

HOPE FOR JUSTICE RESPONSE TO CALL FOR EVIDENCE FROM ALL PARLIAMENTARY GROUP ON THE IMPACT OF COVID 19 ON VICTIMS OF HUMAN TRAFFICKING

About Hope for Justice

Hope for Justice is an anti-slavery charity working across five continents to bring an end to modern slavery by preventing exploitation, rescuing victims, restoring lives and reforming society. In early 2018, Hope for Justice expanded its work into Africa when another charity, Retrak, became part of the Hope for Justice family.

In the UK, Hope for Justice focuses on identifying victims of modern slavery and human trafficking, ensuring they are taken out of their situation, advocating on their behalf to achieve restoration and seeking legislative and policy reform. Hope for Justice also provides awareness training, including for law enforcement, social services, prosecutors and frontline NGOs. Between 1st April and 31st December 2019, Hope for Justice trained 4,434 people in the UK. As a response to the Modern Slavery Act 2015, Hope for Justice launched Slave-Free Alliance in 2018, a membership initiative for businesses seeking to protect their operations and supply chains from modern slavery. Slave-Free Alliance works in collaboration with businesses to enhance and support their wider framework around ethical trade, sustainability, compliance, corporate social responsibility and human rights. Slave-Free Alliance provides tailored business and supply chain solutions that prevent modern slavery, building their competitive advantage through strengthened public profile, customer confidence and compliance.

Between 1st April 2019 and 10th January 2020, Hope for Justice supported 114 people out of modern slavery by directly identifying victims and assisting other organisations and agencies, such as the police, to identify victims. Hope for Justice is currently providing 124 victims with long-term socio-legal advocacy. The combination of legal and support advocacy is essential in providing victims with a voice, life-choices and a platform to rebuild their lives. Hope for Justice's Independent Modern Slavery Advocates (IMSA) provide advocacy and support through the criminal and civil justice processes to ensure victims receive justice and restitution. In addition, by working with victims throughout the processes, Hope for Justice is able to identify issues in systems, legislation and policy, providing an evidence base for reform.

Executive Summary

Hope for Justice have continued programmatic work where possible and particularly in relation to services where direct support is being provided to survivors, such as around identification of potential victims (however with significant staff reduction). The Independent Modern Slavery Advocacy service (IMSA) are continuing to operate with full staffing. Services have been pivoted to address the extra challenges as a result of the pandemic, including remote service provision. In addition, Hope for Justice's programme team are continuing to take new referrals of survivors into the IMSA service to ensure those most vulnerable obtain the independent advocacy and support needed.

This response provides a snapshot of some of the challenges, including both positive and negative experiences of survivors at this present time. We would anticipate that as restrictions are gradually lifted that the situations we see below may change very swiftly. Therefore, Hope for Justice recommends that the experience of survivors and provision of services, including more widely policies, practices and procedures that impact on survivors, are continually monitored and evaluated throughout this crisis. For instance, it would be important to ensure as and when restrictions are lifted there are processes in place such as a staggering of those exiting the NRM into mainstream UK services as well as staggering repatriation and integration for those wishing to return home. This ensures wider services are not overwhelmed.

Hope for Justice have drafted a wider paper on the potential global impacts around modern slavery with a broad range of recommendations for agencies. This includes ensuring regularisation of status so that potential and identified victims can access assistance and that services that provide vital assistance in identification, safeguarding and support for survivors are adequately funded. This paper is available using this link: [Hope for Justice, 2020. Covid-19 and potential implications on human trafficking and other forms of modern slavery internationally.](#)

Community Engagement Work to Identify and Support Potential Survivors Including Pre-NRM

Hope for Justice is operating with a much-reduced team but have adapted our community engagement work to take referrals and support agencies around identification of potential victims. Currently Hope for Justice are seeing an increase in referrals from agencies largely over telephone and email. Hope for Justice have been able to work via different means such as zoom to speak to potential victims, identify them and provide them with options including referral into the National Referral Mechanism digitally. This is however more challenging as it is more difficult to build rapport and trust over electronic means than in person and invariably this takes longer. In addition, Hope for Justice have created a list of existing services which are still operational to also support wider services with signposting.

Referral into the National Referral Mechanism

Hope for Justice overall are finding that due to digitalisation via a first responder it is at present easier to make referrals into the NRM. Additionally, we are seeing positive situations where emergency pre NRM support is being provided where needed due to the situation. However there needs to be more NGO first responders, particularly at this time, to increase the speed that victims can receive support. In some situations, due to the fact that it does take longer to speak to potential victims and gather relevant information for the NRM, technology failings and delays in making NRM decisions can cause delays in a potential victim receiving support.

Negative Decisions

Hope for Justice recently had a case referred to us where the client had been referred into the NRM by the police and received a negative Reasonable Grounds decision. Hope for Justice were able to provide advice around challenging the decision and has referred the case to ATLEU who are presently providing advice to the potential victim.

Independent Modern Slavery Advocates and Ongoing Work with Survivors to Provide Advocacy and Support During and Post NRM including Survivor Access to Wider Services

Currently our IMSA service is still running and Hope for Justice are able to continue to work with survivors remotely at present. Services have been pivoted in order to meet the new risks and challenges that a pandemic brings. The team of advocates continues to operate as normal over the telephone and online and are still able to access interpretation services in order to speak to survivors in a language that they understand. This has provided a vital lifeline for survivors to be able to express their concerns and needs. Survivors have, in Hope for Justice's experience, been impacted through isolation and challenges in accessing the services that they would normally access to help them feel connected into community.

Initial Lack of Information and Understanding Around Government Guidance on Covid 19

IMSA's have kept abreast of government guidance ensuring that survivors receive up to date information around the pandemic in a language that they can understand, particularly relating to social distancing, what to do if they have symptoms, and self-isolating. This has been particularly important to safeguard the survivors we work with as many have underlying health conditions which could place them at higher levels of risk of contracting the virus. Initially the survivors we work with were confused and anxious about what to do and Hope for Justice were able to provide them with information and education in a language they could understand. This is an ongoing process as the crisis unfolds and guidance is changed.

Access to Basic Welfare Including Challenges Around Basic Needs Such as Food Including for those Self Isolating

Many of the survivors we work with may not easily be able to access necessities, including provisions to self-isolate and therefore Hope for Justice have provided extra assistance with numerous food parcels. Covid-19 is challenging

for clients who are unable to leave the house as many local services who previously may have assisted are also working remotely and cannot necessarily assist. The Hope for Justice team in these circumstances and with the relevant safeguards in place have ensured that food parcels have been provided to those who need them and worked with other services delivering food parcels so that these needs are met. It has been more difficult to do online shops for survivors due to the shortage in delivery slots however; we are working with supermarkets to resolve these issues. Many survivors would in Hope for Justice's experience face significant barriers in obtaining basic food supplies, as they do not necessarily have the financial means, technology, language skills and or resources to conduct online shopping without extra outside support.

It has been an important focus for the team to ensure that survivors continue to have stable accommodation and appropriate financial support e.g. via universal credit. Hope for Justice have also created an advocacy advice line email to support wider practitioners in the field to overcome barriers that they may face in supporting survivors at this time. Hope for Justice is still taking referrals into our service and plan to continue to provide support and advocacy to survivors during the pandemic and beyond.

Subsistence Payments for those Living with Family and Friends

Survivors receiving support through the Victim Care Contract (VCC) who are on outreach and living with friends and family currently receive £35.00 a week in subsistence. Hope for Justice would have concerns that this would be insufficient subsistence given the extra household demands for those who may need to self-isolate coupled with the extra equipment which may be required in order to continue to receive services. We would anticipate the need for flexibility around subsistence payments to ensure that those who are particularly vulnerable receive the financial support they need at this time.

Difficulties Accessing Welfare Benefits such as Universal Credit

Hope for Justice are currently supporting several clients who are having difficulty accessing Universal Credit. Some have lost their employment directly as a result of Covid-19, which has destabilised them. The welfare system in our experience is difficult for survivors to navigate at the best of times without ongoing advocacy and support. There have been significant delays for some client's accessing welfare assistance as a result of adaptations to services due to Covid-19. The main challenges clients have experienced are as follows:-

- a) Clients are having difficulties accessing an appointment to apply for universal credit as they are now all conducted by telephone. It is possible to complete the application online, but all follow up appointments are being conducted over the phone and there are often delays with advisors calling claimants.
- b) Clients can struggle to understand how they can verify their identity to apply for universal credit via the new online system.
- c) A client has had difficulty accessing their journal, as the telephone appointments has been inaccessible. As a result of this, they have experienced significant delays accessing welfare assistance.

Ability to Access Services

Currently due to the crisis survivors are not necessarily able to access the range of services they would normally be able to access including drop in services, some are still providing telephone support.

Currently we are for the most part seeing that survivors are continuing to be supported whilst in the National Referral Mechanism and are not necessarily being subject to evictions e.g. for behaviour but being transferred to alternative services. Invariably if survivors are evicted it would place them at increased risks of being re-trafficked and being infected with the virus. It would be vital that the government provide extra funding for the Victim Care Contract to be able to expand the number of bed spaces within safe houses given increased demand. Ultimately, victims are still being identified at this time but there will be few, if any, survivors who are able to be moved on from the service presently owing to the crisis.

Case Study One

One client currently in the NRM has been able to remain within the NRM due to the COVID-19 safeguarding policies currently in place. This client has had several issues due to mental health and was moved to a safehouse following an extensive stay in hospital as a result of physical injuries suffered during his exploitation. This client has a number of

behavioural issues as a result of his mental health and where previously Hope for Justice have seen clients evicted on this basis, the client was transferred to another safehouse. It is positive that the client is able to remain in safe house accommodation during this time due to the extra COVID-19 measures in place.

However, given the potential 'new normal' and many services now operating remotely there is a need to ensure that all services and survivors have the technology resources they need to access remote services such as education and counselling. Services which are vital to recovery.

Case Study Two

Hope for Justice have two clients in safe houses who previously attended college but cannot now access their course since it moved online as a result of Covid-19. The clients currently do not have the technology to do so within the safe house and are therefore currently unable to continue their lessons. There are concerns this will impact on their ability to complete the course, motivation to study, mental health deterioration and feelings of isolation at this time. In addition, this will slow the process of learning English which can be vital for independence, reducing risk of re-exploitation and improving the ability of a survivor around employability and community reintegration.

Hope for Justice work nationally and have seen that in many areas, services have been cut back completely or now only operate remotely. This has particularly impacted on services such as counselling which are vital to the recovery of clients and particularly important at this time when clients may feel especially vulnerable and anxious. Hope for Justice are trying to provide extra support and reassurance for clients, but this is not a substitute for a professional therapeutic service.

Case Study Three

Two clients who were receiving counselling are unable to continue as the service has temporarily stopped. The counsellor felt it was inappropriate to carry out the sessions over the telephone and at present the survivors do not have the technical equipment for skype or video calls. Hope for Justice are in the process of working to resolve this and organisations such as Business in the Community are assisting with provisions around technology for survivors. However, in the interim, this has left the survivors feeling more isolated without this support. In addition, the survivors have underlying health conditions and are scared to do grocery shopping because of the virus and cannot access online services. Hope for Justice have been able to refer them to a local service to provide food parcels.

Issues of Misinterpretation of Behaviour from Wider Services

Case Study Four

A survivor that HFJ are working with currently has no family or friends, no internet. He has been cautioned 3 times by Police for being outside whilst trying to access Wi-Fi. The client presents a lot younger than he is and potentially has a learning disability. The client has been advised he'll be arrested if he goes out again. This impacts upon his mental health. He advised he was not out of the house near people, he was distancing, however it is likely he does not appear to be on a 'purposeful walk'. It is also likely that language barriers compound these issues and he is not able to communicate his situation well. In addition, he is struggling to understand the advice given by the Police or why he might be doing something wrong.

Local Authority Provision: Housing and Homelessness

Hope for Justice were pleased to hear of extra resourcing for local authorities and that no evictions would be carried out during this period. Hope for Justice consider it especially important at this time and in the aftermath of the pandemic that local authorities are provided with extra financial and wider resources to enable them to support those who are especially vulnerable at this time, including victims of modern slavery. Overall Hope for Justice have had less clients within its advocacy service at risk of homelessness, but this is likely to vary significantly in different areas. In addition, we have seen a willingness to assist clients who already have been housed with extra support such as volunteers providing food shops and not move clients into alternative accommodation at this time. However housing issues need to be monitored and Hope for Justice have concerns about what will happen once protections are lifted, for instance will landlords agree to reasonable repayment plans or will they seek to evict clients.

Case Study Five

A client has been able to pay less rent for a month with the protection of no evictions and this has enabled him to have enough money to buy extra essentials such as stocking up on food, paying extra gas and electricity.

Local Authority Provision: Adult Social Care Provision

Hope for Justice do have ongoing concerns in particular as to how the provisions of sections 14 – 17 of the Coronavirus Act will impact long term on the ability of survivors to access local authority safeguarding and social care support. This, coupled with implementation of any government guidance, will need to be closely monitored to ensure that this doesn't result in escalations of support needs and that highly vulnerable victims continue to be appropriately safeguarded.

Case Study Six

Hope for Justice is currently providing advocacy for a client who is transitioning from child services to adult social services. The client has experienced several delays in obtaining assessments due to the current Covid-19 situation. However, social services have been providing additional services such as providing them with a laptop so that they can attend assessments via skype or video call once appointments are available. Social services have also been helpful in arranging tuition for the client's continued education. They have made several visits to check on the client to ensure they had enough food, soup and other necessities. Hope for Justice's IMSA continues to work with the client and liaise with social services to ensure needs continue to be met.

Access to Immigration Advice and Grants of Leave

Hope for Justice continue to work with immigration lawyers to ensure that victims receive the advice they need and applications for leave are processed. Whilst there is a longstanding issue of a shortage of legally aided immigration lawyers across the country, many legal services have been able to adapt and provide legal services using alternative means such as by telephone and skype. Hope for Justice are seeing applications made prior to lockdown being processed but there are significant barriers around biometrics to complete applications. For instance, whilst the Home Office are not accepting post, an EU national who does not have a biometric passport cannot submit an application, as they cannot post their passport. In addition, survivors must complete a biometric enrolment as part of their application for discretionary leave to remain however; the centres to do this appear to be closed.

Case Study Seven

A client received a grant of discretionary leave to remain after lockdown. However, the original application and the request from the Home Office for further information were both made before any changes resulting from COVID-19.

Case Study Eight

A client has been granted discretionary leave to remain but is still in Asylum Support accommodation and there is a lack of clarity about the use of the ASPEN card. This is a card provided for asylum seekers under either s.95 or s.4 support, which is topped up. Technically, once leave is granted and an individual is able to work or access mainstream benefits, there is no further need for the card. However, it appears that even after a successful Universal Credit claim and informing the Home Office of her grant of leave, our client's ASPEN card is still being topped up. We have advised that the client does not use the ASPEN card and they understand this but the fact that the card is still being topped-up is causing confusion and others may not understand whether they can use this money or not. While we understand that the ASPEN card should not be used when a Universal Credit payment is made, it may, however, be helpful for cards to continue to be topped up and accessible until there is evidence that a universal credit payment has been received. This would alleviate the risk of destitution for those who are granted leave and apply for benefits but face delays before receiving their first payment. This is particularly important during the current crisis where there are extra delays.

Law enforcement and Access to Criminal Justice

Hope for Justice have seem positive work collaboratively with law enforcement agencies to identify and safeguard potential victims and despite challenges around resourcing have seen swift action from law enforcement agencies.

Hope for Justice have many clients who are currently already engaged with criminal justice processes. The IMSA's are continuing to liaise with clients and law enforcement personnel to obtain updates on current investigations. Our experience is that as the Covid crisis unfolds there are multiple demands on law enforcement services, which are considerably stretching their resources and diverting their investigative role to the emergency response. Law enforcement currently play a vital role in this crisis response, but this may well have secondary implications further down the line as investigations could be on hold during this period. Hope for Justice's experience is that if cases are not swiftly investigated, vital evidence can be lost, perpetrators will continue to exploit others and may evade future prosecution for instance by leaving the country. This could create secondary impact on government policy of creating a hostile environment for traffickers as well as denying justice to victims.

Case Study Nine

Hope for Justice contacted the police about a new client to obtain an update for them on the criminal investigation. The response of the police officer explained, "unfortunately due to current situation this investigation has been placed on hold for the time being so no further action is being taken for the foreseeable future."

Case Study Ten

Hope for Justice liaised with the police around a new referral. Police responded to take a fast approach, were able to quickly arrange a welfare check and also feedback on their response offering ongoing assistance around the case.

Recommendations

Hope for Justice have made a number of key recommendations in the Covid-19 paper as detailed above. More specifically to the UK, Hope for Justice has endorsed the concerns and recommendations made in the report by Helen Bamber Foundation. Additional recommendations to the above would be as follows:-

Identification

1. There is an urgent need to ensure that services, which work to identify victims, are able to access first responders. Now, it may be helpful to make further (and geographically spread) NGO organisations first responders to ensure that victims are able to be swiftly entered into the National Referral Mechanism.
2. Victims need to receive pre-NRM safeguarding and support including access to safe spaces including safe accommodation.

Ongoing Support

3. There be greater resourcing of technological equipment for survivors and organisations supporting survivors to allow them to access services such as counselling and education that may now have moved online.
4. There is flexibility for extra subsistence payments based on the needs of individuals for those who are receiving support through the VCC.
5. As restrictions over time are lifted that there is a staggering of those exiting the NRM so that wider services including repatriation and reintegration services are not overwhelmed. This includes ensuring adequate resourcing for local authorities.
6. There needs to be flexibility around subsistence payments to survivors to ensure that needs are met during this time. This is particularly important for those in the vulnerable category who may need to socially shield and self-isolate.

Rule of Law/Law Enforcement

Please see recommendations within Hope for Justice Covid 19 paper.

Should you have any queries regarding the above please do not hesitate to contact Phillipa Roberts, Director of Legal Policy and Solicitor at phillipa.roberts@hopeforjustice.org.