



DoJ

Department
of Justice

www.justice-ni.gov.uk

Draft Modern Slavery Strategy 2021/22

including COMMITMENTS FOR 2020/21

and PROGRESS UPDATE on the MODERN SLAVERY
STRATEGY 2019/2020

Consultation Document

16 October 2020

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Section 1 – About this consultation

- 1.1 The Department of Justice is seeking views from stakeholders across a wide range of sectors on a new modern slavery strategy that seeks to build on the progress that has been made under previous strategies.
- 1.2 The draft strategy is a multiagency collaboration, owned and delivered by members of Northern Ireland’s Organised Crime Task Force and the agencies working to address modern slavery and human trafficking. Key partners involved in delivering the strategic modern slavery and human trafficking objectives include organisations such as the Police Service of Northern Ireland, the Public Prosecution Service, Policing and Community Safety Partnerships, the Department of Health, the Health & Social Care Board, Health & Social Care Trusts, the Department for the Economy, the Department for Communities, the Home Office, National Crime Agency, Probation Service, An Garda Síochána, and the Gangmasters’ Labour Abuse Authority.
- 1.3 We welcome views on the Modern Slavery Strategy for 2021/22 from key partners as well as from the Office of the UK Independent Anti-Slavery Commissioner, Criminal Justice Inspection Northern Ireland, the UK Government, local councils in Northern Ireland, businesses and private sector organisations, faith groups, organisations within the voluntary and community sector, and members of the public.
- 1.4 Modern slavery cuts across all sectors of society and can affect all of us. **We are therefore keen to hear views and comments from individuals and organisations across all sectors to ensure that the resulting strategy is as informed, comprehensive and effective as possible in helping to equip Northern Ireland to eradicate modern slavery.**

Section 2 – How to respond

Access to Consultation, Duration and closing date

2.1 The consultation is available at Citizen Space at the link below:

<https://consultations.nidirect.gov.uk/doj/draft-modern-slavery-strategy-2021-22>

This consultation will be open **until 07 January 2021** and responses will be welcomed up to that date. **The draft Strategy and response sheet are included here.** Hard copies of this consultation document, and copies in other formats (including Braille, large print etc.), can be made available on request to the address below.

Enquiries and Responses

2.2 Please address any enquiries you may have to:

By phone (enquiries only, during working hours 9am-5pm): 028 90 522957

By e-mail: OCB.enquiries@justice-ni.x.gsi.gov.uk

In writing: Organised Crime Branch
Protection and Organised Crime Division
Department of Justice
Castle Buildings
Stormont Estate
BELFAST
BT4 3SG

2.3 The Department intends to publish a summary of responses to the consultation on our website. Any contact details or information that would

identify a respondent as a private individual will be removed prior to publication. All information will be handled in accordance with the Data Protection Act 1998 (DPA).

- 2.4 Respondents should also be aware that the Department's obligations under the Freedom of Information Act 2000 (FOIA) may require that any responses not subject to specific exemptions under the Act be communicated to third parties on request.

Alternative Formats

- 2.5 Hard copies of this consultation document, and copies in other formats (including Braille, large print etc.), can be made available on request. If it would assist you to access the document in an alternative format or language other than English, please let us know and we will do our best to assist you.

Complaints

- 2.6 If you have any concerns about the way this consultation process has been handled, you should send them to the following address:

Standards Unit
Department of Justice
Knockview Buildings
Stormont Estate
Belfast BT4 3SL
Email: Standardsunit@justice-ni.x.gsi.gov.uk

Section 3 – Overview of Modern Slavery and Human Trafficking in Northern Ireland

3.1 Modern slavery is an umbrella term often used to describe offences of human trafficking and also of slavery, servitude and forced or compulsory labour. The latter covers situations in which people are coerced to work, sometimes through the use of violence or intimidation, or sometimes by more subtle means such as accumulated debt, retention of identity papers or threats of denunciation to immigration authorities. It can be closely related to human trafficking, which involves the movement of a person for the purpose of exploiting them. Human trafficking can involve a range of different types of exploitation, including labour exploitation, sexual exploitation, criminal exploitation or organ harvesting. As with slavery and forced labour, in human trafficking, an individual may be exploited through the use of force, threat or other forms of coercion, or by manipulating a particular vulnerability, such as their age, isolation or other factors that may make them vulnerable. Section 3 of the 2015 Act ¹ sets out the meaning of exploitation in respect of the human trafficking offence.

Scale

3.2 As modern slavery offences are largely hidden crimes it is often difficult to establish an accurate assessment of the nature and extent of the problem in Northern Ireland. The National Referral Mechanism (NRM) is the UK's referral mechanism for identifying and supporting victims and potential victims of modern slavery. It currently helps to inform much of our understanding of the nature and scale of human trafficking and modern slavery across the United Kingdom. However, it is widely accepted that the NRM only reveals part of the total picture. Not all victims of trafficking recognise themselves as such, and this strategy aims to raise awareness to help identify potential victims and to respond to concerns.

¹ <https://www.legislation.gov.uk/niu/2015/2/contents>

Data/trends

- 3.3 2019/20 saw an increase in the number of NRM referrals in Northern Ireland by 88.1% on the 2018/19 referral figures - from 59 referrals in 2018/19 to 111 referrals from 2019/20 financial year. Of the 111² referrals, 53 were female and 58 were males.
- 3.4 Trends in exploitation type remained consistent with the previous year with slight variances within the victim nationalities most affected. Exploitation by securing services, which is essentially forced criminality, was the most commonly referred exploitation type in Northern Ireland, closely followed by labour and sexual exploitation.
- 3.5 Adult Services Websites (ASW) remain a key enabler for sexual exploitation, showing the ever-increasing scale of cyber enabled organised criminality.
- 3.6 During 2019/20 the PSNI Modern Slavery & Human Trafficking Unit [MSHTU] conducted eight Warrant Searches and 75 safeguarding visits/non-warrant operations. The team conducted 158 screening assessments (a process to safeguard victims through early recognition and subsequent intervention). 22 arrests for MSHT and/or related offences were made, and four people were charged with MSHT and/or related offences and two convictions were secured for Human Trafficking under the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 [the HTA 2015].

² Two cases were subsequently reallocated to other GB police forces

Section 4 – The Draft Modern Slavery Strategy 2021- 2022

Term of the strategy

- 4.1 Section 12 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 [the HTA 2015] requires the Department of Justice (DOJ) to publish an annual modern slavery strategy for Northern Ireland.
- 4.2 On 6 July 2020 the Department launched a public consultation on the proposal to amend the legislation to remove the requirement for an annual Modern Slavery Strategy which would enable the Department and partners to set the longer term direction for addressing human trafficking and exploitation while also delivering shorter-term operational plans. In considering this proposal, the importance of committing to publish an annual update on progress for accountability and transparency, was acknowledged. The **consultation closed on 1 September** and the majority of respondents have indicated their support for the development of a longer term strategy. A paper detailing the outcome of the consultation was submitted to the Justice Committee on the 8th October at which Members noted the summary of responses and proposed next steps. This annual strategy sets out the proposed commitments for 2021/22. Subject to changes in the legislation, developing a longer term strategy provides the opportunity to develop a comprehensive framework for both short and long-term policy priorities, as well as a longer term approach to defining meaningful and measurable outcomes.

Content

- 4.3 In line with section 12 of the HTA 2015, the purpose of a Modern Slavery Strategy is to raise awareness of human trafficking and slavery-like offences in Northern Ireland and to contribute to a reduction in the number of such offences. Section 12 of the Act also sets out that the strategy must, in particular, cover:
- the arrangements for co-operation between relevant organisations;
 - provision as to the training and equipment for investigators, prosecutors and those dealing with victims; and
 - provisions aimed at raising awareness of the rights and entitlements of victims.
- 4.4 In developing the draft strategy at Annex A, we have considered information and advice provided by a range of key partners, to further develop good practice and benchmark initiatives and strategic approaches that are working successfully across other jurisdictions.
- 4.5 The draft strategy has been developed to ensure that these issues are addressed, and brings together the ongoing strands of activity to tackle modern slavery including raising awareness, training, and cooperation between relevant partner agencies. It reaffirms the commitments for 2020/21 and includes a progress update on the Modern Slavery Strategy 2019/2020.
- 4.6 The draft strategy has also been informed by statutory measures and requirements under the HTA 2015 and the Modern Slavery Act 2015, current national and international priorities and commitments, recent commentary and recommendations from the Independent Anti-Slavery Commissioner and Criminal Justice Inspection Northern Ireland, as well as information available through the National Referral Mechanism and the National Crime Agency's strategic assessments of the nature and scale of human trafficking in the United Kingdom.

Strategic aim and priorities

4.7 The overarching strategic aim remains the same “Equipping Northern Ireland to eradicate modern slavery”. This overarching aim is underpinned by the three strategic priorities of:

- Pursue (Detecting, investigating, disrupting and prosecuting modern slavery offenders);
- Protect (Reducing the harm caused by modern slavery by improved victim identification and support); and
- Prevent (Reducing the threat of modern slavery by reducing vulnerability and demand and by raising awareness).

4.8 All three priorities are underpinned by a commitment to partnership and collaboration from all partner agencies, and against each priority are a range of objectives, performance metrics, and commitments for 2020/2021 and 2021/2022.

Section 5 – Impact Assessments

5.1 The Department of Justice has conducted a rural needs impact assessment and equality screening exercise on the draft strategy and has not identified a potential adverse impact on any groups. These screening assessments will be revisited if necessary if there are significant changes to the strategy as a result of consultation comments.

Section 6 – Next Steps

6.1 The consultation closes on **7 January 2021**. Any comments or suggestions received by that date will be fully considered by the Department and a summary published, with any further appropriate revisions then made to the strategy before final publication, subject to approvals.

Please note that responses to this consultation will be subject to the **Freedom of Information Act 2000**, which gives the right of access to much of the information held by public authorities. Before you submit your response, please read the advice in **Annex A** of the consultation document about the effect of the Freedom of Information Act 2000 on the confidentiality of responses to public consultation exercises.

Before you submit a response, please also read the Privacy Notice at **Annex B** of the consultation document which sets out how we will use personal information as part of the processing of consultation responses.

FREEDOM OF INFORMATION ACT 2000 – CONFIDENTIALITY OF CONSULTATIONS

The Department intends to publish a **summary** of responses following completion of the consultation process.

Your response, and all other responses to the consultation, may also be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this public consultation.

Subject to certain limited provisos, the Freedom of Information Act gives members of the public a right of access to any information held by a public authority, in this case, the Department. This right of access to information includes information provided in response to a consultation.

The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- ❖ the Department should only accept information from third parties "in confidence" if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- ❖ the Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature;
- ❖ acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

Further information about confidentiality of responses is available by contacting the Information Commissioner's Office (or at www.informationcommissioner.gov.uk).

Annex B

Privacy Notice

Data Controller Name: Department of Justice (DoJ)

Address: Department of Justice, Castle Buildings, Stormont Estate, BELFAST, BT4 3SG

Telephone: 02890 378617

Email: FOI@justice.x.gsi.gov.uk

Data Protection Officer Name: DoJ Data Protection Officer

Telephone: 02890 378617

Email: DataProtectionOfficer@justice-ni.x.gsi.gov.uk

Why are you processing my personal information?

- DoJ is seeking comments from interested parties as part of its public consultation on the Consultation on policy proposals for new offences to tackle organised crime in Northern Ireland. DoJ is not seeking personal data as part of the consultation but is likely to receive names and addresses/e-mail addresses as part of a consultee's response.
- Consultation is a requisite part of the development of public policy and strategy.
- **ONLY if you are relying on consent to process personal data.**
DoJ is not relying on consent for processing the data supplied by the applicant. DoJ is required to seek consultation responses as part of policy development.

What categories of personal data are you processing?

- Responses to the consultation will include names and addresses and/or e-mail addresses.

Where do you get my personal data from?

- The personal data will originate from the person responding to the consultation.

Do you share my personal data with anyone else?

- We will not share your personal data with other organisations.

Do you transfer my personal data to other countries?

- No.

How long do you keep my personal data?

- We will retain your data in line with 5.7 of Schedule 5 of the DoJ Retention and Disposal Schedule (<https://www.justice-ni.gov.uk/publications/doj-retention-and-disposal-schedule>).

(If you use automated decision making or profiling) How do you use my personal data to make decisions about me?

- DoJ will not use automated processing for responses to this consultation.

What rights do I have?

- You have the right to obtain confirmation that your data is being [processed, and access to your personal data](#)
- You are entitled to have personal data [rectified if it is inaccurate or incomplete](#)
- You have a right to have personal data erased and to prevent processing, [in specific circumstances](#)
- You have the right to 'block' or suppress processing of personal data, [in specific circumstances](#)
- You have the right to data portability, [in specific circumstances](#)
- You have the right to object to the processing, in specific circumstances
- You have rights in relation to [automated decision making and profiling](#)

How do I complain if I am not happy?

Complaints should be submitted to:
Freedom of Information Unit
Department of Justice
Castle Buildings
Stormont Estate
BELFAST
BT4 3SG

Telephone: 02890 378617
Email: FOI@justice.x.gsi.gov.uk

If you are unhappy with any aspect of this privacy notice, or how your personal information is being processed, please contact the *Departmental Data Protection Officer* at: DataProtectionOfficer@justice-ni.x.gsi.gov.uk

If you are still not happy, you have the right to lodge a complaint with the Information Commissioner's Office (ICO):

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113
Email: casework@ico.org.uk
<https://ico.org.uk/global/contact-us/>