

# National Referral Mechanism (NRM)

## Toolkit for First Responders in Scotland



# Introduction

**Human Trafficking and Exploitation of both adults and children is happening in Scotland. Hidden in plain sight across all of our communities, urban and rural, this abuse of people for profit causes significant detriment and harm to those who are victims, those who have survived and are trying to rebuild their lives and to Scotland's desire to create a safe, fair and just society.**

In 2017 the Scottish Government published a [Trafficking and Exploitation Strategy](#). The Strategy sets out three key action areas. Action Area 1 focuses on improving the identification of victims of human trafficking and exploitation and the support available to help them to safety and recovery.

This toolkit was commissioned to improve the formal identification of victims through the National Referral Mechanism in Scotland and ensure that both frontline staff and potential victims are clear on the process and possible outcomes of this national pathway to identification and protection.

Developed in partnership with all First Responder organisations in Scotland, the toolkit has been designed for ease of use and to promote the need for a trauma informed approach to identification and support for all adult and child survivors recovered in Scotland.

# About This Toolkit

**This toolkit clarifies the National Referral Mechanism (NRM) process for Scottish First Responders by explaining the process in detail and in an easy-to-follow format. It aims to help ensure that the quality of information included in NRM referrals is high, and that First Responders better understand the implications of a referral and the NRM process.**

The NRM process can create safety and opportunities to recover from harm, encourage participation in criminal investigations, support families to reunite and may support an application for **Criminal Injuries Compensation** for some survivors. It can be an important first step in establishing trust with traumatised victims and can lead to the disruption and prosecution of perpetrators.

The role of a First Responder is therefore an essential one and how we engage with victims at the start can directly impact on how we tackle perpetrators.

Given the importance of the NRM for victims and survivors this toolkit should be used in its entirety. However, it has been designed so that you can easily navigate to the section that is most relevant to your needs either via the contents page and/or the embedded links at the foot of each page.

First Responder Organisations may also find the content of this toolkit useful when developing their own internal NRM protocols and pathways. More information on the National Referral Mechanism can be found here: [www.gov.uk/government/collections/modern-slavery#national-referral-mechanism](http://www.gov.uk/government/collections/modern-slavery#national-referral-mechanism)

The Home Office also have an e-learning resource for First Responders which can be accessed here: [policingslavery.co.uk/transforming-our-response/training-delivery/first-responder-training/](http://policingslavery.co.uk/transforming-our-response/training-delivery/first-responder-training/)

Please note that support for potential victims in Scotland can be for up to 90 days. Further information can be found here: [www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms-national-referral-mechanism-guidance-adult-northern-ireland-and-scotland](http://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms-national-referral-mechanism-guidance-adult-northern-ireland-and-scotland)

# Contents

This toolkit includes the following sections:

<b>Glossary</b> Language and abbreviations	<b>5</b>
<b>What is Human Trafficking and Exploitation</b> Overview of legislation, types of exploitation and vulnerabilities	<b>7</b>
<b>Introduction to the NRM</b> Overview of the NRM, process and purpose	<b>11</b>
<b>Steps to consider before gathering information and completing the NRM referral</b> Information on the Form itself, question by question, and what needs to be included in each section	<b>14</b>
<b>How to submit the referral</b>	<b>23</b>
<b>What happens after submission</b>	<b>24</b>
<b>Repeat Trafficking and Exploitation</b> guidance on responding to those where exploitation has been repeated.	<b>27</b>
<b>Referring for additional support</b> Guidance on who to approach if you are not a first responder	<b>28</b>
<b>Contacts</b> Support provider details and useful numbers	<b>29</b>

# Glossary

## Discretionary Leave to Remain

– refers to leave granted by the Home Office outside of the Immigration Rules, as set out in the [Discretionary Leave considerations for victims of modern slavery guidance](#). Discretionary Leave is based on the individual circumstances of the victim.

**Modern Slavery** – an umbrella term that is used in England and Wales to refer to crimes of human trafficking, slavery, servitude and forced or compulsory labour. It is considered to be the equivalent to the legal definitions of Human Trafficking and Exploitation in Scotland and Northern Ireland.

## Multi-Agency Assurance Panel (MAAPs)

– form part of the revised decision-making process within the Single Competent Authority. The aim and purpose of MAAPs is to help ensure robust and consistent decision-making processes are undertaken within the NRM, as well as to improve victim and stakeholder confidence in NRM decisions. MAAPs are chaired by an independent professional, appointed via a public appointments process. Panel members are drawn from a selection of professions including police/law enforcement; Local Authorities and Non-Governmental Organisations (NGOs), all of whom have experience and knowledge of dealing with victims of modern slavery.

## National Referral Mechanism (NRM)

– refers to the UK’s framework for identifying and supporting victims of modern slavery (referred to as Human Trafficking and Exploitation in Scotland). It is one means of ensuring that victims receive the necessary support and assistance in the period immediately after their identification as a potential victim.

**Potential Victim** – is an individual who is suspected of being a victim of modern slavery at any stage of identification i.e. they may or may not have been referred to the NRM, may have received a positive RGD, and/or they may be awaiting a CGD from the Single Competent Authority.

**Second Pair of Eyes** – a second caseworker or manager/technical specialist who reviews negative NRM decisions to ensure the decision has been taken in accordance with the [Home Office Modern Slavery Guidance](#) and procedures.

**Single Competent Authority (SCA)** - the UK decision-making body that is responsible for collecting data and making decisions regarding individuals referred as potential victims of Human trafficking and/or slavery, servitude and forced or compulsory labour. Decisions come in two stages: first, 'Reasonable Grounds' decisions, when there is enough prima facie evidence to reasonably suspect someone is a potential victim, and therefore eligible for initial support. And secondly, following further consideration, 'Conclusive Grounds' decisions. The SCA replaced the two competent authorities that existed prior to April 2019.

**Support Provider** - a body which is funded by the Scottish Government to provide care, advice and information to potential victims. In Scotland there are two support providers. The TARA Service which provides support to adult women trafficked for commercial sexual exploitation and Migrant Help which provides support to all other adult potential victims. Child victims of trafficking are supported through local authority child protection procedures.

# What is Human Trafficking and Exploitation?

**Human Trafficking and exploitation is the commodification and abuse of people for gain. It is a gross abuse of human rights, happens globally and harms individuals and communities across the world, including in Scotland. Not all cases of human trafficking or exploitation are easy to understand or detect and often the crime may look like something else, such as people smuggling or working illegally.**

## HUMAN TRAFFICKING

The United Nations definition of Human Trafficking includes **three elements**:



**Please note that although the Human Trafficking and Exploitation (Scotland) Act 2015 does not require 'means' for the criminal offence of Human Trafficking to have been committed evidence of this element is required for the NRM.**

For cases where an adult is potentially identified as having been trafficked and/or exploited when they were under 18 years then their NRM assessment must be undertaken using the criteria for children.

# Exploitation

In Scotland, there is also an offence of slavery, servitude and forced or compulsory labour. This offence should be interpreted in accordance with **Article 4 of the European Convention on Human Rights**. That Article prohibits a person from being held in slavery or servitude or being required to perform forced or compulsory labour.

People who are forced to work or undertake services, against their will, under threat of punishment or who borrow money and are then forced to work to pay off the debt, losing control over both their employment conditions and the debt are examples of this offence.

## What are people trafficked and/or exploited for?

**Sexual Exploitation** – such as prostitution, online sexual services, web camming, pornography, other forms of commercial sexual exploitation

**Labour Exploitation** – agriculture, seafood/fishing industry, car washes, restaurants/takeaways, hospitality, construction, factories, delivery drivers and agency work are common sectors where people are exploited for their labour

**Domestic Servitude** – Staff living and working on premises of a family home, usually with little to no time off, limited food provided, no comfortable/private place to sleep, in exploitative conditions

**Criminal Exploitation** – benefit and other types of fraud, begging, cannabis cultivation, drug dealing or transportation (county lines), petty crime such as shoplifting, burglary etc, sham marriage, sham adoptions

**Organ Removal** – illegal purchase, sale or theft of organs.

People can be trafficked for multiple types of exploitation, either simultaneously, or consecutively, such as labour exploitation in nail bars and sexual exploitation at the same time or being moved on from sexual exploitation to cannabis cultivation.

### AA – Just Right Scotland Survivor

*“It was very important for me to be identified as a victim of trafficking because I could then get the help that is available for victims. It is so important that the First Responders know what to do because they need to refer you to the right people to get help and support, otherwise you have to go through the trauma by yourself. In my case, the First Responders signposted me very quickly to organisations that could help and I have loved the support I have received. I think that because the First Responder took my information, the support organisations were able to access this so that I didn’t have keep telling people over and over again about what had happened to me, which really helped.”*

## Who is trafficked and/ or exploited?

Anyone can be vulnerable to being trafficked and exploited. Women and girls, men and boys from a wide range of nationalities and backgrounds, including Scottish/British, have been identified as possible victims of human trafficking and exploitation in Scotland. Potential victims have been identified in all 32 local authorities. In 2019, the most prevalent nationality in Scottish NRM referrals was Vietnamese, but all nationalities **including British**, can be susceptible.

## What makes someone vulnerable to trafficking and/ or exploitation?

Whilst not all potential victims experience these, some common vulnerabilities include:

- Poverty
- Debt
- Gender inequality
- Lack of employment/educational opportunities
- Homelessness/Destitution
- Fleeing civil instability or seeking refugee status
- Insecure immigration status
- Fleeing or surviving other forms of violence against women and girls (VAWG) such as domestic abuse, FGM, child sexual abuse, rape, prostitution, survivor of child trafficking,
- Separation from other protective factors such as family and friends
- Health and Learning difficulties

### BB – Just Right Scotland Survivor

*“It was so important to get the right people to help me. Being identified as a victim has helped me move away from the bad time. TARA was the First Responder. They helped me to see a psychologist. I was having so many things in my mind and she helped me come out of that place and gave me exercises to do which helped me so much to do things. Before I would be sitting in the house and crying. Even today I use some of those exercises when I am feeling bad. TARA helped me get the right lawyer who helped me so much. They introduced me to YWCA who helped me feel free to speak to other people. It could be so much worse for me if I hadn’t had the help. I don’t know I would be here now.”*

## Impact of gender

According to the **UNODC Global Report 2020**, women and girls make up the majority (around 70%) of trafficking victims. Women and girls are more vulnerable to exploitation across the globe due to gender-based violence, male-dominated cultural norms, discriminatory labour policies in many parts of the world, and other factors related to gender inequality, including limited access to education and employment opportunities.

Current statistical evidence in Scotland and the UK, however, appears different, with more men than women being identified within the **NRM (2019 End of Year Summary)**. Men report being exploited mostly for labour exploitation and forced criminality. It is unclear why this differs from global trends. Men may also be victims of sexual exploitation but this is usually a secondary form of exploitation.

Nevertheless, globally and in Scotland, women are significantly more likely to be trafficked for the purposes of commercial sexual exploitation and to be experiencing or recent survivors of multiple forms of Violence Against Women and Girls. This is often compounded by other intersecting inequalities.

The gendered nature of human trafficking and exploitation and requirement for gender specific responses is reflected in the **Council of Europe's Convention on Action Against Trafficking in Human Beings** which has been ratified by the UK.

'Gender' options in the NRM include male, female, or transgender, which includes those who identify as transgender and non-binary. When speaking to a potential victim, best practice would be to ask them what gender they identify with, rather than making an assumption.

**It is important to keep such gender inequalities in mind when speaking to a potential victim, as their lived experiences and cultural references may influence how they perceive or interact with you.**



# Introduction to the National Referral Mechanism

**The National Referral Mechanism (NRM) is the UK's framework for identifying victims of human trafficking and/or exploitation and ensuring they receive the appropriate support and protection. Only designated First Responders can make a referral into the NRM.**

## **In Scotland, First Responders are:**

- Police Scotland
- National Crime Agency
- Home Office, Visas & Immigration
- Home Office, Immigration Enforcement
- Home Office, Border Force
- Local Authorities
- Trafficking Awareness Raising Alliance (TARA)
- Migrant Help

**Police Officers as First Responders also have additional duties under the Victims and Witnesses (Scotland) Act 2014 and should consult with force guidance.**

Potential victims may not always be aware or agree that they are being trafficked or exploited, some may have accepted their situation as an improvement on their previous circumstances, and/or may have even 'consented' to certain elements of their exploitation. They may blame themselves for their abuse. Therefore, if you think that human trafficking and exploitation has occurred, even if you are not certain, you should consider seeking informed consent to make an Adult NRM referral so that the case can be considered.

**You do not need to be sure human trafficking and exploitation has taken place - it is for the Single Competent Authority to fully assess this.**

The NRM referral form is accessible online. It 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.

The Single Competent Authority (SCA), who sit within the Trafficking, Slavery and Exploitation Directorate of the Home Office, receive the NRM referral and use the information within it to determine whether or not the potential victim can be determined to be a victim of human trafficking. The information submitted in the NRM referral may be followed up with requests for further information in order to allow a RGD to be made. A positive RGD grants the potential victim a Recovery and Reflection period of up to 90 days in Scotland (although this can sometimes be longer), during which time they have access to protections and specialised support, if requested by the potential victim. Following this, the SCA will use the information from the NRM form as well as any further information and evidence they receive, to make a CGD on the potential victim's case. Within a few days of the NRM referral being received by the SCA and before the decision-making procedure begins, a copy of the NRM form will be sent to the police force where the exploitation took place or where the potential victim resides, if the location of the exploitation is unknown or occurred overseas the potential victim resides, for potential investigation into human trafficking and/or exploitation offences. Potential victims do not have to engage further with the police unless they wish to do so, and ongoing support from The TARA Service or Migrant Help is not dependant on the potential victim speaking to the police.

Speaking with police should always be explored with the potential victim. If the potential victim at this stage wishes to speak to police, Police Scotland will coordinate contact with them and arrange an interview.

This will be carried out with an interpreter if required and a person of their choice to support them if they wish. The potential victim can also choose the gender of their interviewer. There are guidelines which Police Scotland follows to ensure a victim-centred approach. The purpose of the interview is to gather evidence and begin the investigation into human trafficking and exploitation offences. The interviewer will also note any other crimes committed against the potential victim in the UK for further investigation.

**The SCA may request the results of these investigations from any UK Police Force.**

If they decline further engagement with police, the reasons for this should be noted by the First Responder and the potential victim advised that they can be supported to meet with the police at any time in the future.

**As child potential victims are supported through Child Protection procedures, the police will have been involved in the earliest stages jointly with the local authority who will provide the child/young person with ongoing support and ensure a referral to the Scottish Guardianship Service where appropriate.**

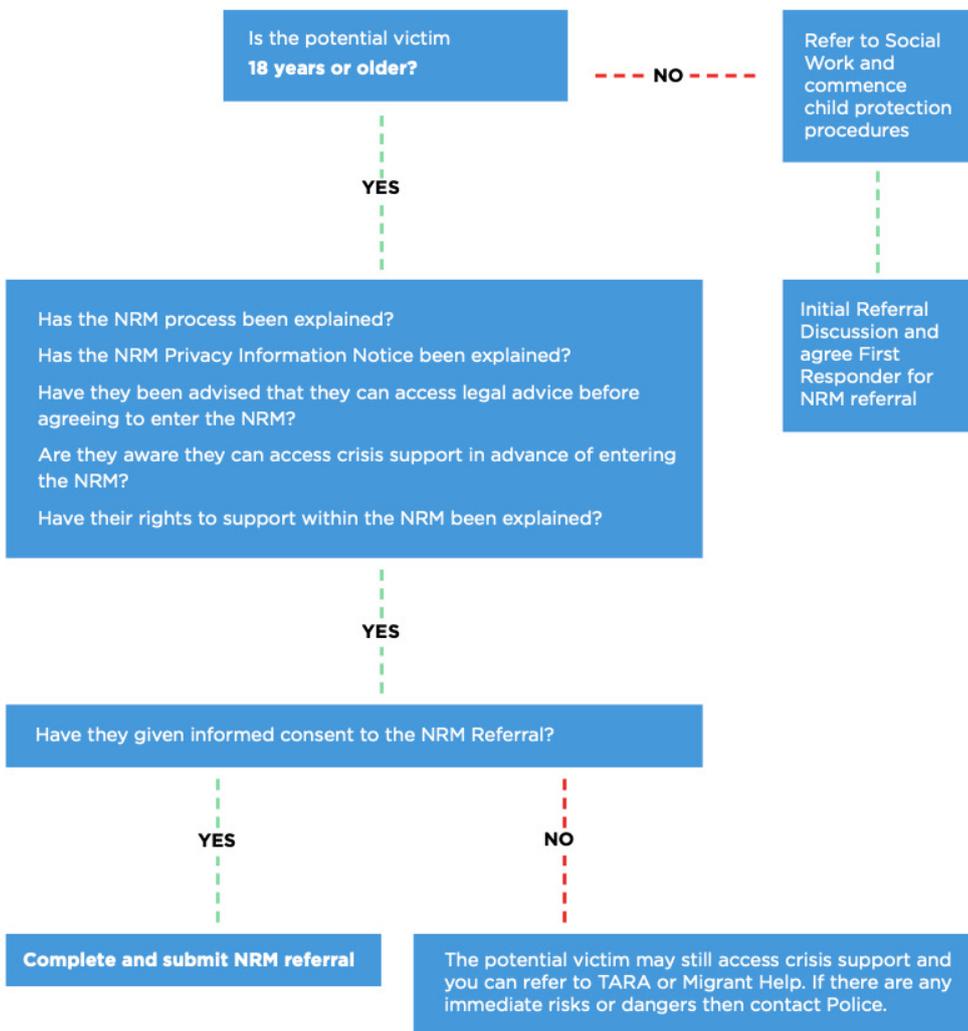


If the potential victim requests assistance from a support organisation, that organisation will also receive a copy of the NRM form, which they will use to understand the potential victim's experiences and avoid, where possible, asking them to repeat their story of exploitation to minimise re-traumatising them. This information can also assist with immediate risk and needs assessments. In Scotland, adult potential victims may access legal advice before deciding whether or not to enter into the NRM, and legal aid may be available to them. Potential adult victims should understand and have provided consent about entering into the NRM before a referral is submitted. The First Responder is responsible for ensuring that the adult understands the NRM Privacy Information Notice, available at <https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/privacy-information-notice-national-referral-mechanism> and has provided informed consent. Children do not need to consent to enter the NRM but it is good practice to inform them, explain the NRM process and refer to child protection procedures.

Emergency support is available to the potential victim in Scotland if needed before an NRM form is submitted. After entering into the NRM process, if the potential victim received a positive 'Reasonable Grounds' Decision, they may be entitled to a support period of up to 90 days (this can be longer in some circumstances) during which time they can access assistance if they so wish, including emergency accommodation, legal advice (including but not limited to advice on immigration, NRM and compensation), health, and social care.

Following a positive **'Conclusive Grounds' Decision**, the potential victim is officially recognised by the state as a victim of human trafficking. Providing they meet other eligibility criteria, they may be eligible to apply for **Criminal Injuries Compensation**. Depending on their immigration status, they may also be entitled to apply for Discretionary Leave to Remain.

# Steps to Consider Before Completing an NRM



If you believe that another form of harm is occurring such as domestic or financial abuse then you should consider initiating other safeguarding measures and/or signpost for alternative support.

You do not need to be certain that the person has been a victim of human trafficking and/or exploitation to submit an NRM referral. If you believe that human trafficking and/or exploitation may have occurred, you have informed consent (for an adult) and it is appropriate to submit at this time, it will be up to the SCA to make a decision based on the information in the NRM form and upon further evidence collection, if required.

# The Form

The NRM referral is accessed online and can only be filled in by designated First Responders. To access it, visit [www.modernslavery.gov.uk/start](http://www.modernslavery.gov.uk/start) and click the **'Start now'** button.

NB The form includes a **'save and return'** option. This provides the flexibility to save and return to a referral within 28 calendar days where circumstances make it difficult to complete the form in one go. You will need to fill in your organisation's name, as well as your email address to verify that you are a designated First Responder.

A verification link will be sent to you by email and once you click it, you will be able to access the online form. The verification link will be valid for 24 hours and can only be used once.

Anyone who is not a designated First Responder can still report concerns of Human trafficking and/or exploitation to the **Modern Slavery Helpline**, which operates **24/7**, at **0800 0121 700** or online at [www.modernslaveryhelpline.org/scotland](http://www.modernslaveryhelpline.org/scotland). A referral to one of the designated First Responders can also be made or they can be contacted for further advice and guidance.

The screenshot shows the 'Report modern slavery' page on the GOV.UK website. At the top, there is a grey header with the GOV.UK logo and the text 'Report modern slavery'. Below this is a blue banner with the text 'BETA This is a new service – your feedback will help us to improve it.' The main content area is titled 'Report modern slavery' and contains the following text: 'If you're a first responder working for a [designated organisation](#) like the police, you can use this service to:'. This is followed by a bulleted list: 'refer potential victims of any age to the National Referral Mechanism', 'help potential victims receive support and medical care', and 'notify the Home Office of potential victims (Duty to Notify)'. Below the list, it says 'You can save your progress for up to a month.' and 'You'll need to give your email address to securely access the service.' There is a green 'Start now' button. To the right, under the heading 'First responder guidance', there are three links: 'Guidance on NRM and Duty to Notify', 'Find a support provider', and 'Download report questions'. At the bottom of the main content area, there is a section titled 'Report as a member of the public' with the text: 'You can still report modern slavery as a member of the public. Call the modern slavery helpline on 0800 0121 700 or [report it online](#).'

## You will be asked the following questions:

### 1. Where are you making this report?

First, select the country from which you are making the referral. Remember, non-statutory First Responders differ from country to country.

### 2. Is the potential victim under 18?

Here you will be asked questions confirming the potential victim's age. If they are under 18, the form will then take you to another question about Local Authorities. If you are unsure of the age, it will also take you to the Local Authority question. If they are over 18 years, it will skip and take you to the next question around age during exploitation. If the potential victim is under 18 years old, Child Protection Procedures must be initiated in the first instance. An Initial Referral Discussion (IRD) will take place and follow-up action agreed. Police, Health and Social Work services participate in the IRD, and any other relevant agency can be invited to the call. Police and Social Work will agree who submits the NRM referral if this has not already been done. Immediate safeguarding plans are agreed at this stage.

If the potential victim's age is disputed, until an age assessment is completed, they should be treated as a child and safeguarding procedures followed as above.

### 3. Which Local Authority have you contacted about the child?

This section only needs to be completed if the potential victim is under 18, or if you are unsure if the potential victim is over 18, as it will be treated as a Child Protection issue, and Social Work in the relevant Local Authority should be involved. Fill in the relevant Local Authority, along with the contact and name of the potential victim and the local authority officer. Move onto Section 3 of the NRM form.

### 4. Were they under 18 at any time during the exploitation?

Here you are given three options regarding the age of the potential victim while they were exploited. Yes, No, and Not Sure.

### 5. What did they say happened?

Here you will fill in the information outlining your concerns about the potential victim's exploitation. For adults this is likely to be based on what they disclose to you but should also include your professional observations and judgement. Therefore it is essential that you consider the following when preparing to talk to them:

Before speaking to them, remember that they should be treated as victims, not criminals, even if they have committed a criminal offence in the course of their trafficking. The full circumstances will be reported to the Crown Office and Procurator Fiscal Service of any alleged offending for their consideration of application of **Lord Advocate's Instructions for Prosecutors** when considering Prosecution of Victims of Human Trafficking and Exploitation. To read more about best practice when working with trafficking victims, consult the **Helen Bamber Foundation's Trauma-Informed Code of Conduct for all Professionals working with Survivors of Human Trafficking**.

You may also wish to consult the **Slavery and Human Trafficking Survivor Care Standards** toolkit published by the Human Trafficking Foundation in collaboration with multiple support agencies.

Remember that potential victims may be fearful of you, the 'authorities' or their trafficker. They may have been lied to in the past by others who have promised to help them but have exploited them. They may be traumatised and ashamed, so sharing their story with you may not be easy. Try not to ask leading questions and ask open questions where possible, such as 'tell me about how you came to Scotland/local area?' or 'when do you think that was?'

## It may also assist both you and the potential victim to consider the following:

- Think about where and when you are speaking to them. Is it private, clean, and calm?
- Are they hungry, tired, feeling unwell/in pain, in dirty clothes, feeling embarrassed?
- Check if they are frightened that they are in trouble, or if their traffickers will find them.
- Are they worried about family/loved ones finding out or at risk of repercussions?
- They may be anxious they will be deported, or that they have committed an offence.
- They may be cautious of incriminating themselves or others, or endangering others still being exploited.
- Check and accommodate any preferences for the gender of the interviewer
- Consider the impact that any others present may have, especially if infants/ children are with them.
- Limit the number of professionals in the discussion.
- Explain the role of any interpreters, reinforcing their code of conduct and confidentiality, to both the potential victim and the interpreter.
- Try to avoid lengthy dialogue and consider gathering the information you need over a series of shorter meetings if there are no immediate protection/safety needs.
- Offer to take frequent breaks and reflect back answers to ensure you have understood, especially when there could be cultural or language barriers.
- Do not make promises you cannot keep and remain clear about your role, what you can do to help and where you might need to ask others for assistance.
- Ensure you take a non-judgemental approach and display a 'culture of belief' during the assessment

### Ask simple questions without any jargon

or expectation that potential victims understand concepts such 'social workers' or the 'Home Office', or even what trafficking and/or exploitation mean. Be mindful that their first account may be inconsistent as they may experience trauma-induced memory lapses and confusion and that they are unlikely to trust you at this stage. They may have been given a 'story' or a 'script' by their trafficker or have a 'false' misplaced loyalty to them or others they perceive as having 'helped' them. If you think that the potential victim is giving a rehearsed account but remain concerned about possible human trafficking and exploitation then you should discuss these with them and advise that your role is to record their account and circumstances but that you will also need to note your professional concerns.

**Remember** that potential victims might not initially view their situation as abusive or exploitative and they may consider that the trafficker has 'helped' them so they may feel resentful or angry towards organisations attempting to help them.



Phuc was involved in anti-government protests. They were there for several days, the police came to his house and beat his family, and so he contacted an agent to get him out of the country. He was taken to a secluded location and put in a container. Phuc believes he was drugged, as he remembers very little until he was taken out of the container and forced to walk, with others, through a forest. One of the other people told him he was in Russia. After walking for days, they came to a road where they were forced to wait, until a lorry stopped. Phuc and 4 others were forced into

the back, cramped on top of crates. Phuc was told if he cried out, he would be killed. They were there for several days, stopping and started until finally the door was opened and he was moved into a house. Inside he was told he would have to care for plants. There was one man who fed him, but also threatened him with a knife if he didn't follow instructions. One afternoon, the man left without locking the door, and Phuc was able to get out. He ran and ran until he saw another Vietnamese person, who took him to the **British Red Cross**.

## The safety and welfare of the potential victim is paramount at all times.

It may be helpful to start from the current situation and then work backwards to gather what happened, as well as family, background and anything else if relevant, and to not necessarily take too chronological an approach at this early stage.

It is best to try to have a conversation to find out relevant information, rather than asking too many questions in an interview style, which may inadvertently lead them to believe they are in trouble.

## Try to find out the following:

### - For what purpose were they exploited? ('The Purpose')

- sexual exploitation
- forced labour or services
- slavery or practices similar to slavery
- servitude

- forced criminality
- removal of organs (also known as organ harvesting)

### - How was it done? ('The Means')

- the threat or use of force abduction
- fraud
- deception
- coercion
- the abuse of power or of a position of vulnerability
- the giving or receiving of payments or benefits

### - What has been done? ('The Act')

- recruitment
- transportation
- transfer
- harbouring
- receipt of persons



In 2020 Sharon was homeless due to domestic abuse and was approached by a man called Danny who offered her a place to stay and said he would help her find safety abroad. He arranged for her to get a passport and visa and told her not to worry about the money as she could pay him back when she was safe and had found a job. In March 2020 he arranged for her to travel by plane to the UK. He travelled with her but sat in a different seat from her, he told her not to speak to anyone and to wait for him when they landed and passed through immigration. He told her to tell immigration that she was coming for a two week holiday and to show them her return flight ticket.

When they arrived at the airport they met another man called Steven who drove them to a house. There were 2 other women in the house. Sharon was taken to a bedroom and told

to rest. The next day Danny had left and Steven told her she would have to have sex with men in order to pay back the money she owed. When she said no she was beaten and locked in her room. Sharon did not know what to do and eventually agreed.

Sharon was moved by different people to different places in the UK over the next few months but the exploitation continued. 2 days ago she was brought to a new flat which was on the ground floor. She was able to open the bedroom window and jumped out.

Sharon says she ran for a long time and found herself in a city. She thinks this was Glasgow. She slept in a bus station when a member of staff approached her to see if she was ok. They directed her to the **Scottish Refugee Council** who referred her to **TARA**.



## 5. Continued...

Do you notice any signs that cause concern? Please give a short description in this section. This could include the presenting demeanour, clothing (e.g. dirty/hygiene issues), how, when and where they were recovered e.g. in a brothel, result of police activity, health setting including the presenting issue or observations such as malnourished etc.

Please do not write the names of any other potential victim in this section of the form. There will be an opportunity to record this later.

**Remember:** Information in this form may be used to inform police investigations, the final conclusive grounds decision, eligibility for discretionary leave to remain and decisions not to prosecute crimes committed in the course of being trafficked.

**Important:** If there are any immediate safeguarding issues, you must dial 999. If there are concerns that a sexual assault or sexual exploitation has recently taken place (within 7 days) then a referral to Police Scotland or the local Sexual Assault and Referral Centre should be considered with the potential victim's consent.

## 6. Where were they exploited?

In this section you will indicate where the potential victim was exploited; in the UK, Overseas, or both. If the potential victim was exploited in the UK, it will take you to another question on where in the UK. If they were exploited overseas, it will take you to a question on where overseas. If both, it will ask both of those questions.

## 7. Where were they exploited in the UK?

Here you will need to type the name of the city (or cities) where they were exploited. If you have addresses or local areas, input these here, as this can assist with protective measures. When you start to type the name of the city, a drop-down list will appear. You must select from the drop-down list.

## 8. Where were they exploited overseas?

Here you will need to type the name of the countries outside of the UK where they were exploited. If you have an address, input it here, but be aware that potential victims may not know addresses or areas where they were exploited. When you start to type the name of the country, a drop-down list will appear. You must select from the drop-down list.

## 9. Where are they now?

Here you should write the name of the city where the potential victim is currently residing. You must select the city and region from the drop-down list.

## 10. Who exploited them?

Here is where you will get the option to give as much information about the traffickers as possible. If you can, include names and descriptions. This information will be used by Police for their investigations.

The potential victim will have the opportunity at a later point to speak to the Police to give them further intelligence, if they are comfortable doing so. If they choose to receive support, their support providers will assist them with this.

## 11. How were they exploited?

Here you will have the option of selecting one or more forms of exploitation. They will include descriptors for various types of exploitation including Labour, Sexual, Criminal, Domestic Servitude, and other. Tick all that apply.

## 12. Were there any other potential victims?

While you do not need to include the names of other potential victims, police will receive the information from the NRM referral, so if there are other potential victims, this will help them with their investigations. Ensure that you do not include the names of other potential victims in the What did they say happened? section, but instead add it here.

### 13. Do they have a crime reference number?

If they do, a box will appear where you may input the relevant police force and crime reference number if available.

### 14. Do they want their case referred to the NRM?

This is a reminder that all adults (18 years and above) must give informed consent before they can be referred into the NRM. Ensure they understand and consent to the [NRM Privacy Information Notice](#). Consent is not required for a child referral but it is best practice to let the child know that a referral is being submitted for them and how their data will be used.

### 15. Do they need support?

In Scotland, the two support providers for adults are Trafficking Awareness Raising Alliance (TARA) and Migrant Help.

TARA support adult, female potential victims who have been trafficked for commercial sexual exploitation and identified in Scotland.

Migrant Help support adult potential victims of any gender who have been exploited for any other form of exploitation, or men who have been trafficked for commercial sexual exploitation, identified in Scotland.

Adults must consent to receiving support, outwith consenting to entering into the NRM. Children (under 18 years) are supported by the relevant Local Authority and as this is a child protection concern they do not need to consent to support.

### 16. What is their name?

Provide the name that they have given.

### 17. What is their date of birth?

If the potential victim is unsure of their date of birth please complete as the 1st of January and their year of birth. You should note that they do not know their date of birth in section 5 - 'What they say happened'.

### 18. What is their gender?

The options are male, female and other for those who do not identify as male or female.

### 19. Do they have any children?

If yes, it will ask how many and if they are in their care or who has care of them. You should consider if a referral to social work children's services is required.

### 20. What is their nationality?

Once you begin typing their nationality, a drop-down menu will appear. You must select from the drop-down menu.

### 21. Do they need an interpreter?

If yes, you will be provided with the option to type the language required.

### 22. Do they need help with communication?

This refers to individuals who cannot speak or hear. If yes, you will be provided with a box where you can type what kind of communication support they require (eg hearing or sign language).

### 23. Do they have any Home Office references?

If yes, a box will appear where you may input the reference number and/or type.

## 24. Who should we send our decision to?

Here you will be given the option to select whether the RGD decision should be sent directly to the potential victim or to someone else. You will be taken to another question regarding how they should be contacted (email, post or both). Once you select method of communication, a new box will appear allowing you to input the relevant address(es).

If the potential victim will receive the information directly, it must be safe for them to receive information at that address. A box indicating this must be ticked.

If someone else will receive the information on their behalf, the potential victim must give their permission for this to be shared. A box indicating this must be ticked.

## 25. Can the police contact them about their case?

Yes or No dependant on the wishes of the adult potential victim.

## 26. What are your contact details?

Please note you may be contacted by the SCA or support provider to clarify the information in this form or follow up some of the information. Please note that you may also be contacted by the investigating police force to facilitate their investigation. It is important that if you are not available at any time during office hours over the next two weeks (e.g. if you are on leave), you ensure someone else in your organisation is aware you have submitted this form and has access to a copy.

## 27. Potential Victim Details

This provides information on how the SCA and any support providers can follow up with the potential victim. The SCA and/or police need to be able to contact the potential victim to seek further information or to safeguard them if they or others are, at risk of further harm.

If the potential victim does not have a phone number and has requested support the First Responder will be required to coordinate contact with the support provider.

If the potential victim has an address, a risk assessment should be done before any correspondence is sent to this address, or any support organisations collect them from there, to ensure that it is safe.

The First Responder should be confident that the contact address is safe and not only rely on the potential victim's own assessment.

### Try to find out:

- Do they have a safe place to stay?
- Where are they staying? Who else stays there? Who else knows this address?
- Do they have any plans to move on?
- Do they have a phone number? Does anyone else have access to their phone?
- Do they need any help securing safe accommodation?

If safe accommodation is required the **First Responder is responsible for directly contacting the support provider** as soon as possible to discuss eligibility, assist with need, safety and risk assessments and to coordinate access arrangements.

# Submitting

Ensure that, if the potential victim is 18 years or older, they have given informed consent to being referred into the NRM process, which requires that the potential victim has the NRM, the referral process, how and with who the information may be shared and the potential outcomes, clearly explained to them. Give them an opportunity to reflect on what they have told you and clarify or correct your written summary of their account.

Ensure that you have saved a copy and informed someone at your organisation of the details (ensuring access to the completed form), in case the SCA or support agency requires follow up information and you, the First Responder who submitted the NRM, are not reachable.

# What Happens Now?

## Reasonable Grounds Decision

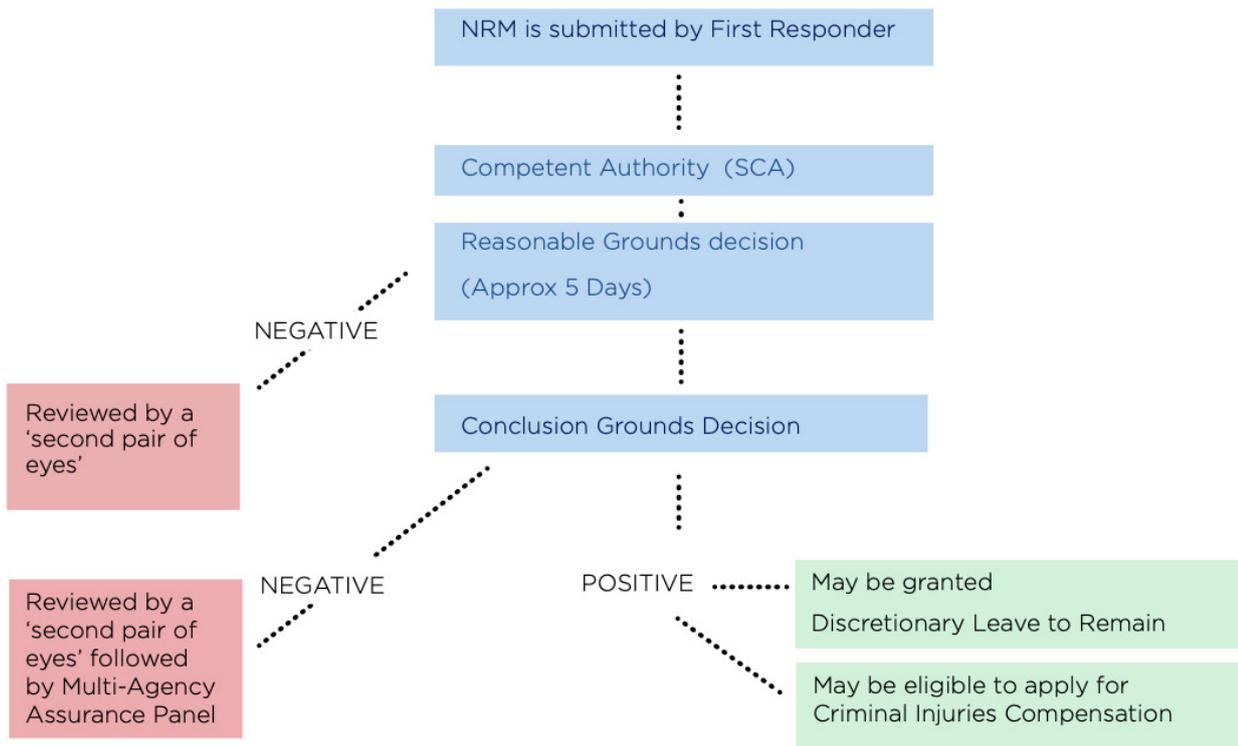
Once the NRM referral is submitted, it will be sent to the SCA to make an initial decision within 5 business days where possible, on whether there are reasonable grounds, 'I suspect but cannot prove', to believe the person is indeed a victim of trafficking or exploitation. After that point, the decision will be sent to either the potential victim, First Responder and whomever else they nominated to receive communication on their behalf, along with the relevant Police Force and the support provider if requested.

## Conclusive Grounds Decision

It is likely that the SCA will require further information before making a final Conclusive Grounds decision. Following a positive Reasonable Grounds Decision to make clear a CG is only taken if a positive RG is provided. The threshold for a CGD is accordingly higher than for a Reasonable Grounds decision and is based on the **balance of probabilities**.

If you are able to provide additional information this must be submitted by email to the [nrm@modernslavery.gov.uk](mailto:nrm@modernslavery.gov.uk) citing the NRM reference in the email subject line.

Information that may be requested includes but is not limited to medical reports, more detailed accounts, health needs, proof of travel, ongoing use of psychological supports, clarification of dates/journeys and exploitation experiences, police investigations, citations as court witnesses, ongoing recovery needs, other organisations involved in supporting the potential victim and any new or ongoing safety concerns, etc. This may be requested at any time during the decision-making process, but generally happens after the RGD so it is important to keep hold of the email reference and a copy of the NRM referral.



## Negative Decisions

The SCA may make a negative decision at either the Reasonable Grounds (RGD) or Conclusive Grounds (CGD) stage of the NRM. The potential victim may request, either themselves or through a third party such as the First Responder, Support Provider or a solicitor, a reconsideration of the RGD or CGD where there is additional evidence to submit that might impact the outcome of the case or if there are specific concerns that the decision made is not in line with the guidance.

A reconsideration can be requested on behalf of the potential victim by anyone, and the SCA will not reject any reconsideration request on the basis of who has submitted it.

If a First Responder has decided not to make such a request for an individual, they must gain SCA approval for rejecting a request for reconsideration. The reconsideration can be requested by emailing the SCA at [nrm@modernslavery.gov.uk](mailto:nrm@modernslavery.gov.uk). This request must include the potential victim's name, date of birth, nationality, NRM reference number, and basis for the request.

Specific Scotland/NI contact details are now available  
[NRMSNI@homeoffice.gov.uk](mailto:NRMSNI@homeoffice.gov.uk) and **028 90 19104**.

Reconsiderations can be requested on the grounds that additional evidence has become available that would impact the outcome of the case, or if there are specific concerns that the decision made is not in line with the **Home Office Modern Slavery Guidance**. The SCA may gather further information from any relevant support providers or First Responders to determine whether to accept the request for reconsideration.

Requests made on the basis of concerns that the decision was not made in accordance with the guidance should be brought within three months of the decision, in line with timelines of judicial review claims. Reconsideration requests on the basis of new evidence becoming available are not subject to time limits.

## Examples of evidence that might be considered material to a case include:

- Evidence from the police that the individual has been the victim of a crime of human trafficking or exploitation/modern slavery
- A determination by an immigration tribunal that the person is a victim of human trafficking or slavery, servitude and/or forced or compulsory labour
- A successful application of the Lord Advocate's Instructions or section 45 defence in court for offences committed in England and Wales
- Evidence that accounts for inconsistencies in a potential victim's story, e.g. a medical report detailing inability to provide a coherent account
- Factual evidence that demonstrates that one of the conclusions drawn by the SCA is incorrect

The SCA must notify the requestor in writing whether the decision is to be reconsidered or not.

If the negative decision was received at the CGD stage, before the original decision was given, it would have been reviewed by a Multi-Agency Assurance Panel (MAAP). If upon reconsideration, another negative decision is given, it will again be reviewed by a MAAP. If a negative CGD reconsideration request has been accepted by the SCA, the potential victim will again be able to access supports available in the NRM. For further details on requesting a reconsideration, see the **Home Office Modern Slavery Guidance**.

# Repeated Trafficking and Exploitation

Re-trafficking can occur with victims who have previously accessed NRM support, who have exited support services, or who have managed to escape their situation of exploitation but remain vulnerable to other perpetrators whilst seeking help.

Some adult victims of trafficking may have been identified previously but declined to enter the NRM or access NRM support, or they may have been trafficked historically and are only identified as victims after the fact.

In such instances a re-referral should be considered to ensure that victims can access further support, protection and their entitlements to assistance. If possible, previous NRM information should be noted such as reference numbers, decisions and dates.



# Further Support

If your agency is not the appropriate First Responder, you may reach out to another designated First Responder, and discuss with them which of you is most appropriate to submit the NRM referral. If you have already submitted the NRM referral, you may still refer the person over for further support, to The TARA Service, Migrant Help, or, if they are under 18 years old or an adult with Adult Support and Protection needs, to the relevant Local Authority. Any immediate safety concerns or intelligence should be referred to the Police.

The SCA or any support agencies may need to contact you for further information after the NRM referral has been submitted.

# Contacts

## Single Competent Authority Operates the National Referral Mechanism (NRM)

Telephone: 028 90 191049  
Operates 10am to 4pm (Monday to Friday)  
NRMSNI@homeoffice.gov.uk

## The Scottish Guardianship Service unaccompanied asylum and trafficked children

Telephone: 0141 445 8659  
[www.aberlour.org.uk/services/scottish-guardianship-service/](http://www.aberlour.org.uk/services/scottish-guardianship-service/)

## TARA

Telephone: 0141 276 7724 (24/7)  
[www.tarascotland.org.uk](http://www.tarascotland.org.uk)

Women only, 18 years +, trafficked for commercial sexual exploitation

## Migrant Help

Telephone 0141 884 7900  
Out of Hours: 0141 212 8553  
[www.migranthehelpuk.org/pages/category/slavery-and-human-trafficking](http://www.migranthehelpuk.org/pages/category/slavery-and-human-trafficking)

Adults, trafficked for any form of exploitation - excluding adult females trafficked for commercial sexual exploitation (see TARA above)

## Police Scotland

Telephone: 999 in Emergency  
Telephone: 101 for any immediate intelligence or urgent safeguarding needs

## Police Scotland National Human Trafficking Unit

[scdnationalhumantraffickingunit@scotland.pnn.police.uk](mailto:scdnationalhumantraffickingunit@scotland.pnn.police.uk)

## Your Local Authority

Anyone under the age of 18 years old, or whose age is disputed.  
Or adults where there are possible adult support and protection needs.

This toolkit was created and produced by multiple First Responder agencies and other stakeholders in Scotland.



**POLICE  
SCOTLAND**  
Keeping people safe  
POILEAS ALBA



Glossary

Contacts

What is  
Human  
Trafficking?

NRM  
Overview

Steps to  
Consider

The Form

How to  
Submit

After  
submission

Repeat  
Trafficking

Additional  
Support