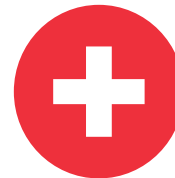


LISTENING WITH INTENT// FIRST RESPONDER POLICY AND PRACTICE



THE SALVATION ARMY
UNITED KINGDOM TERRITORY
AND THE REPUBLIC OF IRELAND

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INTRODUCTION

There is no set path to escaping exploitation. Those forced to endure modern slavery can encounter a number of different organisations, both statutory and non-statutory, who are able to assist with the transition towards support and freedom.

Unfortunately, organisations with first responder status can often themselves act as yet another obstacle on this path, meaning survivors often face a lack of understanding, obfuscation and delays.

As the Nationality and Borders Act (2022) becomes law, it is more important than ever that all first responder organisations (FROs) be fully prepared to carry out their role in identifying and supporting survivors. But it is widely recognised across the sector that not all organisations or first responders are equally trained or equipped to fulfil this role.

Whilst The Home Office has introduced online training for FROs, The Salvation Army, as the Prime Provider of the Modern Slavery Victim Care Contract (MSVCC), believes that much more can and should be done to equip all FROs with the best information and resources to ensure that we identify and free victims of modern slavery as early as possible.

As part of our work, we have identified key practical steps and policies that would ensure and share best practice in the hope of providing FROs with both the resources they need, as well as inform national and local governments on what more can be done.

This paper does not possess the scope to comment on all areas within the first responder system which need reform. Nor is it intended as a criticism of any single FRO. However, it calls for reflection of practice across all FROs and provides a clear set of policies which would improve the practice, knowledge and availability of first responders across England and Wales.





WHAT IS A FIRST RESPONDER?

First Responder Organisations have the responsibility to identify potential victims of modern slavery. First responders are tasked to gather information relating to the potential victim's experiences and recognise the indicators of modern slavery.

First Responders are also responsible for referring potential victims into the National Referral Mechanism (NRM) via the Single Competent Authority (SCA) and newly established Immigration Enforcement Competent Authority (IECA). Full terms of the role are set out in the statutory guidance for the Modern Slavery Act (2015).¹

Duties include gathering relevant information following a referral and providing a point of contact for competent authorities to assist with decisions and reconsiderations. Guidance also states that statutory FROs have a duty to notify the Home Office if an adult potential victim does not consent to being referred to the NRM.

First responders are often the first point of contact for a survivor in order to access support systems in place for those who have experienced modern slavery. It is a vital role, necessary for the identification and immediate safeguarding of potential victims.

If someone is not properly identified and given the support they need, they risk being forced back into a position of vulnerability and further exploitation.

The roster of first responder organisations consists of statutory and non-statutory bodies. The majority are statutory organisations, for instance, the Police, Immigration Enforcement, Local Authorities and bodies such as the Gangmasters & Labour Abuse Authority (GLAA).



1. Home Office. *Modern Slavery: Statutory Guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and Non-Statutory Guidance for Scotland and Northern Ireland, Version 2.5, (November 2021)*. Sourced at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1031731/modern-slavery-statutory-guidance-_ew_-non-statutory-guidance-_sni_v2.5-final.pdf



PAPER SUMMARY

This paper is not designed to be a criticism of any one statutory agency, but rather highlight some of the issues that regularly arise within the first responder system. This system requires all FROs to be adequately resourced in order to recognise potential victims of modern slavery.

More importantly, it is vital that all potential victims receive the same minimum standard of support, regardless of which FRO they encounter.

The Salvation Army makes the following recommendations, to other FROs:

- Establish a clear trauma informed code of practice for carrying out FRO duties, this includes: gathering informed consent, understanding the impact of trauma, and following *The Slavery and Trafficking Survivor Care Standards and the Trauma Informed Code of Conduct*.
- Develop a clear policy for the safe use of trusted, professional interpreters during NRM referral processes.
- Make contact details available both publicly and internally and keep them up to date.
- Identify an internal single point of contact (SPoC) who can be relied upon to facilitate and coordinate the relevant matters in relation to the NRM process.

We also recommend the Home Office:

- Introduce consistent and accredited training for all FROs.
- Introduce specialist SPoCs, within all statutory FROs (e.g. immigration enforcement and the Police) as a means of ensuring their duties are carried out, and safeguarding responsibilities fulfilled.
- Enable SPoCs to build relationships and share best practice across the FRO network.
- Require all FROs, including statutory bodies with a duty to notify, to make contact details publicly available and to keep these up to date.
- Fund Non-statutory FROs to carry out their role.
- Establish an online portal where FROs are able to communicate, share best practice and relevant training materials.
- Introduce regular cultural awareness training within FRO training modules to improve the approach to supporting potential victims.
- Make available, and keep up to date, information for trusted interpreter services to all FROs.

Current Issues within the First Responder Training System

Failure to identify and support potential victims at their first point of contact with FROs, before they are referred to the NRM, can lead to issues such as re-traumatisation, further loss of trust in authorities and even re-trafficking. Clearly, it is vital that all FROs are working at an optimal level to ensure that all those who need support can properly engage with the NRM.

However, the first responder system is not operating as effectively as it needs too. Many potential victims of modern slavery encounter FROs without receiving appropriate support. It is clear that a lack of consistent training is leading to a lack of identification. As shown in the case study below, survivors have been forced to endure experiences of immigration detention and homelessness for several years before being identified as a survivor of modern slavery.

This is despite their contact with statutory FROs. With regular and quality training, those working within FROs will be better able to identify the markers of modern slavery and ensure that survivors enter the NRM to receive the support they are entitled to and deserve.



Many referrals submitted by statutory FROs fail to properly capture the necessary level of information that ought to be required for an NRM referral. For instance, some NRM referrals can consist of no more than three lines of information. Such poor quality submissions do not give enough detail to enable the competent authorities to make informed decisions with regards to the support a potential victim could receive. Without this information it becomes a longer process and waiting period for a survivor to receive potentially life changing support. Without quick and secure identification survivors are put at risk of a wrong negative decision that makes them more vulnerable to re-exploitation.

The Salvation Army welcomes the Home Office's desire to improve training within the first responder system. Such improvements would enable more effective support and save valuable resources for the competent authorities who may have to chase extra information. We would urge the Home Office to implement accredited, consistent training and practice across the UK for all FROs. Whilst taking into account the remit of each FRO, central government must also take the necessary actions to give all FROs the means to properly, and compassionately, respond to potential victims of modern slavery.

THE SALVATION ARMY FIRST RESPONDERS

The Salvation Army currently has a roster of over 100 volunteer first responders. Over recent years The Salvation Army has continuously expanded its first responder team to meet the increasing demand placed on the service. Between January and December 2021, The Salvation Army team completed over 572 referrals having received 777 referrals during this period.

Of these referrals, 165 were referred prior, ineligible or withdrawn. Our first responders are constantly upskilled and trained to deal with the demands of working with vulnerable people.

Due to the nature of the role, the first responder team is regularly exposed to challenging, complex and traumatic information. The Salvation Army provides support to ensure personal wellbeing is maintained. Regular contact with team coordinators enables The Salvation Army first responders to identify and support potential victims when required²

It is important to note that The Salvation Army first responder team are not part of the MSVCC and as such are supported and trained through the organisation's charitable funds.

Non-statutory first responders carry out an essential role in the journey of a survivor of modern slavery, it is a role that must be done properly to ensure prompt and appropriate support is given to those who have often endured traumatic experiences. It is necessary that non-statutory first responders receive financial support from the Home Office, in order to continue to carry out this vital work.





CASE STUDY: MOHAMED'S STORY*

Mohamed was criminally exploited from the age of 12. Taken from Mauritania to Spain, he was forced to move and sell drugs by criminal gangs across Europe, during this time Mohamed was homeless and often slept on the street.

Mohamed escaped his exploiters by begging for money and fleeing via train. Following his arrival in the UK, Mohamed was detained unlawfully in a detention centre for four years.

During this time Mohamed's behaviour became aggressive and was charged for assault, importantly he has a history of chronically poor mental health. His criminal history of aggression and also a charge of breaking and entering, are linked to periods of poor mental health when he was unable to access his medication.

Following his release, Mohamed experienced 18 months of homelessness before being assessed and referred to the NRM through a Community Mental Health Team (CMHT). Since entering the NRM Mohamed has been working towards independence. He adheres to his medication regime and has had no further incidents of aggressive behaviour.

*The pseudonym Mohammed has been used to protect the survivor's identity.





INTERVIEW AND EVIDENCE GATHERING PRACTICE

One of the most important duties of first responders is to gather information to understand what has happened to potential victims and refer them to the NRM.³ The Salvation Army agrees with the Slavery and Trafficking and Care Standards that it is best practice for first responders responsible for navigating the referral procedure to be trauma-informed.⁴

Our volunteers are trained to be aware of the impact of trauma and barriers to disclosure, this includes the impact of trauma on the consistency of responses during interviews.⁵

When working, The Salvation Army first responder team are taught to remain patient and bear in mind the impact of the experiences survivors often have to endure. Prioritising and understanding the initial needs of a survivor can enable the building of trust and rapport, this is beneficial to the referral process and reduces the risk of retraumatising the individual.

Informed consent is essential when carrying out first responder interviews. The Salvation Army ensures the purpose of the interview is explained before

it takes place, the NRM and potential support is also explained. Following this the potential victim is asked to confirm whether they still want the interview to take place. The Salvation Army first responders are also trained to ensure those they are interviewing feel free to ask questions or for information to be repeated. Creating a safe environment is important when carrying out a first responder interview. The Salvation Army first responders are taught to be aware of the physical space in which the interview is carried out. The discussion between potential victim and first responder should not be conducted in a space where the potential victim may be influenced by location or by others who may be present. Support workers may attend to support, but that must be agreed prior to the interview with the first responder and the potential victim.

Within The Salvation Army, a referral completely by a newly trained first responder is reviewed by the team coordinator to ensure it meets necessary requirements before being sent to the SCA. This provides a quality check to ensure all relevant and appropriate information has been captured. If there are gaps or it is apparent that some necessary questions have not been asked, then appropriate follow up actions are suggested. The Salvation Army recommends this best practice is adopted by other FROs. The identification of employees within FROs who either have a specialist knowledge of, or are trained in, modern slavery would enable similar referral quality checks to be carried out. This would avoid referrals being submitted without the relevant information.

The Salvation Army urges all FROs to have a clear code of practice for informed consent and recommends *The Slavery and Trafficking Survivor Care Standards*⁶ be referred to for guidance. The Salvation Army also recommends that it is mandatory for all FROs to conduct interviews using a trauma informed approach. Although relevant and appropriate information and training materials exist, there is no monitoring or assessment framework to ensure consistency, compliance and dissemination across all FROs.

3. Home Office. *Modern Slavery: Statutory Guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and Non-Statutory Guidance for Scotland and Northern Ireland. Version 2.5. (November 2021).* (November 2021). Sourced at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1031731/modern-slavery-statutory-guidance-ew_-non-statutory-guidance_sni_v2.5-final.pdf
4. The Human Trafficking Foundation, edited by Kate Roberts. *The Slavery and Trafficking Survivor Care Standards*. 2018. Sourced at: <https://www.humantraffickingfoundation.org/news/2018/10/12/launch-of-updated-slavery-and-trafficking-survivor-care-standards>
5. Rachel Witken and Dr. Katy Robjant, Helen Bamber Foundation *The Trauma-Informed Code of Conduct: For all Professionals working with Survivors of Human Trafficking and Slavery*. 2018. Sourced at: https://www.helenbamber.org/sites/default/files/2021-05/Trauma%20Informed%20Code%20of%20Conduct_April%202021.pdf
6. The Human Trafficking Foundation, edited by Kate Roberts. *The Slavery and Trafficking Survivor Care Standards*. 2018. Sourced at: <https://www.humantraffickingfoundation.org/news/2018/10/12/launch-of-updated-slavery-and-trafficking-survivor-care-standards>



SEPARATION OF CRIMINAL ENFORCEMENT AND NRM INTERVIEWS

The Salvation Army believes there must be a clear distinction between NRM referrals and interviews carried out for the purposes of criminal or immigration enforcement.

It is known across the sector that potential victims are often distrustful of statutory bodies, such as the police and immigration enforcement. This may be due to their previous experiences in the UK or in their country of origin, a fear of deportation or punishment due to their immigration status or as a result of their exploiters instilling a lack of trust and fears of harmful repercussions if they were to engage with authorities. Indeed, research carried out by the British Red Cross shows that fear and distrust of public authorities were the biggest barrier to people in reception centres seeking assistance.⁷

This fear and distrust of authorities, such as police and immigration enforcement, is often leveraged by traffickers themselves to prevent survivors from absconding.

It is therefore imperative that evidence gathering interviews for the NRM involve a different approach to those of enforcement.

The Salvation Army recommend all first responders are aware their role is one of safeguarding and not of criminal or immigration enforcement. The NRM referral interviews should reflect this and be conducted with this in mind. As is stated in the Home Office's statutory guidance, in a section titled Guidance for the National Crime Agency (NCA): If it is suspected that a person is a victim of modern slavery the welfare and safety of the victim must be the first priority.⁸ The Salvation Army believes that this guidance must be shared with, and followed by, all FROs without exception.

The Salvation Army recommends a Single Points of Contact (SPoC) model, currently used by local authorities.⁹

These specialist roles should be trained and embedded within statutory bodies where they will be able to coordinate the work of supporting the potential victims they encounter in their role as an FRO.¹⁰

These specialist workers would also provide a delineation between the enforcement and support roles of these services. This would help where are significant barriers of trust, for instance within immigration enforcement.



7. British Red Cross. *First Steps to Safety the Role of Reception Centres in Helping People Out of Exploitation*. 2020. <https://www.redcross.org.uk/about-us/what-we-do/we-speak-up-for-change/human-trafficking-and-slavery/early-support-for-survivors-of-trafficking>
8. Home Office. *Modern Slavery: Statutory Guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and Non-Statutory Guidance for Scotland and Northern Ireland*. Version 2.5. (November 2021). Sourced at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1031731/modern-slavery-statutory-guidance-_ew_-non-statutory-guidance-_sni_v2.5-final.pdf
9. Local Government Association. *Tackling Modern Slavery: A council guide*. 2017. Sourced at: https://www.local.gov.uk/sites/default/files/documents/22.12_Modern_slavery_WEB%202.pdf
10. The Salvation Army. *New Plan for Immigration Consultation: Written evidence submitted by The Salvation Army*. 2021. Sourced at: <https://www.salvationarmy.org.uk/sites/default/files/resources/2021-05/NPFI%20Response%20Website%20PDF.pdf>



INTERPRETATION

When conducting interviews first responders must be able to capture as much detail as possible for the SCA to make a truly informed decision. However, many of the potential victims who encounter first responders do not speak English as a first language or to a sufficient enough level to express complex experiences and feelings.

Therefore, it is often required for first responders to carry out interviews with the use of an interpreter. It is important an appropriate interpreter is used, this includes considering the dialect of the language spoken by the potential victim. Also, in some situations the potential victim will ask for the interpreter to be a specific gender, efforts should be made to accommodate these requests. Further guidance for proper interpreter use can be found within The Slavery and Trafficking Survivor Care Standards.¹¹

Without proper use of an interpreter there is a risk for important information to be overlooked. It is important to note how the need for interpretation provides an additional risk for error and miscommunication.

Factors such as fear, shame and trauma increase the overall risk of full disclosure of information not being realised. The Helen Bamber Foundation highlights the need to recognise cultural factors that may make identification tools, such as interpretation, unfeasible.¹²

It is essential then that FROs ensure their first responders are aware of potential cultural factors when conducting interviews. Regular materials ought to be shared among FROs to ensure that learning remains up to date and consistent across FROs.

It is recommended all FROs must have a clear policy on the use of professional interpreters when carrying out interviews for NRM referrals. It is not appropriate to carry out a referral interview with a person known to the potential victim acting as an interpreter. This distinction is necessary as it is important for the conversation to be translated verbatim and not through any biased lens. There is also a risk that the interpreter could be a perpetrator.

The Salvation Army first responder team are trained to conduct interviews using professional interpreters. Verification is required using relevant photo identification and documents to ensure the interpreter is valid. The potential victim is never left alone with the interpreter and is protected from any potential risk of being found by their exploiter. Every step is taken to maintain the safety of the potential victim.

First responders must clearly explain the purpose of the interview to the interpreter and highlight the importance of clarity and verbatim translation. The manner in which the interview is conducted also important to ensure a trauma informed environment.

Interpreters are encouraged to use soft rather than harsh tones and must always remain within the boundaries identified. The Salvation Army first responders are frequently reminded they are at liberty to interject and ask the interpreter to explain what is being said in order to ensure the interpretation and subsequent record of the interview is accurate and clear.

If a first responder is uncomfortable with how the interpretation is proceeding or have a concern with the interpreter, they are encouraged to end the interview and resume at another time. The first responder is also required to inform the team coordinators and the interpreting service quoting the interpreters ID number. Post interview, any comments that reflect the interpreter, the interview and the potential victim, are important to capture, particularly if bias was detected. These should be shared and discussed with the team coordinator.

Failure to properly utilise interpreters, risks preventing potential victims from getting the support they need through the NRM. Every potential victim has the right to disclose their experiences during the NRM interview process. The Salvation Army recommends all FROs establish partnerships with interpreter services in order to adequately facilitate interpretation when needed.

11. The Human Trafficking Foundation, edited by Kate Roberts. The Slavery and Trafficking Survivor Care Standards. (pg. 35). 2018. Sourced at: <https://www.humantraffickingfoundation.org/news/2018/10/12/launch-of-updated-slavery-and-trafficking-survivor-care-standards>

12. The Helen Bamber Foundation. *Addressing Mental Health Needs In Survivors of Modern Slavery*. 2015. Sourced at: <https://helenbamber.org/sites/default/files/2021-04/2015-Addressing-the-Mental-Health-Needs-in-Survivors-of-Modern-Slavery.pdf>



CASE STUDY: MARY'S STORY*

Mary, who spoke very limited English, was referred to The Salvation Army first responder team. During the NRM referral process, it transpired that Mary had already received a negative RG decision, the FRO responsible for the initial referral was Immigration Enforcement.

During the interview conducted by Immigration Enforcement, no interpreter was offered to Mary, whose limited English meant they could not properly explain their multiple experiences of exploitation.

Due to the negative RG decision, Mary was returned to a vulnerable position and was re-trafficked. Failure by a statutory FRO to provide an interpreter led to Mary becoming, once again, a victim to modern slavery and exploitation of criminals.

*The pseudonym Mary has been used to protect the survivor's identity.





COMMUNICATION

Within FROs it can be difficult to know who is responsible to process a referral and how to do so if required. It is essential for all those working in a FRO that they know and understand the referral process. If use of the system is infrequent it is important to maintain skills and an understanding.

There is a need for FROs to provide up to date contact details. This information must be clearly presented and available internally and to third parties who may encounter potential victims.

The request for FRO contact details has been ongoing for years. To encourage the identification of a SPoC within an FRO would be beneficial to ensure consistency and quality.

The Salvation Army advocates for an established first responder online portal which is accessible by all FROs. This portal would not only be able to host the contact information of FROs, but also allow for FROs to share information and best practice.

This shared platform would contribute to improving the quality of referrals and ensure a potential victim receives the support they need regardless of which FRO referred them into the NRM.





CONCLUSION

First responders mark the point of contact for survivors with the NRM.

Initial identification of a potential victim and subsequent referral into the NRM is essential for the support they are entitled to and their recovery.

By improving training and resources for all FROs, both statutory and non-statutory, ensures that a quality service is available and offered to all potential victims regardless of where they are geographically.

To make these improvements, all FROs and the Home Office must work together to ensure best practice is shared and standardised training is regularly delivered to statutory, and non-statutory, FROs.



RECOMMENDATIONS

The Salvation Army makes the following recommendations, to other FROs:

- Establish a clear trauma informed code of practice for carrying out FRO duties, this includes: gathering informed consent, understanding the impact of trauma, and following The Slavery and Trafficking Survivor Care Standards and the Trauma Informed Code of Conduct.
- Develop a clear policy for the safe use of trusted, professional interpreters during NRM referral processes.
- Make contact details available both publicly and internally and keep them up to date.
- Identify an internal single point of contact (SPoC) who can be relied upon to facilitate and coordinate the relevant matters in relation to the NRM process.

We also recommend the Home Office:

- Introduce consistent and accredited training for all FROs.
- Introduce specialist SPoCs, within all statutory FROs (e.g. immigration enforcement and the Police) as a means of ensuring their duties are carried out, and safeguarding responsibilities fulfilled.
- Enable SPoCs to build relationships and share best practice across the FRO network.
- Require all FROs, including statutory bodies with a duty to notify, to make contact details publicly available and to keep these up to date.
- Fund Non-statutory FROs to carry out their role.
- Establish an online portal where FROs are able to communicate, share best practice and relevant training materials.
- Introduce regular cultural awareness training within FRO training modules to improve the approach to supporting potential victims.
- Make available, and keep up to date, information for trusted interpreter services to all FROs.

If you suspect that you or someone you have come across might be a victim of modern slavery and in need of support then call The Salvation Army's 24/7 free referral helpline on **0800 808 3733** who will signpost to a designated First Responder Organisation.



Love God
Love Others

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