



## National Referral Mechanism

### Guidance for front-line practitioners and managers

#### What is the National Referral Mechanism?

The National Referral Mechanism (NRM) is a framework for identifying and supporting victims of human trafficking or modern slavery, which includes internal trafficking and exploitation by county lines gangs. The consent of the child is not required for a referral to be made.

It is part of the Government response to fulfilling its obligations to identify victims under the [Council of Europe Convention on Action against Human Trafficking](#), which came into force on 1 February 2008. The NRM is a framework for identifying victims and ensuring they receive the appropriate protection and support.

The NRM is also the mechanism through which the [Modern Slavery and Human Trafficking Unit \(MSHTU\)](#) collects data about victims. This information aims to help build a clearer picture about the scope of Modern Slavery in the UK.

From 31st July 2015, the NRM was extended to all victims of modern slavery in England and Wales following the implementation of the Modern Slavery Act 2015.

Modern slavery comprises;

For a person to have been a victim of **human trafficking** there must have been:

- action (recruitment, transportation, transfer, harbouring or receipt, which can include either domestic or cross-border movement)
- means (threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability - however, there does not need to be a means used for children as they are not able to give informed consent)
- purpose of exploitation (e.g., sexual and or Criminal exploitation, forced labour or domestic servitude, slavery, removal of organs)

For a person to have been a **victim of slavery, servitude and forced or compulsory labour** there must have been:

- means (being held, either physically or through threat of penalty – e.g., threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability. However, there does not need to be a means used for children as they are not able to give informed consent)

- service (an individual provides a service for benefit, e.g., begging, sexual services, manual labour, domestic service)

Forced or compulsory labour may be present in trafficking cases. However, not every person who is exploited through forced labour has been trafficked.

Any child who is recruited, transported, transferred, harboured, or received for the purposes of exploitation is considered to be a trafficking victim, whether or not they have been forced or deceived. Even when a child appears to have submitted willingly to what they believe to be the will of their parents or accompanying adults, it is not considered possible for a child to give informed consent.

### **First responders. The duty to notify**

Since the 1 November 2015, specified public authorities (this includes police and local authorities) have a duty to notify the Home Office about all potential victims of trafficking and slavery.

Where an individual is being referred to the NRM, then the NRM form can be used to satisfy the duty. First responders are:

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|--|---------------------------|
| • UK police forces                                 | • Salvation Army          |
| • UK Border Force                                  | • Migrant Help            |
| • UK Visas and Immigration (UKVI)                  | • Medaille Trust          |
| • Home Office Immigration Enforcement              | • Kalayaan                |
| • Gangmasters and Labour Abuse Authority (GLAA)    | • Barnardo's              |
| • Local authorities                                | • Unseen                  |
| • Local authority children's services              | • TARA Project (Scotland) |
| • Health and Social Care Trusts (Northern Ireland) | • NSPCC (CTAC)            |
|  | • BAWSO                   |
|  | • New Pathways            |
|  | • Refugee Council         |

If you are not a first responder, you can send written information to the Home Office to support the NRM referral that has been made. Good practice guidance (Children's society) states that the NRM should be completed in a multi-agency forum to allow all agencies to contribute to the information within the referral. [National Referral mechanism: Guidance for child first responders – Home Office](#)

### **Responsibilities**

Modern slavery, including child trafficking, **is child abuse**. When an agency comes into contact with a child who may have been exploited or trafficked, Local Authority Children's Services and the police should be notified immediately. A referral into the NRM does not replace or supersede established child protection processes, which should continue in tandem, such as a Section 47 investigation.

All children, irrespective of their immigration status, are entitled to safeguarding and protection under the law. Referrals to the NRM should be for all potential victims of

trafficking and modern slavery, who can be of any nationality, and may include British national children.

Where there is reason to believe a victim could be a child, the individual must be given the benefit of the doubt and treated as a child until an assessment is carried out.

Adults must consent to be referred into the NRM (if they don't give informed consent then there remains a duty to notify the Home Office). Consent is not required for children (those under 18), but it is important to explain the process to them. The duty to notify is satisfied by the NRM in all children's cases. There is no specific time scale for when an NRM referral should be made but it is advisable that it is made **as soon as possible** to aid in the safeguarding the child.

If a young person has been arrested for an offence which may suggest that they have been exploited the Police should speak to the young person to find if there is evidence of exploitation and whether there is information to suggest that the young person has been trafficked or forced into slavery, servitude, forced and compulsory labour for the purposes of exploitation. The Police and Crown Prosecution Service may discontinue criminal matters should there be sufficient cause to suggest that they are a victim of modern slavery.

It is common for young people to deny or refuse to provide information on arrest especially if they have been exploited therefore there may be insufficient evidence to warrant a NRM referral at the point of arrest. If a young person has been arrested a Vulnerable Person's Assessment (VPA) is submitted to Social Care. This may trigger section 47 investigations, section 17 assessment or no action depending on the information provided. If it becomes evident that the young person may be a victim of modern slavery it is good practice to discuss this within a multiple agency forum and agree whether an NRM is completed.

The evidence for Modern Slavery may not become apparent until further down the line – this does and should not prevent an NRM from being completed even if the child is no longer a victim of modern Slavery.

## **National Referral Mechanism (NRM) Process**

A referral should be made to the NRM directly. This should be done through a multi-agency meeting where all professionals involved share information relating to the child's trafficking to go into the referral. The police and children's services are first responders, who are able to make this referral; however other agencies can and should support this referral to ensure it provides a full picture of the child or young person's experience to help the assessment. Following this, a strategy meeting should be convened in order assess the information known, identify gaps and discuss a plan for the child or young person.

And

Other professionals, including those who are not First Responders, can submit written statements to the NRM to support the referral once submitted. Alert the wider

professional network (as well as the young person and family, if appropriate) that you are submitting a referral.

### **NRM referral forms and guidance - Adults and those under 18**

There are two stages of investigation which may follow referral:

#### **Stage one – ‘reasonable grounds’**

The NRM team has a target date of 5 working days from receipt of referral in which to decide whether there are reasonable grounds to believe the individual is a potential victim of human trafficking or modern slavery. This may involve seeking additional information from the first responder or from specialist NGOs or social services. The threshold at reasonable grounds stage for the trained decision makers is ‘from the information available so far I believe but cannot prove’ that the individual is a potential victim of trafficking or modern slavery.

#### **Stage two – ‘conclusive decision’**

During the 45-day reflection and recovery period the competent authority gathers further information relating to the referral from the first responder (i.e., the authority that made the referral) and other agencies.

This additional information is used to make a conclusive decision on whether the referred person is a victim of human trafficking or modern-day slavery, the expectation is that a conclusive grounds decision will be made as soon as possible following day 45 of the recovery and reflection period. There is no target to make a conclusive grounds decision within 45 days. The timescale for making a conclusive grounds decision will be based on all the circumstances of the case.

The training decision maker’s threshold for a conclusive decision is that on the balance of probability ‘it is more likely than not’ that the individual is a victim of human trafficking or modern slavery.

If after investigation, there is clear evidence that a defence might apply, the Crown Prosecution Service may decide not to prosecute.

### **Benefits of making an NRM referral**

As referrals are collated through the NRM process, the build-up of evidence concerning child trafficking will inform policy makers and operational staff to take the necessary decisions and actions to combat child trafficking. In this sense NRM referrals and the intelligence they provide contribute directly to UK efforts to tackle human trafficking and may ultimately lead to a reduction in the number of children who are trafficked and require safeguarding by a local authority.

Referrals into the NRM will also provide a national picture of numbers of children trafficked, as well as supporting evidence which will assist in building up intelligence such as trends, routes of travel and details which may assist in leading to the arrest and conviction of those who commit these crimes.

NRM referrals will also help the local authority ensure there is an appropriate response for the child by ensuring all available information is gathered and shared

quickly between partners. This will allow the child's needs to be addressed and mitigating factors taken into account, such as the risk of the child going missing.

Where necessary, the Single Competent Authority will also assist in regularising a child's immigration status. This will assist the child in accessing particular services.

Under section 45 of the Modern slavery Act 2015 if a young person has committed an offence as a result of trafficking, relevant exploitation, Slavery, Servitude, forced or compulsory labour then charges may be withdrawn by the Crown Prosecution Service. The NRM decision will be crucial in these cases.

### **Important contacts:**

- [nationalreferralmechanism@homeoffice.gov.uk](mailto:nationalreferralmechanism@homeoffice.gov.uk)
- Single Competency Agency (SCA) - 020 7035 5689

### **Sources of information used to compile guidance:**

- [Modern Slavery Awareness and Victim identification guidance – Home Office](#)
- [National Referral mechanism: Guidance for child first responders](#)
- [Modern slavery: how to identify and support victims](#)
- [Modern Slavery Act 2015](#)
- [Modern Slavery Strategy 2014](#)
- [Modern slavery victims: referral](#)
- [Youth Justice Legal Centre Child Criminal Exploitation; county lines gangs, child trafficking and modern slavery defences for children – January 2018](#)