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**Hope for Justice Response to Joint Questionnaire of Special Procedures**

**About Hope for Justice**

Hope for Justice is an anti-slavery charity working across five continents to bring an end to 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. Hope for Justice currently works across 32 locations with offices in the UK, Norway, Cambodia, US, Uganda, Ethiopia and Australia.

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 in the UK alone Hope for Justice trained 4,434 people. 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.

In the UK 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. At this present time Hope for Justice is providing 107 survivors (and 19 dependents) with long-term socio-legal advocacy through its Independent Modern Slavery Advocacy service (IMSA).

Due to the short time frame for submission Hope for Justice have not had an opportunity to collate information from all its international offices. This submission predominantly focuses on the UK but does provide some of the broader picture of the impact of Covid 19 specifically around the issue of slavery. Hope for Justice have produced a global report on the potential impact in April 2020 with key recommendations <https://hopeforjustice.org/news/2020/04/hope-for-justice-launches-major-report-on-trafficking-impacts-of-covid-19/>.

**Legislation Around Covid 19 and Human Rights**

On the 25th March 2020 the UK parliament passed the Coronavirus Act 2020 which included a number of emergency provisions to address the crisis.[[1]](#endnote-1) The purpose of the Bill as described in the Summary of Impacts is to *“provide powers needed to respond to the current coronavirus epidemic. Powers are for use only if needed, judged on the basis of the clinical and scientific advice.”[[2]](#endnote-2)* A date for expiry is detailed in section 89 of the Act of two years but this can be extended. In addition, the government has to report every two months providing some level of parliamentary accountability.

A summary of impacts was published on the 19th March 2020 but this focuses on the practicalities of the impact of various sections of the Bill as opposed to clear assessments of any short, medium or long-term human rights impacts.[[3]](#endnote-3) Some provisions of the Act protect rights and provide greater support, for instance provisions to protect residents from eviction; funding of statutory sick pay employer liability. However, Hope for Justice do have some concerns about the medium to longer term impact of some provisions, for instance, relating to social care (see below section on social care).

**Questions by the Special Rapporteur on Contemporary Forms of Slavery**

1. **What is the impact of the COVID-19 crisis on contemporary forms of slavery, including descent-based slavery; forced labour; debt bondage; serfdom; sexual slavery; commercial sexual exploitation of children; child labour; domestic servitude; and servile forms of marriage?**

In the UK, it does appear that child criminal exploitation and more generally, criminal exploitation has not been significantly impacted by the crisis and these forms of slavery have not reduced in the crisis. Concerns have been raised by many of the wider children’s charities in the UK on the impact of the closure of schools and increased risks around online grooming for child sexual and criminal exploitation.[[4]](#endnote-4) These are concerns shared in our global offices.

As some businesses known for exploitation have been shut during the lockdown, such as nail bars and car washers, Hope for Justice have concerns as to what has happened to these workers during this period. Our experience of forced labour more generally in the UK is that where work is not available traffickers will diversify into increased fraud and identity theft, they will continue to give victims food and housing until work is available adding any costs onto a bonded debt.

The pandemic has exposed significant underlying inequalities many of which have increased vulnerabilities during Covid 19. Workers already vulnerable to exploitation have become more vulnerable, some workers do not have recourse to public funds so lack a clear welfare safety net. Focus on Labour Exploitation (FLEX) has produced a report detailing vulnerable workers at risk of exploitation including the disproportionate impact on women and migrant workers (documented and undocumented). A copy of this briefing with key recommendations can be found at <https://www.labourexploitation.org/publications/no-worker-left-behind-protecting-vulnerable-workers-exploitation-during-and-after-covid>.

Please also see Covid 19 briefing produced by Hope for Justice on wider implications (link is as above) and report by Anti Slavery International “Leave No One Behind” <https://www.antislavery.org/wp-content/uploads/2020/04/ASI_Leaving-noone-behind-April-2020-1.pdf>.

1. **What steps have been taken by the Government to reduce increased risks of contemporary forms of slavery in the context of the outbreak? Please, share any good practices and identify persistent challenges, including with regards to prevention; identification of victims; provision of access to recovery and rehabilitation services; and investigation and prosecution of slavery-related crimes.**

Our experience is that many governments have had to focus their efforts on the emerging health and humanitarian crisis resulting from the outbreak. Due to the scale of this crisis governments are not necessarily able to put in measures to prevent secondary impacts such as increased risks around slavery.

***Prevention***

Hope for Justice have identified that community-based prevention work globally has been significantly affected by lockdowns but have been able to continue depending on the specific country lockdown restrictions. Self Help Groups are continuing to meet in Ethiopia and starting to resume in Uganda but with reduced levels and savings significantly down. If these groups are, able to meet face to face they are doing so in smaller groups and some of the self-help groups have self-organised to make food distributions to vulnerable community members. Cluster level associations are continuing to meet, supporting self-help groups in areas but in addition to awareness around slavery raising awareness of the issue of Covid-19.

Governments have established temporary emergency shelters for street connected children in some countries e.g. in Uganda and Ethiopia. Hope for Justice outreach workers have been working in these shelters to support the government by providing psychosocial and wider support. As these shelters start to be closed Hope for Justice are working to ensure potential and actual victims are supported, including through our own programmes. For instance in Uganda Hope for Justice is preparing to reintegrate 50 children from one emergency shelter who would otherwise return to the streets once the shelter has closed.

***Identification of Potential Victims***

The current National Referral Mechanism (NRM) data for the UK indicates there has been a reduction of referrals into the National Referral Mechanism during the first quarter. For instance, there were 2,871 referrals of potential victims into the NRM in the first quarter of 2020 – a 14% fall from the previous three months.[[5]](#endnote-5) Government lockdown restrictions, coupled with frontline agencies working remotely, will invariably have inhibited the ability of potential victims to access frontline services who may have identified them.

Hope for Justice have seen positive collaborative work with law enforcement agencies. For instance, Hope for Justice were asked to support a law enforcement operation in West Yorkshire to identify potential victims of trafficking for sexual exploitation. Hope for Justice were able to appropriately risk assess this and provide personal protective equipment for staff.

Whilst Hope for Justice is operating with a much-reduced team, we have adapted our community engagement work to take referrals and support agencies around identification of potential victims and have pivoted training online. Currently Hope for Justice are seeing an increase in referrals from agencies largely over telephone and email after initially experiencing a decrease in referrals largely due to lockdown restrictions. 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. Despite these challenges Hope for Justice have worked with multiple agencies including the police and local authorities to identify and safeguard survivors and where they wished to, entered them into the National Referral Mechanism

***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. In addition, telephone interviewing, particularly for those who present with mental health issues has never particularly worked well. It can also inhibit rapport and trust building and some indicators for the NRM form are observational e.g. physical injuries.

***Survivor Advocacy (IMSA’s)***

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. This has provided a vital lifeline for survivors to be able to voice their concerns and needs. The crisis has served to highlight the range of responses and needs of clients resulting from the impact of exploitation and Covid 19. This is unique to the person and one size does not fit all. Some survivors have voiced feeling safer in lockdown, some have experienced mental health deterioration and others have been able to obtain employment in industries where there has been increased demand for labour e.g. supermarkets and are thriving in this period, whilst others have experienced a deterioration in mental health.

***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 they can understand. 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. Education is an ongoing process as the crisis unfolds and guidance is changed. This is additionally important due to fake news.

***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. 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 resources and support.

***Subsistence Payments for those Living with Family and Friends***

Survivors receiving support through the UK Victim Care Contract (VCC) who are on outreach and living with friends and family currently receive £35.00 a week in subsistence. This has recently increased to £39.50. Hope for Justice have ongoing concerns that is insufficient subsistence given the extra household demands for those who may need to self-isolate, coupled with extra equipment which may be required in order to continue to receive services.

***Access to Therapeutic Services and Education***

The pandemic has highlighted the need for innovation and technology e.g. laptops, mobile telephones for clients to be able to access services remotely such as counselling and education. Hope for Justice have been able to obtain extra funding for equipment through grants and donations from businesses. Survivors have also needed extra training to utilise technology. This is more of a challenge with some survivors e.g. those with learning difficulties. In addition, some clients have been unable to access mental health support/counselling during the lockdown even though counselling services moved online because they have a child in the house and it would be inappropriate to talk about what happened to them with children present. In general, online therapy has opened up more opportunities including sourcing in a wider geographical area therapists who speak the same language as the survivor.

***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 due to adaptations to services caused by Covid-19.

***Issues of Misinterpretation of Behaviour from Wider Services***

*Case Study One*

*A survivor that Hope for Justice 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*.

***Ability to Access General 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, although some are still providing telephone support. Currently the government are providing extra time within the NRM and not moving victims in safe houses out of the service. In addition, Hope for Justice at present are seeing less victims evicted/made homeless following exit from the NRM at present.

*Case Study Two*

*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.*

*Case Study Three*

*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.*

*Case Study Four*

*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.*

***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 moving 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.

***Local Authority Provision: Adult Social Care Provision***

Sections 15 – 16 and Schedule 12 of the Coronavirus Act 2020 in the UK modify some significant local authority duties and powers. This includes assessing an adult’s need for care and support pursuant to section 9 Care Act 2014 and a child’s need for care and support pursuant to sections 58 – 59 Care Act 2014. If utilised, they could significantly affect access to social care support for the most vulnerable. In Hope for Justice’s experience failure to provide support can result in deterioration in situations and increased safeguarding, care and support needs.

*Case Study Five*

*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.*

1. **Are there indications of an increase in the number of people employed in informal or illegal economies since the outbreak of the pandemic? Are there reports of forced labour and exploitative labour practices in such business sectors, such as long working hours, low pay, no adequate time to rest, and no holiday pays, etc.?**

Please see information as detailed in question 1 including the report by Focus on Labour Exploitation.

1. **Has there been engagement with business entities and other stakeholders to develop joined strategies on reducing the risk of vulnerable workers in their operations and supply chains becoming exposed to contemporary forms of slavery in the context of the pandemic.**

Hope for Justice have been providing support to businesses for many years in developing strategies on reducing risks of vulnerable workers in their supply chains. In 2018 Hope for Justice launched Slave Free Alliance to further these efforts. Hope for Justice/Slave Free Alliance have continued to support businesses to identify the existing and extra risks around Covid 19 and work collaboratively to mitigate these risks. To support businesses Slave Free Alliance conducted a seminar in collaboration with a public health expert on the risks for business around Covid 19. Key issues identified by Hope for Justice/Slave Free Alliance and raised by business are as follows:-

* Supply chains are fractured. Companies are having to move to new suppliers to get components. Human rights/ sustainability due diligence is taking a back seat at present as the priority is to get the materials they need to function. In addition, many ethical trade managers in the UK are being placed on furlough.
* Within supply chains “standard” due diligence processes are struggling. Face to face, site assessment is almost impossible at present. Some businesses have moved to remote assessments, but these are far from perfect. Getting a true worker voice is very hard remotely and the risks of documents being forged/ emailed across are greater.
* Hope for Justice have heard of procurement teams pushing back ethical trade managers wishes to complete due diligence assessments.  The rationale is that suppliers are under enough pressure as it is. Sourcing components, planning production when supply chains are broken, dealing with social distancing, dealing with staff illness or self-isolating. Putting a due diligence assessment onto suppliers when they are under these pressures is too much and would affect credibility with a supplier.
* Hope for Justice consider that there will be an increase in temporary workers in some businesses. Demand for products is likely to be up and down over the next few months. This will mean that certain sectors will need flexible working patterns and will most likely look to temporary labour.  With the restrictions in place due to Covid 19, this could increase the risks of forced labour getting into a legitimate business. These risks presented prior to Covid 19 for instance in the case of Operation Fort an Organised Crime Group infiltrated businesses.
* The normal indicators of forced labour may not be the same. For instance, a key indicator of forced labour is restriction of movement. However, restriction of movement in the current crisis may indicate a business is taking robust health and safety measures to protect its staff from infection as opposed to a forced labour situation.

We do wish to highlight the role that businesses have played in working with NGO’s such as ourselves in supporting the survivors we work with by providing vital equipment such as laptops, smart mobile phones and also food parcels free of charge at this critical time.

1. **Since the outbreak, has the Government continued investigating and prosecuting human rights violations related to decent-based slavery; forced labour; debt bondage; serfdom; sexual slavery; commercial sexual exploitation of children; child labour; domestic servitude; and servile forms of marriage?**

Hope for Justice have many clients who are currently already engaged with criminal justice processes. In the UK, 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 have been multiple demands on law enforcement services, which initially stretching their resources and diverting their investigative role to the emergency response. Despite these challenges Hope for Justice are seeing some police forces continue to proactively identify victims and investigate cases but this can vary depending on the police force and level of involvement with the Covid 19 response.

Case Study Six

*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 Seven

*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.*

During the lockdown may of the civil and criminal justice courts have been closed, some hearings have been conducted remotely. Courts in the UK are now starting to reopen with social distancing measures in place but are likely to have a significant backlog in cases. This is likely to be an impact on the time for cases to come to prosecution. Cases involving slavery are often protracted litigation cases. In addition, any further delays could risk survivor disengagement.

1. **In light of the Sustainable Development Goals and global commitments to eradicate slavery (target 8.7) and measure progress in this area, has the Government been able to ensure timely collection and analysis of disaggregated data? If available, please share the data collected in the first quarter of 2020, including information regarding the number, age, gender and nationality of identified victims; number of prosecution of perpetrators; types of services provided to the victims; industries where victims were identified. Has any of these data significantly varied from previously recorded trends due to factors related to the COVID-19 pandemic?**

NRM data is available for the first quarter, which can be found <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/889969/national-referral-mechanism-statistics-uk-quarter-1-2020-january-to-march.pdf>.

Wider data may not be available or not yet available.

Should you have any queries please do not hesitate to contact Phillipa Roberts, Director of Legal Policy and Solicitor, Hope for Justice on 0044 300 008 8000 or email at phillipa.roberts@hopeforjustice.org.

1. Coronavirus Act 2020 <http://www.legislation.gov.uk/ukpga/2020/7/contents/enacted> [↑](#endnote-ref-1)
2. Coronavirus Bill Summary of Impacts 19th March 2020 page 4 <https://publications.parliament.uk/pa/bills/cbill/58-01/0122/Coronavirus%20Bill%20Impact%20Assessment%20final%203.pdf>. [↑](#endnote-ref-2)
3. Coronavirus Bill Summary of Impacts 19th March 2020 <https://publications.parliament.uk/pa/bills/cbill/58-01/0122/Coronavirus%20Bill%20Impact%20Assessment%20final%203.pdf>. [↑](#endnote-ref-3)
4. <https://www.childrenssociety.org.uk/news-and-blogs/our-blog/covid-19s-impact-on-children-at-risk-of-abuse-neglect-and-exploitation> and <https://www.barnardos.org.uk/see-hear-respond/announcement> [↑](#endnote-ref-4)
5. NRM Quarterly data for January to March 2020 sourced at <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/889969/national-referral-mechanism-statistics-uk-quarter-1-2020-january-to-march.pdf> [↑](#endnote-ref-5)