Exploitation and Forced Labour of Homeless and Vulnerable People

A Lemos&Crane Briefing Paper
Lemos&Crane has since 1994 worked with public service organisations on high profile social issues including homelessness, social housing management, people with learning disabilities, prisoners and ex-offenders, literacy, hate crimes and financial inclusion.
Contents

Exploitation and Forced Labour of Homeless and Vulnerable People .................................................. 1

1. Introduction ........................................................................................................................................... 1

2. Definitions and extent of forced labour in the UK ........................................................................... 2

3. Forced labour of homeless and vulnerable people ............................................................................ 5

4. Government responses to forced labour ............................................................................................. 5

5. What next? ............................................................................................................................................ 8

6. How you can help .................................................................................................................................. 10

7. Bibliography ......................................................................................................................................... 10
Exploitation and Forced Labour of Homeless and Vulnerable People

1. Introduction

In September 2011 250 police officers participating in a covert police operation codenamed Netwing raided a caravan site in Leighton Buzzard, Bedforshire and freed 24 men living in ‘virtual slavery’. Police found the victims thin, hungry and living in ‘filthy and cramped’ conditions, subject to brutality and intimidation from their gang masters. The men were forced to work up to 16 hours a day mixing concrete and laying paving in gardens. Previously homeless, isolated and addicted to alcohol or other substances, many of the victims had been recruited outside soup kitchens, hostels and on the surrounding streets. ‘Modern slavery’ and forced labour are often seen as problems affecting immigrants to the UK, but of the 15 freed men 8 were British, 3 Polish, 1 Latvian, 1 Lithuanian and 2 were of unconfirmed nationality.

The Leighton Buzzard case is one of many recent examples that challenge inaccurate and incomplete perceptions of forced labour, human trafficking and modern day slavery. The stereotype of forced labour is foreigners being brought to the UK with false promises of work and money and then being constrained and forcibly coerced into long hours of unpleasant and sometimes abusive work, particularly sex work. However, these problems don’t just affect foreigners from other countries and the nature of the work they are forced to do is by no means confined to sex work. The Salvation Army and other organisations reports vulnerable men being coerced into forced labour who had either been sleeping rough, in hostels, had intellectual disabilities or diagnosed mental health problems.1 The

1 Munro and Pritchard Support needs of male victims of human trafficking (2013)
exploiters are also locals and the work undertaken is done in ordinary streets at the homes of ordinary people as noted by the police.

“It is widespread and is in all communities – people don’t know what’s right in front of them, or how to spot the signs.”  

- Assistant Chief Constable Olivia Pinkney, ACPO lead on migration and associated matters

In its November 2014 *Modern Slavery Strategy* the UK government has recognised the phenomenon of forced labour of homeless and vulnerable people. The Home Secretary, Theresa May, comments:

“Vulnerable men are tricked into long hours of hard labour before being locked away in cold sheds or rundown caravans. People are made to work in fields, in factories and on fishing vessels.”

Recent research from the Salvation Army, Joseph Rowntree Foundation, Centre for Social Justice and the Home Office points to a problem bigger than anyone thought, plumbing deep the well of human misery. This paper reviews the current state of the field, focusing on current and proposed government action and what more needs to be done for homeless and vulnerable people, as well as by the organisations that work with them.

**2. Definitions and extent of forced labour in the UK**

When considering cases of forced labour the International Labour Organisation’s simple definition, dating to 1930, is a useful guide:

“All work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.”

Forced labour is characterized by coercion. Victims are exploited for their labour without decent conditions and proper remuneration and perpetrators use a variety of means, including violence, to ensure that work continues and victims aren’t able to exit the situation. Forced labour generally includes one or more of:

- **Restriction of worker movement** – often related to housing provision
- **Intimidation** – either implied or executed threats of violence or other coercion directed at the worker or their friends/family
- **Debt Bondage** - wages are generally diminished or withheld totally; workers may be told they must pay ‘room and board’ or other fees without previous agreement
- **Document retention** – passports or ID may be held by the perpetrator, which may be related to restriction of movement

---

2 Safer Bristol *Men, Women, Abuse and Violence* (2013)
● **Substandard or abusive work and/or living conditions** – excessive overtime, difficult or dangerous work, non-adherence to established employment laws, overcrowded or otherwise substandard housing and domestic conditions

A case study from a London-based homelessness service illustrates how these methods are used in practice. A service user reported that he and a friend were offered work and accommodation by a friendly stranger and were driven away in a van with no windows to an unknown location. The men were housed in a storage room with no heating, toilet or running water. The work was washing cars, which both men were forced to do for upwards of 15 hours a day at separate locations, sustaining chemical burns on their hands and legs. They were never paid a wage. Their captors used death threats and physical beatings to obtain compliance. Eventually one of the men managed to escape, an ordeal that involved days of disoriented walking, and eventually led police back to the site to free his friend. This case involved wage theft, isolation, and physical threats, as well as substandard housing and work conditions.

The government has highlighted sexual exploitation, labour exploitation and domestic servitude as forms of modern slavery. The Salvation Army manages the Adult Human Trafficking Victim Care and Coordination contract for the government, meaning it is responsible for the oversight of delivery of specialist support services to adult victims of trafficking identified in England and Wales. In a recent end of year contract report (July to December 2013) 49% of 399 trafficking victims encountered by the service were reported to be involved in labour exploitation, a higher proportion than the 35% exposed to sexual exploitation. A Serious Organised Crime Agency report from 2011 identified construction, block paving, food processing, factories and agriculture as industries likely to exhibit forced labour practices. These jobs also share an element of isolation from the public, allowing abuse to go unseen and increasing the distance between the victims and communities that may be able to help them.

As well as the depredations of forced labour itself, this phenomenon exhibits other troubling features. It seems that some people including some of the victims themselves as well as their families cannot see a decent alternative for those affected. In the aftermath of the Leighton Buzzard case the *Guardian* reported that one of the victims returned to the site of imprisonment, claiming that:

"Plenty of men who were here wanted to be here and they were getting paid. The police coming in heavy-handed like this is just wrong." 

The wife of one of the accused in the Leighton Buzzard case claimed:

"The men who were taken were getting paid £30 a day, they had somewhere to live, this is all a load of nonsense."

---

5 The Salvation Army *Update on the third year of The Salvation Army’s Adult Human Trafficking Victim Care and Coordination contract* (2014)
7 *The Guardian* Rescued 'slave' criticises police raid at Bedfordshire caravan site (2011)
8 *The Guardian* Rescued 'slave' criticises police raid at Bedfordshire caravan site (2011)
The justification of being ‘better off’ in forced labour than they otherwise would be and the difficulty viewing homeless individuals as workers deserving protection may extend to the victims themselves. Mark Ovenden, a formerly homeless man who experienced forced labour detailed his ordeal in an interview with the BBC: “I was approached in the street one day by a guy. He asked me if I was looking for any work, told me he’d be able to pay me, give me somewhere to live, to feed me. So I agreed there and then to go with him." He noted that he’d “been down on my luck for quite some time”. He spent several months moving site to site doing manual labour, working 18 hours a day and never being paid. He noted that before he was freed he didn’t think the police would respond with sympathy if he were to report his experience.9

The UK is also sometimes a starting point for forced labour trafficking, not just a destination. A BBC investigation in February 2012 reported that British men had been trafficked into forced labour abroad. At least 32 men had been sent to 6 countries including Sweden, Norway and Belgium to work 14 hour days for little or no pay, tarmacking driveways and laying concrete. The men had been targeted because they were vulnerable, often homeless and struggling with drink or drugs problems.

Definitive numbers on the prevalence of forced labour are difficult to come by. Historically, awareness of the issue has been low and enforcement and prosecution rare; the practice is inevitably secretive and many of the victims are foreign or vulnerable people without a voice or much capacity for self-advocacy. This has made data collection difficult and unreliable. A Joseph Rowntree Foundation report on forced labour points to a House of Commons Home Affairs Committee report from 2009 agreeing with an Anti-Slavery International estimate that reported cases of trafficking and similar crimes likely represent only 10-15% of total offences.10 Referencing the Joseph Rowntree report, a Centre for Social Justice report agrees that reported cases only represent a fraction of offences. Their report focuses instead on numerous specific case studies from police and victims services.11 In November 2014 the Chief Scientific Adviser to the Home Office, Professor Bernard Silverman, used statistical modeling to estimate that between 10,000 and 13,000 people were victims of forced labour and modern slavery in the UK in 2013.12 Those disturbing figures remain the best currently available and may still be an underestimate.

The Salvation Army also reports country of origin of every victim. In the last 3 months for which reports are available, June through August 2014, 7% of referrals were for British nationals.13 The real proportion of UK nationals in forced labour is likely to be much higher, as many of the services overseen by the Salvation Army are related to visa and immigration status specifically benefitting foreign nationals, meaning British victims may not be reported, enter the system and be counted.

---

9 BBC News UK anti-trafficking efforts need overhaul, report says (2014)
11 Centre for Social Justice report It Happens Here: Equipping the United Kingdom to fight modern slavery (2013)
12 HM Government Modern Slavery Strategy (2014)
13 The Salvation Army Monthly Anti-Human Trafficking referral reports (2014)
3. Forced labour of homeless and vulnerable people

Both the Leighton Buzzard case and the BBC report on British nationals being trafficked out of the country are highly publicised examples of homeless or otherwise vulnerable people targeted for exploitation at support services. With regards to the latter case, David Ellero, Project Manager at the European Law Enforcement agency, said he believed that the criminality had been occurring for a long time:

"[They are] targeting the most vulnerable in society and forcing them to work, but the cases are not categorised as trafficking. The work is normally carried out in northern Europe, where they work in rural areas and focus on elderly victims."

Anti-slavery International has noted that homeless people are being ‘targeted and exploited’ on London’s streets, often with the offer of accommodation and alcohol. During its Slavery-Free London campaign, which sought to draw attention to modern slavery before, during and after the Olympic Games, the charity issued postcard sized leaflets to hand out to migrants and homeless people to inform them of their legal rights, as well as warning them about the signs that some seemingly friendly person may be trying to recruit them into forced labour. The Passage Day Centre, near to Victoria Station, also expressed concern in the run up to the Olympics that homeless people were at particular risk from criminal recruiters looking to forcibly exploit them. Staff working at the centre witnessed vans waiting outside whose occupants appear eager to engage with day centre users when they exit the day centre. When approached by staff, the vans would leave the scene in haste. Thames Reach, one of the largest and most respected homelessness agencies operating in London, runs a service funded by the Greater London Authority, The London Reconnection Project, and has dealt with 77 cases of people being recruited into forced labour between April 2012 and April 2013. KeyRing, a supported housing provider for people with learning disabilities, has also told Lemos&Crane that some of their service users have been ‘kidnapped’, gone missing and were eventually found to have been in forced labour. The Bedfordshire, Essex and West Mercia police services have also reported experience of the problem of vulnerable people being targeted for exploitation into forced labour.

4. Government responses to forced labour

Commenting on the effectiveness of current statutory responses the Centre for Social Justice notes:

“We have encountered unacceptable levels of ignorance and misidentification of victims among the police, social services, the UKBA [UK Border Agency], the judicial system and others.”

The government currently has two major programmes to address forced labour: the National Referral Mechanism, intended to help victims of trafficking obtain help, and the Gangmaster’s Licensing Act (GLA), designed to address worker exploitation.

14 BBC News British men forced into 'modern slavery' abroad (2012)
15 Thames Reach to Lemos&Crane
16 The Passage Day Centre, KeyRing, Police Services of Bedfordshire, Essex and West Mercia, to Lemos&Crane
17 Centre for Social Justice It Happens Here: Equipping the United Kingdom to fight modern slavery (2013)
The National Referral Mechanism (NRM) is intended to provide a reporting and support-matching programme for government or non-governmental agencies that encounter a trafficking victim. When the victim is encountered by the first responder they are encouraged to complete a referral form which is submitted to the UK Human Trafficking Centre (UKHTC) who will either evaluate the form themselves or pass it to The Home Office Immigration and Visas. These two agencies are collectively known as the Competent Authorities and are tasked with assessing whether a claim has ‘Reasonable Grounds’ of trafficking. If so the person is granted 45 days of housing and material support while their case progresses. This period ends with an evaluation of ‘Conclusive Grounds’ for trafficking, which, if positive, will affect outstanding immigration and visa claims, as well as future support and police or prosecutorial action.

The NRM suffers from a lack of awareness among the first responders it relies on for referrals. The Centre for Social Justice reports that many social workers and local authorities have never heard of the programme. Even in agencies who have direct statutory responsibility, such as the police and children’s safeguarding services of local authorities the services offered by the NRM are not well known. In a November 2014 review of the NRM, the Home Office stated that it, “does not support effective identification of victims, assist with prosecutions or support the production of meaningful management information on how the process is working from end to the end.” It recommends a “comprehensive awareness strategy leading to increased recognition of human trafficking by the public and professionals.” The government has accepted the recommendations of the review and proposes ‘fundamental reform’ beginning with further work with stakeholders and two pilots to test the recommendations of the review. A full scale rollout of a new, more effective approach to identifying victims and ensuring that they quickly get the support they need is still some way off.

The Gangmasters Licensing Act established a Gangmaster’s Licensing Agency (GLA) in 2004. The act was partly in response to the 2004 Morecambe Bay cockling disaster in which 21 Chinese migrant labourers drowned as a result of supervisor negligence. Intended to prevent illegal working conditions, the agency is tasked with making sure employers in agriculture and other sectors associated with food production adhere to government standards and their work has led to shutdowns and arrests. However, as they told the Centre for Social Justice, many of the employers they are tasked with regulating work in multiple sectors, some of which fall outside the GLA’s remit. The GLA has no authority in many sectors where forced labour is most likely to occur such as construction, block paving and landscaping.

The major programmes designed to address forced labour and human trafficking suffer from low awareness and limited scope so unsurprisingly few arrests and prosecutions proceed. The number of cases prosecuted under the GLA fell from 19 in 2010 to just 3 in the first 10 months of 2014. In his interim review of the NRM, Jeremy Oppenheim, Director Growth and Engagement, Home Office, noted that it appeared only 1 in 10 referrals are involved in a case that is prosecuted. There are other cases that are not

---

18 Ibid.
20 Centre for Social Justice It Happens Here: Equipping the United Kingdom to fight modern slavery (2013)
21 The Guardian Gangmaster prosecutions decline to four-year low, reports Home Office (2014)
22 Home Office Interim Review of the National Referral Mechanism for victims of human trafficking (2014)
avenues for law enforcement to pursue prosecutions for trafficking and forced labour, such as Section 71 of the Coroners’ and Justice Act 2009 which made slavery and forced labour a crime, but in response to a Lemos&Crane Freedom of Information request the Ministry of Justice reported that in 2011 there was only one conviction under this legislation.

The lack of a clear framework to prosecute forced labour offences, coupled with the lack of information sharing between the NRM and the Crown Prosecution Service noted by the Home Office, leads to difficulty punishing even those cases which do proceed. The Centre for Social Justice reports that during a 2012 conviction for slavery and servitude the sentencing judge stated, “This is a difficult sentencing exercise not only because of the absence of guidance but also because the sentences I am required to pass are for offences which cruelly deprive a person of his liberty and it is difficult to put a tariff on freedom”.

Partly because of these difficulties in reporting, recording and taking enforcement actions a report and draft guidelines were published by a multi-party committee led by Frank Field MP. In response the Home Office drafted a Modern Slavery Bill to address some of these deficiencies, which had its first reading in the House of Commons in June 2014. Intended to specifically address slavery and coercion and expand existing powers or create new powers for law enforcement, the Bill includes consolidation of all existing offences related to trafficking and slavery into simpler legislation for police and prosecutors, increasing penalties, implementing restitution methods, appointing an Anti-Slavery Commissioner, extending court protections to victims, producing guidance materials, expanding efforts to combat child trafficking, and requiring businesses to report steps they take to prevent slavery. A vital clause added in 2014 to the Bill states, “the court can have regard to any of the alleged victim’s characteristics that make them more vulnerable than other people”, an invaluable tool for courts addressing in particular the exploitation of homeless people.

The Bill and the appointment in November 2014 of Kevin Hyland, former head of the Metropolitan Police’s Human Trafficking Unit, as the first independent Anti-Slavery Commissioner, signals a willingness by the Home Office to move forward on this issue, but it is still early days. The government expects the Bill to become law in 2015.

As well as the new legislation, the government’s Modern Slavery Strategy was published in November 2014. It has four components, drawn from the government’s experience in combating serious organised crime and terrorism:

- **Pursue**: Prosecuting and disrupting individuals and groups responsible for modern slavery
- **Prevent**: preventing people from engaging in modern slavery crime
- **Protect**: strengthening safeguards against modern slavery by protecting vulnerable people from exploitation and increasing awareness and resilience against this crime

---

23 Centre for Social Justice *It Happens Here: Equipping the United Kingdom to fight modern slavery* (2013)
Prepare: improved victim identification and enhanced support and protection

While these changes are welcome, there has still been no inquiry, research, policy debate or practice development specifically concerning the particular experiences of homeless or otherwise vulnerable people trafficked or coerced into forced labour in the UK despite considerable evidence of the practice occurring. As well as the difficulties in dealing with the problem already adumbrated, awareness among staff in specific services of the risk to their service users remains low. In the November 2014 government strategy on modern slavery the government says ‘we will continue to raise awareness among the homelessness shelter staff of the signs of modern slavery’. No further details are given of awareness raising activities; no new funds are available; no commitments are made on timescale.

5. What next?

Lemos&Crane and Thames Reach are working together to develop a systematic approach intended to:

- Increase awareness and education to service users, front line staff and managers
- Influence policy and practice in homelessness organisations and specialist charities, supported housing, adult social care, the police and the CPS
- Create a strong culture of information sharing, collaboration on cases and committed partnership working in prevention and enforcement.

By working with – and developing resources for – service users, front-line staff and organisations at a policy and practice development level we want to ensure everyone contributes to a comprehensive system change in awareness and safeguarding, prevention and response to incidents of forced labour, including law enforcement. It is hoped that the multi-agency partnership approach will produce sustainable long-term change in agencies’ awareness of and responses to labour exploitation of homeless people, as well as establish a framework of collaboration to integrate changes in legislation to improve law enforcement.

Lemos&Crane are working with homelessness charity Thames Reach, with support from Trust for London, to deliver this project starting in 2015. The key stages of this project are:

- Understanding the problem and information sharing: establish a picture of current understanding of forced labour of homeless and vulnerable people through focus groups, interviews and surveys. Report and distribute findings among our practitioner database and partner organisations to increase the base for participation.
- Dissemination and implementation: working with homelessness services and supported housing providers to develop and disseminate policy and practice advisory materials based on our findings – agree on effective practical action and policy development, uniting research findings and recommendations with day-to-day practice.

---

24 HM Government Modern Slavery Strategy (2014)
• *Learning material, organisational development and good practice:* web-based interactive policy and organisational development tools, material on exploitation and forced labour for service user awareness and practitioner training. Guidance and resources to review and evaluate examples of front-line practice. Promoting innovation and sharing ideas and good practice.

• *Promoting partnership working and systems change:* establishing a multi-agency advisory policy and practice development group. Develop and disseminate models of effective policy on prevention of, and law enforcement against, forced labour of vulnerable and homeless people, in all relevant sectors including supported housing, adult social care and law enforcement.

### 6. How you can help

We are forming a practitioner group to work on the project. Participants will work on:

• Devising questionnaires

• Involving their staff in conducting interviews and focus groups with service users and other staff about their levels of awareness, knowledge and experiences of exploitation and forced labour

• Review findings and recommendations drawn up by Lemos&Crane

• Devising and promoting recommendations for policies and practice to improve prevention of exploitation and forced labour as well as law enforcement, for their own organisation and more widely

• Supporting and facilitating multi-agency and cross-sector working on prevention and law enforcement.

If you and your organisation would like to be involved in the project you can complete a short expression of interest form, which is available on our website: [http://www.lemosandcrane.co.uk](http://www.lemosandcrane.co.uk).
7. Bibliography


Munro and Pritchard *Support needs of male victims of human trafficking* The Salvation Army. 2013.


The Salvation Army. *Update on the third year of The Salvation Army’s Adult Human Trafficking Victim Care and Co ordination contract* October 2014.


<http://www.theguardian.com/uk/2011/sep/12/rescued-man-criticises-slavery-raid>

<http://www.theguardian.com/uk-news/2014/nov/14/gangmaster-prosecutions-decline-home-office-hanson-may>