



# Gangmasters & Labour Abuse Authority

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**The Nature and Scale of Labour  
Exploitation across all Sectors  
within the United Kingdom**

Information of a sensitive nature has been redacted from this document.

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## Executive Summary

The prevalence of labour exploitation is difficult to accurately measure. However, an increasing number of suspected cases are being reported. The UK is described as being one of the main destinations of trafficked workers in Europe, and labour exploitation was recorded as the most frequent type of exploitation for both adults and minors in the UK in 2016 and 2017 according to National Referral Mechanism (NRM) data. The NRM was introduced in 2009 and is a framework for identifying victims of human trafficking and/or modern slavery and ensuring they receive support.

NRM referral data shows that the number of Vietnamese potential victims is consistently high and continues to increase. In 2017; Vietnamese, British and Albanian were the most common nationalities referred for labour exploitation. In contrast, GLAA intelligence indicates that exploitation of Romanian workers is most frequently reported. It is important to note that NRM data for labour exploitation includes criminal exploitation, for example cannabis cultivation.

There is often a correlation between the nationality of potential victims and exploiters; they may share a common language or cultural similarities which facilitates recruitment and control. British suspects appear more readily prepared to exploit victims from other backgrounds and who are already present in the UK.

The criminal business process used by potential exploiters is not judged to have changed significantly over the past twelve months.

Workers in several sectors may be erroneously labelled as self-employed, meaning they have little or no workplace rights, for example statutory benefits such as sick pay. Effective enforcement of labour regulations will protect workers against exploitative recruitment and employment practices.

Efforts have been made to protect potential victims of exploitation at the UK border, however, offenders continue to find means and routes by which to transport victims into the UK.

The impact of Britain leaving the EU is, at present, unknown despite it being the predominant factor likely to have a bearing upon the intelligence picture over the coming years. Current assessments so far are unclear as to how this will look for the labour market and GLAA intelligence does not yet identify a change in how criminals, businesses and potential victims will operate.

## Aim and Purpose

The purpose of this report is to provide an update to the original “*The Nature and Scale of Labour Exploitation across all Sectors within the United Kingdom*” report produced and disseminated in November 2016. This report will provide an updated assessment of the threats previously identified in 2016, newly emerging trends in 2017, and a forecast of possible threats into 2018. This will in turn help to inform GLAA and partner agency decision making processes and focus resources on the areas at greatest risk both at strategic and operational level.

This problem profile has been produced using data from the National Referral Mechanism (NRM), intelligence and operational information held within the GLAA and open source information.

## Introduction

Modern slavery is an umbrella term encompassing slavery, servitude, forced or compulsory labour and human trafficking. Victims of modern slavery are unable to leave their situation of exploitation, controlled by threats, punishment, violence, coercion and deception. Slavery violates human rights, denying people of their right to life, freedom and security. Globally it is estimated that there are over 40 million people living in slavery with in excess of over 13,000 potential victims of trafficking in the UK<sup>1</sup>, though this is believed to be a conservative estimate.

Taking action against human trafficking and modern slavery continues to be a top priority for the UK government. The Prime Minister’s Modern Slavery Taskforce has driven forward the operational response to modern slavery in the UK and positioned modern slavery as a key component of the UK’s foreign policy<sup>2</sup>. The UK is considered to be in the top ten governments globally with the strongest response to modern slavery<sup>3</sup>.

The Modern Slavery Act 2015 and the Immigration Act 2016 provided a greater national focus on labour exploitation. Under the Immigration Act, the GLAA gained new powers to investigate labour market offences in England and Wales from the 30<sup>th</sup> April 2017. The GLAA now have a broader role in terms of addressing labour exploitation, with additional consideration as to how a consistent enforcement approach in Scotland and Northern Ireland can be delivered. There are over 1,000 licensed gangmasters based in both the UK and overseas who supply as many as 464,000 temporary contracted workers in the regulated sector.

The GLAA has a single overarching aim: “*Working in partnership to protect vulnerable and exploited workers*”. This aim will be achieved by maintaining a continual focus on three strategic priorities:

- Preventing worker exploitation
- Protecting vulnerable people
- Pursuing those who exploit others for their work either financially, physically and / or through coercion and control.

Over the next two years the GLAA will engage in three specific areas of work which will all be achieved in partnership to:

- Prevent workers from being exploited for their labour
- Protect workers and potential victims so making them less vulnerable to being exploited for their labour

<sup>1</sup> <http://www.antislaverycommissioner.co.uk/> [Accessed 22<sup>nd</sup> November 2017]

<sup>2</sup> HM Government, *2017 UK Annual Report on Modern Slavery* (October 2017) page 2

<sup>3</sup> <https://www.globalslaveryindex.org/findings/> [Accessed 23<sup>rd</sup> November 2017]

- Pursue relentlessly, disrupting and prosecuting those who engage in the exploitation of workers<sup>4</sup>.

## International Context

The prevalence of human trafficking, and specifically forced labour, at an international, national and local level is difficult to accurately assess due to the hidden nature of the threat. However, data quality and recording is improving, which has enabled several reports to provide estimates for its scale.

Globally it has been estimated that there are over 40 million people living in slavery, including almost 25 million in forced labour of which 16 million are in the private economy. In the past five years, approximately 89 million people will have experienced some form of modern slavery for periods of time ranging from a few days to years. Slavery is a global issue and is believed to be most prevalent in Africa, followed by Asia and the Pacific<sup>5</sup>. Poverty is also a factor in making people vulnerable to exploitation; reports suggest that almost half of the world's population lives on the equivalent of approximately \$2 per day<sup>6</sup> and in much of Europe there has been long-term unemployment, youth unemployment and risk of poverty<sup>7</sup>. As such, there is a substantial potential victim base, particularly for labour exploitation.

According to the United Nations Office on Drugs and Crime (UNODC), over the past ten years, the proportion of victims trafficked for forced labour globally has increased, with approximately 40% of all victims detected between 2012 and 2014 being trafficked for forced labour<sup>8</sup>. Forced labour is assessed to be most prevalent in Asia and the Pacific, followed by Europe and Central Asia. Globally, over 70% of adults forced to work in agriculture, domestic work or manufacturing are in debt bondage<sup>9</sup>.

Within the Western and Southern European region, the most frequently detected form of exploitation is sexual exploitation, though trafficking for forced labour is highlighted as being of increasing significance and represents approximately 30% of exploitation<sup>10</sup>. The majority of victims are male EU nationals from Bulgaria, the Czech Republic, Estonia, Poland, Romania and Slovakia<sup>11</sup>. It is anticipated that trafficking into the Western and Southern European region will become increasingly localised, with transregional flows decreasing<sup>12</sup>.

Global anti-trafficking efforts by states, international organisations and non-governmental organisations have used the 3P model of Prosecution, Protection and Prevention established by the 2010 United Nations Global Plan of Action to Combat Trafficking in Persons. Despite these efforts, there is no evidence to suggest that human trafficking is any less prevalent today than it was when the Palermo Protocol was adopted in 2000. Moreover, whilst protection frameworks for victims of trafficking have been strengthened, less progress has been made in preventing exploitation from occurring. The criminal justice response to trafficking is also described as being inadequate, with efforts to prosecute criminals behind trafficking networks having a limited impact<sup>13</sup>.

<sup>4</sup> Gangmasters and Labour Abuse Authority, *Our Plan 2017-2020*

<sup>5</sup> International Labour Office / Walk Free Foundation, *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage* (2017) pages 5,10

<sup>6</sup> Eurostat, *Sustainable Development in the European Union* (2017) page 163

<sup>7</sup> <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM:2017:0250:FIN> [Accessed 8<sup>th</sup> February 2018]

<sup>8</sup> United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons 2016* page 6

<sup>9</sup> International Labour Office / Walk Free Foundation, *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage* (2017) pages 10-11

<sup>10</sup> United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons 2016* page 71

<sup>11</sup> Europol, *Situation Report: Trafficking in Human Beings in the EU* (February 2016) page 23

<sup>12</sup> United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons 2016* page 77

<sup>13</sup> International Organisation for Migration, *Global Compact Thematic Paper 1: Trafficking in Persons* pages 4-5

The global community has adopted the 2030 Sustainable Development Goals which has committed to the target of ending modern slavery and human trafficking by the year 2030<sup>14</sup>.

## National Overview

Improved awareness of modern slavery and its various forms is reflected in the increasing identification and reporting of suspected cases. However, it is assessed that the scale of modern slavery nationally is also increasing and remains a significant threat as demand for low cost-services continues to thrive. In 2016, 3,805 potential victims of all exploitation types were referred into the National Referral Mechanism (NRM) in the UK and 782 potential adult victims were referred to the duty to notify provision in England and Wales. In the twelve months up until March 2017, police in England and Wales recorded 2,255 modern slavery offences, with 60 recorded by Police Scotland and 35 by the Police Service of Northern Ireland (PSNI)<sup>15</sup>. These figures are far lower than the 13,000 estimate from the Home Office, which the Independent Anti-Slavery Commissioner has described as being “far too modest”<sup>16</sup> and indicates that a significant proportion of potential victims remain vulnerable.

In 2017, 5,145 potential victims of modern slavery were submitted to the NRM, a 35% increase compared with 2016. Albanian, British and Vietnamese were the top reported nationalities in both years and the most frequent type of exploitation for both adults and minors was labour exploitation. The UK has been described as being one of the main destinations of trafficked workers in Europe<sup>17</sup>.

Despite there being approximately 400 active modern slavery investigations being conducted across England and Wales as at October 2017<sup>18</sup>, there have been few prosecutions specifically for these offences<sup>19</sup>. A HMIC inspection of how police in England and Wales deal with modern slavery and human trafficking offences found “*clear evidence of a growing impetus at national and regional levels to improve the law enforcement response to modern slavery and human trafficking...However... the identification of victims is inconsistent, sometimes ineffective and in need of urgent and significant improvement*”<sup>20</sup>. A successful conviction under the Modern Slavery Act 2015 can carry a life sentence.

The impact of Brexit will have on labour exploitation is, at present, unknown. According to official figures published since the referendum, the number of people from other EU countries working in the UK has risen over the past twelve months, with the number of Romanians and Bulgarians increasing whilst the number of Polish workers has seen the first decline in more than ten years<sup>21</sup>. Dependent upon worker restrictions, there may be a drop in intelligence flows as EU nationals will seek to remain under the radar of any law enforcement / immigration activity.

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<sup>14</sup> International Labour Office / Walk Free Foundation, *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage* (2017) page 15

<sup>15</sup> HM Government, *2017 UK Annual Report on Modern Slavery* (October 2017) page 4

<sup>16</sup> <http://www.bbc.co.uk/news/uk-42704692> [Accessed 7<sup>th</sup> February 2018]

<sup>17</sup> Europol, *Situation Report: Trafficking in Human Beings in the EU* (February 2016) page 24

<sup>18</sup> <https://www.theguardian.com/world/2017/oct/24/police-forces-failing-to-tackle-modern-slavery-in-uk-report-shows> [Accessed 24<sup>th</sup> November 2017]

<sup>19</sup> Home Office, *A Typology of Modern Slavery Offences in the UK* (October 2017) page 5

<sup>20</sup> Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services, *Stolen Freedom: The Policing Response to Modern Slavery and Human Trafficking* (October 2017) page 5

<sup>21</sup> <https://www.theguardian.com/world/2017/nov/15/number-european-union-workers-britain-rises> [Accessed 8<sup>th</sup> January 2018]

## Victims of Labour Exploitation in the United Kingdom

### Overview – All Potential Labour Exploitation Victims

NRM referral data shows that in 2017 approximately 46% of all referrals related to labour exploitation; with 1,326 potential adult victims and 1,026 potential child victims recorded in the UK. This reflects a total increase of 47% compared to 2016 figures. The total increase is greater than that seen for sexual exploitation referrals over the same period (32%), 2017 data shows that potential victims of labour exploitation are predominantly male and 65% are from non-EU countries.

Labour exploitation referrals across England, , Scotland and Wales have all increased compared to 2016 figures, with referrals in Northern Ireland remaining stable. Total referrals in Scotland increased by 67%, including a 77% increase in adult referrals.

The chart below shows the top NRM potential victim nationalities for labour exploitation between 2015 and 2017. The most common nationalities overall are Vietnamese, Albanian and British<sup>22</sup>. In 2017, the number of Polish potential victims declined significantly with 41% fewer referrals than 2016. Moreover, the number of British potential victims increased substantially ( 362%), with 393 referrals compared with 130 in 2015 and 2016 combined. Referrals of most nationalities are increasing, with Sudanese and Eritrean potential victims highlighted as a possible emerging threat. Notably the number of Chinese potential victims shows a slight decline from 2016, but remains high in comparison to 2015. Referrals concerning Slovakian potential victims are showing a steady decline. There is a caveat to this data in that the NRM accepts referrals for individuals exploited overseas. As such, an unknown proportion of this data may not relate to UK-based exploitation.

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<sup>22</sup> Labour exploitation in NRM statistics includes criminal exploitation such as cannabis cultivation and this may explain why nationalities such as Vietnamese feature so highly



Outside of the top ten detailed in the chart above, referral figures are considerably lower. The top 10 make up almost 80% of all referrals. Most labour exploitation NRM referrals are from non-EU countries, migrants from which are particularly vulnerable to exploitation. A significant proportion of these may have entered the UK illegally, potentially using the services of people smugglers. Labour exploitation may be one way in which they are forced to repay any debts accrued for this service.

There are some regional variations in the top nationalities being identified as victims of potential labour exploitation. In Northern Ireland, the top nationalities are Bulgarian, Romanian and Lithuanian, though the numbers are smaller and are slightly skewed. For example, all of the Bulgarian referrals occurred in 2015 and there have been none since. Due to the small data set it is difficult to anticipate which nationalities are emerging. GLAA intelligence for Northern Ireland shows that, where known, potential victims are most frequently recorded as working in the Poultry & Eggs sector.

In Scotland, the nationalities referred as potential victims of labour exploitation are most frequently Vietnamese (47%), followed by Chinese and Sudanese. Vietnamese referrals continue to increase, consistent with the national picture, and the number of Chinese referrals have also shown a steady increase. For the first time since 2015, British and Polish nationals have featured in the data though in small numbers. GLAA intelligence for Scotland shows that, where known, potential victims are most frequently recorded as working in the agricultural sector (Vegetables and Miscellaneous).

In Wales, the top nationalities are Sudanese, Vietnamese and British. This is skewed slightly with a high number of referrals for Sudanese nationals in 2015 and numbers since declining. As with the national picture, the number of Vietnamese and British nationals is set to show an increase. GLAA intelligence for Wales shows that, where known, potential victims are most frequently recorded as working in the shellfish gathering sector.

Analysis of GLAA intelligence shows that for the UK overall, most intelligence relates to the Agriculture sector. In terms of victim profile, a significant proportion of intelligence logs have no victim nationality or ethnicity known or recorded.



Where available, most intelligence concerning labour exploitation over the past twelve months relates to Romanian males in their 20s/30s. It has been suggested that Romanian workers are more vulnerable to working in poor conditions than other nationalities. The amount of intelligence held may be as a result of there being established intelligence streams within this community and within the sectors that Romanians are commonly exploited in, as well as reflecting high victim numbers within this demographic. Romanian nationals are entitled to work legally in the UK since restrictions on the A2 countries were relaxed at the end of 2013, and now form a core part of the labour workforce. Polish nationals, for whom NRM referrals have seen a decline in number, also has approximately 30% fewer GLAA intelligence reports than Romanian nationals despite having the same rights to work and for a longer period of time. One dissimilarity is that Romania (along with Bulgaria) has a dedicated labour attaché in its embassy. The attaché is available to advise and support migrant workers in relation to their employment rights, including legal assistance to recover unpaid wages or to put forward complaints in cases of abuse or exploitation<sup>23</sup>.

Vulnerabilities continue to be targeted by offenders in the recruitment and control of victims. Those with drug and alcohol dependency are considered particularly vulnerable to labour exploitation, as well as those who are homeless, in poverty, or uneducated. The majority of GLAA intelligence regarding vulnerable workers relates to EU migrants, with a far smaller proportion of UK citizens.

The CPS have highlighted the concern of ‘county lines’ and the related exploitation of vulnerable children and adults by gang members to transport and supply drugs. Prosecutors are encouraged to consider charges under the Modern Slavery Act in circumstances where there has been deliberate recruitment and exploitation. In these cases, potential victims are referred through the NRM to confirm their trafficking status, or referred to the ‘duty to notify’ scheme<sup>24</sup>.

Recent reports have recommended that survivor care be at the core of all responses to modern slavery, with victims and survivors likely to have suffered physical and psychological abuse<sup>25</sup>. In October 2017, the Home Office announced improvements and changes to the NRM to improve victim support, data collection and decision making, commencing in 2018.

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<sup>23</sup> European Institute for Crime Prevention and Control, *Guidelines to Prevent Abusive Recruitment, Exploitative Employment and Trafficking of Migrant Workers in the Baltic Sea Region* (2014) page 72

<sup>24</sup> <https://www.cps.gov.uk/legal-guidance/human-trafficking-smuggling-and-slavery> [Accessed 9th February 2018]

<sup>25</sup> Independent Anti-Slavery Commissioner, London Evening Standard and The Independent, *Human Trafficking and Modern Slavery* (2018) pages 8-9

## **Focus: Adult Victims of Labour Exploitation**

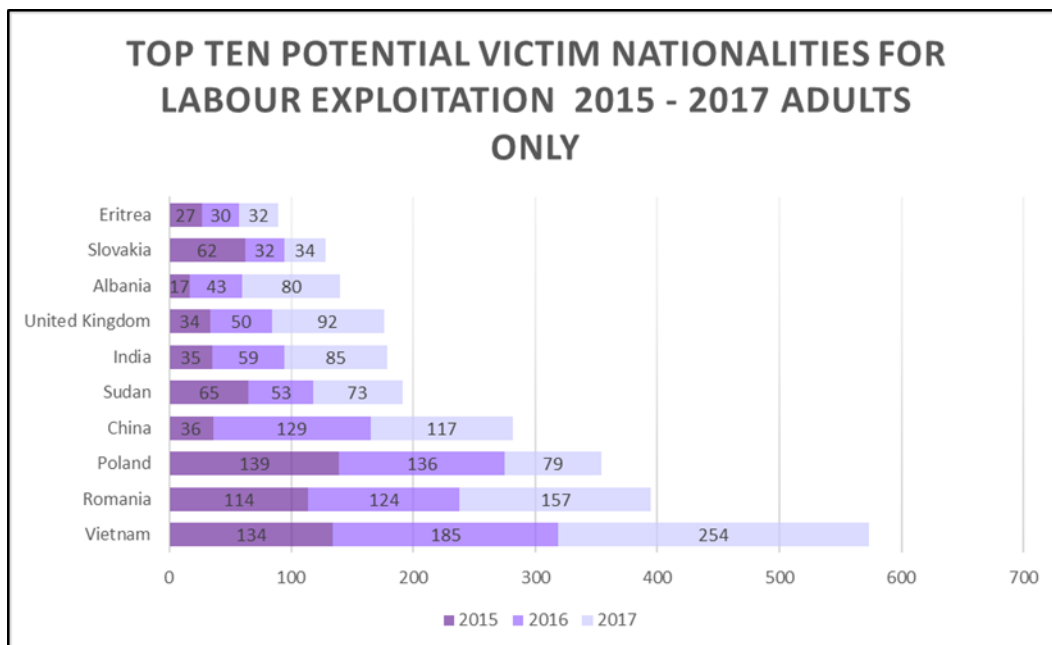
When considering only adult potential victims of labour exploitation, there is some variation in the nationalities most frequently referred into the NRM. Vietnamese nationals are, in total, the top nationality referred and continue to show a sustained increase in number. In comparison, the number of Polish potential victims has seen a decline and has been surpassed by Romanian referrals which are also showing what is expected to be a steady increase. Albanian and British potential victims do not feature as highly in the NRM for adults as for minors, but do show increasing numbers.

There is little GLAA intelligence held concerning Vietnamese nationals. However, the intelligence relates predominantly to forced labour in nail bars, with smaller numbers in shellfish gathering, cannabis growing and prostitution. Other reports have highlighted the exploitation of Vietnamese nationals in car washes and restaurants<sup>26</sup>.

Where known, Romanian workers are most commonly linked to car washes and food processing.

There was a significant increase in the number of Chinese potential victims referred through the NRM in 2016; numbers now appear to be stabilising. GLAA intelligence most frequently shows Chinese workers in the shellfish gathering sector.

The number of Indian potential adult victims is showing a more gradual increase; GLAA intelligence shows that, where known, Indian workers are most commonly found in the hotel and restaurant sector. Open source reporting also shows that India is ranked a 'severe risk' source country from which modern day slaves enter the UK, according to the British Standards Institution's Trafficking and Supply Chain Slavery Patterns Index<sup>27</sup>.



<sup>26</sup> Modern Slavery Police Transformation Unit, *Vietnamese Offenders and Victims* (6<sup>th</sup> October 2017) page 20

<sup>27</sup> <http://www.buildingtalk.com/labour-exploitation-is-rife-in-uk-construction-according-to-bsti-report/> [Accessed 16<sup>th</sup> February 2018]

Consent must be given before adults can be processed through the NRM which means that a proportion of victims will not be captured within the above data. The Modern Slavery Act 2015 introduced the 'duty to notify' in November 2015 to address this issue in England and Wales. There has been an upward trend in the number of referrals which may be in part due to increasing awareness of the scheme. The most frequently reported exploitation type is labour exploitation reflected in 31% of all referrals in 2016 and 34% of all referrals in the first six months of 2017. The Scottish government has introduced similar provisions<sup>28</sup> which will be introduced over the next twelve months.

In 2017, the GLAA submitted 22 NRM referrals, all adults. In 2016/2017, the GLAA submitted 59 'duty to notify' MS1 forms; 8 in 2016 and 51 in 2017. 92% of these related to suspected forced or compulsory labour. Most 'duty to notify' referrals in 2016/2017 related to Romanian males aged between 18 and 24 (though in 37% of referrals age was not recorded). In 87% of cases, the case was reported to the police.

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<sup>28</sup> HM Government, *2017 UK Annual Report on Modern Slavery* (October 2017) pages 15-16

## Offenders of Labour Exploitation in the United Kingdom

Most potential exploiters recorded within GLAA intelligence over the past twelve months appear to be Romanian males aged between 36 and 45 years old. Although there are significant gaps in the data, it is generally thought to be accurate that British and Romanian nationals are the most prevalent offender nationalities in the UK across all modern slavery<sup>29</sup>. Data supports that ethnic Roma communities are involved in this type of crime, and the UK and France have been described as main destination countries for trafficked minors from Roma communities<sup>30</sup>.

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<sup>29</sup> Joint Slavery and Trafficking Analysis Centre, *Modern Slavery Annual Strategic Assessment 2017* page 2

<sup>30</sup> Europol, *Situation Report: Trafficking in Human Beings in the EU* (February 2016) page 18

## Methodology – From Recruitment to Exploitation

The criminal business process used by potential exploiters is not judged to have changed significantly over the past twelve months. It continues to be the case that a number of potential victims from overseas consider their situation in the UK to be better than that on offer in their home country and as such there is a significant market for criminals to exploit. An overview of GLAA-held intelligence and wider reporting across the core themes is provided below.

### Recruitment

Recruitment continues to occur during face-to-face meetings both overseas and in the UK. There are recruiters who live in the UK but regularly return to their home country to recruit workers, sometimes on the behalf of UK agencies.

Understanding of the prevalence of online recruitment has improved<sup>31</sup>; this enables potential exploiters to recruit from a wider victim base from any location at any time, with a certain level of protection over the exploiter's identity. The victim may also approach the exploiter, in reverse to more traditional methods. Victims have found what appear to be genuine jobs online by completing simple searches such as "work in England", with some sites promising jobs in the UK without the need to speak English. During this reporting period, GLAA investigations have identified unlicensed overseas companies offering work online within the GLAA licensed sector, charging work finding fees and financially exploiting workers. Some companies, legitimate and exploitative, advertise primarily or solely online.

Social media, particularly Facebook, is being used for job advertising, with introductions being made between victim and exploiter using this method. There is often no screening process or face-to-face meeting. This may be used in conjunction with platforms such as Skype or FaceTime and online messenger services. Workers recruited online are often not given many details of where the employment is and the terms of their employment, with these details being provided on arrival in the UK. Newspapers are also used but to a lesser extent.

**Recommendation:** Consider further opportunities to tackle and identify the increasing use of online and social media recruitment, including awareness raising and promotion within communities vulnerable to being victims of exploitative practice.

### **Threat: Use of Self-Employment Contracts**

Some workers are being encouraged to set up as self-employed. This has been reported in a number of sectors including cleaning and flower picking.

In the cleaning sector, workers are advised that they cannot be hired, but they can be the director of their own business. They are provided with a 'contract for services' and the workers are then registered as self-employed online. The £15 fee is paid on their behalf and workers are asked to reimburse this in cash. Workers are then assisted in opening a personal bank account, with paperwork provided to them, stating that they work for the company.

In the flower picking sector, workers are given self-employment contracts to sign after commencing work. If workers refuse to sign the contracts they are not paid for work already carried out.

A number of people are recruited through word-of-mouth, including from friends, family or associates who may already be working in the UK. However, they may be deceived about the nature / availability of work offered. There are workers who report being forced to bring their families over to work in exploitative conditions.

Anecdotal information suggests that agency supervisors have been encouraging workers to move to areas of the UK where there is unfilled work in the agriculture sector.

<sup>31</sup> Joint Slavery and Trafficking Analysis Centre, *Modern Slavery Annual Strategic Assessment* (2018) page 11

## **Costs and Payment Methods**

GLAA intelligence suggests that employment agencies and individuals both in the UK and overseas may request money for the arrangement of work for foreign nationals in the UK. On occasion, fees from agencies overseas are reportedly shared with UK agencies (up to 40% of the fee where known), with some UK agencies proactively recruiting overseas workers. The fees can vary depending on the country of origin.

There may also be additional charges made for services, including commission, annual translation costs and a security deposit.

There have been a small number of intelligence reports indicating that Bulgarians and Romanians share several of the same recruitment routes; for example agencies that have offices in both countries.

## **Transportation to the UK**

Intelligence suggests that large groups of people have been brought into the UK on flights, often from the same region of their home country. Minibus and coach services, highlighted in intelligence, provide routes from Lithuania, Romania and Bulgaria, costing up to £150 per person each way. Travel is frequently paid for by the potential exploiter, with the worker accruing a debt to which labour is bonded. A small number of reports highlight workers being transported in cramped conditions.

Potential victims are often unable to provide any address or working location details at the UK border. This may be a means of protecting their exploiter or be information that they have not been provided with prior to travel. Some workers may be relocated several times.

Some victims have travelled independently or with family or friends, simply looking for a better quality of life; it is after they have reached the UK that they are vulnerable to exploitation. Others travel to the UK in the company of their exploiter.

GLAA intelligence suggests most victims are EU nationals. However, a number of non-EU nationals have also been brought to the UK specifically for the purpose of labour exploitation, exploiting Immigration controls (including the Common Travel Area) and visa systems. Some may have paid smugglers to get to the UK, unaware that they would be subject to exploitation upon arrival. In 2016, the European Migrant Smuggling Centre identified almost 17,500 suspected new migrant smugglers<sup>32</sup>.

## **Transportation within the UK**

A number of potential victims are charged a daily rate for transport to and from work, of varying cost and in a small number of cases transport is paid per mile. If this cannot be paid in cash, some agencies deduct a larger sum from the worker instead. Many workers are not paid for their travel time to work, even when this takes several hours. There are reports of transportation being overcrowded and sometimes unsafe.

Deducting transport costs directly from workers' wages can bring them below the National Minimum Wage. To avoid detection, exploiters may use methods such as requiring the transportation fee is paid daily in cash or organising 'car sharing' agreements. This gives the

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<sup>32</sup> Europol, *Making Europe Safer* (December 2017) page 14

impression that the worker is free to decide whether to accept this transport or make alternative arrangements, though this is often not the case.

There is usually a specific person within the exploitation network identified as a driver for the potential victims. Some exploiters have actively recruited drivers whilst others use another potential victim who in return does not have to pay the daily transportation fee but receives no extra wage for this service. There are workers who have been suspended from work for the practice of charging other workers for transportation. A small number of workers have been told to purchase a car, sometimes at an inflated price, before shifts would be arranged for them. Exploiters will generally not cross the boundaries of factories and will park out of the way when dropping workers off.

### **Obtaining Employment in the UK**

Labour exploitation is often arranged through both criminal and legitimate networks within the UK, supplying labour via agencies or direct to companies.

#### **Threat: Obtaining Employment by Posing as Workers**

A small number of Bulgarian agencies and individuals are posing as potential workers and applying for work on their behalf, setting up false emails in order to organise their contracts and other documentation.

Upon arrival in the UK, it is apparent that for some victims the work promised does not exist. There have been examples where foreign workers have arrived at UK recruitment agencies or businesses having paid for jobs overseas, sometimes having a contract. The recruitment agency or business is unaware of any workers arriving and has no arrangement with the overseas recruiter, despite the workers believing that this is the service they have paid for. Some agencies are actively recruiting workers despite there being nothing available for them.

In some cases, once in the UK workers are introduced and registered with legitimate UK recruitment agencies which find the potential victims work without a charge, despite the victims having already paid for this service. There are gangmasters supplying workers who are not controlled by the agency they purport to be working for and there have been cases where interpreters for recruitment agencies are suspected of helping workers secure employment.

There have been instances where exploiters have introduced multiple workers to employment agencies; all of the worker's wages are then paid into the same bank account controlled by the exploiter. Therefore, agency awareness of this methodology is crucial in helping to prevent worker exploitation in this manner.

### **Accommodation**

Standards and cost of accommodation can vary. However, living conditions provided by the exploiter are generally described as being in poor condition, often overcrowded and lacking basic facilities including electricity, heating and water. The accommodation is often not as described and victims may be threatened with losing their job if they find an alternative place to live.

Houses of Multiple Occupancy (HMOs), both licensed and unlicensed continue to be regularly used to house victims and may be sublet several times. Rent is usually paid to a landlord or exploiter but sometimes it is paid to another worker, or an 'alpha' who acts as a middle-man. Deducting these costs directly from workers' wages can bring them below the National

Minimum Wage. As such, there are often no tenancy agreements or receipts given for payments and there are substantial profits to be made.

Seasonal workers, in the agriculture sector particularly, are often accommodated at caravan parks/sites. Rent for a caravan is regularly charged at £40-£45 per person per week and may be overcrowded. There have been some concerns raised about fire safety and waste arrangements.

Some victims live with their exploiter where they may be forced to sleep on the floor and/or complete domestic tasks. In some cases exploiters may become landlords to facilitate their criminal business, although some landlords may become exploiters as the opportunity arises.

A number of victims have been housed in non-standard properties; for example sheds, garages, storage / shipping containers and customer waiting areas at hand car washes. Some of these are described as having inadequate facilities, being unsafe and in poor condition, with concerns around fire safety.

### **Control**

Identity documents continue to be taken from victims. Furthermore, wages and bank accounts are often controlled by the exploiter, who pays for workers costs, then withdraws money from their wages / accounts until their debt is paid; the victim is often unaware of how much money they owe. Other deductions for travel, rent and food may also be taken. These debts accrue interest and may never feasibly be repaid. Exploiters may also apply for benefits fraudulently.

#### **Threat: Cash Cards / New Banking Systems**

Some exploiters are providing workers with One Pay cash cards instead of opening bank accounts. This may be an attempt to circumvent payment of tax and National Insurance, evidence which is required to open a bank account. There are also reports of workers being paid by 'E-Card' where funds are accessed via log-in details sent by email. There are known occasions where the email addresses are controlled by the exploiter. A new banking system called "Pockit" has also been highlighted, used for a similar purpose.

Foreign workers may be unable to communicate due to language restrictions and are often unaware of their rights as employees. This is exploited by some companies and individuals in the UK. Some workers are threatened with no work and homelessness if they complain, others with deportation, particularly illegal workers. Those with rights to work may also be at risk of deportation if they have no recorded means of financial support.

Some victims have their movements controlled and are not allowed to leave their location of exploitation or the accommodation provided to them. There have been cases where medical treatment has been refused and reports of workers not being allowed to use the telephone or Internet, leaving them isolated and unable to seek help.

Whilst reporting on violence and threats of violence / intimidation is not extensive, victims may be unwilling to report their situation for fear of losing their employment. Sometimes threats are not required and victims are already fearful of reprisals against them or their family if they do not comply. During law enforcement activity, potential victims have been identified with persons suspected to be involved in their exploitation who have tried to answer questions on their behalf. Some victims do not recognise their vulnerable position and will not accept help from authorities.



## Sector Analysis

An assessment of sectors reported on within **GLAA intelligence** has identified several common themes and exploitative practices;

**Recruitment:** Foreign nationals are being proactively recruited from overseas agencies, who may charge workers for finding them employment. This is particularly reported in agriculture, cleaning, food packaging and processing, manufacturing, food service and hotels, retail, transport and warehouse and distribution.

**Victim Identification:** Potential victims of exploitation can often be identified through similarities in their registration with an agency/ employer. Numerous workers listed with the same next of kin, address, bank account and/or contact details can be indicative of coordinated exploitation. Potential exploiters may regularly introduce large numbers of workers to agencies or employers and such techniques have been widely reported over the past twelve months.

**Victim Profile:** Where reported, **potential** victims across most sectors are described as being male adults of Romanian nationality. Some companies have reported an increase in the number of Romanians from the Roma gypsy traveller community. The only sectors that Romanian nationals do not feature at all are shellfish gathering and nail bars.

**Illegal Working:** Illegal workers have been identified in most sectors. Illegal workers are more vulnerable to exploitative practices due to their fear of being reported to authorities and being deported.

**Terms of Employment:** There are employees across all sectors who report not having received a copy of their contract or paperwork in their own language. Working hours commonly range between 40 – 60 hours per week, though the longest working days are recorded in shellfish gathering, food processing, agriculture and cleaning. It is regularly reported that workers are not being paid holiday, overtime or bank holiday entitlement and do not receive sufficient breaks. Zero hour contracts are highlighted in the agriculture, construction, food packaging and security industries, despite many workers effectively being permanent staff.

**Wages:** Cash in hand payments and non-receipt of pay slips are reported across all sectors. This enables abuse of the benefits system which an exploiter may also be involved in for additional financial gain. There are reports of non-payment of National Minimum Wage across all sectors, with a number of workers also raising concern about payment being withheld or delayed. Tax and National Insurance contributions are often reportedly not being paid, indicative of potential HMRC fraud.

**Health and Safety:** Across many sectors, workers are reportedly not receiving sufficient health and safety training required to fulfil their role. Some sectors report charges to use Personal Protection Equipment (PPE).

**Intimidation and Coercion:** Verbal abuse and threats have been reported across most sectors, including car washes, construction, food processing, manufacturing, food service and hotels. Employers who provide accommodation use this as an additional means of control, threatening to make workers homeless. In a small number of known cases there have been physical assaults over pay and conditions.

**Agriculture** including vegetables, fruit, flowers, animal production and poultry

**Main Worker Countries of Origin:** Romania and Bulgaria with smaller numbers from Poland and Lithuania. 21 nationalities identified in total.

The agricultural sector relies heavily on licensed gangmasters to supply manual labour, and some licence holders have been subject to scrutiny concerning possible serious labour market exploitation. Furthermore, unlicensed gangmasters provide an option where there are difficulties in fulfilling contracts. Labour users are being approached by companies and individuals, including those that are not licensed, who are offering to supply labour for (where known) £50 to £100 per worker, or a charge rate of 20%.

Agencies overseas are offering agricultural work in the UK targeting workers without English language skills and there are UK agencies partnering overseas agencies to source agricultural workers. In the UK individuals are charging seasonal workers up to £50 for work during the flower and vegetable / fruit picking seasons. There is believed to be an element of competition / rivalry between individuals, businesses and crime groups involved in this business.

Seasonal workers in the agriculture sector are regularly accommodated at caravan parks, with many sites housing a large number of workers. However, the conditions of some sites have been described as “horrific”, with farm workers expected to live in overcrowded and unsanitary conditions.

Field work is often not the first choice for workers, with several believing that they would be working in the pack-house when recruited (and for which workers have sometimes paid money to overseas agencies for). Some agencies inform workers that they have to work in fields before they can move to factory work.

Working conditions are often reported to be poor, and not as described to the workers. In a small number of cases, employees have refused to work or have left the employment due to the conditions. Complaints have been made with regards to some supervisors being abusive and a small number of workers have reported a physical assault.

Despite some workers’ contracts implying they will be given work for a number of months, some report being given no work after just a few days. There are reports that some contracts state that if workers decline hours, they will not be provided with further work.

Workers in agriculture can be expected to work 40-60 hour weeks, though some report 15 hour days, sometimes working seven days consecutively, completing double shifts with insufficient breaks in between. There are workers reportedly living and sleeping in vans which transport them across the UK for days at a time, with the driver both working and driving to the next venue.

There have been health and safety concerns at some agricultural sites with serious incidents reported. Not all companies have formal terms and conditions to demonstrate that compliance under health and safety will be adhered to and responsibility for managing health and safety of workers is not always formally agreed or assigned.

In many cases, pay in this sector is reported to breach National Minimum Wage, particularly when deductions are made for accommodation and / or transport. There are reports of workers signing deduction authorisation for rent to be taken from their wages if they fail to pay it, and for rent to be taken from future wages if they do not earn enough money to cover the rent in

one month. At some locations there is no regular pay day, with wages given sporadically and at different rates.

Some businesses have not carried out a fair piece rate calculation and this can also result in the National Minimum Wage not being paid.

There are issues with workers not receiving their payslips and / or wages, or payslips not accurately reflecting the hours or nature of the work completed. This falsification can make it appear that workers are being paid a fair hourly rate.

Information received supports the assessment that immigration offenders are present within the agricultural workforce, with some supervisors knowingly sourcing illegal labour.

**Recommendation:** Problem Profile on the exploitation of Romanian nationals within the UK labour market. Consider a profile on Bulgarian should the numbers reporting exploitation to the GLAA increase over the coming 12 months.

### **Nail Bars**

**Main Worker Countries of Origin:** Vietnamese with smaller numbers of Chinese. 2 nationalities identified in total

There are a number of allegations concerning illegal working and the trafficking of people into the UK recorded in this sector, along with poor working conditions and concerns over welfare. Other linked criminalities include tax fraud and money laundering.

Workers are often reported as being young, although no intelligence is held specifically concerning the presence of minors.

What is believed to be the first successful prosecution within the Vietnamese community for exploitation offences under the Modern Slavery Act 2015 occurred in January 2018, as a result of an investigation into exploitation and forced labour at nail bars in the Midlands and South West. The investigation involved five police forces and the National Crime Agency<sup>33</sup>. Activity against nail bars in the UK have been widely publicised in local media, raising awareness of modern slavery in the sector with members of the public and potential service users.

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<sup>33</sup> <https://www.staffordshire.police.uk/article/8832/Three-sentenced-following-investigation-into-modern-slavery-at-nail-bars>  
[Accessed 12<sup>th</sup> January 2018]

### **Food Service, Catering and Hotels**

**Main Worker Countries of Origin:** UK, Romania, smaller numbers from Poland, Lithuania, Hungary, Ukraine and Latvia. 28 nationalities identified in total.

Intelligence suggests that a number of agencies based overseas request work finding fees in the UK hotel sector. There are also a small number of employers directly requesting money in exchange for work.

Wages in this sector can reportedly be as low as £10 per shift, with some employees working up to 15 hours a day. There are some businesses offering to pay workers by day rather than by hour.

Living and working conditions are often described as poor, with accommodation routinely provided by employers at or close to the working location. Some workers have slept on floors and report general ill-treatment. A small number report being moved between connected locations, possibly indicative of human trafficking.

### **Car Washes**

**Main Worker Countries of Origin:** Extensively Romania, followed by smaller numbers from Bulgaria, Albania, Poland and Lithuania. 24 nationalities identified in total.

One of the largest industries in which labour exploitation is said to occur is hand car washes<sup>34</sup>. Employers make a choice to engage vulnerable, usually migrant labour, securing further competitive advantage at the cost of labour exploitation<sup>35</sup>. A significant number of people have been encountered at the UK border intending to work within this industry. Workers have stated that they know they can easily acquire work in a hand car wash and that it is commonly known that hand car washes are, in the main, run by migrants for migrants. It has been suggested that there are many websites explaining how to set up informal hand car washes, where to contact intermediaries and secure labour, amongst other practicalities<sup>36</sup>.

There are agencies offering workers employment in this sector in exchange for hundreds of pounds in fees. Some car wash owners or managers have paid for workers to travel to the UK, some also supply false documents to facilitate travel. Moreover, there is limited intelligence to suggest that people have been specifically trafficked into the UK and forced to work in this sector.

Workers regularly work up to 12 hour shifts, up to 7 days per week. There is often a high turnover of workers. There are workers living at car wash premises, including within adjoining properties, caravans and porta-cabins or converted buildings turned into living quarters. Some workers are reported to be sleeping inside vehicles on site. Passports can be taken as 'insurance'.

Whilst workers often state that they receive what they consider to be a fair wage, this is often not compliant with minimum wage regulation. A small number of workers are paid piece rate

<sup>34</sup> <http://www.independent.co.uk/news/uk/crime/slaves-on-our-streets-hand-car-wash-exploitation-london-undocumented-workers-a7994151.html> [Accessed 3<sup>rd</sup> January 2018]

<sup>35</sup> Ian Clark and Trevor Colling, *Work in Britain's Informal Economy: Learning from Road-Side Hand Car Washes* (2<sup>nd</sup> October 2017) page 1

<sup>36</sup> Ian Clark and Trevor Colling, *Work in Britain's Informal Economy: Learning from Road-Side Hand Car Washes* (2<sup>nd</sup> October 2017) page 10

for the number of cars cleaned. However, some workers may also receive benefits which assist in paying for amenities such as accommodation.

There is information to support the assessment that employers in this sector are actively evading tax and National Insurance responsibilities, indicating other offences including public sector fraud. A number of car washes are linked to serious and organised crime, with suspected criminality including money laundering, handling stolen goods, drug supply, human trafficking, and prostitution.

Some workers declare themselves to be self-employed, with car wash owners claiming that it is not practical to employ workers who may only provide labour for a few hours. Other companies have requested a 'franchise payment' from their workers. There are supermarkets that allow different franchises to operate on their land, including one that employs workers and another that contracts self-employed workers. If both are operated similarly and using their staff in the same way, the status of those declared self-employed may be questionable.

There are car wash workers who see this as a short-term solution to earn money to take back to their home country, whilst others consider it a secure employment for many years. Most reports suggest that workers are not under any duress and have chosen this employment willingly. However, there are workers who report having been moved between different car washes in the UK with the help of others, indicative of potential trafficking activity.

Conditions at some car washes have been described as being unsafe and dangerous, with environmental health concerns over issues including electrical safety, toilet facilities, fire safety, water wastage and a lack of risk assessments and health and safety training. Even when weather conditions are poor, workers are often made to continue working without appropriate clothing and equipment. The Health and Safety Executive have found significant non-compliance at car washes during this reporting period and has taken enforcement action. One particular case in 2015 saw a Romanian male die after being electrocuted in a shower in a rat-infested flat behind the car wash<sup>37</sup>. In response, the Independent Anti-Slavery Commissioner recently stated that "government agencies, including the GLAA, must work with the public, who should come forward to report signs of slavery to help bring the scourge to an end". In January 2018, the Independent Anti-Slavery Commissioner joined GLAA officers for the first time, to observe use of the new powers during a visit to a hand car wash in London, assisting the Metropolitan Police. An Albanian male was arrested in connection with the trafficking of Romanian nationals for the purpose of labour exploitation. The Commissioner described the operation as 'an example of exemplary collaboration'<sup>38</sup>.

There is evidence of illegal working in this sector, particularly concerning Iraqi, Iranian, Serbian and Albanian nationals who have no permission to work in the country, some of whom are failed asylum seekers. Workers in this sector are most frequently young adult males. However, there are also suspected to be a small number of under 18s, including females.

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<sup>37</sup> <http://www.independent.co.uk/news/uk/crime/slaves-on-our-streets-hand-car-wash-exploitation-london-undocumented-workers-a7994151.html> [Accessed 3<sup>rd</sup> January 2018]

<sup>38</sup> <https://www.recruitment-international.co.uk/blog/2018/01/gl原因-praised-by-uk-anti-slavery-commissioner> [Accessed 16<sup>th</sup> February 2018]

## **Warehouse and Distribution**

**Main Worker Countries of Origin:** Romania. 5 nationalities identified in total.

Unlicensed foreign labour providers are advertising for jobs in this sector, including the provision of accommodation. There are also indications that foreign nationals may be specifically trafficked into the UK for the purpose of being employed in this sector. Intelligence suggests that there are supervisors who have been asking workers for payment in exchange for shifts.

Working hours are generally 40-60 hours per week with overtime and night shifts. However, some workers report shifts of up to 16 hours with inadequate breaks in-between. On a number of occasions, workers have been told shortly after arrival at work that they are no longer required or are sent home earlier than agreed. Workers can receive as little as £3 per hour and are not always paid for mandatory induction days.

Limited information suggests that minors as young as 14 are working in this sector. There are also concerns regarding illegal working.

At some locations, fees are being deducted from wages for PPE, even when workers have provided this themselves. Facilities, such as toilets, are also described as being unsuitable.

**Food Processing** Incorporating meat, poultry, fish, fruit, vegetables, dairy, bakery, prepared meals, animal feed and drinks.

**Main Worker Countries of Origin:** Poland, Bulgaria, Romania, Lithuania, Latvia. 32 nationalities identified in total

Agencies and individuals are charging fees for employment in this sector, with UK based unlicensed gangmasters also supplying workers. Furthermore, criminal groups are reported to be trafficking foreign nationals into the UK for the purpose of providing labour to this industry. Information specifically states that licensed companies are losing contracts because they are being undercut by unlicensed businesses supplying self-employed butchers.

Intelligence supports the presence of illegal workers and there are also limited reports of under-18s working in this sector.

Where reported, PPE is generally provided to workers without charge in this industry and there are no specific health and safety concerns highlighted.

It has been reported that workers in this sector have been offered unstructured shift work and some supervisors will promise jobs and overtime in return for bribes and sexual favours. Discrimination concerns within this sector have been highlighted against foreign workers and pregnant females. Research by FLEX (Focus on Labour Exploitation) into the bakeries sector specifically found evidence of discrimination between agency and full-time staff, leading to bullying and harassment. Agency workers were also reported to be under more pressure, treated aggressively and threatened with dismissal<sup>39</sup>.

<sup>39</sup> Focus on Labour Exploitation (FLEX), *Tackling Exploitation in the UK Labour Market* (2017) page 10

## **Shellfish Gathering**

**Main Worker Countries of Origin:** Predominantly China, with smaller numbers from the UK, Poland and Vietnam. 7 nationalities identified in total.

Unlicensed gangmasters are operating in this sector, conducting illegal commercial harvesting of shellfish destined for human consumption and undercutting licensed suppliers.

Working hours often depend on time of year, tide and opportunity. In addition to main duties, there are workers who have been tasked with domestic work including cleaning and maintenance, for no additional payment. Workers report being given no time off and some wages are paid piece rate.

Intelligence predominantly concerns the gathering of cockles, periwinkles and mussels;

- An individual can pick up to 15 kilograms of periwinkles per day on average and a buyer / processor of shellfish can process and ship on average 1,000 kilograms of periwinkles per week.
- Gatherers can receive approximately £120 per ton of mussels

There are potential Environmental Health risks, with reports suggesting that illegally gathered shellfish may be entering the public food chain, and in a small number of cases may have been gathered from contaminated areas. There are also concerns regarding the damage illegal shellfish gathering may be having on sustainability. Some beaches / beds have been closed due to concerns about over-harvesting.

## **Manufacturing**

**Main Worker Countries of Origin:** Romania and Pakistan. 6 nationalities identified in total.

Foreign labour providers are advertising for workers to fill manufacturing jobs in the UK.

Working conditions are described as being poor, consisting of long hours without overtime payment. Open source reporting earlier this year suggested that up to 75% of workers in Leicester textile factories were paid below minimum wage and without employment contracts<sup>40</sup>.

There is information concerning suspected significant numbers of illegal workers in this sector and some of the locations identified are also of interest to Home Office Immigration Enforcement (HOIE). Illegal workers regularly work the night shift and, in some places, may represent over half of the total workforce.

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<sup>40</sup> <http://www.telegraph.co.uk/business/2017/03/04/fresh-powers-shut-uks-clothing-sweatshops/> [Accessed 22<sup>nd</sup> December 2017]

### **Recycling / Waste Disposal**

**Main Worker Countries of Origin:** Moldova, Lithuania, Romania. 6 nationalities identified in total.

Information suggests that individuals recruited for work in the UK and who may not have sufficient English language skills are often placed in recycling centres. This is also suspected to include vulnerable individuals. There is evidence of workers living in shipping containers and porta-cabins which are against planning and health and safety regulations.

Information also suggests that exploitation may be occurring in clothing recycling factories, with juvenile workers present. There is also a suspicion that companies in this sector are involved in the illegal exportation of waste material.

### **Cleaning**

**Main Worker Countries of Origin:** Romania, Poland, Hungary, Bulgaria. 5 nationalities identified in total.

There are reports of excessive working hours and inadequate rest days.

There are a number of reports concerning workers being asked to set up their own company, and told that this is exactly the same as working directly for the cleaning firm; they are charged a fee for this. There has reportedly been an increase in the exploitation of female cleaners<sup>41</sup>, though there is a reluctance to raise formal complaints.

### **Construction**

**Main Worker Countries of Origin:** Poland, Romania, Bulgaria, Lithuania. 17 nationalities identified in total

There are believed to be gangmasters operating in the UK who are involved in the movement of workers internationally, particularly within Europe, providing labourers wherever there is demand. The UK construction sector employs approximately three million people and is a high risk industry for labour exploitation<sup>42</sup>. The often convoluted supply chains in the industry make identifying potential exploitation and ending illegal practices challenging.

Intelligence reports the involvement of Irish traveller families in the exploitation of workers in this industry, particularly in groundwork, paving and driveways. Labourers commonly live in caravans on their land, paying up to £600 per month in rent to live in conditions described as inhumane, unsafe and overcrowded. Workers controlled by Irish traveller families are reported to be ordered to clean, look after children and complete chores in addition to their main labour.

In a number of cases workers can receive as little as £5-10 per day, whilst others are not paid at all or are only paid in part. The lowest wages are recorded in fencing, maintenance and

<sup>41</sup> GLAA, *Intelligence Log INT44930* (17<sup>th</sup> May 2017) grade 2DP

<sup>42</sup> <http://www.gla.gov.uk/whats-new/latest-press-releases/111017-construction-industry-s-pledge-to-tackle-labour-exploitation/>  
[Accessed 8<sup>th</sup> January 2018]



bricklaying. Some workers have been told that they received less money because clients are unhappy with their work, whilst non-English speakers are also said to be paid less.

According to recent research by the Health & Safety Executive, although the construction industry only accounts for 5% of the UK workforce, 22% of fatal injuries and 10% of reported major injuries occur within this sector<sup>43</sup>. The risk posed to a potential victim of modern slavery is heightened by factors relating to their exploitation. Health and safety issues reported include fire safety and operation of machinery without a license and / or appropriate training. Intelligence indicates that serious accidents have befallen exploited workers and in some cases compensation has been offered to stop victims presenting a case to authorities, however this is not always paid.

There is reported to be widespread use of self-employment as the preferred contracting arrangement in this sector, with a direct link to exploitation<sup>44</sup>. Self-employed workers are cheaper to hire, are not entitled to holiday pay or statutory sick pay, and must provide their own PPE. Despite being registered as self-employed, many workers will have in fact worked exclusively for one company for many years. Furthermore, the manner in which workers are directed to undertake work is unlikely to meet the criteria to be correctly defined as self-employed. Migrant workers in particular may not understand that they are being deceived regarding their employment rights and status. A self-employed contractor will also pay an estimated £2,000 per year less tax than an employee doing the same task and earning the same basic remuneration<sup>45</sup>.

Males are typically recruited for labour in this sector, although information supports that their wives and girlfriends are also sometimes hired to work as cleaners.

**Recommendation:** Consider further analysis concerning the presence of modern slavery in the construction sector.

Focus On Labour Exploitation (FLEX) discussion forum participants expressed concern that the GLAA does not currently have the resources or knowledge to effectively enter the construction sector given a number of industry-specific challenges. These include the high number of contractors and subcontractors on site, the short term nature of projects and off-site location of documents relating to workers and their employment<sup>46</sup>. In October 2017, the GLAA released a construction protocol<sup>47</sup>, establishing a voluntary information sharing agreement regarding how the GLAA will work with parties involved in the supply and use of labour into the UK construction sector. The intention is for there to be a joint approach to maintaining an ethical supply chain where workers are protected against exploitation and abuse. Stakeholders are to notify the GLAA of any cases of alleged exploitation within their own operation or supply chain and the GLAA will hold quarterly meetings with stakeholders to ensure there is an open dialogue with regards to trends, issues and concerns. It is anticipated that this action will inform the GLAA sufficiently to manage identified risks in this sector.

Lincolnshire Police's Operation POTTERY resulted in 11 members of a familial traveller OCG being convicted in September 2017 of conspiracy to require a person to perform forced or compulsory labour and other offences. It is considered one of the largest investigations of its kind<sup>48</sup> and saw vulnerable adults being used for forced labour, working on driveways.

<sup>43</sup> <http://www.chsg.co.uk/news/health-and-safety-in-the-uk-construction-industry/> [Accessed 8<sup>th</sup> January 2018]

<sup>44</sup> Focus on Labour Exploitation (FLEX), *Tackling Exploitation in the UK Labour Market* (2017) page 8

<sup>45</sup> <https://www.theguardian.com/commentisfree/2016/nov/30/rethink-work-taxes-review-modern-employment-gig-economy> [Accessed 22<sup>nd</sup> February 2018]

<sup>46</sup> Focus on Labour Exploitation (FLEX), *Tackling Exploitation in the UK Labour Market* (2017) page 12

<sup>47</sup> Gangmasters and Labour Abuse Authority, *Construction Protocol* (October 2017)

<sup>48</sup> <http://www.bbc.co.uk/news/uk-england-lincolnshire-41241049> [Accessed 9<sup>th</sup> January 2018]

Members of the family received custodial sentences of up to 15 years and 9 months each. The prosecution case was run solely on witness testimony involving 2000 statements, illustrating the necessity of providing support to ensure that victims have the courage to report their treatment, which in turn can enable the successful prosecution of exploiters.

### **Food Packaging**

**Main Worker Countries of Origin:** Romania, UK, Poland, Slovakia, Lithuania. 17 nationalities identified in total.

Information suggests that a number of exploiters have close links with agency providers in this sector, including those who do not hold a GLAA licence. In November 2017, the GLAA produced a brief detailing the relaxation of the requirements of licensing for packaging activities. The new approach removes the need for a licence if a business meets certain requirements<sup>49</sup>.

At some locations it is reported that 75% of temporary workers do not speak English and do not understand basic instructions, including health and safety regulations.

### **Best Practice:**

There is at least one known GLAA regulated labour user in this sector that has applied for a GLAA license in order to ethically follow licensing standards for directly employed workers. There are also GLAA regulated labour users in this sector who expect all of their labour providers to pay workers the National Living Wage regardless of age. Some labour users employ all suitable temporary workers on a permanent basis after probation periods under temporary / permanent arrangements. There are recruitment companies in this sector that employ people to help other workers settle in to an area and assist in providing accommodation.

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<sup>49</sup> Gangmasters and Labour Abuse Authority, *GLAA Brief Issue 54: Relaxation of the Requirements of Licensing for Packaging Activities* (November 2017)

## Horizon Scanning

**Brexit:** The predominant factor which is likely to change the intelligence picture concerning labour exploitation over the next few years is the process of the UK leaving the EU. Current assessments so far are unclear as to how this will look for the labour market and GLAA intelligence does not yet identify a change in how criminals, businesses and potential victims will operate. However, access to, and demand for, migrant labour is likely to be an issue across multiple sectors. Once the UK has left the EU, the demographics of the UK are likely to change long-term. This will require further intelligence development in order to better understand the communities at risk of harm of labour exploitation and identify opportunities to minimise their vulnerabilities. Dependent upon entry and working restrictions, there may be an increase in illegal working, misrepresentation and / or false and fraudulent documents being used, for example. Companies in the construction sector have reported difficulties in recruiting staff, likely due to a decrease in the migrant workforce<sup>50</sup> after the UK's independence referendum.

**Industry:** The Migration Advisory Committee has been commissioned by the Government with producing a detailed assessment of costs and benefits of EU migrants to the UK and how UK Immigration should be aligned with industrial strategy. This will in part consider which sectors are most reliant on migrant workers<sup>51</sup>. Results are anticipated after the new Immigration Bill 2017-2019.

**Industry: Agriculture:** The shortage of agricultural workers in the UK has been widely reported on in national media during 2017, with shortages reportedly the worst seen since 2004. A BBC survey suggests that growers have blamed the weak pound and uncertainty over Brexit, with many considering reducing UK production if there were to be restrictions on seasonal workers<sup>52</sup>. Previous reporting had suggested that following the closure of the Seasonal Agricultural Workers Scheme in 2013 there would be difficulties in the medium-term for farmers to source the required level of season labour from the EU labour market<sup>53</sup>. There have since been calls for the Seasonal Agricultural Workers Scheme to be reintroduced post-Brexit.

**Industry: Construction:** There is a shortage of construction workers in the UK<sup>54</sup> which means that increasing numbers of workers are likely be sourced from overseas over the coming months in order to support UK infrastructure. In October 2017, the GLAA produced a protocol, signed by influential names within the construction industry, aimed at eradicating slavery and labour exploitation in the sector. The protocol commits signatories to work in partnership to protect vulnerable and exploited workers, agree to the sharing of information to help stop or prevent exploitation and pledge to raise awareness of slavery through supply chains within the sector<sup>55</sup>. It is therefore anticipated that more intelligence flows will be established to improve the GLAA's understanding of exploitation in this sector and focus resources appropriately to deal with the threat posed by illegitimate companies and working practices.

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<sup>50</sup> <https://www.constructionnews.co.uk/data/four-in-five-industry-firms-fear-negative-brexit-impact/10025471.article?blocktitle=Data-news-second-tier&contentID=19215> [Accessed 8<sup>th</sup> January 2018]

<sup>51</sup> <https://www.gov.uk/government/consultations/call-for-evidence-and-briefing-note-eea-workers-in-the-uk-labour-market> [Accessed 22<sup>nd</sup> January 2018]

<sup>52</sup> <http://www.bbc.co.uk/news/business-40354331> [Accessed 8<sup>th</sup> February 2018]

<sup>53</sup> Migration Advisory Committee, *Migrant Seasonal Workers: The Impact on the Horticulture and Food Processing Sectors of Closing the Seasonal Agricultural Workers Scheme and the Sectors Based Scheme* (May 2013) page 12

<sup>54</sup> <http://www.telegraph.co.uk/business/2017/11/16/skills-shortage-tightens-around-uk-construction-sector/> [Accessed 8<sup>th</sup> January 2018]

<sup>55</sup> <http://www.glaa.gov.uk/whats-new/latest-press-releases/111017-construction-industry-s-pledge-to-tackle-labour-exploitation/> [Accessed 8<sup>th</sup> January 2018]

**Industry: *Manual Labour:*** It is considered likely that there will be a reduced availability of workers from countries typically associated with manual labour, in particular the agriculture industry. Approximately 54% of the UK vegetable market and 17% of the UK fruit market are grown in the UK<sup>56</sup>, with increasing demand for UK-grown food. It is unknown how this will be met by potentially far fewer available authorised workers. Figures also suggest that just under 35% of workers employed in “the growing of non-perennial crops” are EU citizens<sup>57</sup>.

**Industry: *Manufacture:*** There is a desire within the textile industry to increase manufacture in the UK. However, exploitation has been reported as a barrier to increasing production and one company has significantly reduced the number of UK factories it used after a number of failed inspections. Fashion companies have spoken out over practices at factories in Leicester, where a third of the domestic sector is based<sup>58</sup>. Earlier this year, the Government revealed plans to provide local councils with new powers to shut down British sweatshops. The increased media coverage and response to this sector is likely to result in increased intelligence reporting within this sector over the next twelve months.

**Industry: *Maritime:*** The UK is supplying increasingly fewer sea workers. An important characteristic of the UK shipping industry has been the increasing employment of non-UK sea workers. Only 40% of officers in the UK shipping industry are UK nationals<sup>59</sup>. ILO Work in Fishing Convention 188 (2007) came into force internationally on the 16<sup>th</sup> November 2017 and is described as a landmark convention which will boost global efforts to improve working conditions for employees in this sector. It will help to prevent unacceptable forms of work for all, including migrant workers<sup>60</sup>. In the UK, the consultation phase for this closed on the 12<sup>th</sup> January 2018, with an outcome yet to be published. The UK already has legislation in place covering many aspects of work onboard fishing vessels, but much of this needs to be amended or updated in order to comply fully with these standards<sup>61</sup>.

**Industry: *Nail Bars:*** It is a recommendation within a recent report by the Independent Anti-Slavery Commissioner<sup>62</sup> “*for the Home Office to work with the GLAA, Director for Labour Market Enforcement and Association of Nail Technicians to implement measures to prevent modern slavery in this sector and consider whether specific licensing is required*”. The Commissioner has recently called for more regulation on nail bars, in a bid to stop the exploitation of Vietnamese trafficking victims<sup>63</sup>.

**Industry: *Retail:*** It is assessed that the intelligence picture concerning the retail sector is unlikely to change significantly over the next twelve months. However, there is likely to be information held by other agencies that may assist in improving GLAA knowledge around potential exploitation in this business area.

**Industry: *Transport:*** Labour exploitation of taxi drivers will continue to be a complex and high-profile concern over the next twelve months, particularly those employed as “gig workers”.

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<sup>56</sup> <https://www.hortweek.com/latest-statistics-say-state-uk-fruit-vegetable-growing/fresh-produce/article/1443956> [Accessed 14th December 2017]

<sup>57</sup> <https://www.theguardian.com/politics/2017/jul/29/eu-workers-fifth-labour-force-18-sectors-britain-economy> [Accessed 22nd December 2017]

<sup>58</sup> <http://www.telegraph.co.uk/business/2017/08/19/leicester-factories-ticking-time-bomb-asos-new-look-join-lobbying/> [Accessed 22<sup>nd</sup> December 2017]

<sup>59</sup> Oxford Economics, *UK Seafarer Projections* (November 2016) page 5

<sup>60</sup> [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_596898/lang-en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_596898/lang-en/index.htm) [Accessed 12<sup>th</sup> February 2018]

<sup>61</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/658970/Consultation\\_Document\\_ILO\\_188.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/658970/Consultation_Document_ILO_188.pdf) [Accessed 12<sup>th</sup> February 2018]

<sup>62</sup> Independent Anti-Slavery Commissioner, *Combating Modern Slavery Experienced by Vietnamese Nationals En Route to and Within the UK* (2017) page 64

<sup>63</sup> <http://www.independent.co.uk/news/uk/vietnam-nail-bar-workers-uk-modern-slavery-labour-exploitation-regulation-kevin-hyland-a7943011.html> [Accessed 12<sup>th</sup> January 2018]

**Prosecution:** The volume of Modern Slavery Human Trafficking cases referred for prosecution in the UK rose by 10% between 2015/16 and 2016/17, with the highest volume ever recorded in the latter. However, the number of convictions decreased by 6% during this period<sup>64</sup>. There could be many reasons for this, one being the hidden and particularly complex nature of the crime, but proves a significant risk when attempting to prevent crime, protect victims and pursue offenders. Where prosecutions are not possible, a Slavery and Trafficking Risk Order may be an option to consider, or possibly a Labour Market Enforcement Order /Undertaking.

**Public Awareness:** Multi-agency visits to high-risk labour exploitation locations, such as car washes, are regularly reported on in local media alongside reports of poor treatment of workers, raising awareness of the exploitation that takes place. However there are many thousand such businesses in operation throughout the UK. This requires the prioritisation of limited resources to respond to the most serious threat / risk. Efforts are being made to increase public awareness of potential exploitation, urging caution over low-cost establishments and encouraging the use of regulated companies. As such, it is assessed that levels of intelligence concerning potential exploitation in the service sector, particularly car washes, will increase, as more people become aware of modern slavery indicators.

**Technology:** Technological advances are also likely to affect how organised crime groups identify, recruit, pay and exploit victims, posing challenges to law enforcement agencies and other public sector services. This is occurring alongside continued pressure on the funding of these services, including the police, who have a key role in identifying and safeguarding potential victims of labour exploitation, and investigating and prosecuting those who commit modern slavery offences. Increasingly reduced resources will impact upon capability to safeguard and investigate, potentially affecting opportunities for partnership working.

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<sup>64</sup> <http://www.independent.co.uk/news/uk/home-news/human-trafficking-cases-record-high-uk-conviction-rate-decline-slavery-vulnerable-victims-a7994251.html> [Accessed 13th March 2018]

## Glossary

**CPS** – Crown Prosecution Service  
**EU** – European Union  
**GLAA** – Gangmasters and Labour Abuse Authority  
**HMIC** - Her Majesty's Inspectorate of Constabulary  
**HMO** – House of Multiple Occupancy  
**HMRC** – Her Majesty's Revenue and Customs  
**HOIE** – Home Office Immigration Enforcement  
**ILO** – International Labour Organisation  
**NDU** - National Data Unit  
**NPCC** - National Police Chief Council  
**NRM** – National Referral Mechanism  
**OCG** – Organised Crime Group  
**OIC** – Organised Immigration Crime  
**OICHTE** – Organised Immigration Crime, Human Trafficking and Exploitation  
**PPE** – Personal Protection Equipment  
**UNODC** - United Nations Office on Drugs and Crime

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