK's Modern Slavery Helpline and Resource Centre and will work with Polaris over the next year to prepare to handle calls about cases of modern slavery within the UK. It will collect data about how and where modern slavery is happening to identify trends and better understand the scale and nature of the crime

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## Introduction, Aim and Purpose

The UK Government considers tackling 'modern slavery' a priority and introduced the Modern Slavery Act 2015. It was the first of its kind in Europe, and one of the first in the world which specifically addresses slavery and trafficking in the 21st century. This legislation improved support and protection for victims and gave law enforcement the tools they require to target offenders involved in modern day slavery. In addition it included a world leading provision to encourage business to take action to ensure their end-to-end supply chains are slavery free<sup>2</sup>.

Some of the most important changes introduced by the Act are shown below:

- Consolidating the offence of modern slavery into one clear definition
- Extending the sentencing for those convicted of an offence to a maximum of life imprisonment
- Creating Slavery and Trafficking Prevention and Risk Orders to disrupt trafficking networks
- Establishing the position of Independent Anti-Slavery Commissioner to monitor work through the UK and offer advice
- Enhancing the protections offered to victims, including a defence for those who commit an offence as a result of their exploitation

The nature and scale of labour exploitation is such that it changes to suit the prevailing circumstances and is therefore, in reality only a snapshot in time. This makes a definitive and lasting assessment somewhat problematic. Therefore, it is intended that this will be a 'living' document, updated dynamically as new information is received or trends identified.

### Modern Slavery Strategy

The Act is part of the UK Government's Modern Slavery Strategy, launched in November 2014. The Strategy details a range of actions and priorities in fighting human trafficking in the UK and internationally and is built on 4 Ps:

- Pursue: prosecuting and disrupting individuals and groups responsible for modern slavery
- Prevent: preventing people from engaging and being a victim of modern slavery
- Protect: strengthening safeguards against modern slavery by protecting vulnerable people from exploitation and increasing awareness and resilience against this crime

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<sup>2</sup> <https://www.gov.uk/government/news/historic-law-to-end-modern-slavery-passed>

- Prepare: reducing the harm caused by modern slavery through improved victim identification and enhanced support and protection<sup>3</sup>

The Independent Anti-Slavery Commissioner, who is the only such commissioner in the world, set 5 key priorities in his strategic plan:

- Improved identification and care for victims and survivors
- Effective training to increase awareness of modern slavery across relevant statutory agencies
- Partnership working and improve data sharing
- Private sector engagement to promote policies
- Encourage effective and targeted international collaboration to combat slavery<sup>4</sup>

In her first address to the UN General Assembly, in September 2016, the Prime Minister (PM) encouraged international leaders and organisations to work together to stamp out modern slavery worldwide, urging like-minded countries, priority countries and key practitioners to work together to develop a model national response based upon:

- strong law enforcement action and legislative framework
- reducing vulnerability and supporting victims
- tackling transparency in supply chains
- effective international cooperation

The PM recently announced the first ever Government task force on modern slavery. Its members include representatives from the security services, law enforcement and other government offices with the aims to do more to bring offenders to justice and to support victims both domestically and overseas.<sup>5</sup>

The Gangmasters Licensing Authority (GLA) was established in 2005 by the Gangmasters (Licensing) Act 2004. The GLA works in partnership to protect workers from exploitation in agriculture, horticulture, shellfish gathering and food and drink processing and packaging. The GLA operates a licensing scheme for those acting as a "gangmaster"<sup>6</sup> within the above sectors. The GLA aims are:

- Preventing worker exploitation

---

<sup>3</sup><http://www.antislaveryday.com/what-is-human-trafficking/what-needs-to-be-done/>

<sup>4</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/468729/IASC\\_StrategicPlan\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/468729/IASC_StrategicPlan_2015.pdf)

<sup>5</sup> See <https://www.gov.uk/government/news/historic-law-to-end-modern-slavery-passed> for further details

<sup>6</sup> The term "gangmaster" is defined in Section 4 of the Gangmasters (Licensing) Act (2004)

- Protecting vulnerable people
- Tackling unlicensed/criminal activity and ensuring those licensed operate within the law

Historically the UK has a strong legal framework in place to protect employees and ensure that minimum standards for employment are met. There are three main public bodies responsible for enforcing these requirements: HMRC's National Minimum Wage team; the Gangmasters Licensing Authority and the Employment Agency Standards Inspectorate (EAS). However none of these bodies have had the responsibility or the capability to investigate labour exploitation where it amounts to a modern slavery offence. In recent years there has been growing evidence of the involvement of organised crime gangs engaging in serious labour exploitation within the UK with clear links to modern slavery.<sup>7</sup>

The Immigration Act (2016) received royal assent in July 2016 and contained various measures to address serious labour exploitation. Measures included reforms to the Gangmasters Licensing Authority including changing the name to the Gangmasters and Labour Abuse Authority (GLAA), creating specialist officers to investigate cases of serious labour exploitation and providing GLAA with additional powers under the Police and Criminal Evidence Act 1984 (PACE) allowing the organisation to investigate serious labour exploitation across the entire labour market in England and Wales.

This report will help to identify the nature and scale of labour exploitation across all sectors within the UK to allow the GLAA to make informed decisions in relation to future areas of concern. The profile will highlight the present situation with regards to the industries already regulated by the GLA and will assess the current intelligence picture which details the ongoing concerns regarding the exploitation of workers, identifying any intelligence gaps. It will also consider the present situation with regards to all other industries currently outwith the GLA remit and assess the intelligence picture to highlight any areas of concern, emerging trends, any industries at risk of labour exploitation and identify any intelligence gaps.

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<sup>7</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/537203/Immigration\\_Act-Part\\_1\\_-\\_Labour\\_Market\\_Enforcement.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/537203/Immigration_Act-Part_1_-_Labour_Market_Enforcement.pdf)

## Definitions

Human trafficking is the movement of a person from one place to another, within a country or across borders, into conditions of exploitation against their will. It consists of three parts:

- An action such as recruitment, transportation, transfer, harbouring or receipt of person
- A means such as the threat of force or other form of coercion, abduction, fraud, deception, abuse of power, a position of vulnerability, the giving or receiving of payments or benefits to control the person for the purpose of exploitation
- Exploitation, which can include forced labour or servitude

Modern Slavery is a global problem and international crime, affecting millions of people of all ages worldwide, including many victims in the UK. Labour exploitation is just one of the many ways that people can be exploited. Victims are often controlled by force, threats, coercion, abduction, fraud and deception.

Whilst there is no decisive definition of "labour exploitation" the indicators are extremely similar to that of forced labour, which is an extreme form of labour exploitation. The International Labour Organisation [ILO] has identified six elements which individually or collectively can indicate forced labour. These are:

- Threats or actual physical harm
- Restriction of movement and confinement to the workplace or to a limited area
- Debt-bondage
- Withholding of wages or excessive wage reductions that violate previously made agreements
- Retention of passports and identity documents (the workers can neither leave nor prove their identity status)
- Threat of denunciation to the authorities where the worker is of illegal status<sup>8</sup>

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<sup>8</sup> [www.nationalcrimeagency.gov.uk/crime-threats/human-trafficking/types-of-human-trafficking](http://www.nationalcrimeagency.gov.uk/crime-threats/human-trafficking/types-of-human-trafficking)

## Methodology and Limitations

This report has been compiled utilising GLAA intelligence and information systems. Sources of further data and information have been drawn from Police Scotland, Police Service of Northern Ireland (PSNI), HM Revenue & Customs (HMRC, National Crime Agency (NCA) and Modern Slavery Human Trafficking Unit (MSHTU)<sup>9</sup> including information from the National Referral Mechanism (NRM) database. Regional Field Intelligence Officers (RFIOs) also collected any relevant information and intelligence from local police forces across England and Wales, councils, NGOs, third sector organisations and businesses. Open source data was also fully researched and utilised where appropriate. Some forces did not provide or have limited intelligence and information in relation to labour exploitation and therefore a comprehensive analysis of the true nature and scale was not possible. Analysis has been conducted on the information and intelligence available to provide as accurate a picture as possible.

Data in respect of modern slavery matters is not consistently or accurately captured or recorded across the board and has therefore hampered meaningful and accurate analysis. Whilst, for this reason any analysis should be treated with due caution, it is also the most informed picture available at the present time.

There are a number of challenges and difficulties associated with gathering intelligence, information and data sets from a number of different sources and it was not feasible to adhere to a strict reporting period. The intelligence and information gathered from the GLA covered the period from 01/01/2014 to 01/07/2016 and although this collection period was requested from partner agencies this has not been achievable and therefore different data parameters have been used. Caveats will be added to the report to address this issue.

In some instances data received was based on incidents of modern slavery with no feasible way to break this down to sub-groups such as labour exploitation. This will be highlighted where relevant.

Although there has been an increased recognition by organisations of the impact of labour exploitation it is still, to an extent, a hidden crime with many cases unreported and/or undetected and therefore this report, based on the available information and intelligence, is expected to provide an overview of the issue as opposed to a fully comprehensive analysis of the scale and extent of labour exploitation within the UK.

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<sup>9</sup> Previously The UK Human Trafficking Centre (UKHTC) renamed on 12<sup>th</sup> September 2016



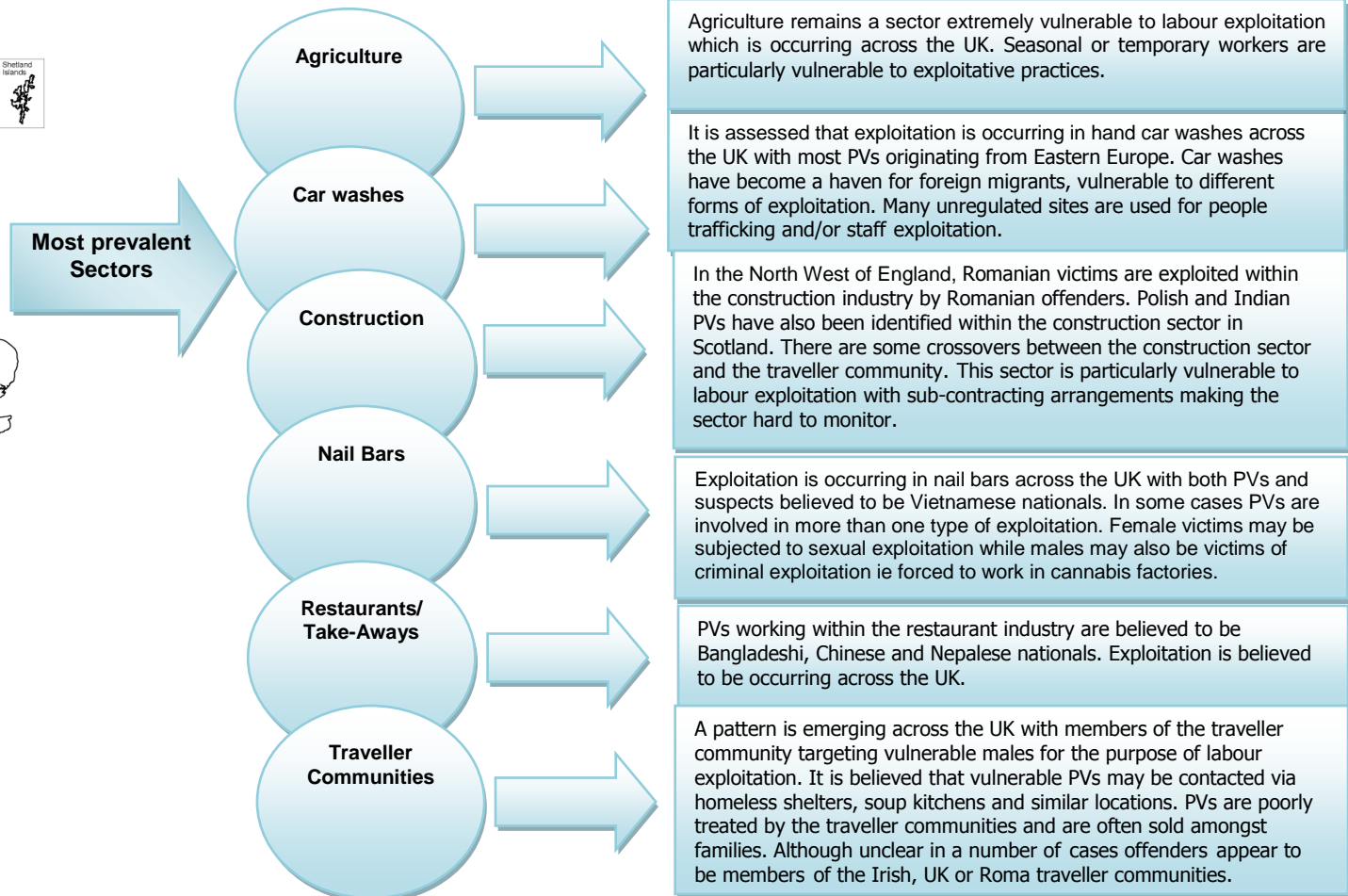
For the purpose of this report exploitation within cannabis cultivations, street begging and theft will be classified as criminal exploitation as opposed to labour exploitation. Incidents of domestic servitude have also been omitted from any labour exploitation analysis.

## 1. UK Picture

Infographic 1 – UK



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### OTHER SECTORS

- Care homes
- Building sites
- Charity bag collection
- Recycling
- Fishing industry
- Factory work
- Cleaning industries
- Poultry and Eggs
- Food production/packaging
- Food processing
- Highly organised gangs targeting shellfish stocks



### PVs COUNTRY OF ORIGIN WITHIN OTHER SECTORS

- Lithuanian PVs have been identified working in the charity bag collection sector
- Romanian nationals have been identified as being exploited within the food processing industry
- PVs from the Philippines and Sri Lanka are working on fishing vessels. There is an increasing threat of bogus Egyptian seamen travelling to UK ports to link up with fishing vessels
- Eastern Europeans are believed to be exploited within factories, recycling and building sites across the UK

### TRANSPORT

- Budget airlines
- Bus, coach or minibus
- Concealed in lorries
- Vehicles on ferries between mainland Europe and between UK and Ireland
- Some PVs are transported in groups, in particular from Romania
- Direct bus services to the UK from home country

### RECRUITMENT

- Online advertisements
- Direct contact with PVs either via social media or in home country
- SKYPE has been utilised to directly talk to PVs
- Recruitment agencies both in home countries and the UK
- Word of mouth i.e friends or family members
- Typical MO by traveller communities is to persuade vulnerable males on the false promise of accommodation, food, alcohol and money with many recruited from homeless shelters, soup kitchens and job centres

### FINANCE

- No control over finances with wages paid directly to the traffickers in some cases
- Made to open bank accounts, which PVs have no access to
- Required to work long hours for little pay
- Work finding fees
- Receive little or no low wages sometimes with excessive deductions
- Withholding wages and non-payment of NMW
- Debt bonded
- Reports of employment agencies involved in exploitation
- Victims often have to buy back their identity documents for large sums of money
- Loans taken out in PVs name
- In some cases PVs have to pay for the use of equipment required for work
- Bogus self-employment

### ACCOMMODATION, HEALTH AND SAFETY AND COERCION

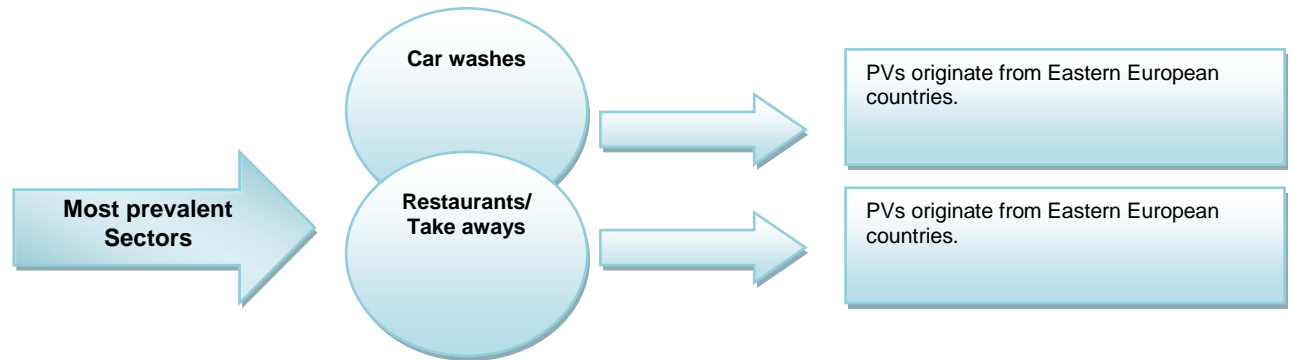
- Poor /overcrowded living conditions
- Violence or threats of violence
- Movements restricted
- Poor working conditions and in some cases no safety equipment provided
- Passports/documents removed
- Working long hours
- Limited food provided in some instances
- Healthcare restricted
- Imposed accommodation is a factor, with accommodation provided by the traffickers which is often overcrowded
- PVs are housed in multi occupancy housing with insufficient hot water, electricity, food and sleeping arrangements
- Transport to and from work provided by the traffickers

**Infographic 2**  
1.1 North East



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- The prevalence of labour exploitation within the North East of England is extremely unclear. There is limited information regarding car washes and restaurants/take aways exploiting PVs originating from Eastern Europe. There has, however been recent operational activity by Northumbria Police in relation to labour exploitation involving victims and offenders from Slovakia and the Roma Polish community.



**TRANSPORT**

- It is believed that many PVs from EEA countries utilise public transport to avoid suspicion
- PVs may also use private vehicles to arrive in the North East
- Kurdish nationals arrived via a lorry into the UK

**ACCOMMODATION, HEALTH AND SAFETY AND COERCION**

- Poor living conditions
- Violence and/ or threats of violence utilised

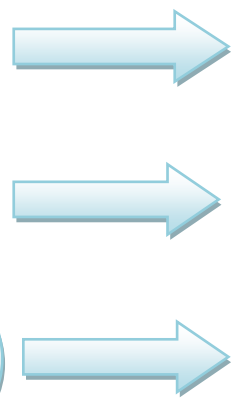
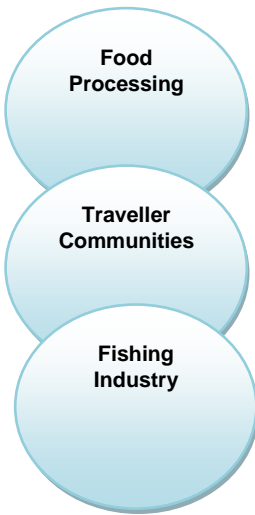
**FINANCE**

- Receive little or no low wages

**Infographic 3**  
1.2 North West



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Roma OCGs offer free transport to PVs who are taken to a recruitment agency once they arrive in the UK and provided with employment in places such as food processing factories.

PVs are being trafficked and exploited by the traveller community. They carry out tarmacking or labouring work.

There is evidence of abuse of seamen on the East and West coasts of Northern England.

**RECRUITMENT**

- Contacted in home country and promised work in the UK
- Via recruitment websites

**OTHER SECTORS**

- Restaurants/Take-Aways
- Car Washes
- Packing Factory
- Courier company
- Commercial laundry
- Construction

**ACCOMMODATION, HEALTH AND SAFETY AND COERCION**

- Violence and/or threats of violence by the traveller community
- Movements restricted with many PVs not allowed to leave the traveller site unaccompanied
- Working long hours and given the minimum of food

**FINANCE**

- Receive little pay
- Bank accounts and passwords controlled by OCGs
- Withholding wages

**PVs COUNTRY OF ORIGIN WITHIN OTHER SECTORS**

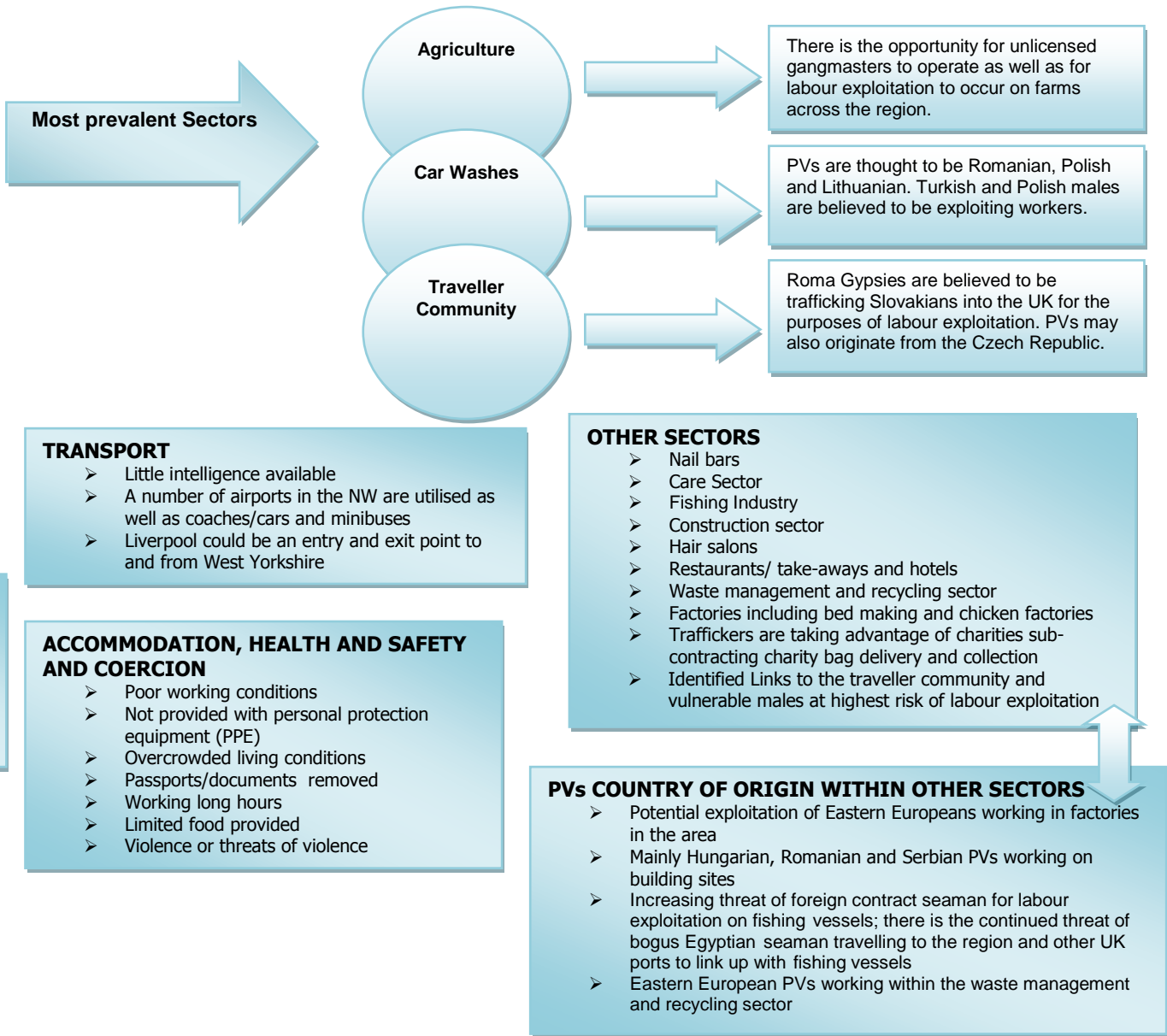
- Polish victims are exploited within the laundry sector by British, Indian and Polish offenders
- Romanian victims are exploited within the construction industry by Romanian offenders
- Nepalese victims are exploited within the Restaurant/Take-Away sector
- PVs working in packing factories were of Czech origin
- Romanian PVs identified as being exploited by both Romanians and a UK citizen of Indian heritage working for a sub contracted courier company

- Many PVs originate from Romania Hungary and Vietnam; however UK victims also feature highly.
- An OCG is believed to be utilising a website to advertise for Romanians females for forced labour.

**Infographic 4**  
1.3 Yorkshire and Humber



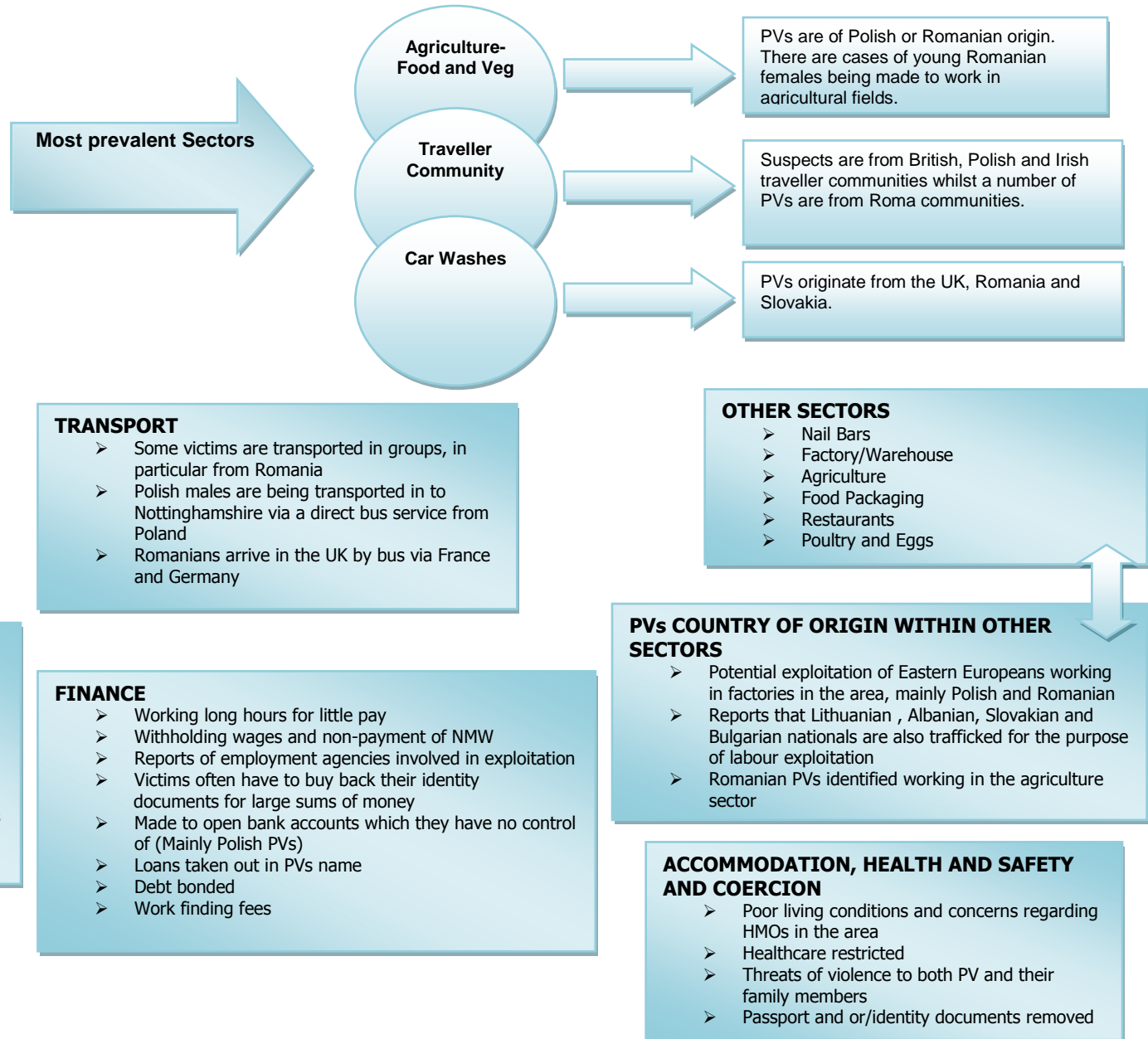
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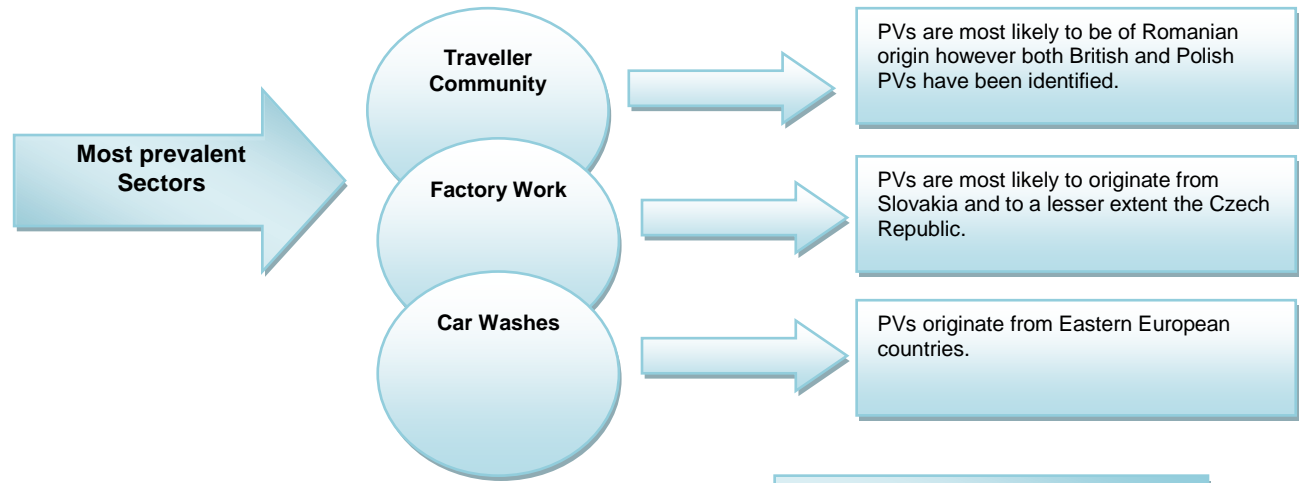
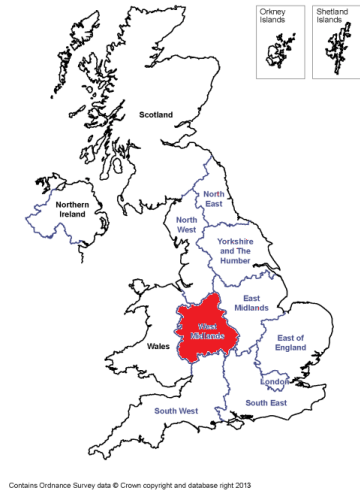
**Infographic 5**  
1.4 East Midlands



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**Infographic 6**  
1.5 West Midlands



**TRANSPORT**

- Typically PVs travel to the UK via coach, following a promise of work and accommodation in their home country

**OTHER SECTORS**

- Agriculture – fruit and veg
- Food Processing
- Food Production
- Egg and Poultry

**RECRUITMENT**

- Through local contacts in their home countries or via social media
- Many are employed through recruitment agencies

**FINANCE**

- No control over finances with wages paid directly to the traffickers in some cases
- Made to open bank accounts, which they have no access to
- Required to work long hours for little pay
- Work finding fees

**PVs COUNTRY OF ORIGIN WITHIN OTHER SECTORS**

- Roma gypsies are believed to arrange work within the food processing sector for PVs (country of origin unknown)
- Polish nationals are exploited within the food processing sectors

- The traffickers register victims with employment agencies and sit any tests required by the agencies due to the PVs lack of English language skills.
- There has been a number of trafficking cases within the West Midlands in the last few years with the GLA identifying OCG involvement.

**ACCOMMODATION, HEALTH AND SAFETY AND COERCION**

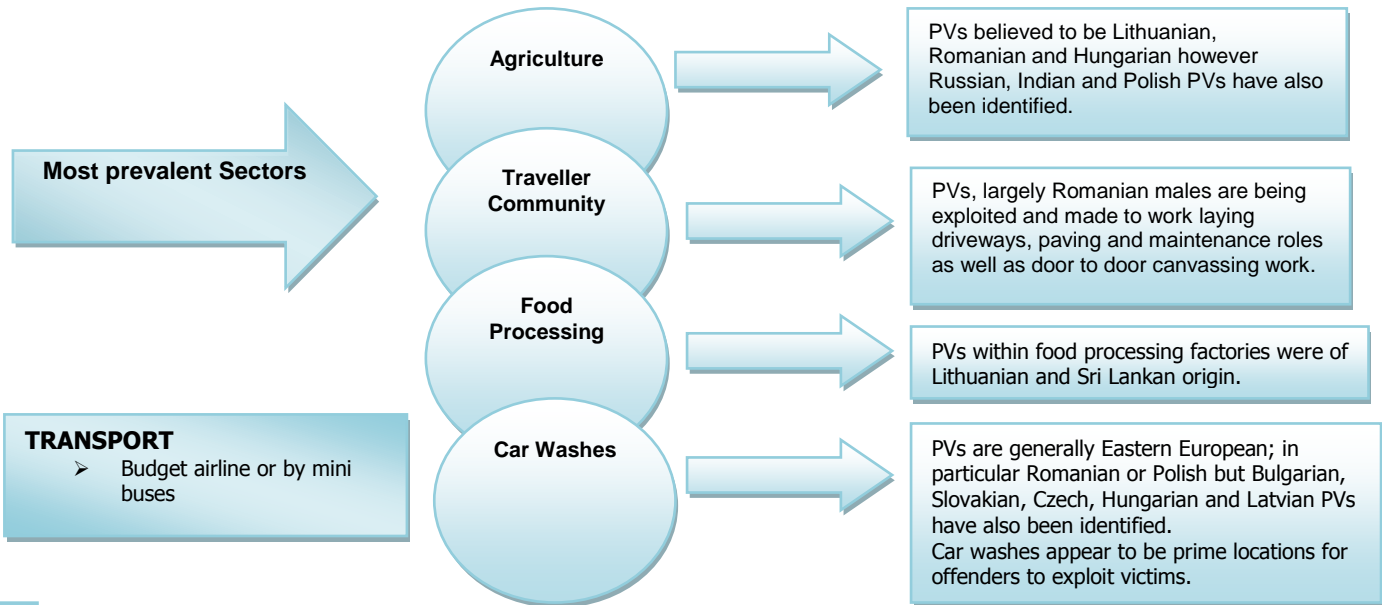
- Imposed accommodation is a factor, with accommodation provided by the traffickers which is often overcrowded.
- PVs are housed in in multi occupancy housing with insufficient hot water, electric, food and sleeping arrangements
- Transport to and from work provided by the traffickers
- Passport and or/identity documents removed
- Threats of violence



**Infographic 7**  
*1.6 East of England*



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**RECRUITMENT**

- Via a recruitment agency in Lithuania
- PVs approached at homeless shelters, soup kitchens and job centres by members of the traveller community
- Online job adverts in home country

**FINANCE**

- Work cash in hand
- Work finding fees
- Work long hours for little pay with excessive deductions
- In some cases PVs have to pay for the use of equipment required for work
- Little or no control over bank accounts
- Debt bondage

**ACCOMMODATION, HEALTH AND SAFETY AND COERCION**

- Poor living conditions
- Violence and/or threats of violence
- Passport and or/identity documents removed
- Owners of car washes in many cases provide accommodation which is poor and overcrowded with some PVs having to hot-bed

**OTHER SECTORS**

- Restaurants and take-aways
- Factory work
- Beauty Industry including nail bars
- Poultry and Eggs

**PVs COUNTRY OF ORIGIN WITHIN OTHER SECTORS**

- PVs working within the beauty industry are believed to be of Vietnamese origin
- PVs working within the restaurant industry are believed to be Bangladeshi or Chinese
- PVs identified working within the food processing sector were Lithuanian and Sri Lankan

**Infographic 8**  
1.7 South East



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**RECRUITMENT**

- Via online job adverts in their home countries
- PVs are often recruited at homeless shelters and soup kitchens by members of the traveller community

**FINANCE**

- Work long hours for little pay
- Little or no control over bank accounts
- Wages withheld
- Debt bonded
- Loans taken out in the PV names and money transferred to home country
- Work finding fees
- Self-employment status

**Most prevalent Sectors**

**Traveller Communities**

**Car Washes**

**Agriculture/  
Fruit and Veg**

PVs of British, Romanian, Albanian and Polish origin working for recruiters businesses, such as tarmacking and construction.

Eastern European OCGs are exploiting Eastern European nationals with PVs working in car washes owned or ran by the OCG. Victims are predominately Romanian but also Bulgarian, Slovakian, Czech, Hungarian and Latvian. These are mainly ran by Albanian nationals.

Workers pay money up front to be provided work on a farm, have compulsory accommodation and are charged for transport costs. PVs tend to be from Eastern European countries.

**TRANSPORT**

- The most common method of entry is on a lorry or trailer arriving into Portsmouth International Port
- Other methods of entry include flying into the UK and arriving into a port such as Dover and then a coach or car to their destination

**ACCOMMODATION, HEALTH AND SAFETY AND COERCION**

- Irregular food provided
- Poor and/or overcrowded living conditions
- Intimidation and/or violence
- Not provided adequate personal protection equipment (PPE)
- In some cases PVs have limited running water or electricity
- Passport and or/identity documents removed

**OTHER SECTORS**

- Recycling
- Nail Bars
- Construction
- Factory
- Charity bag collection
- Food Packaging
- Haulage company
- Poultry and Eggs

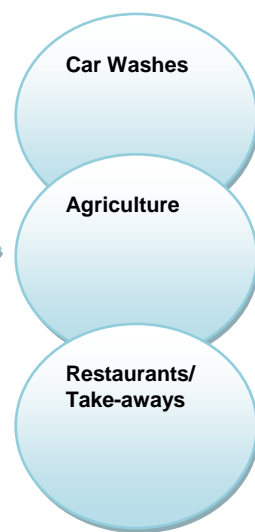
**PVs COUNTRY OF ORIGIN WITHIN OTHER SECTORS**

- PVs exploited within the charity bag collection sector were Lithuanian males
- Romanian drivers and Sri Lankan drivers mates have been identified as working for a haulage company
- Polish PVs have been identified within the construction sector

**Infographic 9**  
1.8 South West



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PVs are believed to be Bulgarian, Lithuanian, Albanian, Romanian and Slovakian nationals. Iranian males identified as controlling PVs and putting them to work at car washes. Bulgarian PVs are exploited at supermarket hand car washes.

There are concerns for Romanian and Lithuanian PVs working on farms in the area.

There are concerns for foreign nationals being exploited within restaurants and take-aways. The PVs speak little English.

**RECRUITMENT**

- Advertised on social media sites in home country
- Word of mouth in home country
- Recruited by agents

**FINANCE**

- Paid in cash
- Working for little money
- Debt bondage

**TRANSPORT**

- Travelling to the area by coach
- Via Luton airport and transferred by car to the South West

**ACCOMMODATION, HEALTH AND SAFETY AND COERCION**

- Working long hours
- Threats and/or use of violence
- Poor /overcrowded living conditions
- Provided with limited food
- Withholding identity papers
- Limited/no water and electricity
- Controlled transport to work

**OTHER SECTORS**

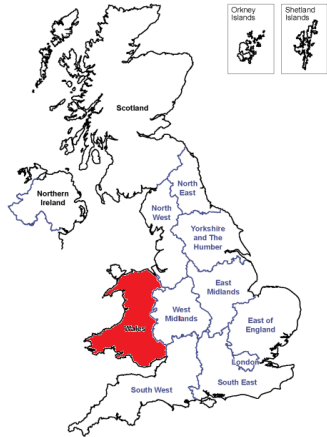
- Food Packaging
- Charity bag collections
- Care homes
- Cleaning companies
- Nail Bars
- Supermarkets
- Traveller community
- Poultry and eggs
- Shellfish gathering

**PVs COUNTRY OF ORIGIN WITHIN OTHER SECTORS**

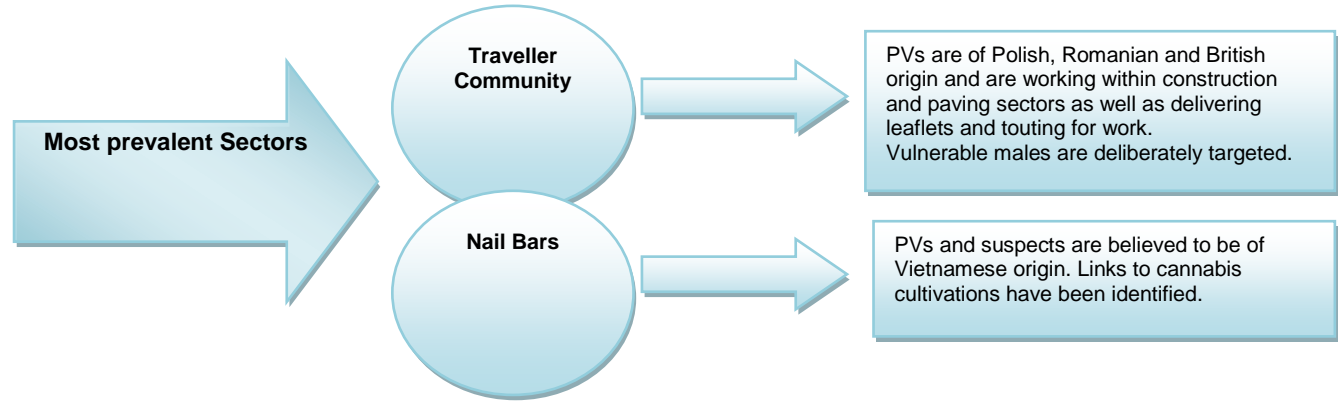
- Lithuanians identified as being involved in fraudulent charity bag collections
- Bulgarians being exploited in supermarkets
- Vietnamese OCGs involved in nail bars across the region



**Infographic 10**  
1.9 Wales



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PVs are of Polish, Romanian and British origin and are working within construction and paving sectors as well as delivering leaflets and touting for work. Vulnerable males are deliberately targeted.

PVs and suspects are believed to be of Vietnamese origin. Links to cannabis cultivations have been identified.

**RECRUITMENT**

- Lack of intelligence
- Typical MO by traveller communities is to persuade vulnerable males on the false promise of accommodation, food, alcohol and money
- A number of PVs are recruited from homeless shelters

**TRANSPORT**

- Lack of intelligence
- There was a case of a PV recruited at a work market in London and trafficked through the traveller community in to North Wales

**OTHER SECTORS**

- Concerns of labour exploitation within car washes, restaurants and fast food outlets
- Possible exploitation of workers collecting razor clams
- Polish nationals are responsible for a large proportion of the illegal cockling in North Wales however there is little evidence that they are being exploited
- Although there is little intelligence it is believed that labour exploitation is occurring with the agricultural sector

**FINANCE**

- Limited intelligence
- Not paid NMW
- Made to work for food
- Have no control of bank account

**ACCOMMODATION, HEALTH AND SAFETY AND COERCION**

- Violence, threats and verbal abuse, in particular by the traveller community
- Poor and/or overcrowded living conditions
- No running water
- Working long hours
- Removal of passport/documents
- Provided limited food

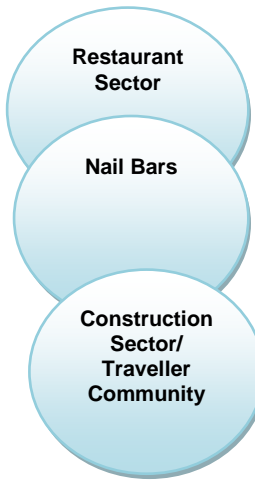
**PVs COUNTRY OF ORIGIN WITHIN OTHER SECTORS**

- Eastern European and Turkish PVs were identified within car washes
- A Bangladeshi male was found to be working excessively long hours within a restaurant

**Infographic 11**  
1.10 Scotland



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PVs were Bangladeshi males. One suspect identified was of Indian origin. This is an area of concern in the North of Scotland.

PVs and suspects are believed to be of Vietnamese origin. This is an emerging trend and has been identified in a number of premises across Scotland.

PVs were Polish and Indian nationals. Suspects are believed to be members of the traveller community. This is believed to be occurring across Scotland.

**FINANCE**

- Limited intelligence
- Work long hours for little or no pay
- Debt bonded

**TRANSPORT**

- Limited intelligence
- One victim arrived via London after replying to an online advertisement
- One victim arrived by plane from Poland
- PVs within the fishing industry have their flights booked by members of a criminal network
- Travel by vehicles on ferries between the UK and Ireland and mainland Europe
- A number of seamen from Riga as seaman arrived at Luton airport seeking to join ships in Scotland.

**OTHER SECTORS**

- Highly organised gangs are targeting shellfish stocks
- The traveller community are believed to be exploiting PVs painting houses in the North of Scotland
- Labour exploitation may be occurring within the fishing industry
- Report of exploitation within the agriculture, fish processing and food packaging sectors

**RECRUITMENT**

- Limited intelligence
- Websites utilised for recruitment in nail bars and the construction sector
- Family members and coworkers involved in the recruitment of PVs into the charity bag collection sector

**ACCOMMODATION, HEALTH AND SAFETY AND COERCION**

- Limited intelligence
- Poor and/or overcrowded living conditions
- Movements and medical treatments tightly controlled within the construction sector
- Little food provided
- No control over income, work or housing
- Passports removed
- Violence and threats of violence to control victims

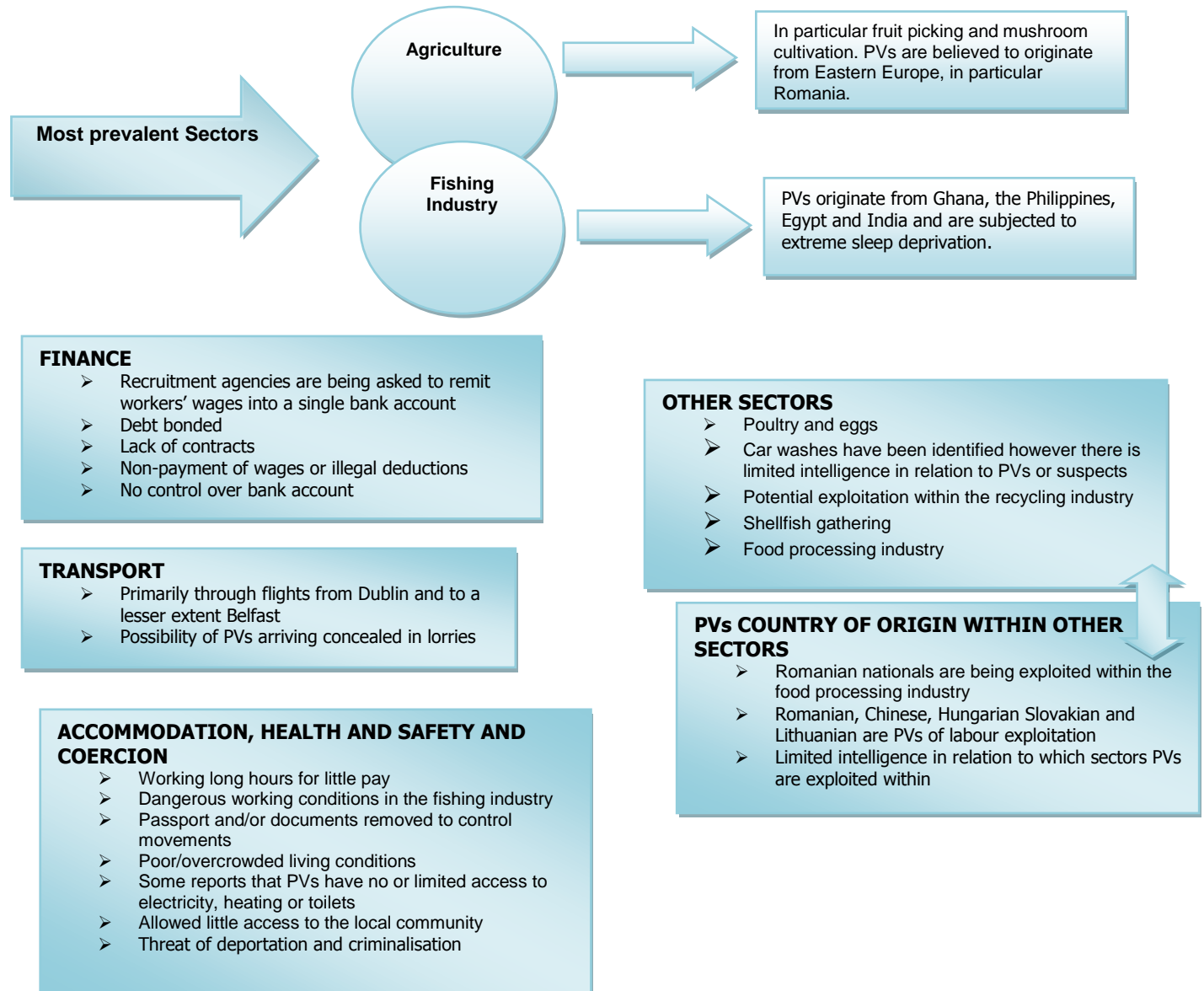
**PVs COUNTRY OF ORIGIN WITHIN OTHER SECTORS**

- Polish workers identified within the agriculture and fish processing sectors
- Romanian workers have been identified within the food processing sector
- PVs from the Philippines and Sri Lanka are working on fishing vessels

**Infographic 12**  
1.11 Northern Ireland

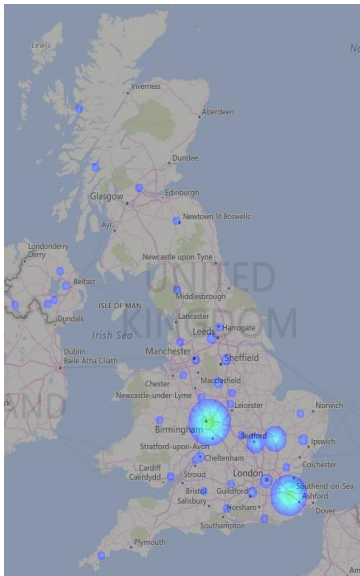


Contains Ordnance Survey data © Crown copyright and database right 2015



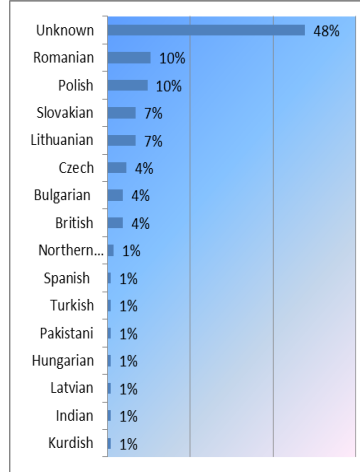
2. GLAA Intelligence Picture and Overview of Threat

Infographic 13 – Key Statistics from GLAA Intelligence

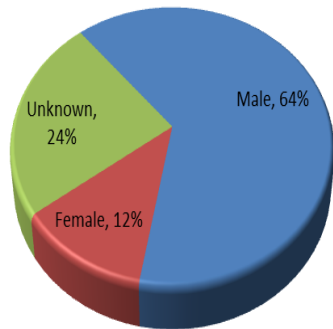
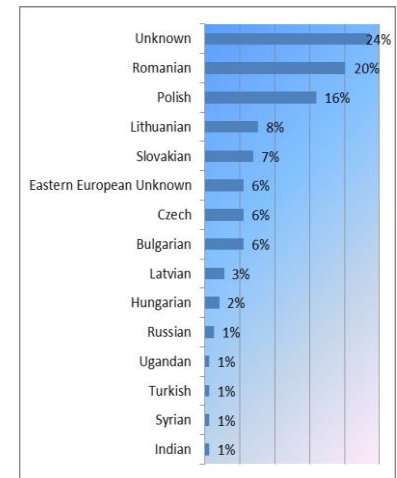


The West Midlands and Kent areas have the highest incidents of potential labour exploitation, with Bedfordshire and Cambridgeshire also featuring highly

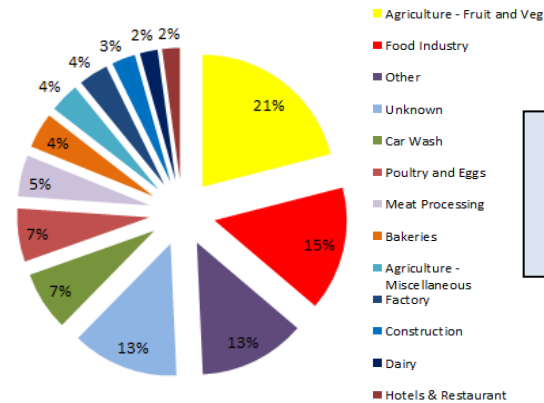
The suspect's country of origin was unknown in 48% of cases



The victim's country of origin was unknown in 24% of cases



64% of PVs were males, 12% were females and the remaining 24% were unknown



Potential labour exploitation within GLAA regulated sectors occurs most significantly in agriculture – fruit and vegetables and the food industry

## 2.1 Analysis of victims

GLAA intelligence reports, from 01 January 2014 to 01 July 2016, containing the words “slave”, “slavery”, “exploit”, “exploited” and “forced labour” were extracted from IBASE. The reports were evaluated and analysed to ascertain the GLAA intelligence picture in relation to labour exploitation across the UK.

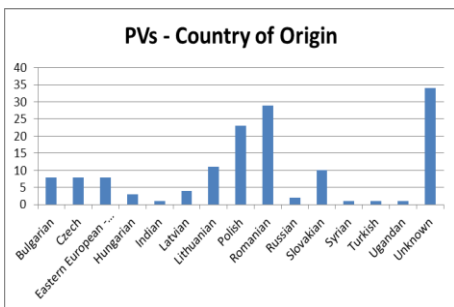


Figure 2.1a PVs: Country of Origin from IBASE

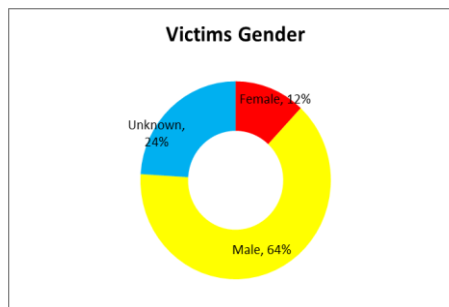


Figure 2.1b Victims: Gender from IBASE

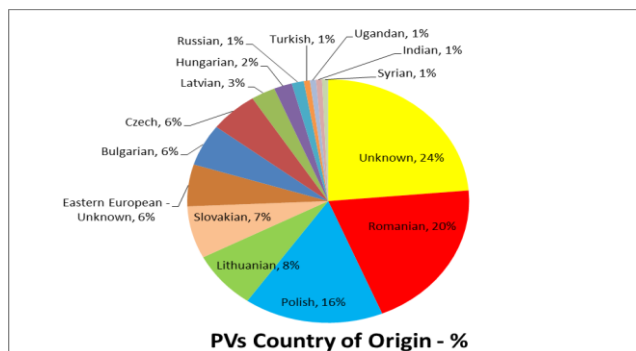


Figure 2.1c Percentages of PVs: Country of Origin of from IBASE.

- The majority of PVs of labour exploitation within the UK are male with the highest numbers originating from Eastern European countries accounting for almost 64% and 72% of intelligence reports respectively.
- Almost 36% of reports featured PVs from Romania and Poland. This is consistent with the NCA<sup>10</sup> findings that almost 82% of PVs exploited for labour in the UK are from EEA countries and therefore legally entitled to work and live in the UK.
- It is important to note that the immigration status of PVs of labour exploitation from non-EEA countries may force them to keep a lower profile therefore making them less visible and less likely to report any incidents of exploitation within the work place. This inevitably makes it extremely difficult to create an accurate picture of labour exploitation within the UK.
- The PVs nationality was unknown in almost 23% of reports, highlighting a serious intelligence requirement.

<sup>10</sup> NCA Strategic Assessment “The Nature and Scale of Human Trafficking in 2014”



## 2.2 Analysis of Suspects

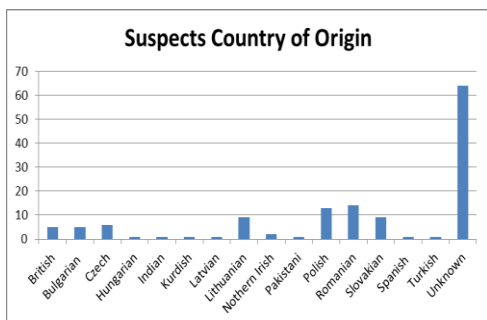


Figure 2.2a Suspect: Country of Origin from IBASE

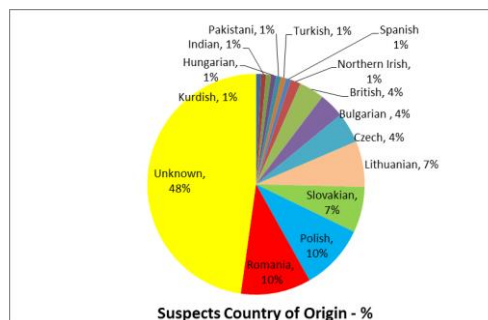


Figure 2.2b Percentages of Suspects: Country of Origin from IBASE .

- The highest numbers of suspects believed to be involved in labour exploitation within the UK originate from Eastern European countries, accounting for almost 44% of all intelligence reports.
- Romania (10%) and Poland (10%) feature highly within the reports and account for 39% of reports where the suspect’s nationality has been identified.
- It is not uncommon for people involved in the recruitment of victims to be from the same country of origin or cultural background. This level of trust allows for greater exploitation of PVs.
- The nationality of the suspects was unknown in 48% of reports, highlighting a key intelligence gap.
- A number of suspects are from the Polish Roma and Czech Republic Romany Gypsy communities.

## 2.3 Analysis of Sectors

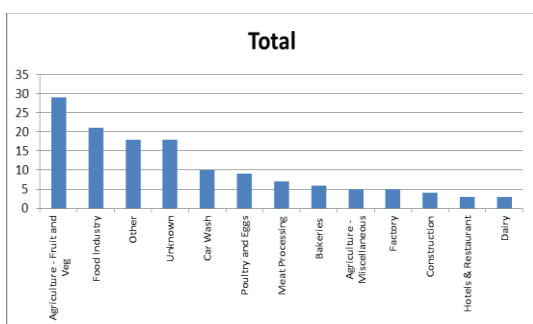


Figure 2.3a Sectors from IBASE

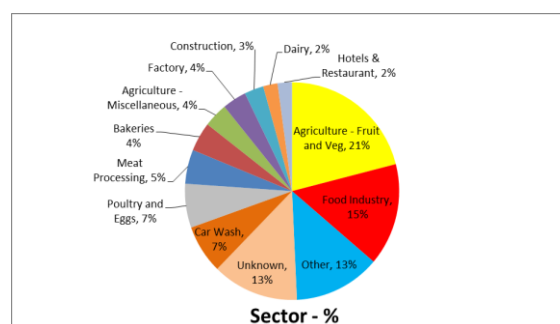


Figure 2.3b Sectors from IBASE

- Potential labour exploitation occurs in numerous sectors, most significantly in agriculture – fruit and vegetables (21%) and the food industry (15%)<sup>11</sup> as well as “other” (13%), which includes scrap metal businesses, window replacement and cleaning companies.

<sup>11</sup> Includes food processing and packaging

- It is understandable that the majority of reports received by the GLAA concerns sectors currently regulated by the Authority, however there are also a number of alleged instances of labour exploitation outwith these sectors with car washes accounting for 7% and construction and factory work 3% and 4% respectively. Suspects and PVs from Eastern European countries account for 50% and 80% respectively of all intelligence reports regarding labour exploitation within car washes with reports rising slightly in 2016 from previous years.
- Intelligence provided that a warehouse in the Midlands was engaging in exploitative practices including agency workers not being paid the National Minimum Wage (NMW) and deducting wages unfairly. Bullying tactics were also reported including punishing PVs for taking time off sick or taking too long on a bathroom break. The alleged practices were likened to that of a Victorian workhouse.<sup>12</sup>

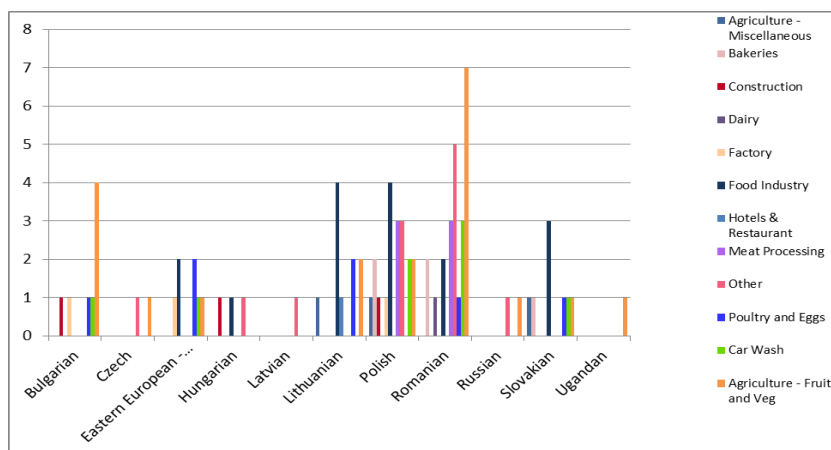


Figure 2.3c Sectors and Country of Origin from IBASE

- The highest rate of incidents of labour exploitation involving PVs originating from Bulgaria and Romania are within the agricultural-fruit and vegetable sector.
- PVs originating from Poland appear to be working in a wide range of sectors including the food industry, meat processing, bakeries, car washes and agricultural- fruit and vegetable sectors.
- The food industry also appears frequently in intelligence reports regarding labour exploitation involving PVs originating from Lithuania and Slovakia.

<sup>12</sup> <http://bbc.co.uk/news/business-37416351>

## 2.4 Location Analysis

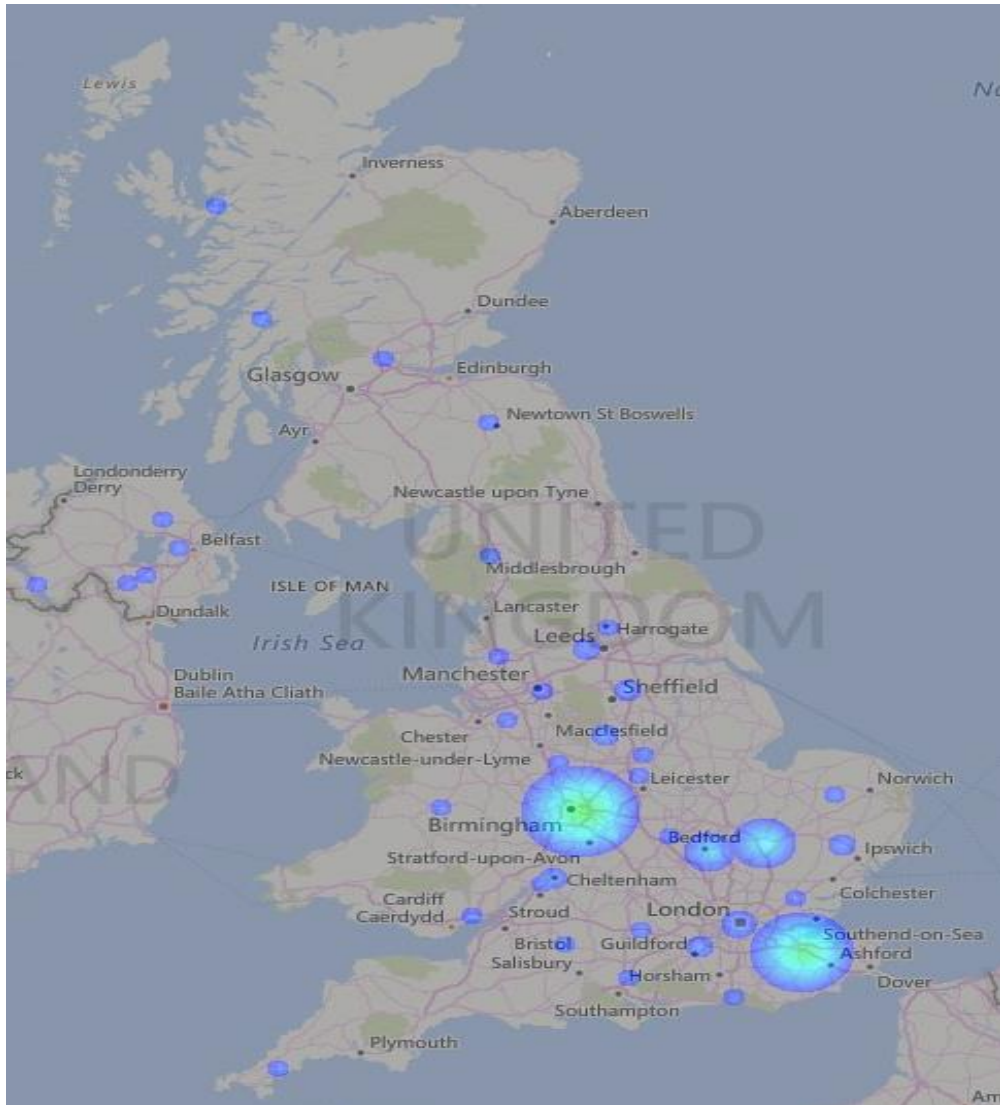


Figure 2.4a Location Analysis: data from IBASE

- The West Midlands and Kent areas have the highest incidents of potential labour exploitation, with Bedfordshire and Cambridgeshire also featuring highly.
- There is limited intelligence in relation to potential labour exploitation within Scotland, Wales and Northern Ireland accounting for 3%, 2% and 5% of the intelligence reports respectively. There is also a general lack of intelligence within the North East, North West and South West of England.

## **2.5 GLAA Intelligence Picture**

### **2.5a Recruitment**

- The use of recruitment agencies is relatively common in relation to potential labour exploitation cases, and is referred to in 48% of reports. It is however unclear in 36% of reports whether there were any links to recruitment agencies. The use of recruitment agencies is prevalent in agriculture (43%), food industry (65%), factory work (80%) and meat processing (83%).
- The current intelligence picture, in relation to the recruitment process of PVs of labour exploitation, is extremely unclear with only 28% of intelligence reports providing an insight into how PVs are being recruited either into or within the UK.
- Many PVs are recruited from within their country of origin by a number of means including via recruitment agencies, online job adverts and social media pages and groups, in particular Facebook, advertising work in the UK. Other PVs are recruited through friends and family already living and working in the UK. PVs may be being recruited from outside job centres.
- A fruit supply company, based in the South East of England, was engaged in what is believed to be an exchange programme with agricultural workers in Uganda. The workers were paying to be brought to the UK and subsequently exposed to exploitation.

### **2.5b Transport**

- There is little intelligence in relation to travel arrangements and routes of PVs travelling to the UK however GLAA intelligence suggests that PVs travel by either planes or coaches and, in some cases, are collected by recruiters when they arrive in the UK and taken to their destination. The transport arrangements and routes of PVs from non EEA countries into the UK are unclear.

### **2.5c Finance**

- PVs of labour exploitation are often recruited by nationals of the same country who offer them work, accommodation and transport to the UK. However when they arrive in the UK they often become victims of debt bondage, where they are forced into working for little or no money to repay excessive debts for travelling costs, accommodation and in some cases job finding fees.
- Intelligence provides that many PVs have their wages withheld or excessive deductions taken from their wages for accommodation and transport. In a number of cases PVs were forced to pay a job finder's fee or pay a fee for a better paid position. There are also circumstances of PVs having benefits claimed on their behalf which the recruiter/trafficker retains.
- The issue of PVs not being paid the national minimum wage (NMW) is a common theme accounting for almost 35% of intelligence reports. Contracts of employments are not always provided or are in English which many PVs cannot understand. In some cases bank cards are removed with the recruiter/trafficker taking control of their bank accounts with some PVs forced to open bank accounts for fraudulent purposes.
- Some individuals are classed as 'self-employed' meaning the employer does not have to pay tax, national insurance contributions or holiday pay. There is also unconfirmed intelligence

regarding an agency recruiting across the UK to non-GLAA sectors, charging a fee for managing a Travel and Subsistence (T&S) scheme.<sup>13</sup> The GLAA has issued guidance in relation to T&S schemes to ensure that they don't breach the GLAA's licensing standards.<sup>14</sup>

### **2.5d Accommodation, Health and Safety and Coercion**

- Many PVs are forced to live in overcrowded or poor living conditions, having to share a room with multiple people with many forced to sleep on mattresses on the floor. There have been incidences of individuals sleeping in industrial buildings, vans or caravans, in one case with no electricity or heating.
- A concerning and reemerging theme is the belief by some PVs that such poor living conditions are an improvement on their situation back home. PVs bonded by debts are also extremely vulnerable and may feel that they have no alternative other than to live in such conditions especially if they have no family or friends in the UK.
- Health and Safety issues are also a concern for many PVs, with some workers forced to work long hours over long periods with limited or no breaks. In one instance it is alleged that a company employing lorry drivers instructed the drivers not to utilise the tachograph<sup>15</sup> machines in order to hide their actual hours of activity. In some cases personal protection equipment is limited and there is a general lack of health and safety control. Unconfirmed intelligence suggests that some workers were forced to sleep in chicken sheds and were exposed to bio-security concerns.
- Many PVs are coerced into remaining in their jobs and accommodation by a number of means including debt bondage, physical violence, threats of violence, threats of losing their job or being send back home if they complain. Passports or identification documents are removed restricting movements. There are also suggestions of a manager engaging in a relationship with a female worker in exchange for promises of a better job.
- Multiple indicators are involved in labour exploitation with some PVs experiencing one or a combination of factors such as poor living conditions, financial disputes as well as facing multiple threats.<sup>16</sup> These indicators are not unique to PVs of labour exploitation within the UK and are consistent across other EU countries.<sup>17</sup>
- Workers in agriculture, horticulture, shellfish gathering and food processing and packaging remain at risk of labour exploitation within the UK. The industry very much supports the retention of the licensing scheme within the current regulated sectors as a means of protecting vulnerable workers and ensuring a level playing field across the recruitment sectors.

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<sup>13</sup> HMRC has made tax changes in April 2016 which will affect a number of schemes

<sup>14</sup> <http://www.gla.gov.uk/i-am-a/i-supply-workers/i-need-a-gla-licence/travel-and-subsistence-ts-schemes/>

<sup>15</sup> Tachographs record information about driving time, speed and distance. They're used to make sure drivers and employers follow the rules on drivers' hours.

<sup>16</sup> For a list of indicators please refer to Appendix 1

<sup>17</sup> [http://ec.europa.eu/antitrafficking/sites/antitrafficking/files/study\\_on\\_caselaw\\_on\\_trafficking\\_for\\_the\\_purpose\\_of\\_labour\\_exploitation\\_2.pdf](http://ec.europa.eu/antitrafficking/sites/antitrafficking/files/study_on_caselaw_on_trafficking_for_the_purpose_of_labour_exploitation_2.pdf)

### 3. National Referral Mechanism Analysis<sup>18</sup>

#### 3.1 NRM

- The Home Office has estimated that there are between 10,000 - 13,000 PVs of modern slavery in the UK. This is consistent with The Global Slavery Index Report (2016) which estimates that there are over 1.2million victims of modern slavery within European countries and 11,700 within the UK. It is believed that Europe remains a destination, and to a lesser degree, a source region for the exploitation of individuals in forced labour with many victims originating from Eastern European countries, including Romania, Bulgaria, Lithuania and Slovakia.<sup>19</sup>
- The National Referral Mechanism (NRM) is a framework, introduced in 2009, for identifying victims of human trafficking or modern slavery and ensuring that they receive the appropriate support. The NRM is also a mechanism through which the Modern Slavery Human Trafficking Unit (MSHTU) collects data about victims to help contribute to building a clearer picture about human trafficking and modern slavery within the UK.
- To be referred in to the NRM PVs will initially be handled by an authorised agency known as the 'first responder'<sup>20</sup> before being referred to one of the UK's two competent authorities (CA's) either the MSHTU, if the referral is made by the police, local authorities or NGO's or The Home Office Immigration and Visas, if referrals are identified as part of the immigration process.
- The Modern Slavery Act (2015) was introduced to combat slavery and human trafficking and extended the NRM to all victims of modern slavery in England and Wales whilst trying to ensure that both businesses and supply chains are free from modern slavery. Separate legislation exists in Scotland (The Human Trafficking and Exploitation (Scotland) Bill 2015) and Northern Ireland (The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015)<sup>21</sup>.
- It is important to recognise that NRM figures are not intended to represent the full scale of human trafficking in the UK and only relate to the number of PVs that have been referred in to the NRM process<sup>22</sup>, however it can help us create an overview of PVs, their country of origin and an indication of the potential level of labour exploitation within the UK.
- The Modern Slavery Act 2015 introduced a 'duty to notify' which requires specified public bodies, including the police, the NCA and local authorities, to report to the Government all potential adult victims of modern slavery encountered in England and Wales. This provides further data about the number of potential victims of modern slavery who are identified but not referred to the NRM due to the fact that adult victims are able to remain totally anonymous if they wish to.<sup>23</sup> However as this is a relatively new data referrals of potential

<sup>18</sup> Taken from a number of NCA reports

<sup>19</sup> The Global Slavery Index (2016) available at: <http://www.globalslaveryindex.org/country/united-kingdom/>

<sup>20</sup> For a full list please refer to: <https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/modern-slavery/national-referral-mechanism/#first-responders>

<sup>21</sup> Report of the Inter-Departmental Ministerial Group on Modern Slavery 2015, available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/469968/IDMG\\_Report\\_Final.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/469968/IDMG_Report_Final.pdf)

<sup>22</sup> For a comprehensive description of the NRM process please refer to <http://www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-human-trafficking-centre/national-referral-mechanism>

<sup>23</sup> 2016 Report of the Inter-Departmental Ministerial Group on Modern Slavery

victims under the 'duty to notify' provision of the Modern Slavery Act 2015 have not been included in this report.

### 3.2 NRM Referrals

Analysis was conducted on the information regarding PVs of human trafficking referred in to the NRM which was provided by the NRM Statistics – End of Year Summary 2014 and 2015.

	2014	% of Total	2015	% of Total	% change
Total referrals - UK	2340		3266		40%
Countries of origin	96		102		6.2%
Males	906	38.7%	1518	46.5%	67.5%
Females	1432	61.2%	1744	53.4%	21.7%
Transgender	2	<1%	2	<1%	0%
Adult	1669	71.3%	2284	69.9%	36.8%
Minor <sup>24</sup>	671	28.7%	982	30.1%	46.3%

Figure 3.2a: NCA National Referral Mechanism end of year summary 2014 and 2015

- The UK NRM received a total of 3266 referrals of PVs in 2015, an increase of 40% on 2014 referral totals. The PVs countries of origin also increased from 96 to 102. There was also a large increase (67%) of male referrals from 906 to 1518 however there was little change in relation to the adult and minor ratio.

Country of NRM referral	2014	2015	2014-2015 change
England	2114	2934	38.8%
Wales	70	134	91.4%
Scotland	111	145	30.6%
Northern Ireland	45	53	17.8%

Figure 3.2b: Country of NRM referral: NCA National Referral Mechanism end of year summary 2014 and 2015

- The majority of referrals continue to be for PVs first encountered in England; however Wales has witnessed a large increase in referrals (91%). Although it is not easy to quantify the reasons behind an increase in the number of potential victims identified in Wales the dedicated work of the Wales Anti-Slavery Coordinator and Leadership Group, particularly in respect of the communications and training and awareness raising provided across a range of functions within the public sector, can only have assisted in identifying potential victims. It should be noted that (all) referrals from Gwent Police reduced by 67% from 2014 to 2015.
- Recording and information sharing issues identified within Gwent police appear to have been resolved with closer liaison with the Welsh first responder organisations and The Anti-Slavery Co-coordinator for Wales. Recent evidence suggests that the process is now mainstreamed in Wales.<sup>25</sup>
- In 2014 the majority of all referrals were made by a government agency (44.2%), followed by the police (31%). This is consistent with female referrals with 49.8% and 23.9%

<sup>24</sup> 17 years or under at time of first claimed exploitation

<sup>25</sup> Heddlu Gwent Police "Human Trafficking" profile 2016

respectively. However, in contrast, the majority of male referrals were made by the police (42.2%) followed by a government agency (35.3%). This was even greater in male adult referrals with the police accounting for 68.5% and a government agency 19% of referrals. Minor referrals were comparable with all referrals with a government agency or police accounting for 41.6% and 27.1% respectively.

- The findings are fairly consistent across England; however there are variations across the rest of the UK. The greatest numbers of referrals in Scotland were made by Police Scotland with the exception of both minors and adult females where NGO's/Third Sector made the most number of referrals. In Northern Ireland police referrals accounted for 80% of all referrals, consistent across males, females and adult referrals. In relation to minors the majority of referrals were made by a local authority (75%). Referrals in Wales are widely consistent with the UK with the exception of female minors with 50% of referrals being made by NGO's/Third Sector.
- 2015<sup>26</sup> referrals in England were fairly consistent with the previous year with an increase in the percentage of minor referrals by local authorities correlating with a decrease of referrals from the police. There is a similar pattern in Northern Ireland with local authorities accounting for 53.8% of minor referrals in 2015, consistent with the previous year. There has been a shift in Scotland with most of the referrals coming from government agencies, similar to England and Wales.

### **3.3 Referring Agencies – Labour Exploitation - 2015<sup>27</sup>**

Analysis was conducted on the quantity of referrals from first responder agencies deemed to be issues of potential labour exploitation. The figures have been broken down by Government Agencies, LA, Police and NGO/Third Sector. Police referrals have been broken down further to gain a picture of the force areas within the UK mostly affected by PVs encountered and referred in to the NRM process due to labour exploitation.<sup>28</sup>

<b>Agency</b>	<b>Total Referrals</b>	<b>LE Referrals</b>	<b>% of Referrals</b>
GLA	7	7	100%
NCA	4	3	75%
Home Office	1518	475	31.3%
UKBF	110	15	13.6%
<b>Total</b>	<b>1639</b>	<b>500</b>	<b>30.50%</b>

Figure 3.3a: Referring Agencies – Labour Exploitation 2015: NCA National Referral Mechanism end of year summary 2015

- All GLA referrals into the NRM were for PVs of labour exploitation, with Romania, Slovakia, Poland, Lithuania and the Maldives documented as countries of origin. Slovakia was the country of origin for all NCA referrals for PVs of labour exploitation. The country of origin of PVs referred by UKBF varies, with India (n=3) and Albania (n=3) featuring higher than

<sup>26</sup> Data provided by NCA for referring agencies differed in 2015 therefore a full comparison, in relation to gender, is unavailable

<sup>27</sup> No comparable data for 2014

<sup>28</sup> This report is reporting on labour exploitation, for a full break down of all referrals, country of origin and types of exploitation please refer to NCA National Referral Mechanism Statistics – End of Year Summary 2015



others. As modern slavery may be raised as part of an asylum claim or other immigration concerns it is not surprising that the highest number of referrals were made by the Home Office with PVs of labour exploitation reported to be from 37 different countries of origin. The greatest amount of PVs referred in to the NRM process from the Home Office originated from Albania (n=121), Vietnam (n=105) and Sudan (n=66).

<b>All Local Authority Referrals</b>		
<b>Total Referrals</b>	<b>LE Referrals</b>	<b>% of all Referrals</b>
306	52	16.9%

Figure 3.3b: LA Referrals 2015: NCA National Referral Mechanism end of year summary 2015

- Vietnam was the country of origin for the majority of referrals by LAs (n=27, 51.9%) followed by Albania (n=8, 15.4%). PVs of labour exploitation were reported to be from 13 different countries of origin.

<b>NGO/THIRD SECTOR</b>			
	Total Referrals	LE Referrals	% of Referrals
Hope for Justice	3	2	66.7%
Medaille Trust	5	3	60.0%
Salvation Army	373	183	49.1%
Migrant Help	26	11	42.3%
New Pathways	19	8	42.1%
NSPCC	5	2	40.0%
Unseen UK	3	1	33.3%
Barnardos	35	10	28.6%
Refugee Council	15	4	26.7%
BAWSO	16	3	18.8%
Poppy	29	2	6.9%
<b>TOTAL</b>	<b>529</b>	<b>229</b>	<b>43%</b>

Figure 3.3c: NGO/Third Sector Referrals 2015: NCA National Referral Mechanism end of year summary 2015

- The Salvation Army referred 183 PVs of labour exploitation in to the NRM process in 2015, with Poland (n=76, 41.5%), India (n=17, 9.3%) and Vietnam (n=15, 8.2%) the most common countries of origin of PVs. All of the referrals for labour exploitation from Barnardos were for male minors with 50% originating from Vietnam. Vietnam was also the country of origin for all labour exploitation referrals from the Medaille Trust and the Refugee Council. The greatest number of PVs referred by New Pathways originated from Poland (n=6, 75%).

<b>BTP</b>		
Total Referrals	LE Referrals	% of Referrals
5	3	60.0%

Figure 3.3d: BTP Referrals 2015: NCA National Referral Mechanism end of year summary 2015

- PVs of labour exploitation referred in to the NRM from BTP originated from Albania, India and Vietnam.

## **POLICE**

<b>Police</b>	<b>Total referrals</b>	<b>LE Referrals</b>	<b>% of Referrals</b>
Greater Manchester	89	57	64.00%
Metropolitan	89	16	18.00%
West Midlands	84	49	58.30%
West Yorkshire	80	50	62.50%
Cambridgeshire	29	23	79.30%
Merseyside	25	19	76.00%
Northumbria	25	2	8.00%
Thames Valley	24	16	66.70%
Kent	19	6	31.60%
Essex	16	14	87.50%
Wiltshire	14	13	92.90%
Derbyshire	14	9	64.30%
Nottinghamshire	12	9	75.00%
Cleveland	11	11	100%
Devon and Cornwall	11	10	90.90%
Norfolk	10	7	70.00%
Avon and Somerset	9	2	22.20%
Hampshire	8	5	62.50%
South Yorkshire	8	4	50.00%
Bedfordshire	8	3	37.50%
Lancashire	8	3	37.50%
Surrey	7	1	14.30%
Lincolnshire	6	4	66.70%
Suffolk	6	3	50.00%
Sussex	6	2	33.30%
Durham	6	1	16.70%
Humberside	6	0	0.00%
Northamptonshire	5	2	40.00%
Hertfordshire	5	0	0.00%
Leicestershire	4	0	0.00%
Staffordshire	4	0	0.00%
North Yorkshire	3	3	100%
West Mercia	2	0	0.00%
Cheshire	1	1	100%
Warwickshire	1	0	0.00%
City of London	0	0	0.00%

Cumbria	0	0	0.00%
Dorset	0	0	0.00%
Gloucestershire	0	0	0.00%
<b>Total</b>	<b>655</b>	<b>345</b>	<b>52.67%</b>

Figure 3.3e: Police (England) Referrals 2015: NCA National Referral Mechanism end of year summary 2015

- The greatest numbers of referrals by Police forces in England were made by Greater Manchester and the Metropolitan Police. 64% (n=57) of Greater Manchester referrals were due to potential labour exploitation compared to 18% (n=16) of the Metropolitan police referrals whose highest number of referrals were for sexual exploitation (n=50, 56.2%). The majority of PVs referred by Greater Manchester originated from Slovakia (n=20) and Romanian (n=16) accounting for 63% of labour exploitation referrals. Labour exploitation accounted for 58% (n=49) of referrals by West Midlands with the highest percentage of PVs documented as originating from Poland (n=34, 69.4%).
- PVs originating from Romania accounted for the largest number of referrals (per country of origin) from a number of police forces including Merseyside, Wiltshire, Nottinghamshire, Essex, Cleveland, Devon and Cornwall, Kent and North Yorkshire. The majority of PVs referred by Thames Valley for labour exploitation originated from the UK (n=12, 75%).

<b>WALES</b>			
<b>Force</b>	<b>Total Referrals</b>	<b>LE Referrals</b>	<b>% of Referrals</b>
Dyfed-Powys	3	3	100%
Gwent	3	2	66.6%
South Wales	9	4	44.4%
North Wales	0	0	0
<b>Total</b>	<b>15</b>	<b>9</b>	<b>60%</b>

Figure 3.3f: Police (Wales) Referrals 2015: NCA National Referral Mechanism end of year summary 2015

- There were no referrals in to the NRM process from North Wales in 2015, however PVs of labour exploitation referred by South Wales originated from Vietnam (n=2, 50%). Dyfed-Powys referred PVs from Poland (n=1) and Vietnam (n=2). Both PVs referred by Gwent originated from the UK.

<b>SCOTLAND</b>			
<b>Force</b>	<b>Total Referrals</b>	<b>LE Referrals</b>	<b>% of Referrals</b>
Police Scotland	47	18	38.3%

Figure 3.3g: Police Scotland Referrals 2015: NCA National Referral Mechanism end of year summary 2015

- PVs of labour exploitation referred by Police Scotland originated from 6 different countries with the majority from Vietnam (n=12, 66.7%).

<b>NORTHERN IRELAND</b>			
<b>Force</b>	<b>Total Referrals</b>	<b>LE Referrals</b>	<b>% of Referrals</b>
PSNI	37	27	72.9%

Figure 3.3h: PSNI Referrals 2015: NCA National Referral Mechanism end of year summary 2015

- PVs of labour exploitation referred by PSNI originated from 6 different countries with the majority originating from Bulgaria (n=16, 59.2%) followed by Hungary (n=4, 14.8%) and Lithuania (n=3, 11.1%).

### 3.4. NRM – Labour Exploitation

Referrals in to the NRM for labour exploitation in both 2014 and 2015 are shown below:



Figure 3.4a: NRM All Labour Exploitation Figures 2014 and 2015: NCA National Referral Mechanism end of year summary 2014 and 2015

- Referrals in to the NRM for labour exploitation increased by 50% from 2014 (n=788) and 2015 (n=1183). The majority of the PVs of labour exploitation referred in 2014 (87.3, n=688) and 2015 (87.5%, n=1035) were PVs first encountered in England. Referrals for PVs first encountered in Scotland were 5.2% (n=41) and 4.3% (n=51), Northern Ireland 4% (n=32) and 2.6% (31) and Wales 3.4% (n=27) and 5.6% (n =66).

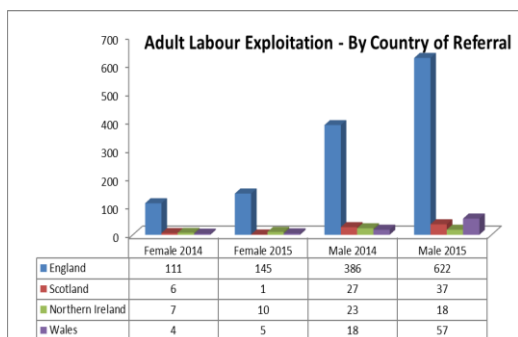


Figure 3.4b and 3.4c: NRM Adult and Minor Labour Exploitation Figures: NCA National Referral Mechanism end of year summary 2014 and 2015

- A total of 582 and 895 adults were referred in to the NRM as PVs of labour exploitation in 2014 and 2015 respectively. The majority of those adult referrals were males, accounting for 78% and 82% in 2014 and 2015 respectively. The figures reveal a 61.1% increase in males being referred into the NRM as PVs of labour exploitation. Referrals for PVs in England accounted for the majority (85.4% and 85.7%) of adult PVs entered in to the NRM for labour exploitation in 2014 and 2015 respectively.
- A total of 206 and 288 minors were referred in to the NRM as PVs of labour exploitation in 2014 and 2015 respectively. Males, as with adults, account for the majority of the referrals

increasing from 77.2% in 2014 to 92.7% in 2015 of the total number of minor labour exploitation referrals. Referrals for minor PVs in England accounted for the majority (92.7% and 93%) of PVs entered in to the NRM for labour exploitation in 2014 and 2015 respectively. Although there has been a decrease of 55.3% in female minors referred there has been a sharp increase (67.9%) of male referrals.

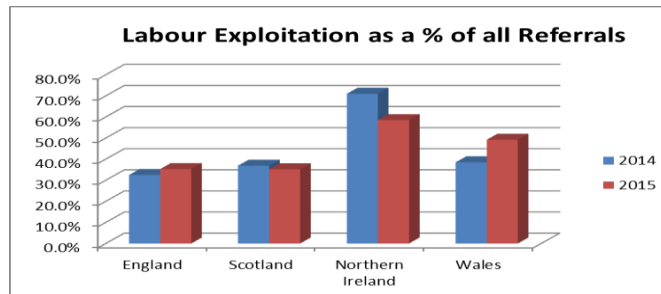


Figure 3.4d: Labour Exploitation as a % of all referrals: NCA National Referral Mechanism end of year summary 2014 and 2015

- Labour exploitation within the UK accounted for 33.6% and 36.2% of all NRM referrals in 2014 and 2015 respectively. This is consistent across the UK with the exception of Northern Ireland where labour exploitation accounted for 71.1% and 58.5% respectively. It should also be noted that referrals for PVs in Wales witnessed a slight increase from 38.6% in 2014 to 49.2% in 2015.
- Labour exploitation replaced sexual exploitation in 2015 as the most common exploitation type recorded for potential adult victims referred in to the NRM whilst remaining the most common exploitation type for minor referrals.

### 3.5 Labour Exploitation – Country of Origin 2015<sup>29</sup>

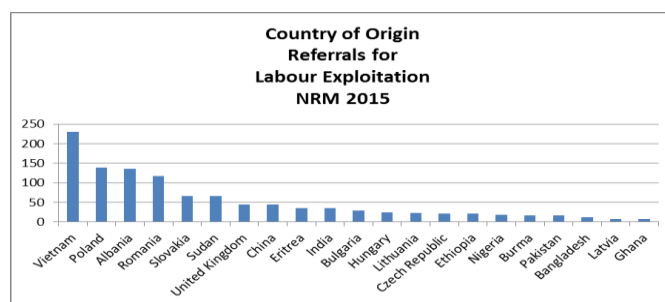


Figure 3.5a: Most Common Countries of Origin: Labour Exploitation: NCA National Referral Mechanism end of year summary 2015

- Vietnam is the most prevalent country of origin for PVs of labour exploitation accounting for 19.5% (n=231) of referrals, followed by Poland and Albania with 11.7% (n=139) and 11.5% (n=136) respectively. China and the UK were the countries of origin with 3.8% (n=45) of referrals respectively. Over 50% of PVs referred in to the NRM for labour exploitation were EEA nationals, legally allowed to reside and work in the UK.

<sup>29</sup> No comparative data available within NCA: NRM Statistics – End of Year Summary 2014

### 3.6 Labour Exploitation Referrals across the UK -2015

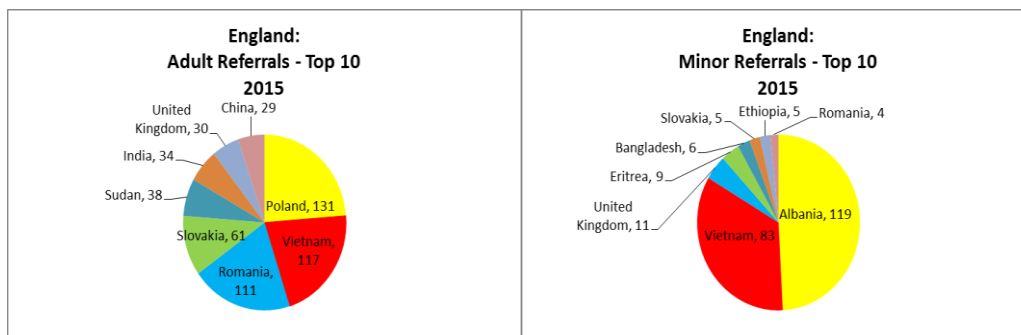


Figure 3.6a England: Adult and Minor Referrals for labour exploitation 2015: NCA National Referral Mechanism end of year summary 2015

- Poland was the most prevalent country of origin for PVs of adult labour exploitation, first encountered in England, accounting for 17.1% of referrals (n=131), followed by Vietnam and Romania accounting for 15.2% (n=117) and 14.5% (n=111) respectively.
- Albania was the most prevalent country of origin for PVs of minor labour exploitation (44.4%, n=119) followed by Vietnam (30.9%, n=83).
- The UK was the third most prevalent country of origin accounting for 4.1% (n=11) followed by Eritrea (3.3%, n=9) and Bangladesh (2.2%, n=6). PVs of labour exploitation first encountered in England were reported to be from 54 different countries of origin.

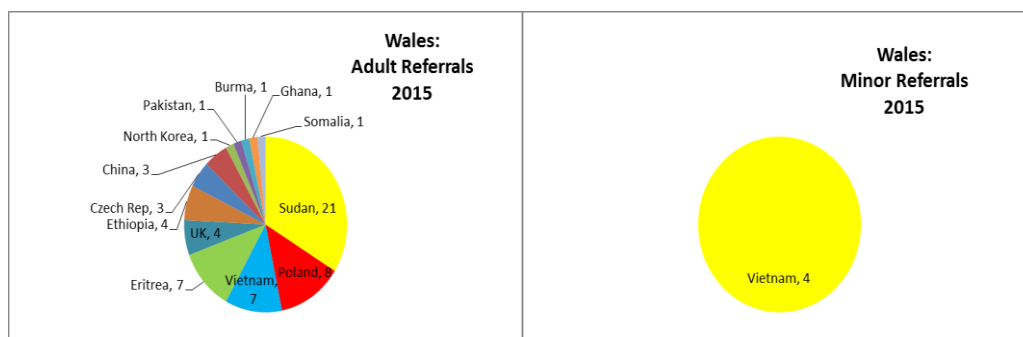


Figure 3.6b Wales: Adult and Minor Referrals for labour exploitation 2015: NCA National Referral Mechanism end of year summary 2015

- Sudan was the most prevalent country of origin for PVs of adult labour exploitation, first encountered in Wales, accounting for 33.8% of referrals (n=21), followed by Poland (12.9%, n=8). Vietnam and Eritrea both account for 11.3% (n=7).
- Vietnam was the only country of origin for all four referrals for PVs of minor labour exploitation. PVs of labour exploitation first encountered in Wales were reported to be from 13 different countries of origin.

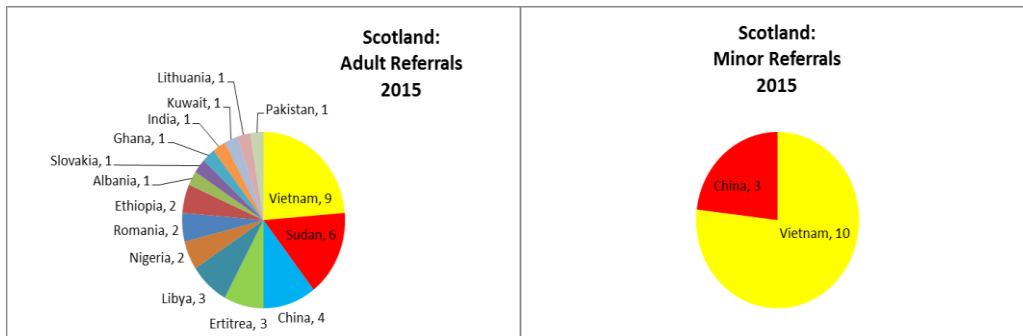


Figure 3.6c Scotland: Adult and Minor Referrals for labour exploitation 2015: NCA National Referral Mechanism end of year summary 2015

- Vietnam was the most prevalent country of origin for PVs of adult labour exploitation, first encountered in Scotland, accounting for 23.7% of referrals (n=9), followed by Sudan and China accounting for 15.8% (n=6) and 10.5% (n=4) respectively. Eritrea and Libya both account for 7.9% (N=3) of referrals.
- As with adult referrals, Vietnam is the most prevalent country of origin for PVs of minor labour exploitation, first encountered in Scotland, accounting for 76.9% (n=10) followed by China (23.1%, n=3). PVs of labour exploitation first encountered in Scotland were reported to be from 15 different countries of origin.



Figure 3.6d Northern Ireland: Adult and Minor Referrals for labour exploitation 2015: NCA National Referral Mechanism end of year summary 2015

- Bulgaria was the most prevalent country of origin for PVs of adult labour exploitation, first encountered in Northern Ireland, accounting for 57.1% of referrals (n=16), followed by Hungary, Lithuania and Uganda accounting for 14.3% (n=4), 10.7% (n=3) and 7.1% (n=2) respectively. Albania, Romania and Vietnam each account for 1% of referrals (n=1).
- China was the country of origin in 66.6% (n=2) of cases of PVs of minor labour exploitation followed by Syria (33.3, n=1). PVs of labour exploitation first encountered in Northern Ireland were reported to be from 9 different countries of origin.

## 4. Measures to Tackle Labour Exploitation and Modern Slavery: Investigations, Disruptions and Initiatives

### 4.1 Department for Business, Energy & Industrial Strategy (BEIS), "Name and Shame"

The National Minimum Wage (NMW) was introduced in 1999 to help employees most vulnerable to low pay and was introduced during a time of public concern about exploitation.<sup>30</sup> The Government is committed to tackling labour exploitation and has introduced a number of measures in an attempt to tackle exploitation in employment.

As stated earlier the Immigration Act (2016) provides the GLAA with additional investigatory powers and a wider remit to tackle serious labour exploitation effectively. It also created the post of a Director of Labour Market Enforcement, which is expected to improve the coordination of existing enforcement bodies, allow for more data sharing<sup>31</sup> and act as a single point of contact for organisations involved in tackling exploitation. The Government also introduced measures to tackle employers who weren't paying the NMW. A revised NMW naming scheme<sup>32</sup> came into effect in October 2013 making it easier to name more employers who break the law.

- Although non-compliance of the NMW or National Living Wage (NLW) may not, in isolation, constitute severe labour exploitation it can have adverse consequences on both individuals and other businesses competing with rogue employers. It may be an indicator or advance into other forms of exploitation. A recent report by The Labour Exploitation Advisory Group (LEAG) highlighted a causal link between labour abuse and labour exploitation within some UK sectors, particularly amongst the migrant communities with whom they work. They found that 'minor' labour abuses such as non-payment of the NMW when left unchecked can develop into more severe forms of exploitation.<sup>33</sup>
- According to the Department for Business, Energy & Industrial Strategy (BEIS), the nature of non-compliance with labour market regulation has shifted over the last ten years from abuses of employment regulation towards increasingly organised criminal activity engaged in labour market exploitation, infiltrating labour supply chains across a number of sectors.
- It is believed that the frequency of forced labour may be growing faster than other forms of exploitation.<sup>34</sup> It is therefore important to ensure that workers are receiving the NMW and the NLW.<sup>35</sup>

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<sup>30</sup> "National Minimum Wage Low Pay Commission Report Spring 2016":  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/519773/National\\_Minimum\\_Wage\\_Low\\_Pay\\_Commission\\_Spring\\_2016.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/519773/National_Minimum_Wage_Low_Pay_Commission_Spring_2016.pdf)

<sup>31</sup> *ibid*

<sup>32</sup> For full explanation of the scheme please refer to: <https://www.gov.uk/government/news/government-gets-tough-with-employers-failing-to-pay-minimum-wage>

<sup>33</sup> LEAG "Labour Compliance to Exploitation and the Abuses in-between",  
<http://www.labourexploitation.org/sites/default/files/publications/Labour%20Compliance%20to%20Exploitation.pdf>

<sup>34</sup> BEIS, "Tackling Exploitation in the Labour Market": <https://beisgovuk.citizenspace.com/lm/tackling-exploitation-in-the-labour-market>

<sup>35</sup> Introduced on 01/04/2016 and is payable to anyone aged 25 or over



- In August 2016 the largest ever list of employers named and shamed for failing to pay their workers the NMW was published with almost 200 employers publicly named. Since the scheme was introduced in October 2013, 687 employers have been named and shamed, with total arrears of more than £3.5 million.

### Sector Analysis:

- A diverse range of businesses have been included in the list, including chemists, employment agencies, football clubs, taxi firms, funeral directors, charities, estate agents and dental practices. However there are a number of sectors, as can be seen in Figure 5.1a below, which feature more prominently.

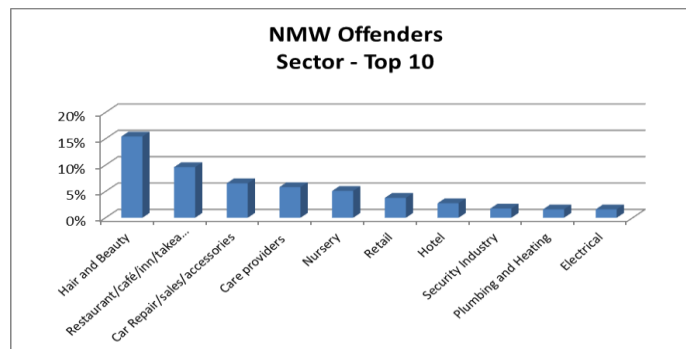


Figure 4.1a: NMW Offenders top 10 sectors

- The hair and beauty sector tops the list of businesses non-compliant with NMW, with over 100 businesses named (15%). These include both hairdressers and beauty salons. The restaurant sector also features highly (n=66, 10%) and includes restaurants, cafes, inns and take-aways. Care providers (n=40, 5.8%) and nursery providers (n=35, 5.1%) are also named regularly along with businesses involved in car repair and sales (n=45, 6.5%).
- There were a number of businesses named and shamed whilst operating a franchise, including Papa Johns, Subway, Pizza Hut and Costa Coffee; although it appears that once identified franchisees resolved any issues.

In 2013 Unison called on BEIS to name and shame councils who commission social care employers that are non-compliant on NMW as it was believed that some councils were commissioning homecare services at extremely low rates. Unison, in 2016, stated that non-compliance of the NMW was endemic across the care sectors with many homecare workers unpaid for the time they travel between home visits.<sup>36</sup> A survey by the Association of Directors of Adult Social Services (ADASS) revealed that 19% of councils in England did not know whether the homecare providers they commission pay their staff the NMW.<sup>37</sup>

<sup>36</sup> <https://www.unison.org.uk/news/press-release/2016/09/unisons-biggest-ever-homecare-legal-case-over-workers-paid-as-little-as-3-27-an-hour/>

<sup>37</sup> "Name and shame councils if care providers ignore the minimum wage": <https://www.unison.org.uk/news/article/2014/08/councils-should-be-named-and-shamed-if-care-providers-pay-less-than-minimum-wage/>

In 2014 an Audit office report suggested that as many as 220,000 homecare workers may be being paid an illegal wage.<sup>38</sup> In February 2015 NMW breaches were being investigated at around 100 social care companies which were believed to be just 'the tip of the iceberg' in the sector.<sup>39</sup>

HMRC has since carried out joint work with the Department of Health and BEIS on increasing awareness amongst care workers and employers of the NMW and are jointly working with ADASS to look at additional responsibilities on local authorities in the commissioning process<sup>40</sup> and to understand more about the causes of non-compliance.

- The European Court of Justice recently ruled that workers, who do not have a fixed office, should be paid for travelling to and from appointments.
- In March 2016, one of Britain's biggest care agencies paid out a settlement to a former employee after she sued them for refusing to reimburse her for travel time between home visits which effectively put her wages below the NMW.<sup>41</sup> Such issues still exist with 17 home care workers employed across the London Borough of Haringey, backed by Unison, taking a care company and the council to court in dispute over the widespread non-payment of the minimum wage.<sup>42</sup> It is believed that in some cases workers, all on zero-hour contracts, were earning as little as £3.85 per hour when taking into account the unpaid time spent travelling between clients home. It is also argued that live-in carers can earn even less; with many too scared to complain due to fear of having their hours reduced or be given no work at all.<sup>43</sup>
- It is estimated that up to 200,000 care workers are effectively paid below the NMW as a result of this practice, especially in rural areas where distances between patients are longer.<sup>44</sup>
- The Trade Union Congress (TUC) which represents more than 5.8 million workers in 51 unions has recently announced their commitment to improve workers conditions and has promised to deal with companies who exploit their workers.<sup>45</sup> In recent years the TUC have campaigned for improved employment rights for agency and zero hour contract workers and for more effective enforcement of basic rights like the NMW and priority being given to the need to tackle labour exploitation.<sup>46</sup>

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<sup>38</sup> <https://www.unison.org.uk/news/press-release/2016/09/unisons-biggest-ever-homecare-legal-case-over-workers-paid-as-little-as-3-27-an-hour/>

<sup>39</sup> <http://www.communitycare.co.uk/2015/02/24/suspected-minimum-wage-breaches-100-care-firms-tip-iceberg-says-minister/>

<sup>40</sup> BEIS: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/471048/BIS-15-549-tackling-exploitation-in-the-labour-market.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/471048/BIS-15-549-tackling-exploitation-in-the-labour-market.pdf)

<sup>41</sup> <http://www.independent.co.uk/life-style/health-and-families/carers-mihomecare-settlement-minimum-wage-care-worker-landmark-legal-case-a6936406.html>

<sup>42</sup> <https://www.unison.org.uk/news/press-release/2016/07/unison-urges-government-to-end-national-scandal-over-homecare-minimum-wage-cheats/> Sep 2016

<sup>43</sup> <https://www.unison.org.uk/news/press-release/2016/09/unisons-biggest-ever-homecare-legal-case-over-workers-paid-as-little-as-3-27-an-hour/>

<sup>44</sup> <http://www.telegraph.co.uk/news/health/elder/11397693/Care-homes-investigated-for-exploiting-underpaid-staff.html>

<sup>45</sup> [http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKewjJ7aboypHPAHVpCcAKHQ3NC1UQFggrMAA&url=http%3A%2F%2Fwww.bbc.co.uk%2Fnews%2Fbusiness-37335557&usq=AFQjCNHNvpTPzAB\\_Q\\_V1HvYXMOXdPK9o0Q](http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKewjJ7aboypHPAHVpCcAKHQ3NC1UQFggrMAA&url=http%3A%2F%2Fwww.bbc.co.uk%2Fnews%2Fbusiness-37335557&usq=AFQjCNHNvpTPzAB_Q_V1HvYXMOXdPK9o0Q)

<sup>46</sup> <https://www.tuc.org.uk/workplace-issues/employment-rights/vulnerable-workers/proposed-changes-law/tackling-exploitation>

**Geographic Analysis:**

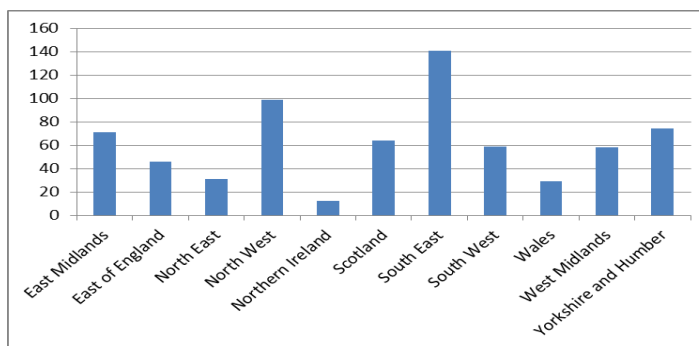


Figure 4.1b NMW Offenders by Region

- Businesses located, or registered, in London accounted for 10% of named companies (n=69) with the restaurant, hair and beauty and care provider sectors featuring highly, however retail also accounted for a number of offences. There has been 64 (9.3%) companies named and shamed in Scotland, with hair and beauty accounting for 31% (n= 20). Other sectors included were restaurants, care providers and hotels.
- The picture is similar across most parts of the UK; however there does not appear to be any specific sector engaging in non-compliance across Northern Ireland, with 12 companies from different sectors named. In Wales, hair and beauty featured highly however petrol filling stations and electrical companies also featured. Reports of non-compliance within the retail sector occurred mainly in London, Greater Manchester and South Yorkshire.

Region	Top 5 Sectors	Region	Top 5 Sectors
<b>North East</b>	Car Repair/sales/accessories Restaurant/café/inn/takeaway Hair and Beauty Care providers Security Industry	<b>South East</b>	Hair and Beauty Restaurant/café/inn/takeaway Nursery Car Repair/sales/accessories Retail
<b>North West</b>	Hair and Beauty Nursery Restaurant/café/inn/takeaway Car Repair/sales/accessories Retail	<b>South West</b>	Restaurant/café/inn/takeaway Care Providers Hair and Beauty Car Repair/sales/accessories Hotel
<b>Yorkshire and Humber</b>	Hair and Beauty Car Repair/sales/accessories Restaurant/café/inn/takeaway Retail Care providers	<b>Wales</b>	Hair and Beauty Car Repair/sales/accessories Electrical Petrol Filling Station Charity
<b>East Midlands</b>	Restaurant/café/inn/takeaway Hair and Beauty Care providers Nursery Retail	<b>Scotland</b>	Hair and Beauty Restaurant/café/inn/takeaway Care Providers Hotel Nursery
<b>West Midlands</b>	Care providers Hair and Beauty Nursery Restaurant/café/inn/takeaway Retail	<b>Northern Ireland</b>	Nursery Supermarket Repair Firm Builders Insurance
<b>East of England</b>	Hair and Beauty Car Repair/sales/accessories Restaurant/café/inn/takeaway Care providers Nursery		

Figure 4.1c Top 5 Sectors by Region

#### **4.2 BEIS – Employment Agency Standards Inspectorate (EAS)**

EAS, part of BEIS, has two key strategic drivers:

- Ensuring effective enforcement and compliance of the law
- Delivering efficient customer service.

EAS work with recruitment agencies, employers and workers to ensure compliance with employment rights, particularly for vulnerable workers, and to ensure that everyone who uses the services of a private recruitment agency to find work is treated fairly and within the law. EAS has been successful in a number of prosecutions.

- In January 2015 a limited company who failed to pay a temporary worker's wages was successfully prosecuted.
- In January 2015 an individual who ran an employment business who failed to pay wages totalling £10,000.00 eventually pled guilty to charges against him and was ordered to pay compensation and outstanding wages to the workers and was conditionally discharged for a period of two years.
- Over the course of 2015/16, EAS recovered around £83,000.00 as a result of their interventions in securing compliance during their investigations. Most of this was related to non-payment of wages or money owed to temporary workers, or where job finding fees were being charged to work-seekers. Since April 2008, EAS Inspectors have recovered around £1.25 million.<sup>47</sup>

#### **4.3 Health and Safety**

The Health and Safety at Work Act 1974 is the main piece of UK health and safety legislation, placing a duty on all employers "to ensure so far as is reasonably practicable, the health, safety and welfare at work" of all their employees. The Health and Safety Executive (HSE) is the UK Government body responsible for enforcing health and safety at work legislation. HSE also plays a major role in producing advice on health and safety issues, and guidance on relevant legislation.<sup>48</sup> Enforcement responsibility is shared between HSE and local authorities depending on the business sector.<sup>49</sup>

- Latest estimates show that annually over 600,000 workers sustain an injury at work and over 1.2 million workers suffer an illness that they believe to be work-related. However, these illness and injury cases are not shared equally across industry, with work-related injury and ill health being more likely in some industries than others.<sup>50</sup>

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<sup>47</sup> EAS Annual Report 2015-2016

<sup>48</sup> <http://www.healthyworkinglives.com/advice/Legislation-and-policy/Workplace-Health-and-Safety/health-safety-legislation>

<sup>49</sup> For a definitive list of responsibilities please refer to: <http://www.hse.gov.uk/foi/internalops/og/og-00073-appendix1.htm#beautyparlours>

<sup>50</sup> <http://www.hse.gov.uk/statistics/industry/index.htm>

- Every year in the agriculture, forestry and fishing sectors around 4% of workers sustain a work-related injury, which is more than double that seen in workers across all occupations.
- GLAA intelligence indicates that there are cases where personal protection equipment is limited and some employees have a general lack of health and safety controls. Although employers who neglect health and safety may not necessarily engage in any form of exploitation; there is always the possibility that it may be an indicator. Although it should be noted that employers may also ensure that they are compliant with all aspects of health and safety to detract from any unwanted attention.

The table below documents a small selection of relevant sectors and the associated enforcement agency.<sup>51</sup>

SECTOR	ENFORCEMENT AUTHORITY
Agricultural activities	HSE
Beauty Parlours : Nail Bars	LA
Cafes/restaurants	LA
Car wash/valet services (main activity)	HSE
Care home with nursing (Nursing Home)	HSE
Care home without nursing (Residential Care homes or centres)	LA
Construction	HSE/LA
Dairy farms	HSE
Factories	HSE

Figure 4.3a: Selection of sectors and associated enforcement agency

#### **4.4 Stronger Together**

Stronger Together is a business led multi-stakeholder collaborative initiative whose purpose is to support organisations to reduce modern slavery, particularly hidden forced labour, labour trafficking and other third party exploitation of workers, within their businesses and supply chains.<sup>52</sup> Stronger Together provides guidance, resources and a network for employers, labour providers, workers and their representatives to work together to reduce exploitation. Free resources, such as an acclaimed video subtitled in a number of languages, good practice toolkits and a wide range of resources including multi-language workplace posters, worker leaflets and template policies, are available.<sup>53</sup> The tool-kits, workshops and training provided help businesses comply with the Modern Slavery Act

<sup>51</sup> For the comprehensive list please refer to: <http://www.hse.gov.uk/foi/internalops/og/og-00073-appendix1.htm#beautyparlours>

<sup>52</sup> [www.stronger2gether.org](http://www.stronger2gether.org)

<sup>53</sup> *ibid*

requirements.<sup>54</sup> Stronger Together was formed in response to the increase in the number of victims being trafficked in to the UK for labour exploitation as identified by the NRM statistics.

The Association of Labour Providers (ALP) is a trade association supporting and representing businesses that supply seasonal, agency and contingent labour into the UK food production, horticultural and agricultural sectors with around 300 businesses voluntarily choosing to be members of the Association on payment of an annual subscription and commitment to abide by the Membership Regulations. ALP member organisations supply between approximately 60-70% of the temporary workers into the sectors regulated by the GLAA.<sup>55</sup>

Almost 500 managers from 300 business sites attended workshops within the first year of the Stronger Together programme, pledging to spread the anti-slavery message to an estimated ¼ million workers. This has been replicated in its second year. Businesses who publicly demonstrate their commitment to tackle forced labour and human trafficking by providing evidence of the actions that they have implemented to deter, detect and deal with forms of slavery will be able to use the Stronger Together Business Partner logo in their business materials.<sup>56</sup>

ALP members operating in the GLAA regulated sector are required to be licensed by the GLAA, and a recent survey found that the majority of the members are in favour of licensing and perceive that the GLAA are doing a good job believing that it has improved the condition of its workers.<sup>57</sup>

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<sup>54</sup> Sec 54 makes it a requirement for businesses with an annual turnover of over £36 million in the UK to publicly disclose the steps it takes, if any, to ensure slavery and human trafficking are not taking place in any part of its business or supply chains.

<sup>55</sup> Association of Labour Providers: Tackling exploitation in the labour market consultation response form 2015

<sup>56</sup> [www.stronger2gether/business-invited-to-publicly-declare-commitment-to-tackling-slavery](http://www.stronger2gether/business-invited-to-publicly-declare-commitment-to-tackling-slavery)

<sup>57</sup> Association of Labour Providers: Tackling exploitation in the labour market consultation response form 2015

## 5. Charities and NGOs

Numerous charities and NGOs play a pivotal role in ensuring that victims of modern slavery receive the support and help that they require. Many provide resources to support PVs helping them gain access to services and information including reception centres, accommodation, emergency provisions, counselling services and helplines. A number are detailed below<sup>58</sup>.

Name	Information
Anti-Trafficking and Labour Exploitation Unit (ATLEU)	This is a new charity providing legal representation to victims of trafficking and labour exploitation trying to help victims obtain safety, recovery and redress.
Barnardos	Barnardo’s transforms the lives of the most vulnerable children across the UK through the work of their services, campaigning and research expertise. The Chief Executive announced in August 2016 that more than 200 trafficked children and young people have been supported through their specialist services in the last year. <sup>59</sup>
British Red Cross	The British Red Cross provide emergency provisions such as food, clothes and blankets and help exploited people look for family members they have been separated from.
Focus on Labour Exploitation (FLEX)	A charity that works to end human trafficking for labour exploitation and works to prevent labour abuses, protect the rights of trafficked persons and promote best practice responses to human trafficking for labour exploitation by undertaking research, advocacy and by building awareness in this field.
Homeless Link	A national membership charity for organisations working directly with people who become homeless in England. They provide guidance for frontline homelessness services making them aware of the risks to their clients, spotting the signs, reporting suspicion and protecting PVs from forced labour.
Hope for Justice	As a non-governmental organisation (NGO) Hope for Justice gathers intelligence and assists in the process of removing victims from exploitation within the UK. Their team of specialists provide training for front-line professionals, identification and rescue of victims and advocacy and restoration to help victims.
Medaille Trust	The Trust has been a significant provider of support and safe house provision for the victims of human trafficking since 2006. They provide safe housing and offer opportunities for physical and psychological healing, rehabilitation and protection to the victims in their care.
Migrant Help	Migrant Help is the UK’s only NGO supporting adult victims of human trafficking in England, Scotland, Wales and Northern Ireland <sup>60</sup> which has given them a unique insight into human trafficking and modern slavery on a national scale and enabled the development of best practice victim support and care. Migrant Help is currently delivering bespoke modern slavery and human trafficking training sessions to local authorities in England.
NSPCC	A national modern slavery helpline was launched in 2014 and was supported by the NSPCC offering information and advice to both child and adult victims of slavery, who would be referred to organisations from whom they can receive appropriate advice and care. This has since been taken over by Unseen UK.

<sup>58</sup> Not a definitive list: for anti-slavery charities and NGOs provided by the College of Policing please refer to: <https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/modern-slavery/list-of-anti-slavery-charities-and-non-governmental-organisations/#eaves-poppy-project>

<sup>59</sup> [https://www.barnardos.org.uk/news/Hundreds-of-children-in-the-UK-are-still-forced-into-modern-slavery/press\\_releases.htm?ref=117992](https://www.barnardos.org.uk/news/Hundreds-of-children-in-the-UK-are-still-forced-into-modern-slavery/press_releases.htm?ref=117992)

<sup>60</sup>The charity is the lead contractor for victim support in Scotland and Northern Ireland and continues to be one of the leading sub-contractors to The Salvation Army in England and Wales

Stop the Traffik	A global movement of activists from all sectors of society who look to disrupt and prevent human trafficking, its harm and abuse to human beings. Stop the Traffik has introduced the STOP APP, the first of its kind in combining community empowerment, big data management and anti-trafficking expertise to disrupt, combat and prevent this global issue.
The Salvation Army	The Salvation Army is a church and charity that works with people with a wide range of needs across the UK and was recently appointed to retain the Governments Victim Care Contract to manage the support of all adult victims of modern slavery in England and Wales. It delivers support to victims through a network of agencies ensuring assessment, safe transport, accommodation and health and social services.
Unseen UK	Unseen UK is the NGO selected to operate the UK's Modern Slavery Helpline and Resource Centre, and will work with Polaris <sup>61</sup> over the next year to prepare to handle calls about cases of modern slavery within the UK. Launched in October 2016, victims and survivors of modern slavery will now be able to contact the Centre to learn about their options and be connected to support services. The enhanced helpline will gather information about all types of modern slavery and human trafficking of both UK and foreign nationals. Additionally, it will collect data about how and where modern slavery is happening to identify trends and better understand the scale and nature of the crime. <sup>[4]</sup>

### Salvation Army

- The Salvation Army was recently appointed to retain the Governments Victim Care Contract to manage the support of all adult victims of modern slavery in England and Wales. This contract superseded a similar contract which The Salvation Army had been managing since July 2011. The Salvation Army has supported more than nearly 4,500 victims of trafficking and modern slavery between July 2011 and March 2016.<sup>62</sup>
- The Victim Care Contract can provide transport to a place of safety, accommodation in safe houses, where required, and a full range of specialist services to meet the needs of each individual.<sup>63</sup> The Salvation Army sub-contracts accommodation and support services for adult victims of modern slavery to 11 partner organisations through a network of safe houses in 19 geographical locations across England and Wales. This includes The Salvation Army's own safe house in England.<sup>64</sup>
- The Salvation Army's "Fourth Year Report on The Salvation Army's Adult Human Trafficking and Modern Slavery Victim Care & Coordination Contract"<sup>65</sup> provides an overview of what the service has delivered in its fourth year,<sup>66</sup> including the number and profile of clients who engaged with the service. There was a 23% increase in the number of people supported between Year 3 and 4 and three-fold rise on the numbers supported in Year 1, which could either be attributed to more victims or improvements in training and increased awareness of modern slavery issues.<sup>67</sup> 42% of its referrals were due to labour exploitation.

<sup>61</sup> Polaris is a global anti-human trafficking organisation based in Washington, DC that operates the National Human Trafficking Resource Center (NHTRC) hotline for the United States.

<sup>62</sup> Salvation Army: Bulletin on The Salvation Army's Adult Human Trafficking and Modern Slavery Victim Care & Coordination Contract

<sup>63</sup> Ibid

<sup>64</sup> Fourth Year Report on The Salvation Army's Adult Human Trafficking and Modern Slavery Victim Care & Coordination Contract 2015

<sup>65</sup> Please note that the reporting period is between July 2011 and June 2015 and the figures will therefore differ from the data provided in the Salvation Army: Bulletin on The Salvation Army's Adult Human Trafficking and Modern Slavery Victim Care & Coordination Contract which covers the period up to March 2016

<sup>66</sup> Year 4 of operating the government contract to support potential adult victims of human trafficking and modern slavery in England and Wales.

<sup>67</sup> <http://www.bbc.co.uk/news/uk-england-37097739>



- The service has supported clients from 93 different countries with the highest number of males and females, in Year 4, originating from Poland and Albania respectively with 30% of clients referred by the police.

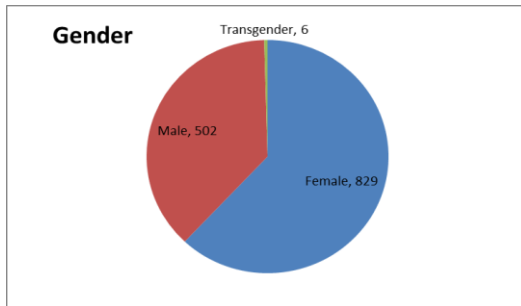


Figure 5.1a: Age of victims referred

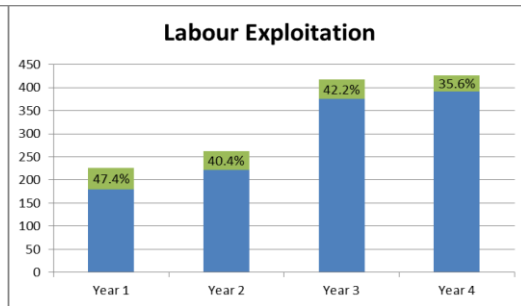


Figure 5.1b: Labour exploitation for clients supported by the service and percentage of victims entering the service.

- There has been a steady increase in clients supported by the Salvation Army and its sub-contractors due to labour exploitation, although it has reduced as a percentage of all victims entering the service.
- There has been a continuing increase in the number of British victims supported by the Salvation Army with 62% accounting for cases of labour exploitation.

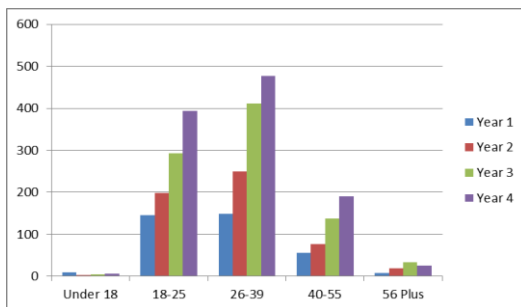


Figure 5.1c: Salvation Army: Age at date of referral

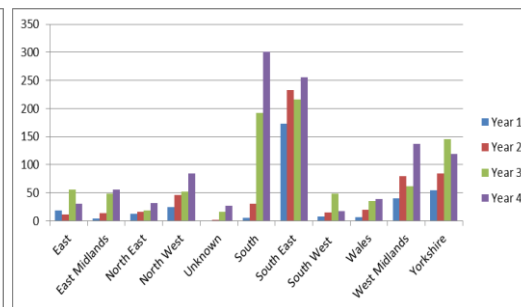


Figure 5.1d: Salvation Army: Regions from which clients supported by service were referred

- Most referrals continue to come from the South and South East of England with Yorkshire remaining a source of referrals albeit with a slight reduction in Year 4. The West Midlands has witnessed an increase in referrals in Year 4 accounting for the third highest region for referrals. The Salvation Army assisted in supporting victims rescued from a high number of police operations in the West Midlands in 2014/15.<sup>68</sup>
- According to a more recent report<sup>69</sup> 1,331 people entered the care of the Salvation Army between April 2015 and March 2016 and a total of 1,800 victims of modern slavery received support. This contrasts sharply with the 378 PVs in its first year of operating the Government contract to support potential adult victims of human trafficking and modern slavery in England and Wales.

<sup>68</sup> Salvation Army: Bulletin on The Salvation Army's Adult Human Trafficking and Modern Slavery Victim Care & Coordination Contract 2016

<sup>69</sup> *ibid*

Nationality	Female	Male	Total
Albanian	266	3	269
Polish	17	131	148
Nigerian	124	12	136
Vietnamese	57	48	105
Romanian	28	74	102
Slovak	13	26	39
British	8	26	34
Sudanese	0	33	33
Eritrean	21	11	32
Chinese	16	12	28
Lithuanian	14	14	28
<b>Total</b>	<b>564</b>	<b>390</b>	<b>954</b>

Figure 5.1e: Salvation Army: Nationality of PVs

- Albanian remains the nationality from which the highest number of victims is referred. Large numbers of people are also trafficked for exploitation from Poland, Nigeria and Vietnam as well as a significant proportion of British citizens who have been trafficked within the UK.<sup>70</sup>
- There has been an increase in the number of prosecutions since the introduction of the Modern Slavery Act and while people used to think trafficking was primarily about sexual exploitation, there is now a greater awareness of other forms of slavery such as labour exploitation.
- People have been exploited in the construction industry, agriculture, fisheries and now they are seeing it occurring in small businesses such as car washes and nail bars.<sup>71</sup>

### **ATLEU**

ATLEU is a charitable legal organisation established in November 2012 and aims to provide a nationally focused and dedicated service to victims of trafficking using strategic litigation and campaigning to develop the law to protect victims and helps victims to access justice and recover from physical and psychological injury. They deliver comprehensive legal representation across employment, immigration, asylum, housing and community care law to 75 victims annually and assist victims to challenge unlawful refusals of funding by the Legal Aid Agency to secure access to justice. They have acted in many of the most significant strategic cases for victims. The clients that ATLEU assist are generally trafficked for the purposes of sexual or labour exploitation.

<sup>70</sup> Salvation Army: Bulletin on The Salvation Army's Adult Human Trafficking and Modern Slavery Victim Care & Coordination Contract 2016

<sup>71</sup> <https://www.cips.org/supply-management/news/2016/august/five-fold-increase-in-modern-slavery-victims-says-salvation-army/>

**Other Charities**

Charity/NGO	Contact	Information
NSPCC	384 people contacted the NSPCC helpline for some kind of advice or help in 2015 in relation to Modern Slavery. 23.7% of the referrals were in relation to labour exploitation.	The majority of contacts originated from Europe.
Hope for Justice	256 people contacted Hope for Justice for some kind of advice or help in 2015. 53% of contacts were in relation to labour exploitation. 121 people were referred in to the NRM.	The majority of contacts were between 35-44 years old and originated from Poland.
Migrant Help	In 2015 Migrant Help had 303 referrals into their service in England and submitting NRMs for 36 clients. It has not been possible to break this down to types of exploitation.	The majority of contacts originated from Albania followed by Vietnam, China, Nigeria and Romania.

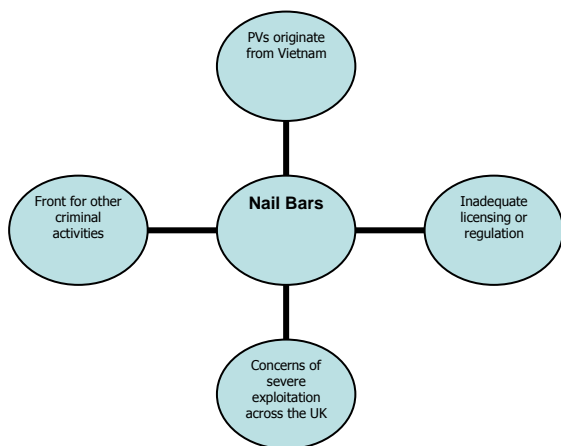
**6. Emerging Trends and Areas of Concern**

Although sectors at risk from labour exploitation currently within the GLAA remit, such as agriculture, horticulture, shellfish gathering and the food processing and packaging industry remain a threat the following analysis has been conducted on sectors deemed to be at risk from labour exploitation which are not within the GLAA licensing remit. This will allow for a greater understanding of emerging threats and inform future decision making on the risks, probability and requirements for future action.

**Emerging Trends**

**6.1 Nail Bars**

Nail bars are a rapidly growing business with an estimated 55,000<sup>72</sup> in the UK alone and feature frequently in reports about human trafficking and labour exploitation. The Association of Nail Technicians (ANT), a Non-Profit Organisation, is a UK body representing the nail care industry. Concerns recently expressed by ANT include workers exposure to chemicals, inadequate personal



protective equipment and poor ventilation leading to health issues in workers engaged in the sector. ANT operate a public register for members however membership is voluntary. Licensing arrangements for nail bars are also inconsistent among local authorities and 'mobile' businesses are exempt from licensing in any case. Therefore there are concerns that the industry is largely unregulated or at least inconsistently regulated. The vagaries of

current arrangements has led to an influx of shops opening with untrained or under-trained

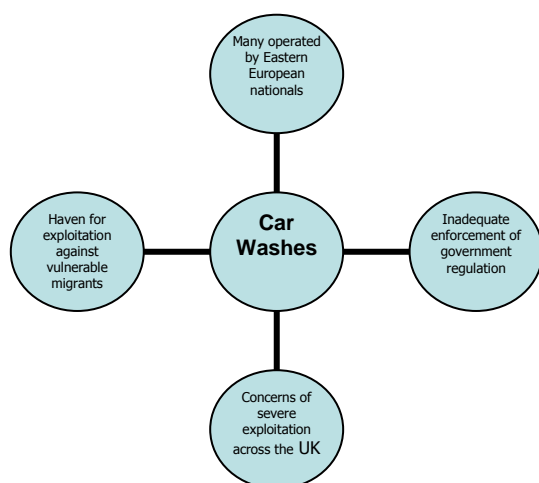
<sup>72</sup> 55k retail places offering nail services of some kind on ANT database, including hairdresser/nail salons, tanning/nail salons, hotel/nail salons, Café/nail salons but does not include mobile nail technicians

members of staff, with many outside of London employing immigrants. Intelligence suggests that the treatment of staff at some premises is poor, with staff working long hours on low wages and in poor conditions. ANT, for example has received reports of workers living in small flats above shops who are not allowed to leave the premises and receive little or no wages.

Although it is difficult to assess the numbers of PVs working in nail bars across the UK a 2013 Sunday Times report estimated that 100,000 Vietnamese nationals were working in around 20,000 salons in the UK, of which 71,000<sup>73</sup> were illegal.<sup>74</sup> The report also highlighted that workers were paying up to £20,000 to be smuggled into Britain and then forced to work for gangmasters to repay the debt. Although the report received some criticism regarding the accuracy and validity of their findings ANTs most recent estimated figures seem to endorse the report. Evidence suggests that there are 55,000 retail places offering nail services in the UK<sup>75</sup> with 20,000 employing Vietnamese nationals accounting for approximately 100,000 Vietnamese workers. The nail industry has allegedly become the fastest growing UK Vietnamese business sector, accounting for over half of all Vietnamese businesses in London. There are continued concerns that PVs are being trafficked in to the UK and exploited within nail bars across the country.

## 6.2 Car Washes<sup>76</sup>

Labour exploitation within car washes in the UK is believed to be widespread featuring in 44.4% of force reports.<sup>77</sup> Intelligence suggests that they have become a haven for foreign migrants vulnerable to different forms of exploitation. The Car Wash Advisory Service (CWAS)<sup>78</sup> was originally formed in 2007 to promote best practice within the car wash industry. They encourage



its registered sites to act fairly and responsibly, be compliant with best business practices and operate their businesses legally and responsibly, only employ workers who are entitled to work in the UK who are paid a fair wage, as well as adhering to local planning regulations and dispose of their waste in an environmentally sensitive manner.<sup>79</sup>

There are believed to be 24,000 car washes in the UK of which 4,000 are mechanical. It is estimated that there are 19,000 unregulated

hand car wash sites that fail to meet any of the basic requirements under UK law, both environmental and commercial. Many of these unregulated sites are suspected of being used for

<sup>73</sup> The Office of National Statistics documents that 29,000 people born in Vietnam are resident in the UK according to ANT

<sup>74</sup> The Association of Nail Technicians

<sup>75</sup> Taken from ANT database

<sup>76</sup> Environmental laws and EPA guidelines are jointly produced by the Environment Agency for England and Wales, the Scottish Environment Protection Agency, and the Environment and Heritage Service for Northern Ireland. See <https://www.sepa.org.uk/media/60164/ppg-13-vehicle-washing-and-cleaning.pdf>

<sup>77</sup> Of the reports available

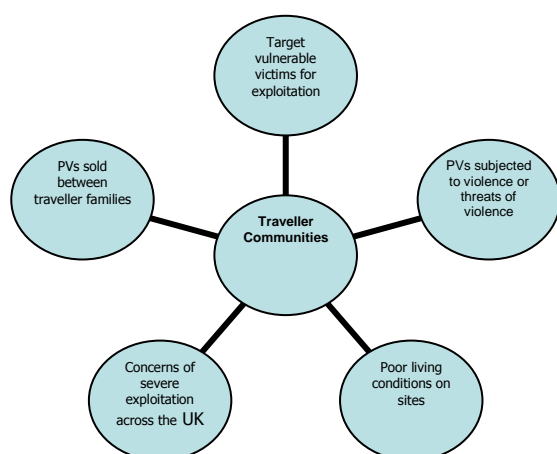
<sup>78</sup> previously known as the Car Wash Association

<sup>79</sup> [http://www.carwashadvisoryservice.co.uk/joining\\_the\\_cwas.php](http://www.carwashadvisoryservice.co.uk/joining_the_cwas.php)

people trafficking and/or staff exploitation. Intelligence suggests that a significant number of hand car washes employ newly arrived immigrants, in some cases taking advantage of vulnerable people. The majority of car washes in the South of England are believed to be operated by Eastern European nationals and in contrast information suggests that the North of England employs mainly non-EU nationals.<sup>80</sup> In Scotland there are 1,000 consented vehicle washes although it is estimated that there are thousands of other sites that have not received consent.<sup>81</sup> The absence of any meaningful regulation or enforcement in this area means that the car wash sector is particularly vulnerable to serious exploitation and is an issue nationwide.

### 6.3 Traveller Communities

Intelligence suggests that a pattern is emerging across the UK with members of the traveller community targeting vulnerable males for the purpose of labour exploitation. It is believed that PVs may be contacted via homeless shelters, soup kitchens and similar locations. PVs tend to have drug or alcohol dependency, mental health or learning disabilities and are easily exploited with the



promise of regular work, good pay and safe accommodation. A common scenario however is that PVs are subjected to poor living conditions, often substandard caravans on traveller sites with their exploiters. They are often paid little money for working long hours and many are subjected to violence or threats of violence and abused if they try to leave. There are also cases of PVs being sold amongst other traveller families and moved around the country. This coupled with the

traveller's close connections across the UK make it extremely difficult to identify both the level of offending and the amount of PVs being exploited. PVs are believed to be both British and Eastern European with many working for their recruiters businesses, such as laying driveways, paving maintenance and door to door canvassing for work. In some cases they are not allowed to leave the site unaccompanied. Although unclear in a number of cases offenders appear to be members of the Irish, UK or Roma traveller communities.

In recent years, block paving and tarmacking work carried out by victims of exploiters linked to the traveller community has been shown to be the most prevalent subtype of labour according to NRM figures.<sup>82</sup> NRM figures, in 2014, show that 15% of PVs were recorded as being exploited by

<sup>80</sup> [http://www.carwashadvisoryservice.co.uk/joining\\_the\\_cwas\\_php](http://www.carwashadvisoryservice.co.uk/joining_the_cwas_php)

<sup>81</sup> May include rollover car washes, jet washes and hand car washes

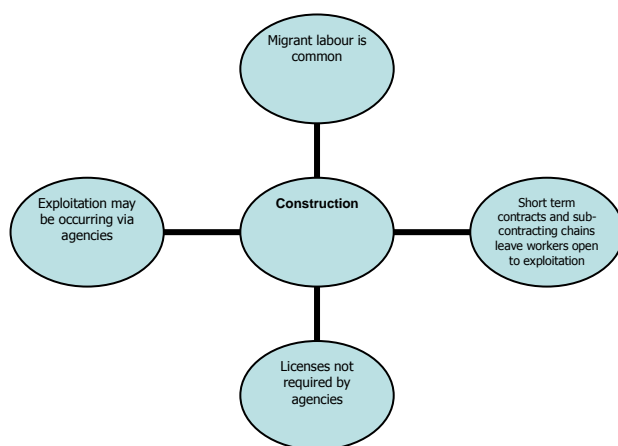
<sup>82</sup> NCA Strategical Assessment The Nature and Scale of Human Trafficking in 2013

the UK traveller community in some capacity. Of the UK nationals subjected to labour exploitation 82% were exploited by the UK traveller community.<sup>83</sup>

Labour exploitation within the traveller community is a growing concern in particular due to the victim's vulnerability and it is expected that this type of exploitation will continue to occur across the UK. Due to the transient nature of the offenders it is essential that both agencies and forces across the UK work together and continue to share intelligence in the attempt to prevent and detect both further and current cases of exploitation.

#### **6.4 Construction<sup>84</sup>**

In 2014 the construction industry in the UK contributed £103 billion in economic output, 6.5% of the total equating to around 2.1 million jobs in Q2 2015.<sup>85</sup> The Union of Construction, Allied Trades and Technicians (UCATT) is the UK's only trade union specialising in construction. They represent 80,000 members across the UK and Ireland in both the private and public sectors and believe that many workers are being mistreated and exploited via agencies as employment



agencies and employment businesses operating in the construction sector are not required to be licensed, register or inform Government of their activities.<sup>86</sup>

According to the Government, the only information available on the number of employment agencies operating in construction is compiled by the ONS

however this relies on companies registering for VAT and small operations may be below the threshold of the £81,000 registration level and some gangmasters may avoid registration.

According to UCATT the role of employment agencies is particularly controversial in construction since the Government brought in new rules in April 2014, which prevented agencies registering construction workers as self-employed. Many agencies have in effect forced some workers to be employed via umbrella companies rather than employ workers directly on a standard PAYE basis.<sup>87</sup>

UCATT has campaigned for the extension of the GLAA to the construction industry and believe that by introducing licensing the agencies supplying workers would be fully regulated with

<sup>83</sup> NCA Strategic Assessment The Nature and Scale of Human Trafficking in 2014

<sup>84</sup> It should be noted that there will be some crossovers between the construction sector and the traveller communities

<sup>85</sup> <http://researchbriefings.files.parliament.uk/documents/SN01432/SN01432.pdf>

<sup>86</sup> <https://www.ucatt.org.uk/government-clueless-number-construction-employment-agencies>

<sup>87</sup> <https://www.ucatt.org.uk/government-clueless-number-construction-employment-agencies>

agencies and gangmasters unable to supply labour until obtaining a license which could be revoked if evidence of mistreatment is found.<sup>88</sup>

Migrant labour is common and extremely important to the construction sector which requires skilled and unskilled talent. Many unskilled workers from countries known for low wages come to work in the UK to help support their families back home. However this financial need and widespread corruption can result in the most vulnerable workers in the supply chain to be at the greatest risk of exploitation.<sup>89</sup> Short-term contracts, sub-contracting chains and informal employment practices also leave workers open to exploitation.<sup>90</sup> A single supply chain for major contractors comprises of a number of subcontractors, labour agencies and materials suppliers making it difficult to manage every transaction. This lack of transparency and disjointed relationships between tiers makes it easier for unscrupulous individuals to engage in the manipulation and misuse of workers.<sup>91</sup>

According to the Chartered Institute of Building (CIOB) exploitation starts in the home country with the worker being misled about how much wages they will be paid. They will also be charged a high recruitment fee and although expensive the workers, out of desperation and economic hardship, may take the job. Heavily in debt and with their passports removed the workers may be forced in to signing a less favourable contract. Many workers will be forced to work long hours, live in poor and overcrowded accommodation with many having to take on an additional job in the evening. Fearful of deportation, threats against their families and intimidation they are unlikely to complain.<sup>92</sup>

A study by LexisNexis BIS<sup>93</sup> which analysed articles from more than 6,000 licensed news sources in more than 100 countries between January 2015 and May 2016 shows that forced labour and other exploitation within the construction industry and its material supply chains are subject to insufficient policing and prosecution.<sup>94</sup> The UK's Anti-Slavery Commissioner stated "*Those in construction are especially vulnerable to this crime; with high demand for low wage labour, we must therefore strive to see a thriving construction industry that values ethical recruitment and fair employment if we ever hope to end this evil trade in human beings.*"<sup>95</sup>

It has been recently announced that The Construction Industry Training Board (CITB) will fund a new initiative designed to stamp out modern day slavery in the construction industry. Funding will

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<sup>88</sup> ibid

<sup>89</sup> [https://www.supplychainschool.co.uk/documents/ciob\\_modern\\_day\\_slavery\\_web.pdf](https://www.supplychainschool.co.uk/documents/ciob_modern_day_slavery_web.pdf)

<sup>90</sup> The Hidden Workforce Building Britain, Exposing Exploitation and Protecting Vulnerable Workers in Construction, (2011)

<sup>91</sup> [https://www.supplychainschool.co.uk/documents/ciob\\_modern\\_day\\_slavery\\_web.pdf](https://www.supplychainschool.co.uk/documents/ciob_modern_day_slavery_web.pdf)

<sup>92</sup> [https://www.supplychainschool.co.uk/documents/ciob\\_modern\\_day\\_slavery\\_web.pdf](https://www.supplychainschool.co.uk/documents/ciob_modern_day_slavery_web.pdf)

<sup>93</sup> [Hidden in Plain Site – Modern Slavery in the Construction Industry](#),

<sup>94</sup> <http://www.scottishconstructionnow.com/14478/construction-industry-faces-strong-risk-of-modern-slavery/>

<sup>95</sup> <http://www.scottishconstructionnow.com/14478/construction-industry-faces-strong-risk-of-modern-slavery/>

be used to help construction firms and the supply chain to identify illegal workers and trafficking activities through a series of 'Right to Work' training videos.<sup>96</sup>

As discussed, abuse in the supply chains can't be tackled easily and although ninety-nine PVs, working within the construction sector, were entered into the NRM in 2015 it is believed that there are many more, and exploitation within this sector is expected to continue in the future.

## AREAS OF CONCERN

### **6.5 The Care Sector** (See also Section 4.1)

- Non-compliance of the NMW within the care provider sector is not uncommon and according to the Trade Unions Congress (TUC) there are large amounts of workers in the care sector who are vulnerable to exploitation because of their employment or migrant worker status. There is evidence of exploitative working practices being routinely used.<sup>97</sup> Staff at care companies may be 'debt bonded' and forced to work long hours for little pay while they attempt to pay off ever-increasing amounts they 'owe' their traffickers for travel to the UK and living costs.<sup>98</sup>
- It was reported in 2015 that care firms exploiting the NMW were facing a new crackdown with HMRC launching investigations into six of the country's biggest providers of social care for elderly and disabled adults after becoming concerned that they may be failing to pay workers properly. A further 90 care companies were also being investigated by HMRC officers after allegations over low pay rates were raised by whistleblowers.<sup>99</sup> Although there have been limited NRM referrals for PVs working within the care sector it is assessed to be a concern, in particular due to ongoing issues with non-compliance of NMW.

### **6.6 Charity Bag Collections**

- Although the majority of charity bag collections are legitimate, charities in the UK lose an estimated £15 million each year through the theft of charity bags or by fraudulent collections<sup>100</sup>. According to the NCA the number of PVs reported for exploitation for charity bag collection increased by 88% between 2013 and 2014, with the majority originating from Lithuania.<sup>101</sup> The figures may be higher if some were reported for labour exploitation; however for the purpose of the NCA report they were classed as criminal exploitation as in many cases it involved the theft of genuine collection bags or bogus collections.<sup>102</sup> It is believed that charities sub contract bag delivery and collection and traffickers may be exploiting this.
- A female who exploited vulnerable Lithuanian nationals was jailed for 3 years in 2014. The victims were collecting donations for a legitimate charity and promised good employment and accommodation; however they were forced to live in overcrowded and poor conditions often going hungry and paid less than £25 per day. The victims were often locked in their accommodation and in some cases fines were imposed if they couldn't work on a particular day.<sup>103</sup> Although many PVs are forced into this type of criminality cases of labour exploitation are occurring within this sector and therefore has been added to the report as an area of concern.

<sup>96</sup> <http://www.citb.co.uk/news-events/uk/citb-funds-new-anti-slavery-programme/>

<sup>97</sup> TUC Tackling Exploitation in the Labour Market: <https://www.tuc.org.uk/sites/default/files/EC3-5-Attachment-Tackling%20Labour%20Market%20Exploitation.pdf>

<sup>98</sup> <http://www.secouncils.gov.uk/wp-content/uploads/2015/06/Standing-Up-to-Slavery-Film-notes-FINAL-2.pdf>

<sup>99</sup> <http://www.telegraph.co.uk/news/health/elder/11397693/Care-homes-investigated-for-exploiting-underpaid-staff.html>

<sup>100</sup> [www.frsb.uk/donors/advice/clothing-collections](http://www.frsb.uk/donors/advice/clothing-collections)

<sup>101</sup> NCA Strategic Assessment: The Nature and Scale of Human Trafficking in 2014

<sup>102</sup> *ibid*

<sup>103</sup> <https://www.theguardian.com/uk-news/2014/jun/18/woman-jailed-trafficking-charity-bags>



### **6.7 Bogus Self-Employment**

- There is intelligence to suggest that this is occurring across a number of sectors whereby workers are inappropriately classified as self-employed.
- In 2014, 4.6 million people were self-employed accounting for 15% of those in work. This is the highest percentage at any point in the past four decades.<sup>104</sup>
- CAB has found that there may be as many as 460,000 people nationwide that are bogusly self-employed. Self-employed workers have reduced rights and entitlements such as holiday pay, sick pay, redundancy and even pension contributions.<sup>105</sup>
- The use of a self-employment status appears to be an emerging trend in some parts of the UK with the responsibility of PAYE and NI shifted from the employer to the employee. It has been found to be occurring in car washes and food outlets in the South West. Although it is unclear how widespread this practice is it has been included in this report as an area of concern.

### **6.8 Recruitment Agencies**

- The use of recruitment agencies has been reported in connection with agriculture, factory work and food preparation and processing industries with 14% of victims of labour exploitation being employed by a recruitment agency, however there are also a number of cases linked to recruitment agencies where the sector is unknown.<sup>106</sup>
- The vast majority of employment agencies are legitimate providers of labour, but some agencies may find themselves targeted by traffickers and illegal/unlicensed gangmasters offering a ready supply of labour. The sectors affected include, but are not limited to, agriculture, food processing, fisheries, construction, manufacturing and the hospitality industry.<sup>107</sup>
- Some PVs are taken to recruitment agencies and registered for work with the wages being paid into bank accounts controlled by the "recruiter". It is a common theme for employment agencies to be utilised for the purpose of forced labour, although it should be noted that many agencies are unaware that the PVs are being exploited.

It is believed that there are about 1.12 million agency workers employed in temporary roles at any time<sup>108</sup>, however it is barely regulated and there are a number of ways that agency workers can be exploited including<sup>109</sup>:

- Non-payment of holiday pay, NMW or withholding wages
- Staff may be manipulated to work part time hours so that the agency doesn't have to pay employers' national insurance costs
- Tax Avoidance Schemes are believed to be common within the recruitment sector
- Many agencies operate personal insurance schemes whereby temporary workers can pay a weekly fee with many workers expected to pay a premium that goes direct to the agency. In some cases the annual costs paid by the workers are much higher than what the agency pay for the policy. Although this is a voluntary scheme some workers may find themselves overlooked for work if they refuse<sup>110</sup>

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<sup>104</sup> ONS. *Self-employment Report*. 2014

<sup>105</sup> <http://www.hudsoncontract.co.uk/news-resources/2016/jan/what-is-false-self-employment/>

<sup>106</sup> NCA Strategic Assessment: The Nature and Scale of Human Trafficking in 2014

<sup>107</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/378369/FactsheetRecruitment.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/378369/FactsheetRecruitment.pdf)

<sup>108</sup> <http://www.skiptonbusinessfinance.co.uk/the-business-brain/top-10-facts-about-uk-recruitment>

<sup>109</sup> Information taken from both external sources and GLA licence revocations. This is not a definitive list

<sup>110</sup> <http://www.extramanrecruitment.co.uk/cm/ethics>

- Not provided Personal Protection Equipment (PPE)
- Work finding fees
- Unsatisfactory rest breaks

### **6.9 Fishing Industry**

- Recently a Scottish fishing firm found itself at the centre of a multi-agency human trafficking investigation after claims of workers earning as little as £100 for two-and-a-half months of work. The company operates sea-going vessels and is believed to be exploiting workers from several countries on fishing vessels.<sup>111</sup>
- Law enforcement officers across the United Kingdom have been given new powers to join the fight against modern slavery at sea using new powers in the Modern Slavery Act. The new powers will enable officers from Border Force, police forces and the NCA to board and search vessels, seize evidence and arrest offenders, where it is suspected that modern slavery is taking place. Officers will be able to intercept vessels with reasonable grounds, arrest offenders and rescue victims from ships in UK waters.<sup>112</sup>

### **6.10 Cleaning and Hospitality**

- There appears to be an emerging issue of exploitation occurring within the cleaning and hospitality sectors amongst the Latin American community. Although the majority of the available information appears to focus on the London area there are concerns that it is becoming a more widespread issue.<sup>113</sup>
- Large amount of migrant workers are employed within the hospitality sector and are more vulnerable to poor working conditions. The majority of workers are employed through agencies rather than directly by the hotels particularly in London.<sup>114</sup>
- Exploitative practices have been identified within the hotel sector particularly with contract cleaning and other outsourced functions.<sup>115</sup>
- The Stop Slavery Hotel Industry Network was recently launched to combat modern slavery in UK hotels. The founding members include Shiva Hotels, Hilton Worldwide and Bespoke Hotels and have the support of the British Hospitality Association (BHA) and the International Tourism Partnership. They have vowed to examine their supply chains for signs of forced labour, train staff how to spot and report signs of trafficking, and raise awareness of the issue among hotel guests.<sup>116</sup>

## **7. General areas of concern**

There are growing concerns regarding the potential for exploitative practices within a number of large distribution centres and internet based retailers across the UK. Alleged working practices such as bullying tactics, flexing and non-payment of NMW could lead to the exploitation of workers within other sectors. Agency workers, in particular, are considered to be vulnerable in this area. In recent

<sup>111</sup> [http://www.heraldscotland.com/news/14171641.Fishing\\_firm\\_at\\_centre\\_of\\_Scottish\\_human\\_trafficking\\_probe/](http://www.heraldscotland.com/news/14171641.Fishing_firm_at_centre_of_Scottish_human_trafficking_probe/)

<sup>112</sup> <https://www.gov.uk/government/news/new-powers-to-tackle-slavery-at-sea>

<sup>113</sup> Information provided by the Latin American Women's Rights Service

<sup>114</sup> Heseltine Institute for Public Policy and Practice: "Tackling Exploitation and Forced Labour in the UK Hotel Sector" Centre for the study of International Slavery

<sup>115</sup> *ibid*

<sup>116</sup> <http://www.reuters.com/article/us-women-conference-hotels-idUSKBN13P00V> and <https://www.thecaterer.com/articles/492117/network-launched-to-combat-modern-slavery-in-hotels>

cases allegations by workers included: being unable to take regular toilet or water breaks for fear of missing targets and intrusive security checks sometimes before entering the bathroom. Another area of concern has been highlighted as workers being classified as 'self-employed' with the potential for workers to receive less than the NMW.

It is possible, due to the GLAA additional powers to investigate labour exploitation across all sectors, that in the future some traffickers will consider more covert methods of exploitation and rather than having victims working openly in fields and factories they may move towards criminal exploitation such as committing fraud, taking out loans, taking out HP or acting as money mules.<sup>117</sup>

### **Houses of Multiple Occupancy-(HMOs)**

Houses of Multiple Occupation should be registered with the Local Authority and as such subject of particular scrutiny for obvious safety reasons. However the use of unregistered properties of HMO's sometimes sub-let without the landlords or agent's knowledge can be a major indicator of wider serious exploitation including modern slavery offences.

## **8. GLAA Updates**

### **January 2016**

The GLA became the first UK law enforcement agency to secure a Slavery and Trafficking Prevention Order for labour exploitation. A judge at Kings Lynn Crown Court issued the ground-breaking orders against two Lithuanian nationals while sentencing them in January 2016. Following a joint investigation by the GLA and police in Norfolk and Suffolk, the duo admitted transporting two males to Norfolk and subjecting them to forced labour in food factories in Suffolk. They paid them a combined total of £20 for four months work, forcing them to sleep on the floor in barbaric accommodation and provided scant food so they went hungry. They were each given three-and-a-half years in prison as well as being made subject to the Slavery and Trafficking Prevention Orders (STPOs).

### **May 2016**

Two Slovakian brothers who exploited fellow Slovak nationals living in the Medway towns were sentenced to six years each in prison after being convicted at court in May 2016. Both were both found guilty of trafficking within the UK with intent to exploit following a month-long trial at Maidstone Crown Court. An investigation began after one of the victims went into a police station in September 2012 to report he was the victim of human trafficking and labour exploitation. Officers from the Kent and Essex Serious Crime Directorate began an investigation where the victim revealed he had been homeless in Slovakia in 2005 when the brothers approached him and persuaded him to move to the UK on the promise there would be accommodation and work

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<sup>117</sup> NCA "Modern Slavery and Human Trafficking" 2016

waiting for him. In reality, the brothers took control of his bank account and although he was living at an address in Chatham, he was made to work all over the country. He said he was made to work 40-60 hours per week earning up to £240 a week but he would in reality be given very little of his wage. He was to be passed on anything from £5 to £40 a week. Supported by GLA, UKHTC, HMRC, Red Cross and the Department for Work and Pensions warrants were carried out in November 2013 at the brothers' home addresses in Chatham where a number of victims were found to be forced to live in squalid conditions and threatened with violence if they did not comply with their supervisor's instructions. The victims were working in a number of different industries including the food industry. The brothers bought their coach tickets and helped them into the country, they were helped to set up bank accounts but all their documents were taken away which police later found in the addresses. The brothers would keep the majority of their wages to fund their gambling habits.

### **September 2016**

In September 2016 two brothers were sentenced for two years after admitting gangmaster offences following a joint investigation in the Wisbech area. Both men changed their pleas to guilty to acting as an unlicensed gangmaster and were sentenced to two years imprisonment, suspended for two years and given 275 hours of unpaid work. The Lithuanian brothers were unlicensed gangmasters for a number of people who had come to Wisbech from Lithuania between 2012 and 2014, supplying them for work with companies in the regulated sector or via licensed gangmasters. Four victims were traced by officers who had been provided with housing as part of the conditions of their work. On at least one occasion, a victim said they wanted to leave but was told they could not. Another victim said they had found alternative employment but the defendants failed to assist with transport and continued to make deductions of wages. All the houses the victims lived in appeared to be controlled by the defendants, who decided who lived there and for how long. The victims had come from Lithuania, where they paid money for transport to England and what they thought would be a good house and a good, well-paid job.

### **November 2016**

Five members of a Plymouth family, of Czech nationality, were jailed for a total of 20 years and six months following the first prosecution for human trafficking offences in Devon and Cornwall. The five entered into a criminal agreement to traffic other Czech nationals into the UK for the purpose of labour exploitation and for their own financial benefit. They actively recruited and transported the most vulnerable and easily targeted members of society, including those with nomadic lifestyles and addictions, and those without regular work or close family. Victims worked long hours at local car washes and factories in jobs organised by the family but only received the equivalent of pocket money from their wages. The GLAA was involved in developing the original intelligence case and international co-operation was required between criminal justice agencies in

the UK and the Czech Republic. This multi-agency, international approach helped build a strong prosecution case, ultimately resulting in successful conviction.

## Intelligence gaps

**GLAA Intelligence** - Intelligence gaps exist which could allow for a greater understanding of labour exploitation within the UK

- There is a general lack of intelligence across the UK in relation to PVs nationality, age and gender
- Intelligence is required in relation to the recruitment of victims of both EEA and non EEA PVs including the travel arrangements in to the UK
- There is a general lack of intelligence in relation to labour exploitation occurring outwith GLA regulated sectors
- Intelligence is required in relation to labour exploitation within Scotland, Wales , Northern Ireland, the North East, North West and South West of England
- Identification of any recruitment agencies that are being utilized both in the UK and abroad is required as well as clarifying their involvement in cases of labour exploitation
- There are some intelligence gaps in relation to coercive methods utilised by recruiters to control PVs
- Intelligence is required in relation to the accommodation used to house PVs
- Further intelligence is required to ascertain the amount of PVs that are currently assessed as self-employed and the sectors they are working in

**UK Picture** - Intelligence gaps exist which could allow for a greater understanding of labour exploitation within the UK

- Further intelligence is required in relation to how many nail bars and car washes are operating within the UK
- Offender's nationality, age and gender is poorly reported
- Analysis has confirmed that there is a general lack of intelligence in relation to the nature and scale of labour exploitation across the UK
- The prevalence of using advertisements for jobs online to recruit PVs is unknown with intelligence required to ascertain if the use of social media and online advertisements to recruit PVs are specific to certain sectors and/or countries
- Intelligence gaps exist in relation to how many OCGs in the UK are involved in labour exploitation and modern slavery with many nominals and groups identified not currently mapped
- The method of entry in to the UK, and the volume, of Vietnams victims of exploitation is unclear
- Cross border movement of PVs, in particular within nail bars and traveller communities, remains an intelligence requirement

- Further intelligence is required in relation to the exploitation of homeless individuals
- Information regarding the methods of coercion utilised by “recruiters” is relatively sparse
- Information on the methods used by “recruiters” to identify PVs is limited
- There is a general lack of intelligence in relation to PVs working in the fishing industry within the UK
- Intelligence in relation to PVs of multiple forms of exploitation is limited
- It is unclear how widespread debt bondage is and whether it is more common amongst specific sectors and/or nationalities

## Glossary

ALP	The Association of Labour Providers
BEIS	Department for Business, Energy & Industry Strategy
EAS	Employment Agency Standards Inspectorate
EEA	European Economic Area
GLA	Gangmasters Licensing Authority
GLAA	Gangmasters Labour Abuse Authority
HMOs	Houses of Multiple Occupancy
HTMS	Human Trafficking and Modern Slavery
HSE	Health and Safety Executive
LE	Labour Exploitation
LEAG	The Labour Exploitation Advisory Group
MSHTU	Modern Slavery Human Trafficking Unit
NCA	National Crime Agency
NGOs	Non- Governmental Organisations
NLW	National Living Wage
NMW	National Minimum Wage
NRM	National Referral Mechanism
OCG	Organised Crime Group
OCGM	Organised Crime Group Mapping
ONS	Office of National Statistics
PVs	Potential Victims
UKBF	United Kingdom Border Force

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### Additional Acknowledgments

- Association of Nail Technicians
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- Car Wash Advisory Service
- Hope for Justice
- Latin American Women's Rights Service
- Medaille Trust
- Migrant Help
- NSPCC
- Salvation Army

### Document Update

	Date Amended	Person Amending	Sections Amended
1			
2			
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**APPENDICES**

APPENDIX 1 – Indicators of Labour Exploitation

<b>Restricted Freedom</b>	<b>Behavior</b>	<b>Working Conditions</b>	<b>Accommodation</b>	<b>Finances</b>	<b>Appearance</b>
No passport/travel or identity documents	Unfamiliar with the local language	May have no contract	Live in poor or substandard accommodation	Receive little or no payment	Suffer injuries that appear to be the result of an assault
Unable to leave work environment	Act as if they have been instructed by someone else	Can't negotiate working conditions	Have no choice where they live or who they live with	Have no access to their earnings	Wear the same clothes every day
Movements are controlled	Allows others to speak for them	Unable to choose where they work	Live in groups in the same place where they work and leave infrequently	Be disciplined through fines or punishment	Have injuries that appear old, untreated or can't explain
Threats of being handed over to authorities	Limited or no social interaction	Work long hours over long periods	Live in degrading, unsuitable places	Be under the impression that they are bonded by debt	
Depend on employer for work, transport and accommodation	Think that they must work against their will	Not given days off	Not be aware of their home address	Payback transport costs	
Be controlled through religion	Fearful and anxious	Don't interact with work colleagues	Living in HMOs	Be charged for services they don't want or need	
Limited contact with families or people outwith their environment	Feel that they can't leave	Think they are obliged to work without pay in return for a favour or provision of accommodation		Forced to open bank accounts	
Unable to communicate with others freely	May resort to crime for food			Forced to sign documents to receive social security payments	
Be given leftovers to eat	Acting on the basis of false promises			Bank cards/documents held by someone else	
Subjected to violence or threats of violence				Wages paid into an account held by someone else	

APPENDIX 2

<b>LABOUR EXPLOITATION</b>			
<b>Country of Origin</b>	<b>Total 2015</b>	<b>Country of Origin</b>	<b>Total 2015</b>
Vietnam	231	Libya	3
Poland	139	Philippines	2
Albania	136	Democratic Republic of the Congo	2
Romania	118	Sierra Leone	2
Slovakia	67	Cameroon	2
Sudan	66	Thailand	2
United Kingdom	45	Guinea	2
China	45	Malaysia	2
Eritrea	36	Syria	2
India	35	Algeria	2
Bulgaria	29	North Korea	2
Hungary	24	Iran	1
Lithuania	23	Iraq	1
Ethiopia	21	Not known	1
Czech Republic	21	Jamaica	1
Nigeria	19	Turkey	1
Pakistan	17	Netherlands	1
Burma	17	Yemen	1
Bangladesh	12	Bolivia	1
Ghana	7	Mali	1
Latvia	7	Ukraine	1
Sri Lanka	5	Bosnia and Herzegovina	1
Afghanistan	4	Maldives	1
Uganda	4	Netherlands Antilles	1
Somalia	4	United Kingdom/Vietnam	1
Portugal	4	South Korea	1
Nepal	4	St Lucia	1
Egypt	3	Kuwait	1
<b>Grand Total</b>			<b>1183</b>

