

First response and the national referral mechanism

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Duty to notify

As detailed by [the Modern Slavery Act, section 52](#), frontline staff employed by the police, local authorities, National Crime Agency and the Gangmasters Licensing Authority have a duty to notify the Home Office if they encounter a potential victim of modern slavery in England and Wales. Frontline staff employed by UK Visas and Immigration, Border Force and Immigration Enforcement must also comply in accordance with Home Office policy. For further information see [the NRM referral process](#).

This duty is intended to help build a more comprehensive picture of the nature and scale of modern slavery.

For further information see [Home Office: Duty to notify the Home Office of potential victims of modern slavery](#).

First responders

First responders are agencies and organisations with a responsibility to identify and interview a potential adult or child victim of modern slavery.

In England and Wales, a 'first responder organisation' is an authority that is authorised to refer a potential victim of modern slavery into the NRM.

The current statutory and non-statutory first responder organisations are:

- police forces
- local authorities

- health and social care trusts (Northern Ireland)
- parts of the Home Office:
 - UK Visas and Immigration
 - Border Force
 - Immigration Enforcement

- National Crime Agency
- Gangmasters and Labour Abuse Authority
- Salvation Army
- Migrant Help
- Medaille Trust
- Kalayaan
- Barnardo's
- Unseen
- Trafficking Awareness Raising Alliance (TARA) Project (Scotland)
- National Society for the Prevention of Cruelty to Children (NSPCC) – Child Trafficking Advice Centre (CTAC)
- Black Association of Women Step Out (BAWSO) (UK only)
- New Pathways
- Refugee Council.

There are different cohorts of first responder organisations in Scotland and Northern Ireland.

First responder organisations have the following responsibilities. These responsibilities are entrusted to the organisation, and are for the organisation to decide how to discharge.

- Identify potential victims of modern slavery and recognise the indicators of modern slavery.
- Gather information in order to understand what has happened to victims.
- Refer victims into the NRM via the online process. The archived paper referral form remains for use in exceptional cases. In England and Wales, this includes notifying the Home Office if an adult victim doesn't consent to being referred.
- Provide a point of contact to assist the SCA with the reasonable and conclusive grounds decisions, and to request a reconsideration where a first responder believes it is appropriate to do so.

A first responder is an individual working at a first responder organisation that is involved in discharging one of the duties of the organisations listed above.

The Crown Prosecution Service (CPS) is not a first responder organisation and cannot make referrals to the SCA. Where a prosecutor comes to the conclusion that a suspect should be referred to the SCA for an NRM decision, this must be done through the police.

For further information see [Modern Slavery Act 2015: Public authorities under a duty to co-operate with the Commissioner.](#)

Responding to all potential victims

Frontline officers and staff should first take immediate and effective steps to ensure that a person suspected of being enslaved is made safe.

If the person making initial contact with a potential victim, witness or third party does not have the requisite knowledge or expertise to [sensitively handle vulnerable and traumatised individuals](#), they should refer to their line manager or duty officer immediately.

Interview

When a suitably trained first responder becomes aware of a potential victim, they should make arrangements for specialist interviewers at an early stage. Trained officers should interview potential victims, whether adult or child, in accordance with [Ministry of Justice \(2022\) Achieving Best Evidence in Criminal Proceedings](#). The [questions should be open](#) to avoid accusations that the person has been led or influenced.

If there is a possibility that the person is a victim, the [interview](#) should take the [exploitation indicators](#) into account, and the information derived from the interview should be used to complete a [national referral form](#).

It takes courage and time for a victim to make a [disclosure](#). In cases where a plausible disclosure is not imminent, it may be appropriate to seek local temporary accommodation. This is chargeable to the referring agency. Victims should be placed in secure accommodation and be made to feel comfortable enough to consent to a referral into the NRM. They should be under strict instructions not to attempt communication with their exploiter(s) or other victims. The placement should be kept confidential.

The presence of children at an interview can affect the ability and willingness of victims to disclose information about their experiences, especially when these have been violent or of a sexual nature. Officers and staff should make arrangements for the interview to take place in private while **safeguarding the children**. The victim is also likely to have been coached by their exploiter(s) and may be prepared with a story to tell the authorities.

As a first responder, the police service should complete the actions described in this section to identify potential victims of modern slavery, and make referrals into the NRM from the point of investigating an allegation.

For further advice, contact your force modern slavery single point of contact (SPOC) officer or dedicated modern slavery investigations team.

Responding to potential child victims

A potential victim under the age of 18 years must be represented by an appropriate adult or child advocate, who should be carefully selected. It may not be in the best interests of a child to be interviewed at an early stage of their discovery or during initial contact with authorities. It is important that the child is placed in appropriate secure accommodation before being interviewed.

To determine whether or not a child is a victim of modern slavery, it is not necessary to prove that they have been compelled or induced.

For further information see:

- **[APP Child sexual exploitation](#)**
- **[APP Child abuse](#)**
- **[Working together to safeguard children 2018](#)**
- **[ECPAT E-learning: In your hands – Safeguarding Child Victims of Trafficking](#)**
- **[HM Government \(2011\) Safeguarding children who may have been trafficked](#)**
- **[London Safeguarding Children Board \(2011\) Trafficked Children Toolkit](#)**
- **[Children and Young People \(Scotland\) Act 2014](#)**

Age assessment

Where the age of a potential victim is uncertain and there are reasons to believe that the person is a child, they should be presumed to be a child and receive immediate access to protection, support,

accommodation and advice, as stipulated by [section 51\(2\)](#) of the [Modern Slavery Act 2015](#). If the potential victim looks older than the age they claim to be, a request should be made to a suitably trained social worker, nurse or approved mental health professional for an [age assessment](#).

During this process, the child should be represented by an appropriate adult or child advocate and housed in secure accommodation with close adult supervision. Officers should ensure that the child's placement is kept confidential and that appropriate measures are taken to prevent the child from going missing with the risk of being re-exploited. The assessment should be explained clearly to the child, take place in an appropriate facility and should not be rushed. It must be compliant with the [Merton judgment](#).

Officers should be aware of the potential for an adult to pose as a child to gain access to children, and they should take necessary precautions to prevent this.

The police and the local authority children's services should be contacted immediately when a first responder suspects that a child is a victim of modern slavery. Local authority children's services are the primary service providers for safeguarding and responding to the needs of a child victim of modern slavery, regardless of their nationality or immigration status. They support the child and prompt a criminal investigation.

Interview

[Child victims](#) of modern slavery are amongst the most vulnerable, the easiest to [control](#) and the least likely to admit to their situation. They may not show obvious signs of distress, as they may not realise that they have been enslaved or see themselves as being at risk of harm and in danger. Parents and relatives may also be involved in the exploitation of the child. Children are likely to be extremely loyal to their parents or carers so it is not likely that they will, of their own initiative, seek protection against such people.

It is also possible that a child's experiences of modern slavery perpetrated by adults, and experience of corruption and abuse by police, officials and/or authorities in their home countries, may make them wary of all adults, including police officers. They may, therefore, be reluctant to disclose any information in an interview until they have built a trusting relationship with those interviewing.

Interviews should take place in a child-friendly environment. During the interview, the child should be asked what measures would make them feel safe, how they perceive authority figures and people in uniform, and the police should clearly explain their role to the child. The child should be provided with emergency contact numbers, including 999, and know that these are free of charge.

If a child is housed and goes missing before or after the interview, and is suspected of being enslaved or exploited, they should be treated as a missing person. A suitably trained person should conduct a debrief.

Unaccompanied children

Some children who are under the control of a trafficker may say they are unaccompanied. They might have entered the UK with a trafficker who may or may not be a family member. In such cases, the trafficker may have told the child that if they say they are unaccompanied, they will be granted permission to stay in the UK and be entitled to claim welfare benefits.

Responding to perpetrators who may also be victims

Section 45 of the Modern Slavery Act 2015 introduces a statutory defence for slavery or trafficking victims who commit certain offences, if it can be evidenced that they were compelled to commit the offence as a result of **exploitation**. The defence in section 45 does not, however, apply to victims who have committed offences outlined in **Schedule 4 of the Act**.

If a person is arrested and so enters the criminal justice system as a perpetrator, and officers discover during the PACE interview that the person committed a modern slavery offence through coercion and may also be a **victim**, the interview should continue and evidence be obtained.

On conclusion of the interview, the person should be **referred** into the NRM if they consent. If appropriate, the person should be bailed for the offence under investigation. If, however, the person has been arrested for an offence outlined in **Schedule 4**, is illegally residing in the UK and is likely to abscond, bail should be withheld.

Following the referral, a victim debrief and a subsequent interview in line with **Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures** should take place to identify additional perpetrators and to help officers gather further **evidence**. Refer to the MSHTU for tactical advice on +44 (0)84 4778

2406.

National referral mechanism

Introduction

The National Referral Mechanism (NRM) is a single framework centred on a multi-agency approach to victim identification and referral to appropriate support. First responders can refer all suspected victims to the Single Competent Authority (SCA) for a decision to be made on whether the individual is a victim of modern slavery (for example, human trafficking and/or slavery, servitude, and forced or compulsory labour). Examples of first responders include police, immigration authorities, local authorities and certain non-government organisations (NGOs).

Quick guide for officers and staff

Adult – consenting to NRM referral	Adult – not consenting to NRM referral
Explain the NRM and the support available.	Explain the NRM and the support available.
Complete online NRM referral.	Complete a 'Duty to Notify' referral using the same online process as the online NRM form.
Contact the Salvation Army as soon as possible on 0300 303 8151 (available 24 hours a day).	Liaise with partners – including the local authority, local anti-slavery charities and NGOs, and the Salvation Army – to secure accommodation. Consider any other safeguarding measures.
Arrange initial safeguarding and housing while awaiting a reasonable grounds decision.	Record a modern slavery crime.
Record a modern slavery crime.	
Provide updates on the progress of the investigation to the SCA.	

The Single Competent Authority

The SCA is part of the Home Office. Since 29 April 2019, it has brought together the NRM decision-making functions, which were previously handled by the National Crime Agency and by UK Visas and Immigration, into a single organisation. It is also responsible for aligning the management of the victim care contract, which provides support to victims of modern slavery, with the case working operation.

First responders

A **first responder** will complete a referral form recording their encounter with the potential victim. All relevant information should be included, to enable the SCA to consider whether the subject should be treated as a potential victim of modern slavery.

NRM referral or a Duty to Notify referral

The online referral system is to be used for referrals into the NRM referral and for Duty to Notify (DtN) referrals. Only staff at designated first responder organisations can make referrals.

The difference between an NRM referral and a DtN referral relates to the consent of the adult involved.

Child victims

If the potential victim is under 18, or may be under 18, they must first be safeguarded, then referred into the NRM process. Child victims do not have to consent to be referred into the NRM. Children cannot be referred using a DtN referral.

The first responder should contact the appropriate local authority and provide contact details for the social worker or duty social worker on the NRM referral, so that the SCA can contact and liaise with them.

Adults and consent

Consent is required for an adult to be referred to the NRM. For an adult to provide their informed consent, the first responder must explain:

- what the NRM is
- what support is available through it
- what the possible outcomes are for an individual being referred

The first responder should also make it clear that information may be shared or sought by the SCA from other public authorities, such as the police and local authorities, to gather further evidence on an NRM referral.

The online referral should only be completed for adults when a member of staff from a designated first responder organisation suspects that someone is a victim of modern slavery, and where the adult concerned has understood the implications of, and consented to, the referral.

The online referral is not to be used as an interview record, but as a means for the first responder organisation to provide as much information as possible to the SCA, to enable a decision to be reached. This does not prevent the first responder from approaching the potential victim to obtain further details where appropriate, while avoiding placing them under unnecessary additional stress or trauma.

No consent

If an adult does not consent to enter the NRM, a DtN referral should be completed using the same online process as the digital NRM form.

The NRM referral process

If a first responder thinks that they have encountered a person who has been a victim of modern slavery in England and Wales, whether that person is an adult or a child, the first responder should complete a referral via the new online process. The paper form remains an option in exceptional circumstances.

The online process allows first responders to submit an NRM referral through a single form, regardless of their location in the UK, whether the victim is an adult or child. The form is designed to be responsive and will change depending on the options selected. This includes, for individuals in England and Wales, identifying whether a case is an NRM referral or a DtN referral.

The form is accessed at: modernslavery.gov.uk/start

The online form will identify whether someone is a first responder by verifying their work email address. First responders will need to complete this verification to progress with the form.

After submitting the form, which will be sent to the SCA, the first responder will be sent a link to download a copy. Once the form has been received by the SCA, it will be assigned a reference number, which will be emailed to the first responder.

If any further information becomes available later that would be helpful in making a decision about whether the person is a victim of modern slavery, the first responder can email this to the SCA. The first responder should do this by responding to the referral receipt email without editing the reference number in the subject line.

Once an NRM referral is submitted, the SCA will then aim to make a reasonable grounds decision within five working days.

Access to support for victims

Individuals who are recognised as potential victims of modern slavery, following a positive reasonable grounds decision, have access to specialist tailored support. This support, which may be available for a period of at least 45 days while their case is considered further, includes:

- access to relevant legal advice
- accommodation
- protection
- independent emotional and practical help

Support in England and Wales is currently delivered by the Salvation Army and a number of subcontractors. The Salvation Army will assess each potential victim to determine what support is most appropriate.

If the potential victim wants immediate support – for example, because they are destitute – first responders should contact the Salvation Army as soon as possible to make the support referral. Contact should be made prior to the reasonable grounds decision, which has a target of five working days, on 0300 303 8151 (available 24 hours a day).

You must explain this process to the potential victim and seek their consent before completing the NRM online referral. If they consent to being referred, you should indicate the type of referral being made on the form. You will be asked to confirm that the potential victim provided you with consent.

Pre-NRM housing and safeguarding

In the period of time between NRM referral and the reasonable grounds decision being made, policing has a responsibility to ensure that the victim is safeguarded. Officers and staff are advised to liaise with local anti-slavery charities to assist. However, officers and staff should be aware of the obligation on the local authority to provide housing in these circumstances. If the person is destitute or otherwise needs immediate support, the Salvation Army may support them.

The Homelessness code of guidance for local authorities published in 2018 and informed by the Housing Act 1996, (as amended by the Homelessness Reduction Act 2017), puts an obligation on local authorities to assist victims of modern slavery. Specifically, housing authorities are required to:

[...] secure that accommodation is available for an applicant if they have reason to believe that the applicant may be homeless, eligible for assistance and have a priority need. If housing authorities believe an individual may be vulnerable as a result of being a victim of modern slavery following a referral to the NRM housing authorities should ensure that accommodation is available while they are waiting for an initial 'reasonable grounds' decision.

Local authorities have a statutory duty. However, if multiple victims are expected and the authorities are to be relied on, investigators are strongly advised to contact the authorities as early as possible, to allow them time to prepare.

Reasonable grounds decision

The SCA does not have any criminal or other prescribed investigative powers. Its staff are not accredited investigative officers. The SCA is able to undertake further enquiries, such as sending questions for a response to an individual or their legal representative, and it can request information from the different parties involved in a case. Where appropriate, the SCA will make contact with

police – either the officer in charge or the senior investigating officer – for further information from a relevant or linked investigation.

However, NRM decisions are heavily dependent on the information provided by external parties, over which the SCA has no control. The SCA makes decisions based on the relevant information that is available at the time, to the specific evidential threshold for each type of decision.

Following the submission of an NRM, the police have an ongoing duty to provide updates to the SCA. Information that the police hold about the progress of the investigation can be critical to their reasonable grounds and conclusive grounds decision-making process. This information is the evidence gathered as part of the investigation, including – but not limited to – witness statements, travel information, suspect interviews, digital media and mobile phone evidence. Updates can be provided by quoting the Unique Reference Number (URN) to nrm@modernslavery.gov.uk or by contacting the Duty Line on 0207 035 5689, which is open from Monday to Friday between 10am and 4pm.

The SCA will first decide if there are reasonable grounds to believe that the person is a victim.

The test for a reasonable grounds decision is ‘I suspect but cannot prove’. General indicators of a potential victim’s behaviour, circumstances and responses to questions are taken into account in reaching the decision.

The SCA aims to make reasonable grounds decisions within five working days of receiving a referral. Emergency support is available for potential victims who would otherwise be destitute during this time. A positive reasonable grounds decision entitles the potential victim to a recovery and reflection period for a minimum of 45 days, and until the conclusive grounds decision is made.

During this time, adult victims can receive accommodation and subsistence, specialist support such as counselling, access to physical and mental health care, and signposting to services such as legal aid. Child victims are supported by local authorities under their statutory safeguarding duties.

The recovery and reflection period is intended, in part, to aid a victim’s recovery from their immediate physical or psychological trauma before deciding whether to support an investigation or prosecution. However, this does not preclude the victim from speaking with law enforcement to provide intelligence or information, or from making a statement if they wish to assist an investigation.

Conclusive grounds decision

During the recovery and reflection period, further information and evidence will be collected by the SCA to enable a conclusive grounds decision to be made. A conclusive grounds decision determines whether, 'on the balance of probabilities', there is sufficient information to decide that the person is a victim of modern slavery.

When the conclusive grounds decision is made, adults with a positive decision receive a further period of move-on support, the length of which is based upon the individual victim's needs. This move-on support period is in place to help victims to safely transition out of NRM support. Those with a negative decision receive support for a further nine days.

Following a positive conclusive grounds decision, victims may be eligible for a renewable residence permit, which may be granted for up to 30 months. This may be granted where:

- a victim is cooperating with an investigation or criminal proceedings and the police want the victim to remain in the country to assist
- the victim is seeking compensation from their exploiters in UK courts
- it is deemed necessary owing to their personal circumstances

Crime recording

As of April 2019, the Home Office Counting Rules (HOCR) for recorded crime has introduced the N200 set of rules for modern slavery offences.

All reported incidents of modern slavery are to be recorded on the force crime system, in accordance with the following provisions and – for forces live on the Home Office Data Hub – against the listed specific codes;

N200/01 – reported incident – NRM referral pending reasonable grounds decision

N200/02 – reported incident – NRM referral negative reasonable grounds decision

N200/03 – reported incident – NRM referral – Duty to notify only

N200/04 – reported incident – NRM referral – Positive reasonable grounds/police referral – Outside England and Wales

N200/05 – reported incident – NRM referral – Negative reasonable grounds – Outside England and Wales

N200/06 – reported incident – NRM referral – Transferred to another force in England and Wales

General rule: one record for each NRM referral received.

When to record a crime

The reported incident of modern slavery must be recorded under this classification at the first opportunity. This is usually expected to be by the person receiving the initial report, including call handlers, crime bureaus and specialist units. If other notifiable crimes are reported, these must be recorded at the time of reporting without delay, in accordance with the National Crime Recording Standard (NCRS) and the HOCR.

Clarification

All NRM referrals received by the force from the SCA will be recorded initially under classification N200. The N200 record is to be retained pending receipt of the reasonable grounds decision. Once the reasonable grounds decision is received, the recording decision must be made in accordance with the flowchart (see the link to the HOCR in the 'Useful links' section).

For incidents where modern slavery criminality occurred in England and/or Wales, all referrals made by the police into the NRM and/or incidents where victims report to police directly must be subject to a recorded crime of modern slavery. If it is determined that all modern slavery criminality occurred outside England and Wales, an N200/04 must be recorded. DtN referrals submitted by the police must be subject to a recorded crime.

Reports recorded under this classification must be included in force notifiable crime statistical returns, using the same reporting process as notifiable crimes.

With regards to the NRM, the expectation is that once a reported incident of modern slavery in England and Wales is confirmed by a positive reasonable grounds decision, it will be reclassified as such at the earliest opportunity. There should be no delay for any investigation to occur, beyond establishing the circumstance of the incident to inform the NCRS crime recording decision.

Once recorded and classified, a reported incident of modern slavery will remain recorded as such, unless (or until) it is reclassified as a confirmed crime of modern slavery, in addition to any other notifiable crime, as appropriate. Such reclassification must take place as soon as the reporting officer is satisfied that it is more likely than not that a notifiable crime has been committed, or once a positive grounds decision is returned. The decision to record a crime must not be delayed pending the outcome of the criminal investigation.

Useful links

- [The CPS guidance on modern slavery provides further case law and considerations for investigators on the s 45 defence and alignment to the NRM](#)
- [Home Office guidance on the NRM](#)
- [The HOCR for modern slavery](#)
- [Modern Slavery Police Transformation Unit](#)

Tags

Modern slavery