

UK Anti-Slavery Commissioner's Report published

Date : October 18, 2016

What's this all about?

The UK's Anti-Slavery Commissioner, Kevin Hyland, has for the first time published an official report on his activities, which can be found at: <https://drive.google.com/file/d/0Bxt7kylIWIEPYTUzRmZxcINycE0/view>. The report focuses on progress made in the fight against modern slavery with specific examples of significant achievements and outlines future actions. If generally-speaking the issue of modern slavery is new to you the Commissioner's words below highlight what the UK's Prime Minister Theresa May has called "*the greatest human rights issue of our time*":

Victims of modern slavery are robbed of their right to life and liberty. The children working in the mines of the Democratic Republic of Congo to produce cobalt for smartphone batteries. The Eastern European men exploited in shocking conditions in car washes across the UK. The young girls trafficked to work as tea pickers in the fields of Assam. The domestic slaves abused in wealthy London residences. The Nigerian women and girls trafficked across the Sahara to work as sex slaves in Europe."

We report on slavery compliance issues at: <http://www.corderycompliance.com/category/modern-slavery/>.

What's in the report?

The Commissioner's report outlines achievements delivered under each of the five priority areas identified in his Strategic Plan 2015-17. Although he highlights positive developments such as the rise in the number of modern slavery prosecutions and convictions in the UK (117 offenders were prosecuted for modern slavery offences in the UK in 2015, almost 20% up on 2014), he concludes that a lot more work still has to be done, especially if the UK is to be the global leader in the fight against modern slavery. Of note is that he states that in 2015 the top four countries of origin of potential victims of slavery into the UK were: Albania, Vietnam, Nigeria and Romania.

What about compliance?

The Commissioner says the following about anti-slavery compliance in general:

The role that the private sector can play in tackling modern slavery, within the UK and across the globe, cannot be underestimated. Section 54 of the Modern Slavery Act [2015], with its reporting requirement for large businesses operating in the UK, has forced the business community to discuss the topic of slavery openly to an extent that has not occurred since the days of the 19th century abolitionists. While the Modern Slavery Act has undoubtedly pushed modern slavery up the agenda and into the boardrooms of large businesses, this is just the first step. There is still much more to be done to ensure that companies produce [Slavery and Human Trafficking] statements that both comply with the Act's obligations and point to decisive action being taken, as opposed to merely being a 'tick box' exercise. Here the role of consumer and investor pressure is crucial. I will be promoting the utilisation of effective models to allow for easy scrutiny and comparison of statements."

One of the six recommended activities that the Slavery and Human Trafficking statement can reflect is training - it is therefore interesting to note in the context of the key successes that the Commissioner considers he has achieved is helping develop awareness-raising for health practitioners and local authorities in the form of training videos highlighting the signs and symptoms of modern slavery with the potential of reaching up to 700,000 frontline staff.

In addition the Commissioner has undertaken the following in the compliance context:

- Written to over 1,000 businesses operating in the UK setting out in detail what he expects of them in

relation to their reporting requirements:

- Approached businesses whose supply chains may have been tainted by slavery to offer them assistance and ensure that they are responding to this issue appropriately;
- Written to Kia and Volvo to determine what actions they were taking to eradicate slave labour from their supply chains (following a television channel investigation into the use of slave labour in car washes in Kent);
- Engaged with tea retailers over reports of exploitation in tea plantations in Assam, India;
- Met with sustainability leaders from the five big UK supermarkets to discuss their commitments to respond to the risks of modern slavery in supply chains;
- Worked with businesses, law enforcement and NGOs to tackle slavery in the fishing industry - this is a sector where it is considered that slavery is prevalent; and,
- Addressed banking professionals on the important role of financial institutions in combating modern slavery - the proceeds of crime from modern slavery has become one of the most significant money laundering threats.

The Commissioner has declared that his priorities for 2017 will be to continue to engage with businesses committed to eradicating slavery from their supply chains and to encourage full compliance with the transparency in supply chains emphasising that transparency *"is not an end in itself but rather a means of creating accountability"*. He will also work with the UK's All Party Parliamentary Group on Human Trafficking and Modern Slavery *"to promote utilisation of an effective system that will allow for easy scrutiny and comparison of Slavery and Human Trafficking Statements"* in order to *"ensure that business can be better held to account, enabling the public, consumer groups and potential investors to compare corporate responses to addressing modern slavery."*

Should I be doing anything now?

The previous financial year-end for many businesses was the end of December 2015. Therefore, if those businesses meet the transparency requirement to publish a Slavery and Human Trafficking Statement (see our FAQs about this and other issue at <http://www.corderycompliance.com/uk-modern-slavery-human-trafficking-faqs/> together with the Modern Slavery Update video below), the reporting period that must be covered by the statement is the end of December 2015 to the end of December 2016, and the statement must be published by the end of June 2017 at the latest. Those businesses concerned should therefore be undertaking the relevant compliance work.

Further, a development that should be followed concerns draft legislation to already amend the UK Modern Slavery Act 2015 (<http://www.publications.parliament.uk/pa/bills/bill/2016-2017/0006/17006.pdf>) which includes the following amongst its aims:

- To require commercial organisations to include their slavery and human trafficking statement in their annual report and accounts;
- To require the UK Government to publish, in an easy and accessible place and format, a list that is categorised by sector of all commercial organisations that are required to publish a slavery and human trafficking statement; and,
- To require contracting authorities to exclude from public procurement procedures economic operators who have not produced a slavery and human trafficking statement.

If enacted, this last requirement will add more teeth to the government's compliance enforcement. The bill had its second reading on 8 July (<http://services.parliament.uk/bills/2016-17/modernslaverytransparencyinsupplychains/stages.html>) now moves to the House of Lords Committee Stage at a date still to be announced.

We provide solutions to help clients meet their compliance obligations including producing their Slavery and Human Trafficking Statement, drafting an Anti-Slavery Policy and making customised training videos - for more details please see: <http://www.corderycompliance.com/solutions/modern-slavery-action/>.

For more information please contact André or Jonathan who are lawyers with Cordery in London where their focus is on compliance issues.

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