



Briefing on the updated policy for granting temporary permission to stay for victims of human trafficking and slavery ('VTS leave')

Introduction

We write this briefing following the publication on 24 October 2024 of the updated policy for deciding when to grant VTS leave. While there are some welcome changes within the policy there are still considerable improvements that need to be made to ensure it is a more humane, victim-centred policy that is compliant with the Council of Europe Convention on Action against Trafficking in Human Beings ("ECAT").

As a group of organisations working in the anti-trafficking sector, this briefing is intended to provide further detail to the letter sent by Duncan Lewis Solicitors dated 18 October 2024, the contents of which we endorse. This briefing provides further information on how the policy needs to go further, why a needs based approach is required, the impact the previous iteration of the policy had on survivors and

confirms the need to ensure compliance with the Council of Europe Convention on Action against Trafficking in Human Beings (“ECAT”). This briefing specifically focuses on leave to remain in relation to a person’s “personal situation” but is not exhaustive in its scope and does not address every aspect of the decision making process on VTS leave.

The previous policy and practice led to a woefully small number of survivors being granted VTS leave and we remain concerned that the changes made to the current version are not going to improve things significantly enough. A Freedom of Information request¹ confirmed that in 2023 only 113 recognised adult victims of trafficking received a grant of temporary permission to stay to assist with their recovery. This is around half the grants made in 2022 prior to the 30 January 2023 policy change. The Change in policy left large numbers of survivors in limbo, unable to begin the process of recovering from their exploitation and often at high risk of being re-trafficked.

This briefing is calling for the following:

- 1. A meaningful consultation and survivor-centred approach**
- 2. Grants of leave for at least 30 months for everyone who receives positive conclusive grounds decisions.**
- 3. S.65 of the Nationality and Borders Act (“NABA”) to be repealed. Whether or not this occurs, there should be an overhaul of the policy to ensure compliance with ECAT.**

Consultative and survivor-centred approach

We understand that the changes of 24th October are primarily to clarify the process decision makers will undertake when assessing the availability and accessibility of treatment for each victim and to address ongoing litigation in this policy area, rather than following a wider review of the policy. The sector was disappointed not to have had the opportunity to consult on these changes, however we hope that the Modern Slavery Unit follows through on its commitment to reset the relationship with NGOs the Modern Slavery Unit and will continue to consider whether wider changes to the VTS policy and guidance and the Modern Slavery Statutory Guidance are required. As stakeholders we consider it vitally important that we are given the opportunity to be involved in these discussions. We urge you to make much needed changes to the policy including granting leave to all confirmed survivors of trafficking and repealing s.65 of NABA.

Following the 24th October changes, there remains a need and opportunity for meaningful consultation on VTS policy and decision making as a whole, across all aspects of potential grants and process (i.e., not limited to the issues raised in this letter), with invitations to survivors, anti-trafficking professionals and legal representatives particularly in light of the significant concerns and large number of legal challenges that have had to be brought around VTS leave decision making.

¹ FOI2024/00769

As Safeguarding Minister Jess Phillips MP said at the recent Anti-Slavery Day Awards on 15 October 2024 it is imperative that survivors voices are “*at the heart of what we are doing, that we don't make any decisions about them without them, and we never ever again treat them like they are the problem.*” A meaningful consultation would be a positive step towards this.

Transparency and collaboration

It is important that there is independent oversight of this process and transparency over the contributions made and who is consulted with so it can be an open process that also actively reaches out to survivors, both represented and unrepresented. We also ask that an impact and equality impact assessment is done, which incorporates the potential cost of further litigation if no meaningful change is made to both policy and practice.

Comments in this briefing are made notwithstanding the importance of consultation and an assessment of the impact of any potential policy.

In order to adequately support survivors of modern slavery, the VTS policy and practice need to be fundamentally different to what came before. In this briefing, we have set out what we consider are key principles to begin work on formulating a new policy and decision making culture, if the VTS policy is to be of any benefit to the survivors we support, hopefully avoid further litigation.

The need for leave for all survivors with a positive conclusive grounds decision

Before discussing the recent amendments we wish to make it clear that we endorse the comments and references² made in the Duncan Lewis letter to research pointing to the need for all adult survivors of trafficking with a positive conclusive grounds decision to be granted at least 30 months leave with a route to settlement. A grant of at least 30 months leave would eradicate many of the issues highlighted in this briefing around VTS refusals and grants of short periods of VTS leave. We endorse the recommendations by ECPAT for children to be granted a minimum of five years with the ability to apply for settlement.

It is impossible for survivors to recover and rebuild their lives while living with the insecurity that comes with having no leave, or very short-term leave. As the Safeguarding Minister, Jess Phillips MP, has previously said, it is imperative that we ensure that survivors of trafficking do not disappear ‘*back into the hellish world they thought they had escaped from*’.³

The above reflects the position of the Labour Party Front bench during the passage of the Illegal Migration Act 2023, where the Shadow Spokesperson for Home Affairs,

² British Red Cross, Hestia & Ashiana (2019), After the National Referral Mechanism, available at: <https://www.redcross.org.uk/about-us/what-we-do/we-speak-up-for-change/human-trafficking-and-slavery/after-the-national-referral-mechanism-report>; Helen Bamber Foundation (2023) [Leave in Limbo](#): Survivors of trafficking with uncertain immigration status

³ Human Trafficking Foundation (2016) Day 46: is there life after the Safe House for Survivors of Modern Slavery?, available at: [Is there life after the Safe House for Survivors of Modern Slavery?](#), p.25.

Lord Coaker, called for victims of slavery or human trafficking who have received a positive conclusive grounds decision to be granted:

- a) a residence permit lasting for a period of at least 30 months, and
- b) access to support services.⁴

This position complements the wealth of research from anti-trafficking organisations on the need for long-term support being necessary to ensure that victims and survivors can recover and regain control over their lives.⁵ The current Safeguarding Minister, described Human Trafficking Foundation's research on lack of long-term support as a '*damning indictment of our failure to protect victims of trafficking*'.⁶

Granting leave to survivors to allow them to move on from exploitation and begin to rebuild lives also makes economic sense, as well as decreasing risks of re-exploitation, including re-trafficking. A Cost Benefit Analysis shows significant financial benefits to the public from victims being enabled to move on and rebuild lives as well as a great number of unquantifiable benefits.⁷ Our suggested approach would also save costs and resources for the Home Office and would likely prevent further litigation.

Policy amendments published on 24 October 2024

The main amendment to the government's guidance from 24 October 2024 is the recognition that it is not enough to evidence that treatment is theoretically available in the country of return but that it must also be considered whether that treatment is available to the individual. We respectfully submit that this does not go far enough. It remains our position as set out above that all confirmed survivors should be granted at least 30 months leave to remain and that s.65 of NABA should be repealed but notwithstanding that the current guidance could go much further.

The assessment of whether treatment is likely or not likely to be accessible on return remains overly restrictive. The decision making framework does include relevant consideration but they are overly practical in nature and do not take into account the many nuances that may impact a survivor's ability to engage in treatment,

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[https://bills.parliament.uk/publications/51208/documents/3442#:~:text=%E2%80%9C\(4\)%20Where%20subsection%20\(.\)%20access%20to%20support%20services.%E2%80%9D](https://bills.parliament.uk/publications/51208/documents/3442#:~:text=%E2%80%9C(4)%20Where%20subsection%20(.)%20access%20to%20support%20services.%E2%80%9D), p.4.

⁵ Human Trafficking Foundation (2015) available at: [LIFE BEYOND THE SAFE HOUSE](#); Human Trafficking Foundation (2016) Day 46: is there life after the Safe House for Survivors of Modern Slavery?, available at: [Is there life after the Safe House for Survivors of Modern Slavery?](#); Human Trafficking Foundation, Supporting Adult Survivors of Slavery to Facilitate Recovery and Reintegration and Prevent Rexploitation (2017) available at: [Supporting survivors of slavery to facilitate recovery and reintegration and prevent Re- exploitation](#).

⁶ [Is there life after the Safe House for Survivors of Modern Slavery?](#), p.25.

⁷ The Modern Slavery (Victim Support) Bill. A cost benefit Analysis. (2019) University of Nottingham Rights Lab,

<https://www.nottingham.ac.uk/research/beacons-of-excellence/rights-lab/resources/reports-and-briefings/2019/august/the-modern-slavery-victim-support-bill.pdf&sa=D&source=docs&ust=1732116959167539&usg=AOvVaw1wj2MdoGg7bXbGSDmuY1Hs>

particularly any psychological barriers a person may face in accessing treatment or if they are able to engage in treatment the effectiveness of the treatment. The policy contains an assumption that a person will be able to cover the costs associated with the treatment. We do not agree that this is a reasonable assumption to make, considering the backgrounds of most survivors of trafficking, and it should be removed. However, we note this again requires additional evidence to be provided by the survivor to counter the assumption, when this information could be available by conducting a wider accessibility assessment, for example reviewing a person's history, vulnerabilities, and referring to other documentation provided throughout the course of the case. We remain concerned that while s.65 of NABA is in force a person centred approach will not be possible as it is too restrictive and is not reflective of ECAT and therefore should be repealed.

Council of Europe Convention on Action against Trafficking in Human Beings ("ECAT")

We endorse the comments already made by Duncan Lewis in their letter of 21 October 2024 on this point. While our primary position is that all survivors of trafficking with a positive conclusive grounds decisions should get at least 30 months leave to remain, with a route to settlement, the previous Discretionary Leave to Remain (DLR) policy and process for survivors allowed for every conclusively identified survivor to be considered for temporary leave to be granted where "necessary owing to personal circumstances". S.65 of NABA was introduced amongst a host of anti-immigration policies where changes were not needed. While improvements were certainly required to the previous policy, S.65 went in the wrong direction in that it significantly narrowed the scope of when leave to remain could be granted and misinterprets the obligations outlined in ECAT. As explained, it is our view that the government can best comply with ECAT and ensure support for survivors by granting automatic leave to those receiving a positive CG. If this recommendation is not accepted, at a minimum, s.65 of NABA should be repealed and, separately, the new policy should explicitly direct Home Office caseworkers to apply Article 14(1)(a) of ECAT, when deciding whether to grant VTS leave.

The previous government did not state an intention to depart from ECAT with the introduction of s.65 of NABA, but rather stated that they sought to clarify the obligation in Article 14(1)(a) of ECAT.⁸ The Minister said in a letter to the Bill Committee⁹: *'The EU Trafficking Directive is separate to the Modern Slavery Act 2015 and the Council of Europe Convention on Action against Trafficking in Human Beings, which set out our international obligations to victims, and which remain unaffected, as do the UK's obligations under Article 4 of the European Convention on Human Rights.'* If s.65 NABA remains, we submit that any new policy should follow ECAT in full.

A survivor's personal situation

⁸ Explanatory Notes to NABA 2022 para 641
<https://www.legislation.gov.uk/ukpga/2022/36/notes/division/10/index.htm>

⁹ [Tom Pursglove MP Minister for Justice and Tackling Illegal Migration 2 Marsham Street London SW1P 4DF](https://www.gov.uk/home-)
www.gov.uk/home-

We endorse comments made in the Duncan Lewis letter about the quality of previous decision making. The decisions taken under the policy relating to s.65(2)(a) of NABA frequently focussed on whether a person was actively engaged in therapy rather than addressing the survivor's needs. The recent amendments do not go far enough to prevent this continuing to happen.

A survivor supported by the organisation Hope for Justice was refused VTS leave following receipt of a positive conclusive grounds decision. The reason for refusal was that they were not currently attending counselling sessions when the initial information was submitted to the SCA.

The client had been identified to have recovery needs and had previously been in counselling and was just about to start counselling funded through the MSVCC. The client was also on an NHS waiting list for mental health support. The client had local support from the safe house. It was evident that she had outstanding recovery needs that needed to be met.

The break in counselling was not her choice, it was due to a lack of availability and this information was clearly set out to the SCA.

This is one of many examples of similar restrictive decisions that were made under the previous policy.

These decisions have caused undue distress to survivors and in many cases had a detrimental impact on their mental health. Even in the instances where leave was granted, this was frequently for arbitrary, unjustifiably short periods, in some cases causing more harm than good.

Case study

Sarah was granted VTS for 13 months, despite being in mental health treatment that the Home Office acknowledged was "ongoing, long-term work with no fixed number of sessions". The period of leave granted was to allow Sarah to "finish a course of treatment in the UK". No reasons for the length of leave were given at the time. On reconsideration, the Home Office said they deemed the length of leave to be "an appropriate long term period of leave in line with the evidence submitted".

This decision came after a very long period of years waiting for a conclusive grounds decision and Sarah was in limbo for all of that time. Sarah feels scared about the future and sometimes is not able to cope with life. She is anxious about what will happen at the end of her status. She wants enough time to feel stable and get things going in her life. She says the Home Office has not engaged with

what was sent to them about her case and this has left her feeling worse. She thought by opening up to the Home Office she would be in a better place to get help, but does not feel she was given enough time for her healing.

After being granted leave to remain, Sarah is still in the same treatment with no end date.

Sarah says her life has been a rollercoaster. She has had to deal with a lot of instability after being granted leave, being exited from her safe house and moved between two temporary accommodation places. She has been in a mental health crisis. She has not been able to focus on her recovery.

Notwithstanding the above, which is our primary position, if a policy is not implemented allowing for all survivors of trafficking to be granted at least 30 months leave to remain, a new approach to decision making could be developed through consultation. This briefing does not prescribe an exhaustive list of relevant considerations. However, some relevant factors could include the provisions of ECAT. (In particular para 184 of the Explanatory Report to ECAT: 184. "*The personal situation requirement takes in a range of situations, depending on whether it is the victim's safety, state of health, family situation or some other factor which has to be taken into account*"). Decisions should also not be overly medicalised, relying on evidence a survivor may be unable to provide or preferring grants for people who can access treatment over what their needs may be.

Below is a list of non exhaustive issues that should be considered when making a decision in the round:

- a survivor's own feelings of safety and what a grant of leave would mean for their recovery, to them,
- a survivor's need for treatment (even if they are not yet able to receive it or engage with it);
- the specific types of treatment they require;
- the long term and fluctuating nature of specialist treatment;
- if they are not receiving treatment why that is the case;
- whether they require support other than formal medical treatment;
- their access to assistance under the NRM;
- whether they have been assisted with appropriate referrals for suitable treatment;
- whether treatment has been funded under the MSVCC for a suitable length and at a level that is required by the survivor;
- if support cannot be obtained on the NHS in a reasonable timeframe, the waiting lists and difficulty in accessing treatment for complex conditions;
- the extent to which their fear of removal and/or the effects of not having leave are hindering their ability to recover;
- the relevance of addiction;
- a survivor's family situation and the best interests of their children;
- a survivor's experience of support so far;

- a survivor's need for stability while considering other options relating to their status or securing justice.

We reserve the right to provide further detail and analysis in relation to the above if and when there is a formal consultation.

Case study

Li is a 27-year-old Vietnamese national. He claimed asylum on arrival in the UK. He was detained and was assessed under rule 35 as a victim of torture. He was not released from detention as was considered at risk of absconding. Following his release he was street homeless for a period, during which time he was targeted and exploited in cannabis cultivation. Whilst in the situation of exploitation, his asylum claim was withdrawn.

Li was arrested for cannabis cultivation and sent to prison. He was eventually recognized as a potential survivor of trafficking and was released after five months. He received a positive conclusive grounds decision but was refused VTS leave. At this point Li was not even aware that he had been referred to the NRM. He was not aware of this until he was provided with support from Snowdrop six months after the conclusive grounds decision. He did not know about the VTS decision until Snowdrop sought disclosure from the SCA. He received no support via MSVCC although he was entitled, therefore no assessment of recovery needs was done. It is unclear what efforts, if any, were made to determine what recovery needs Li had when making the VTS decision. Snowdrop worked extensively with Li and it was clear to his caseworker that he would have benefitted from a range of support to assist him with his needs and that he required VTS to provide him with the security to engage with this support.

Throughout this whole process Li did not have an immigration representative and did not receive any advice about the NRM or his rights.

Li is a clear example of someone who required VTS leave but failed to receive it due to a range of failings throughout the NRM process.

Requirement to provide evidence

The policy places an overly high evidential burden on survivors and requires prescriptive and stringently detailed written evidence above the support and treatment they are receiving. An inability to provide written evidence, or indeed access appropriate treatment, should not be a reason to refuse a grant of leave to remain. If a need has been identified, sufficient time should be given in a grant of leave to seek and access support and/or treatment to meet that need. In instances where therapeutic support is required, survivors should not be penalised for a lack of availability of treatment caused by lack of access and long waiting lists. Concerningly in the amendments of 24 October 2024 the evidential burden has increased further requiring that ‘a person **should** provide evidence from a registered healthcare professional” whereas it used to be ‘may provide’. The barriers in accessing evidence have been set out time and time again and increasing this burden is likely to lead to a higher number of refusals.

Survivors should not be required to produce documents from medical professionals to secure leave, especially if they are not represented under legal aid, and are unable to pay for a professional to write a detailed opinion. Survivors should also not be required to provide medical records, as the entirety of those records may not be relevant to the consideration of leave, and this is disproportionate and does not respect their privacy.

As set out in the Duncan Lewis letter, support workers (both in or outside the MSVCC) should be explicitly permitted to write letters of support that allow them to offer their specialist opinion on recovery needs in relation to VTS if considered necessary, although negative inferences should not be made if a letter is not provided.

It should be taken into consideration that an individual may not be able to provide evidence outlining their needs for a wide variety of reasons, particularly if a person does not have a legal representative, which will increasingly be the case due to the ongoing legal aid crisis. Many survivors will not have any advice on obtaining necessary evidence, and support workers are unlikely to be regulated to provide immigration advice on this. Whether or not a person has legal representation should be taken into account during the decision making process when determining what evidence may or may not be available. A lack of evidence should not be a reason for refusal.

Individuals in detention

The difficulties in obtaining evidence are even more problematic for those in detention. There is very limited mental health support available in detention and as

someone is exited from MSVCC when they enter detention they do not have access to a support worker to assist them with this and may not have access to a quality legal aid representative.

While the number of people seeking VTS leave in detention are limited, as most are released prior to the decision being made or are detained after the decision is made, there are still numbers that this applies to. The organisation Detention Action have noted that in instances where those in detention are refused VTS leave, this is because they hold another form of leave, even though the Home Office is considering revoking that leave due to criminal convictions, which is counterintuitive. Detention Action have to refer people to criminal solicitors to challenge their convictions if they are related to their trafficking. However, this takes time and is not a barrier to removal so could result in a person being removed while they have clear outstanding recovery needs.

In addition, Detention Action were able to provide examples where VTS was refused for people in detention who were ultimately removed while still having clear recovery needs. Examples include insufficient evidence being provided or people being quickly removed with little consideration of their recovery needs. This was particularly prevalent for Eastern European nationals.

Applying the exception in s.65(4) of Nationality and Borders Act (NABA)

We endorse comments made in the Duncan Lewis letter about the application of s.65(4).

We would reiterate that if evidence is missing on any of these issues, caseworkers should be directed to request this before refusing a decision. Caseworkers should be assisted with external training by expert clinicians on, among other things, the relevance of subjective fear of return, as well as their own appraisal of their experiences and the elevation of mental health symptoms impacting an individual's ability to access treatment even if it is available.

Previous decision making on this basis has led to confusion and distress for survivors who understandably become concerned that they are required to leave the UK and return to their country of origin, particularly if they do not have a legal representative to explain the difference between the two systems.

Making VTS decisions at the same time as Conclusive Grounds decisions

We endorse comments made in the Duncan Lewis letter about the need for VTS decisions to be made at the same time as conclusive grounds decisions.

Wider changes that need to be made to the policy and practice relating to VTS leave

We endorse comments made in the Duncan Lewis letter about wider changes needed and would add the following:

Duration of leave

When VTS leave is granted, it is often for such a short period of time that it is of little to no benefit to survivors with some examples of leave expiring before the survivor had had the opportunity to apply for housing and benefits, therefore causing additional undue stress. The updated policy takes no steps to address this.

Grants of VTS leave should be made in line with the information and evidence provided and for a sufficient period to enable survivors to navigate the transition to mainstream support, recover and to meet long term and potentially fluctuating needs, with routes to settlement in the UK beyond this.

Short grants of leave can cause many practical problems for survivors, such as the arduous and often lengthy process of securing alternative housing, applying for welfare benefits or seeking appropriate employment and therefore do not allow sufficient time for a person to concentrate on their elements of their recovery, for example engagement with therapeutic support, as intended.

In addition the cost to the state through legal aid and home office casework of people extending leave of short durations is disproportionate, particularly when balanced against the detriment caused for survivors unable to effectively recover due to the fear of leave expiring. In light of this it would be particularly useful for positive decisions to include a decision minute outlining in more detail why a certain timeframe has been chosen, the evidence engaged with etc.

Information gathering

The current method of information gathering prior to a decision on VTS focuses on the “current circumstances questionnaire”. We consider this inadequate in scope, format, or timing, especially for individuals who are unrepresented and do not know which parts of the guidance or Immigration Rules to rely on to add to the information requested in the questionnaire. They are required to provide a large amount of information and detailed supporting documents, particularly in relation to their health. The questionnaire relies on a survivor supplying medical documents they may be unable to provide, especially if not legal aid funded, for example, to be able to instruct a medical professional to provide written confirmation that clearly demonstrates a link between a medical condition and trafficking experience. It is unnecessarily broad to ask for “medical records” as one document option to evidence someone’s health needs.

As noted above support workers who are not regulated to provide immigration advice can not make legal representations on why a person should be granted leave and following consultation with survivors provision should be made for how to obtain information from those who do not have legal representation, many of whom may have needs falling within the scope of the Equality Act.

The information gathering exercise should use the time available within the NRM and be appropriately proactive and responsive to the needs of unrepresented and disabled individuals.

Independent oversight of decision making

Given the extensive and costly litigation on this issue, there is a case for independent training and oversight of decision making to show quality control, without the need for this to occur through litigation and pre action procedures. We ask the Home Office to consider other models of good practice to ensure high quality decision making and what lessons could be learned in the context of VTS, for example, the enhanced training for asylum decision makers on assessing medical-legal reports relating to torture.

Statistics and transparency

We ask for the inclusion of the number of grants and refusals of VTS, the reason for the grant and duration of leave in the published NRM statistics as a matter of course. There does not appear to be a reason to exclude them from this data and it is not possible to monitor the implementation of policy without this data. We also ask for appropriate breakdowns that can measure why grants are made by nationality, gender and age bracket, whether grants are made contingent on a survivor being in treatment or being able to produce a medical report, how many grants are made because “the applicant requires support either through the National Referral Mechanism” (VTS 3.2(b)) and whether survivors granted based on physical and psychological harm are represented or unrepresented. We also ask for clarity on how many survivors are supported with letters from support providers for those still in MSVCC support explaining the link between the support and the criteria for VTS.

As the Home Office maintains a practice of requiring survivors to produce extensive medical evidence for VTS consideration, it would also be reasonable to include in the statistics information on how many referrals to appropriate medical professionals were made by MSVCC subcontractors, how many referrals for private therapy were funded by the MSVCC under the heading of “Additional recovery costs support” in the statutory guidance, where survivors are unable to access an NHS practitioner in a reasonable timeframe or are required to source a letter from a medical professional that covers the points required by the Home Office. This would be particularly relevant for individuals who do not have legal aid representation.

There may be other useful criteria that could help measure the change in the policy and practice of the Home Office.

Other areas

Children

The opportunity to revisit the policy on grants of leave for survivors should specifically look at the special situation of children. Article 14(2) of ECAT says: “*The residence permit for child victims, when legally necessary, shall be issued in accordance with the best interests of the child and, where appropriate, renewed under the same conditions.*” ECAT is clear that a residence permit for children is not conditional upon their co-operation with the competent authorities in investigations or criminal proceedings or their personal situation and their best interests take precedence over the two requirements in Article 14(1)(a) and (b).

Children have no specific provision in s.65 of NABA, and the current policy on VTS states *“consideration of the child’s best interests is a primary, but not the only, consideration in immigration cases. This guidance and the Immigration Rules it covers, form part of the arrangements for ensuring that this duty is discharged”*. The guidance should make it clear that there is a separate provision under 14 (2) ECAT which enables children to be granted permission to stay in the UK if it is in their best interests. It should also make clear that children are not required to meet a double test, i.e., to fulfil a requirement in s65 of NABA as well as demonstrate a grant is in their best interests. The length of leave granted should also be in line with the best interest consideration in particular to ensure children have a durable solution with regards to their immigration status.

Compensation and engagement with public authorities

This briefing does not specifically discuss grants of leave for those seeking compensation and engaging with public authorities, however we are mindful that revisiting the policy may give an opportunity to reconsider how these areas may best work for survivors and we ask that they are also covered in any consultations.

Conclusion

Providing the right support and protection, including long-term leave to remain, to survivors is integral to ensuring that they can recover and rebuild their lives, reducing the risks of being re-trafficked, and helping to facilitate the provision of evidence needed by the police to dismantle criminal slavery networks. In order to break the business model of the traffickers, protection and support measures must be put in place that allow people to come forward about their exploitation without fear and in the knowledge that they will receive meaningful protection and help to recover from their trafficking experience.

If we are to enable survivors’ long-term recovery, it is essential that they have stability and safety. For those without secure immigration status, a form of leave to remain with the right to work or access benefits and housing and a route to settlement is vital. The policy remains far too restrictive and results in little more than a handful of grants of leave and a significant overhaul is required. We are concerned that the updated version does little to improve matters and is likely to only lead to a small increase in the number of grants. Instead we would strongly recommend that all confirmed survivors of trafficking should be granted at least 30 months leave to remain and s.65 of NABA should be repealed.

After Exploitation
Anti Trafficking and Labour Exploitation Unit (ATLEU)
Anti Trafficking Monitoring Group (ATMG)

Anti Slavery International (ASI)
Detention Action
Focus on Labour Exploitation (FLEX)
Helen Bamber Foundation
Hope for Justice
Jesuit Refugee Service UK
Latin American Women's Rights Service
Medical Justice
Snowdrop Project
Unseen